

# Legislative Analysis

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## ELIMINATE CREDENTIAL AUTHENTICATION

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**House Bill 5060**

**Sponsor: Rep. Paul Condino**

**Committee: Judiciary**

**Complete to 4-8-08**

## A SUMMARY OF HOUSE BILL 5060 AS INTRODUCED 7-24-07

House Bill 5060 would amend the Revised Judicature Act to eliminate provisions that require authentication of the credentials of out-of-state and international judges and notaries public.

Currently under the law, when an affidavit is taken of a person who lives in another state of the United States or in any foreign country, it must be authenticated in order to be received in judicial proceedings. The authentication process requires certification by the consul general or some consul or deputy consul resident in the foreign country; or by a judge of a court. In the case of authentication by a judge, the genuineness of the judge's signature (as well as the existence of the court) must be certified by the court clerk. If the affidavit is taken in the United States (or any territory), it may be taken before a commissioner appointed by the governor to take affidavits; or before any notary public or justice-of-the-peace. Then the signature of the notary public or justice-of-the-peace must be certified by the clerk of any court of record in the county where the affidavit is taken, under the seal of the court. House Bill 5060 would eliminate this subsection of the Revised Judicature Act.

MCL 6.2102

## FISCAL IMPACT:

The bill would have no fiscal impact on the State or local units of government.

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