

SENATE BILL No. 932

January 28, 2004, Introduced by Senators SWITALSKI, JACOBS, BERNERO, GARCIA and SCHAUER and referred to the Committee on Judiciary.

A bill to amend 1970 PA 91, entitled
"Child custody act of 1970,"
by amending section 6 (MCL 722.26), as amended by 1993 PA 259.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) This act is equitable in nature and shall be
2 liberally construed and applied to establish promptly the rights
3 of the child and the rights and duties of the parties involved.
4 This act applies to all circuit court child custody disputes and
5 actions, whether original or incidental to other actions. Those
6 disputes and actions shall have precedence for hearing and
7 assignment for trial over other civil actions.

8 (2) Except as otherwise provided in section 6b or 6e, if the
9 circuit court of this state does not have prior continuing
10 jurisdiction over a child, the action shall be submitted to the
11 circuit court of the county where the child resides or may be

1 found by complaint or complaint and motion for order to show
2 cause. An application for a writ of habeas corpus or for a
3 warrant in its place to obtain custody of a child shall not be
4 granted unless it appears that this act is inadequate and
5 ineffective to resolve the particular child custody dispute.

6 (3) If the circuit court of a county of this state has prior
7 continuing jurisdiction over a child and a parent with custody
8 moves to a contiguous county, the circuit court may transfer
9 continuing jurisdiction of the case to the circuit court of the
10 contiguous county if both parents and the circuit court of the
11 contiguous county agree to the transfer of jurisdiction.