

HOUSE BILL NO. 4215

March 12, 2025, Introduced by Rep. Paquette and referred to Committee on Families and Veterans.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 1035 (MCL 600.1035), as added by 2016 PA 93.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1035. (1) Except as provided in this subsection, unless a
- 2 court first conducts a hearing under the court rules to determine
- 3 whether mediation is appropriate, the court shall not submit a
- 4 contested issue in a domestic relations action, including
- 5 postjudgment proceedings, if either of the following applies:
- 6 (a) A personal protection order has been issued under section

1 2950 or 2950a or another order has been entered protecting 1 party
2 and restraining the other party. However, the court may order
3 mediation if the protected party requests mediation.

4 (b) One or both of the parties are involved in a child abuse
5 or neglect proceeding. However, the court may order mediation if a
6 parent protected by an order in the proceeding requests mediation.

7 (2) In a domestic relations mediation, the mediator shall make
8 reasonable inquiry as to whether either party has a history of a
9 coercive or violent relationship with the other party. A reasonable
10 inquiry includes the use of the domestic violence screening
11 protocol for mediation provided by the state court administrative
12 office as directed by the supreme court.

13 (3) A mediator shall make reasonable efforts throughout the
14 domestic relations mediation process to screen for the presence of
15 coercion or violence that would make mediation physically or
16 emotionally unsafe for any participant, or that would impede the
17 achievement of a voluntary and safe resolution of issues.

18 (4) As used in this section, "domestic relations action" means
19 any of the following:

20 (a) An action for divorce, separate maintenance, annulment of
21 marriage, affirmation of marriage, paternity, family support under
22 the family support act, 1966 PA 138, MCL 552.451 to 552.459, the
23 custody of minors under the child custody act of 1970, 1970 PA 91,
24 MCL 722.21 to 722.31, or grandparenting **or great-grandparenting**
25 time under section 7b of the child custody act of 1970, 1970 PA 91,
26 MCL 722.27b.

27 (b) A proceeding that is ancillary or subsequent to an action
28 listed in subdivision (a) and that relates to any of the following:

29 (i) The custody of a minor.

1 (ii) Parenting time with a minor.

2 (iii) The support of a minor, spouse, or former spouse.

3 Enacting section 1. This amendatory act does not take effect
4 unless House Bill No. 4217 (request no. H02116'25) of the 103rd
5 Legislature is enacted into law.