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BILL



ANALYSIS

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Senate Bill 586 (Substitute S-4 as reported by the Committee of the Whole)

Sponsor: Senator Glenn D. Steil

Committee: Families, Mental Health and Human Services

## **CONTENT**

The bill would amend the Friend of the Court (FOC) Act to require each county board of commissioners to appoint a citizen Friend of the Court advisory committee, which would be required to review and investigate grievances concerning the FOC; develop guidelines for the treatment of gender bias issues in its community; advise the court and the county board on the FOC's and the FOC office's duties and performance; and report annually to the county board, court, State Court Administrative Office (SCAO), Governor's office, and Legislature. The bill would require the SCAO to perform staff and support functions for citizen advisory committees.

Under the bill, the chief judge still would be responsible for the FOC's appointment and removal, but these actions could be rejected by a majority of the county board. The bill would delete provisions requiring a determination that an FOC was guilty of misconduct, neglect of statutory duty, or failure to carry out court orders, before he or she may be removed or placed on probation. The bill specifies that an FOC "is an at-will employee".

Currently, a party to a domestic relations matter who has a grievance concerning FOC office operations or employees may file a grievance with the FOC office, and, if dissatisfied with the office's decision, may file a further grievance with the chief judge. The bill would require the FOC office or chief judge, within 30 days, to respond to the grievance or state why a response was not possible within that time. Under the bill, a party also could file a grievance with the appropriate citizen advisory committee. The advisory committee would have to review or investigate the grievance, or hold a formal or informal hearing on it.

The Act requires the State advisory committee to develop and provide the FOC with forms for use by a payer or payee in requesting a court to modify his or her child support, as well as instructions on scheduling a support hearing. The bill would require the committee also to provide forms and instructions for an individual seeking to modify his or her custody or parenting time order.

MCL 552.502 et al.

Legislative Analyst: S. Margules

## **FISCAL IMPACT**

The fiscal impact of this bill would depend on the changes in the responsibilities and duties of the Friend of the Court office and its employees. Assuming that there would be no changes in the FOC office, the bill would have no fiscal impact.

The State Court Administrative Office would see an increase in its administrative responsibilities.

Date Completed: 2-20-96

Fiscal Analyst: M. Bain  
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.