

Act No. 7
Public Acts of 1996
Approved by the Governor
February 7, 1996
Filed with the Secretary of State
February 7, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

**Introduced by Senators Bennett, Geake, Dingell, Hoffman, Gougeon, Shugars, Dunaskiss, Stille,
Schuette, McManus, Byrum, Peters and Emmons**

ENROLLED SENATE BILL No. 608

AN ACT to amend sections 8 and 9 of Act No. 155 of the Public Acts of 1964, entitled as amended "An act to establish circuit court family counseling services and to provide for their powers and duties; to provide for the employment of directors of family counseling and for the selection and size of their staffs; to provide for the confidentiality of communications between the family counselors and clients; and to provide for payment of fees by persons counseled," as amended by Act No. 16 of the Public Acts of 1980, being sections 551.338 and 551.339 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 8 and 9 of Act No. 155 of the Public Acts of 1964, as amended by Act No. 16 of the Public Acts of 1980, being sections 551.338 and 551.339 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 8. Upon specific referral from the court or at the request and agreement of the litigants, the family counseling service may be instructed to serve as an impartial, unbiased resource in evaluating problems involving custody of minor children, parenting time of minor children, and related matters.

Sec. 9. (1) Except as provided in subsection (2), a communication between a counselor in the family counseling service and a person who is counseled is confidential. The secrecy of the communication shall be preserved inviolate as a privileged communication which privilege cannot be waived. The communication shall not be admitted in evidence in any proceedings. The same protection shall be given to communications between spouses and counselors to whom they have been referred by the court or the court's family counseling service.

(2) A family referred by the court with custody or parenting time problems whose adult members sign an agreement indicating the purpose of the referral is exempt from subsection (1). A report of an evaluation of those families shall be submitted to the court with indicated recommendations.

Section 2. This amendatory act shall not take effect unless Senate Bill No. 624 of the 88th Legislature is enacted into law.

Section 3. This amendatory act shall take effect June 1, 1996.

This act is ordered to take immediate effect.

Secretary of the Senate.

Clerk of the House of Representatives.

Approved _____

Governor.