

SUBSTITUTE FOR
HOUSE BILL NO. 4161
As amended May 19, 2005

A bill to amend 1996 PA 305, entitled
"Acknowledgment of parentage act,"
by amending sections 6 and 7 (MCL 722.1006 and 722.1007).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. After a mother and father sign an acknowledgment of
2 parentage, the mother ~~is presumed to have~~ **HAS INITIAL** custody of
3 the minor child, ~~unless~~ **WITHOUT PREJUDICE TO THE DETERMINATION OF**
4 **EITHER PARENT'S CUSTODIAL RIGHTS, UNTIL** otherwise determined by the
5 court or otherwise agreed upon by the parties in writing **AND**
6 **ACKNOWLEDGED BY THE COURT. [THIS GRANT OF INITIAL CUSTODY TO THE MOTHER**
 SHALL NOT, BY ITSELF, AFFECT THE RIGHTS OF EITHER PARENT IN A PROCEEDING
 TO SEEK A COURT ORDER FOR CUSTODY OR PARENTING TIME.]

7 Sec. 7. The acknowledgment of parentage form shall include at
8 least all of the following written notices to the parties:

9 (a) The acknowledgment of parentage is a legal ~~public~~

1 document.

2 (b) Completion of the acknowledgment is voluntary.

3 (c) The mother has **INITIAL** custody of the child, ~~unless~~
4 **WITHOUT PREJUDICE TO THE DETERMINATION OF EITHER PARENT'S CUSTODIAL**
5 **RIGHTS, UNTIL** otherwise determined by the court or agreed by the
6 parties in writing **AND ACKNOWLEDGED BY THE COURT. THIS GRANT OF**
7 **INITIAL CUSTODY TO THE MOTHER SHALL NOT, BY ITSELF, AFFECT THE**
8 **RIGHTS OF EITHER PARENT IN A PROCEEDING TO SEEK A COURT ORDER FOR**
9 **CUSTODY OR PARENTING TIME.**

10 (d) Either parent may assert a claim in court for parenting
11 time or custody.

12 (e) The parents have a right to notice and a hearing regarding
13 the adoption of the child.

14 (f) Both parents have the responsibility to support the child
15 and to comply with a court or administrative order for the child's
16 support.

17 (g) Notice that signing the acknowledgment waives the
18 following:

19 (i) Blood or genetic tests to determine if the man is the
20 biological father of the child.

21 (ii) Any right to an attorney, including the prosecuting
22 attorney or an attorney appointed by the court in the case of
23 indigency, to represent either party in a court action to determine
24 if the man is the biological father of the child.

25 (iii) A trial to determine if the man is the biological father
26 of the child.