



HOUSE BILL No. 5947

June 6, 1996, Introduced by Rep. Ciaramitaro and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 31 of Act No. 294 of the Public Acts of 1982, entitled as amended "Friend of the court act," as amended by Act No. 37 of the Public Acts of 1994, being section 552.531 of the Michigan Compiled Laws; and to add section 10.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 31 of Act No. 294 of the Public Acts of
2 1982, as amended by Act No. 37 of the Public Acts of 1994, being
3 section 552.531 of the Michigan Compiled Laws, is amended and
4 section 10 is added to read as follows:

5 SEC. 10. (1) THE OFFICE FOR A COURT THAT ISSUES A WARRANT
6 FOR AN INDIVIDUAL IN A DOMESTIC RELATIONS MATTER SHALL ENTER
7 INFORMATION CONCERNING THE WARRANT IN THE LEIN. THE OFFICE SHALL
8 UPDATE OR CORRECT INFORMATION CONCERNING A DOMESTIC RELATIONS

1 WARRANT IN THE LEIN. THE OFFICE SHALL IMMEDIATELY REMOVE
2 INFORMATION FROM THE LEIN REGARDING A DOMESTIC RELATIONS WARRANT
3 THAT IS NO LONGER VALID.

4 (2) AN OFFICE SHALL HAVE ACCESS TO THE LEIN.

5 Sec. 31. (1) "Bureau" means the state friend of the court
6 bureau created in section 19.

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

8 (a) The circuit judge in a judicial circuit having only 1
9 circuit judge.

10 (b) Except in the county of Wayne, the chief judge of the
11 circuit court in a judicial circuit having 2 or more circuit
12 judges.

13 (c) In the county of Wayne, the executive chief judge of the
14 circuit court in the third judicial circuit and the recorder's
15 court of the city of Detroit.

16 (3) "Consumer reporting agency" means a person that, for
17 monetary fees or dues, or on a cooperative nonprofit basis, regu-
18 larly engages in whole or in part in the practice of assembling
19 or evaluating consumer credit information or other information on
20 consumers for the purpose of furnishing consumer reports to third
21 parties, and that uses any means or facility of interstate com-
22 merce for the purpose of preparing or furnishing consumer
23 reports. As used in this subsection, "consumer report" means
24 that term as defined in section 603 of title VI of the consumer
25 credit protection act, Public Law 90-321, 15 U.S.C. 1681a.

26 (4) "Court" means the circuit court.

1 (5) "Domestic relations mediation" means a process by which
2 the parties are assisted by a domestic relations mediator in
3 voluntarily formulating an agreement to resolve a dispute con-
4 cerning child custody or visitation that arises from a domestic
5 relations matter.

6 (6) "Domestic relations matter" means a circuit court pro-
7 ceeding as to child custody or visitation, or child or spouse
8 support, that arises out of litigation under a statute of this
9 state, including but not limited to the following:

10 (a) Chapter 84 of the Revised Statutes of 1846, being sec-
11 tions 552.1 to 552.45 of the Michigan Compiled Laws.

12 (b) The family support act, Act No. 138 of the Public Acts
13 of 1966, being sections 552.451 to 552.459 of the Michigan
14 Compiled Laws.

15 (c) The child custody act of 1970, Act No. 91 of the Public
16 Acts of 1970, being sections 722.21 to 722.29 of the Michigan
17 Compiled Laws.

18 (d) Act No. 293 of the Public Acts of 1968, being sections
19 722.1 to 722.6 of the Michigan Compiled Laws.

20 (e) The paternity act, Act No. 205 of the Public Acts of
21 1956, being sections 722.711 to 722.730 of the Michigan Compiled
22 Laws.

23 (f) Revised uniform reciprocal enforcement of support act,
24 Act No. 8 of the Public Acts of 1952, being sections 780.151 to
25 780.183 of the Michigan Compiled Laws.

1 (7) "Friend of the court" means the person serving under
2 section 21(1) or appointed pursuant to section 23, as the head of
3 the office of the friend of the court.

4 (8) "LEIN" MEANS THE LAW ENFORCEMENT INFORMATION NETWORK
5 REGULATED UNDER THE L.E.I.N. POLICY COUNCIL ACT OF 1974, ACT
6 NO. 163 OF THE PUBLIC ACTS OF 1974, BEING SECTIONS 28.211 TO
7 28.216 OF THE MICHIGAN COMPILED LAWS.

8 (9) ~~(8)~~ "Medical assistance" means medical assistance as
9 established under title XIX of the social security act, chapter
10 531, 49 Stat. 620, 42 U.S.C. 1396 to 1396g and 1396i to 1396v.

11 (10) ~~(9)~~ "Office" and "office of the friend of the court"
12 mean the agency created in section 3.

13 (11) ~~(10)~~ "Payer" means a person ordered by the circuit
14 court to pay support.

15 (12) ~~(11)~~ "Public assistance" means aid to families with
16 dependent children, general assistance, foster care maintenance,
17 or a combination of those items.

18 (13) ~~(12)~~ "Recipient of support" means the following:

19 (a) The spouse, if the support order orders support for the
20 spouse.

21 (b) The custodial parent or guardian, if the support order
22 orders support for a minor child or a child who is 18 years of
23 age or older.

24 (c) The state department of social services, if support has
25 been assigned to the state department.

26 (14) ~~(13)~~ "Support" means either of the following:

1 (a) The payment of money for a child or a spouse ordered by
2 the circuit court, whether the order is embodied in an interim,
3 temporary, permanent, or modified order or judgment. Support may
4 include payment of the expenses of medical, dental, and other
5 health care, child care expenses, and educational expenses.

6 (b) The payment of money ordered by the circuit court under
7 the paternity act, Act No. 205 of the Public Acts of 1956, for
8 the necessary expenses incurred by or for the mother in connec-
9 tion with her confinement or of other expenses in connection with
10 the pregnancy of the mother.

11 (15) ~~(14)~~ "Support and visitation enforcement act" means
12 Act No. 295 of the Public Acts of 1982, being sections 552.601 to
13 552.650 of the Michigan Compiled Laws.

14 (16) ~~(15)~~ "Support order" means an order entered by the
15 circuit court for the payment of support in a sum certain,
16 whether in the form of a lump sum or a periodic payment.