

Senate Fiscal Agency
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House Bill 4855 (as reported without amendment)
Sponsor: Representative Andrew Richner
House Committee: Civil Law and the Judiciary
Senate Committee: Families, Mental Health and Human Services

CONTENT

The bill would create the "Uniform Child-Custody Jurisdiction and Enforcement Act" and repeal the Uniform Child Custody Jurisdiction Act (MCL 600.651-600.673), effective April 1, 2002. The bill would do all of the following:

- Establish criteria to determine Michigan courts' jurisdiction in an initial child-custody determination (including a parenting time proceeding).
- Provide that a Michigan court that made a child-custody determination would have exclusive, continuing jurisdiction over the determination, until certain conditions existed.
- Specify that Michigan courts could not modify another state's child-custody determination except under certain circumstances.
- Provide for temporary, emergency jurisdiction in cases of abandonment of a child or abuse of a child, parent, or sibling.
- Allow Michigan courts to decline to exercise jurisdiction if another state were a more appropriate forum.
- Require Michigan courts to enforce the child-custody determination of another state that substantially complied with the proposed Act.
- Provide that another state's child-custody determination could be registered in Michigan, with or without a request for enforcement.
- Allow a person to file a verified application for a warrant authorizing law enforcement officers to take physical custody of a child who was likely to be injured or removed from Michigan.
- Provide for a prosecutor or the Attorney General to enforce a child-custody determination or a case involving the Hague Convention on the Civil Aspects of International Child Abduction, and authorize law enforcement officers to locate a child upon a prosecutor's request.
- Specify that cases arising before the bill's effective date would be handled under current law.

Legislative Analyst: S. Lowe

FISCAL IMPACT

The bill would update the Uniform Child Custody Jurisdiction Act. There would be no substantial changes to existing law and the bill would not result in new costs to the State or local units of government.

Date Completed: 12-6-01

Fiscal Analyst: B. Bowerman