

HOUSE BILL No. 4482

April 21, 2015, Introduced by Rep. Kesto and referred to the Committee on Judiciary.

A bill to amend 1970 PA 91, entitled
"Child custody act of 1970,"
by amending section 2 (MCL 722.22), as amended by 2005 PA 327.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) ~~"Active military duty" means when a reserve unit member or~~
3 ~~national guard unit member is called into active military duty.~~**THAT**
4 **TERM AS DEFINED IN SECTION 101 OF THE SERVICEMEMBERS CIVIL RELIEF**
5 **ACT, 50 USC 511, EXCEPT THAT "ACTIVE DUTY" INCLUDES FULL-TIME**
6 **NATIONAL GUARD DUTY.**

7 (b) "Agency" means a legally authorized public or private
8 organization, or governmental unit or official, whether of this
9 state or of another state or country, concerned in the welfare of
10 minor children, including a licensed child placement agency.

1 (c) "Attorney" means, if appointed to represent a child under
2 this act, an attorney serving as the child's legal advocate in a
3 traditional attorney-client relationship with the child, as
4 governed by the Michigan rules of professional conduct. An attorney
5 defined under this subdivision owes the same duties of undivided
6 loyalty, confidentiality, and zealous representation of the child's
7 expressed wishes as the attorney would to an adult client.

8 (d) "Child" means minor child and children. Subject to section
9 5b of the support and parenting time enforcement act, 1982 PA 295,
10 MCL 552.605b, for purposes of providing support, child includes a
11 child and children who have reached 18 years of age.

12 (E) "DEPLOYMENT" MEANS THE MOVEMENT OR MOBILIZATION OF A
13 SERVICEMEMBER TO A LOCATION FOR A PERIOD OF LONGER THAN 60 DAYS AND
14 NOT LONGER THAN 540 DAYS UNDER TEMPORARY OR PERMANENT OFFICIAL
15 ORDERS AS FOLLOWS:

16 (i) THAT ARE DESIGNATED AS UNACCOMPANIED.

17 (ii) FOR WHICH DEPENDENT TRAVEL IS NOT AUTHORIZED.

18 (iii) THAT OTHERWISE DO NOT PERMIT THE MOVEMENT OF FAMILY
19 MEMBERS TO THAT LOCATION.

20 (iv) THE SERVICEMEMBER IS RESTRICTED FROM TRAVEL.

21 (F) ~~(e)~~—"Grandparent" means a natural or adoptive parent of a
22 child's natural or adoptive parent.

23 (G) ~~(f)~~—"Guardian ad litem" means an individual whom the court
24 appoints to assist the court in determining the child's best
25 interests. A guardian ad litem does not need to be an attorney.

26 (H) ~~(g)~~—"Lawyer-guardian ad litem" means an attorney appointed
27 under section 4. A lawyer-guardian ad litem represents the child,

1 and has the powers and duties, as set forth in section 4.

2 (I) ~~(h)~~—"Parent" means the natural or adoptive parent of a
3 child.

4 (J) ~~(i)~~—"State disbursement unit" or "SDU" means the entity
5 established in section 6 of the office of child support act, 1971
6 PA 174, MCL 400.236.

7 (K) ~~(j)~~—"Third person" means an individual other than a
8 parent.

9 Enacting section 1. This amendatory act takes effect 90 days
10 after the date it is enacted into law.

11 Enacting section 2. This amendatory act does not take effect
12 unless all of the following bills of the 98th Legislature are
13 enacted into law:

14 (a) Senate Bill No. 9.

15 (b) House Bill No. 4071.