



House Office Building, 9 South  
Lansing, Michigan 48909  
Phone: 517/373-6466

## DOMESTIC VIOLENCE; VICTIM ADVOCATES

**House Bill 4712**

**Sponsor: Rep. Sandra Caul**

**Committee: Criminal Law and Corrections**

**Complete to 9-29-99**

### **A SUMMARY OF HOUSE BILL 4712 AS INTRODUCED 5-19-99**

The bill would amend the Revised Judicature Act to authorize the family division of the circuit court in each county to provide a domestic violence victim advocate to assist victims of domestic violence in obtaining personal protection orders. The bill specifies that the court could use the services of a public or private agency or organization with a record of service to victims of domestic violence to provide the assistance. A victim advocate could inform a victim of the availability of personal protection orders, and could assist in obtaining, serving, modifying, or rescinding an order. Further, an advocate would be authorized to provide an interpreter for a case involving domestic violence, including a request for a personal protection order, and to inform a victim about available services, including shelters, safety plans, counseling, other social services, and generic written material about Michigan law.

A domestic violence victim advocate would be prohibited from representing a victim in court. However, the bill specifies that the provision of assistance by an advocate as described in the bill would not constitute the unauthorized practice of law. Further, a person providing assistance under the bill would be presumed to be acting in good faith and would not be liable in a civil action for damages for acts or omissions in providing the assistance, except acts or omissions amounting to gross negligence or willful or wanton misconduct.

The bill would take effect September 1, 1999.

MCL 600.916 and 600.2950b

Analyst: D. Martens

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