

REVOCATION OF PATERNITY ACT (EXCERPT)
Act 159 of 2012

***** 722.1439.amended *THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE* *****

722.1439.amended Motion to set aside determination.

Sec. 9. (1) If a child has an affiliated father and paternity was determined based on the affiliated father's failure to participate in the court proceedings, the mother, an alleged father, or the affiliated father may file a motion with the court that made the determination to set aside the determination.

(2) A motion under this section must be filed within 3 years after the child's birth or within 1 year after the date of the order of filiation, whichever is later. The requirement that an action be filed within 3 years after the child's birth or within 1 year after the date of the order of filiation does not apply to an action filed on or before 1 year after the effective date of this act.

(3) If the court determines that a motion under this section should be denied and the order of filiation not be set aside, the court shall order the person who filed the motion to pay the reasonable attorney fees and costs incurred by any other party because of the motion.

History: 2012, Act 159, Imd. Eff. June 12, 2012;—Am. 2024, Act 29, Eff. (sine die).