

SUBSTITUTE FOR
SENATE BILL NO. 476

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 5080 (MCL 600.5080), as added by 2000 PA 420.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5080. (1) ~~Subject to subsection (2), the circuit~~ **EXCEPT**
2 **AS PROVIDED IN SECTION 5081, A** court shall not vacate or modify an
3 award concerning child support, custody, or parenting time unless
4 the court finds that the award is adverse to the best interests of
5 the child who is the subject of the award. ~~or under the provisions~~
6 ~~of section 5081.~~

7 (2) A review or modification of a child support, ~~amount,~~ child
8 custody, or parenting time **PROVISION UNDER THIS SECTION** shall be
9 ~~conducted and is subject to the standards and procedures provided~~
10 ~~in other statutes, in other applicable law, and by court rule that~~
11 ~~are applicable to child support amounts, child custody, or~~

1 ~~parenting time.~~ BASED ON THE RECORD MADE UNDER SECTION 5077(2). IF
2 THE COURT FINDS THAT THE RECORD IS INSUFFICIENT TO DETERMINE
3 WHETHER THE AWARD IS ADVERSE TO THE BEST INTERESTS OF THE CHILD,
4 THE COURT MAY TAKE ADDITIONAL EVIDENCE.

5 (3) Other standards and procedures regarding review of
6 arbitration awards described in this section are governed by court
7 rule.

8 (4) THIS SECTION DOES NOT APPLY TO THE REVIEW OR MODIFICATION
9 OF AN ORDER OR JUDGMENT THAT HAS BEEN ENTERED BY THE COURT. THE
10 REVIEW OR MODIFICATION OF AN ORDER OR JUDGMENT OF THE COURT
11 REGARDING CHILD SUPPORT, CHILD CUSTODY, OR PARENTING TIME SHALL BE
12 CONDUCTED AND IS SUBJECT TO STANDARDS AND PROCEDURES AS PROVIDED IN
13 OTHER APPLICABLE LAW AND COURT RULES.