

HOUSE BILL No. 6702

November 30, 2006, Introduced by Reps. Kolb and Lemmons, III and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 5078 (MCL 600.5078), as added by 2000 PA 420.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5078. (1) Unless otherwise agreed by the parties and
2 arbitrator in writing or on the record, the arbitrator shall issue
3 the written award on each issue within 60 days after either the end
4 of the hearing or, if requested by the arbitrator, after receipt of
5 proposed findings of fact and conclusions of law.

6 (2) Subject to the other restrictions in this subsection, if
7 the parties reach an agreement regarding child support, custody, or
8 parenting time, the agreement shall be placed on the record by the
9 parties under oath and shall be included in the arbitrator's

1 written award. An arbitrator shall not include in the award a child
 2 support amount that deviates from the child support formula
 3 developed ~~by the state friend of the court bureau~~ **PURSUANT TO THE**
 4 **CHILD SUPPORT FORMULA COMMISSION ACT** unless the arbitrator complies
 5 with the same requirements for such a deviation prescribed for the
 6 court under the law that applies to the domestic relations dispute
 7 that is being arbitrated.

8 (3) An arbitrator under this chapter retains jurisdiction to
 9 correct errors or omissions in an award until the court confirms
 10 the award. Within 14 days after the award is issued, a party to the
 11 arbitration may file a motion to correct errors or omissions. The
 12 other party to the arbitration may respond to such a motion within
 13 14 days after the motion is filed. The arbitrator shall issue a
 14 decision on the motion within 14 days after receipt of a response
 15 to the motion or, if a response is not filed, within 14 days after
 16 expiration of the response period.

17 Enacting section 1. This amendatory act does not take effect
 18 unless all of the following bills of the 93rd Legislature are
 19 enacted into law:

20 (a) Senate Bill No. ____ or House Bill No. 6698(request no.
 21 03402'05).

22 (b) Senate Bill No. ____ or House Bill No. 6699(request no.
 23 03402'05 a).