

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.