

SUBSTITUTE FOR  
SENATE BILL NO. 714

A bill to amend 1970 PA 91, entitled  
"Child custody act of 1970,"  
by amending section 2 (MCL 722.22), as amended by 2004 PA 542.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 2. As used in this act:

2       **(A) "ACTIVE MILITARY DUTY" MEANS WHEN A RESERVE UNIT MEMBER OR**  
3       **NATIONAL GUARD UNIT MEMBER IS CALLED INTO ACTIVE MILITARY DUTY.**

4       **(B) ~~(a)~~** "Agency" means a legally authorized public or  
5       private organization, or governmental unit or official, whether of  
6       this state or of another state or country, concerned in the welfare  
7       of minor children, including a licensed child placement agency.

8       **(C) ~~(b)~~** "Attorney" means, if appointed to represent a child  
9       under this act, an attorney serving as the child's legal advocate

1 in a traditional attorney-client relationship with the child, as  
2 governed by the Michigan rules of professional conduct. An attorney  
3 defined under this subdivision owes the same duties of undivided  
4 loyalty, confidentiality, and zealous representation of the child's  
5 expressed wishes as the attorney would to an adult client.

6 (D) ~~-(e)-~~ "Child" means minor child and children. Subject to  
7 section 5b of the support and parenting time enforcement act, 1982  
8 PA 295, MCL 552.605b, for purposes of providing support, child  
9 includes a child and children who have reached 18 years of age.

10 (E) ~~-(d)-~~ "Grandparent" means a natural or adoptive parent of  
11 a child's natural or adoptive parent.

12 (F) ~~-(e)-~~ "Guardian ad litem" means an individual whom the  
13 court appoints to assist the court in determining the child's best  
14 interests. A guardian ad litem does not need to be an attorney.

15 (G) ~~-(f)-~~ "Lawyer-guardian ad litem" means an attorney  
16 appointed under section 4. A lawyer-guardian ad litem represents  
17 the child, and has the powers and duties, as set forth in section  
18 4.

19 (H) ~~-(g)-~~ "Parent" means the natural or adoptive parent of a  
20 child.

21 (I) ~~-(h)-~~ "State disbursement unit" or "SDU" means the entity  
22 established in section 6 of the office of child support act, 1971  
23 PA 174, MCL 400.236.

24 (J) ~~-(i)-~~ "Third person" means an individual other than a  
25 parent.

26 Enacting section 1. This amendatory act does not take effect  
27 unless House Bill No. 5100 of the 93rd Legislature is enacted into

1 law.