

HOUSE BILL No. 5805

May 5, 1992, Introduced by Reps. Ciaramitaro, Bandstra, Gubow and Perry Bullard and referred to the Committee on Judiciary.

A bill to amend section 45 of chapter 84 of the Revised Statutes of 1846, entitled
"Of divorce,"
being section 552.45 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 45 of chapter 84 of the Revised Statutes
2 of 1846, being section 552.45 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 45. (1) ~~Every bill of~~ A complaint ~~filed~~ FOR
5 DIVORCE shall set forth the names and ages of all children of the
6 marriage. ~~, and when~~ IF there are children under ~~+7~~ 18 years
7 of age, a copy of the summons AND COMPLAINT issued in the cause
8 shall be served upon the ~~the~~ prosecuting attorney of the county
9 where suit is commenced ~~, or upon the friend of the court~~ in
10 those counties having a population of LESS THAN 500,000. ~~or more~~

1 ~~which have a friend of the court.~~ The prosecuting attorney ~~or~~
 2 ~~friend of the court~~ so served shall enter ~~his~~ AN appearance in
 3 the cause. ~~, and when~~ IF, in ~~his~~ THE PROSECUTING ATTORNEY'S
 4 judgment, the interest of the children or the public good ~~so~~
 5 requires, ~~he~~ THE PROSECUTING ATTORNEY shall introduce evidence
 6 and appear at the hearing and oppose the granting of a ~~decree~~
 7 JUDGMENT of divorce. ~~In any case wherein~~ IF there are no chil-
 8 dren ~~the issue~~ of ~~such~~ THE marriage under the age of ~~+7~~ 18
 9 years ~~, when it shall appear to~~ AND the court DETERMINES that
 10 the public good so requires, THE COURT MAY ENTER an order ~~may be~~
 11 ~~entered~~ requiring the prosecuting attorney or friend of the
 12 court in counties having a population of 500,000 or more to
 13 appear and oppose the granting of a ~~decree~~ JUDGMENT of
 14 divorce. For every case ~~which~~ THAT the prosecuting attorney
 15 investigates ~~, and in which~~ ~~he~~ THE PROSECUTING ATTORNEY
 16 appears by and with the consent of the court, ~~he~~ THE PROSECUT-
 17 ING ATTORNEY shall receive ~~the sum of~~ \$5.00, to be paid by the
 18 county treasurer upon the certificate of the circuit judge that
 19 ~~such~~ THE services have been performed. ~~Nothing in this act~~
 20 ~~contained shall be construed as preventing~~

21 (2) THIS ACT DOES NOT PREVENT A prosecuting ~~attorneys~~
 22 ATTORNEY, or ~~their~~ HIS OR HER partners, from acting as
 23 ~~solicitors or~~ counsel for either party to the suit. If a pros-
 24 ecuting attorney ~~or friend of the court~~ is in any way inter-
 25 ested as ~~solicitor or~~ counsel for either of the parties, the
 26 court shall appoint some reputable attorney to perform the

1 services of prosecuting attorney, as provided in this act, who
2 shall receive the compensation provided for ~~such~~ THAT service.