

Legislative Analysis



VERIFIED STATEMENT IN CERTAIN CUSTODY CASES

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5998 as introduced
Sponsor: Rep. Stephanie Young
Committee: Families, Children and Seniors
Complete to 11-11-24

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5998 would amend the Uniform Child-Custody Jurisdiction and Enforcement Act, which governs procedures regarding child custody disputes that involve Michigan and parties or proceedings (e.g., custody court orders) from outside of Michigan.

Among other things, the act requires each party in a child custody proceeding conducted under the act to include certain information in its first pleading or in an attached sworn statement, such as the child's current address and the places where, and people with whom, the child has lived during the last five years.

Currently, the information in the pleading or attached sworn statement must be given under oath. The bill would remove the "under oath" requirement for both the pleading and the sworn statement, but would require the sworn statement to be verified under Michigan Court Rules.¹

The bill also would amend a provision that, with an exception, requires the court to seal and not disclose information if a party has alleged in a sworn statement or a pleading under oath that disclosure of the information would endanger a party's or child's health, safety, or liberty. The bill would require the sworn statement to be verified under Michigan Court Rules, and would retain the requirement in this case that the pleading be made under oath.

MCL 722.1209

FISCAL IMPACT:

House Bill 5998 would have no fiscal impact on the state and minimal fiscal impact, if any, on local court funding units. The fiscal impact would depend on the extent to which there are additional costs for verifying sworn statements.

Legislative Analyst: E. Best
Fiscal Analyst: Robin Risko

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

¹ <https://www.courts.michigan.gov/rules-administrative-orders-and-jury-instructions/current-rules-and-jury-instructions/michigan-court-rules/>