

SUMMARY SUPPORT AND PATERNITY ACT (EXCERPT)
Act 366 of 2014

***** 722.1497.new THIS NEW SECTION IS EFFECTIVE MARCH 17, 2015 *****

722.1497.new Order declaring alleged father to be child's father; failure to submit to genetic testing; contempt; actions by court.

Sec. 7. (1) Except as provided in subsection (2), if neither party to whom notice is given under section 5 requests genetic testing, or if the alleged father admits paternity, the title IV-D agency shall submit a proposed order to the court that establishes the alleged father to be the child's father and orders the payment of support. If the court is satisfied that the procedures in this act have been followed, the court shall enter the order.

(2) If the action is being filed on behalf of the alleged father and the child's mother does not admit the alleged father's paternity, the court shall not enter an order under this act declaring the alleged father to be the child's father unless genetic testing determines that the alleged father has a probability of paternity of 99% or higher.

(3) If a party who has participated in the proceeding or who has been served with the statement and notice as provided in section 5 fails to submit to genetic testing, and the court is made aware of that fact by affidavit or otherwise, the court may find the party in contempt, issue a warrant for the party's arrest to compel the party to appear for genetic testing, order other actions as the court considers appropriate to compel the party to appear for genetic testing, and order the person to pay the costs of the proceeding. The court may order the child's mother to produce the child and to submit to genetic testing. A court may dismiss the proceeding if the filing party fails to appear or produce the child for genetic testing, but the dismissal does not bar future action to establish the child's paternity.

History: 2014, Act 366, Eff. Mar. 17, 2015.