

# HOUSE BILL No. 4745

June 18, 2015, Introduced by Reps. Heise, Kosowski and Kesto and referred to the Committee on Judiciary.

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 2 (MCL 552.502), as amended by 2009 PA 233.

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

1           Sec. 2. As used in this act:

2           (a) "Alternative dispute resolution" means a process  
3 established under section 13 by which the parties are assisted in  
4 voluntarily formulating an agreement to resolve a dispute  
5 concerning child custody or parenting time that arises from a  
6 domestic relations matter.

7           (b) "Bureau" means the state friend of the court bureau  
8 created in section 19.

9           (c) "Centralizing enforcement" means the process authorized  
10 under section 10 of the office of child support act, 1971 PA 174,

1 MCL 400.240.

2 (d) "Chief judge" means the following:

3 (i) The circuit judge in a judicial circuit having only 1  
4 circuit judge.

5 (ii) The chief judge of the circuit court in a judicial  
6 circuit having 2 or more circuit judges.

7 (e) "Citizen advisory committee" means a citizen friend of the  
8 court advisory committee established as provided in section 4.

9 (f) "Consumer reporting agency" means a person that, for  
10 monetary fees or dues, or on a cooperative nonprofit basis,  
11 regularly engages in whole or in part in the practice of assembling  
12 or evaluating consumer credit information or other information on  
13 consumers for the purpose of furnishing consumer reports to third  
14 parties, and that uses any means or facility of interstate commerce  
15 for the purpose of preparing or furnishing consumer reports. As  
16 used in this subdivision, "consumer report" means that term as  
17 defined in section 603 of the fair credit reporting act, 15 USC  
18 1681a.

19 (g) "County board" means the county board of commissioners in  
20 the county served by the office. If a judicial circuit includes  
21 more than 1 county, action required to be taken by the county board  
22 means action by the county boards of commissioners for all counties  
23 composing that circuit.

24 (h) "Court" means the circuit court.

25 (i) "Current employment" means employment within 1 year before  
26 a friend of the court request for information.

27 (j) "Custody or parenting time order violation" means an

1 individual's act or failure to act that interferes with a parent's  
2 right to interact with his or her child in the time, place, and  
3 manner established in the order that governs custody or parenting  
4 time between the parent and the child and to which the individual  
5 accused of interfering is subject.

6 (k) "De novo hearing" means a new judicial consideration of a  
7 matter previously heard by a referee.

8 (l) "Department" means the department of **HEALTH AND** human  
9 services.

10 (m) "Domestic relations matter" means a circuit court  
11 proceeding as to child custody, parenting time, child support, or  
12 spousal support, that arises out of litigation under a statute of  
13 this state, including, but not limited to, the following:

14 (i) 1846 RS 84, MCL 552.1 to 552.45.

15 (ii) The family support act, 1966 PA 138, MCL 552.451 to  
16 552.459.

17 (iii) The child custody act of 1970, 1970 PA 91, MCL 722.21 to  
18 722.31.

19 (iv) 1968 PA 293, MCL 722.1 to 722.6.

20 (v) The paternity act, 1956 PA 205, MCL 722.711 to 722.730.

21 (vi) The revised uniform reciprocal enforcement of support  
22 act, 1952 PA 8, MCL 780.151 to 780.183.

23 (vii) The uniform interstate family support act ~~, 1996 PA 310,~~  
24 ~~MCL 552.1101 to 552.1901.~~ (2015) .

25 (n) "Friend of the court" means the person serving under  
26 section 21(1) or appointed under section 23 as the head of the  
27 office of the friend of the court.

1           (o) "Friend of the court case" means a domestic relations  
2 matter that an office establishes as a friend of the court case as  
3 required under section 5a. ~~The term "friend of the court case",~~  
4 ~~when used in a provision of this act, is not effective until on and~~  
5 ~~after December 1, 2002.~~

6           (p) "Income" means that term as defined in section 2 of the  
7 support and parenting time enforcement act, MCL 552.602.

8           Enacting section 1. This amendatory act takes effect January  
9 1, 2016.

10           Enacting section 2. This amendatory act does not take effect  
11 unless Senate Bill No. \_\_\_\_ or House Bill No. 4742 (request no.  
12 02792'15) of the 98th Legislature is enacted into law.