

SUBSTITUTE FOR  
HOUSE BILL NO. 5998

A bill to amend 2001 PA 195, entitled  
"Uniform child-custody jurisdiction and enforcement act,"  
by amending section 209 (MCL 722.1209).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 209. (1) Subject to the law of this state providing for  
2 confidentiality of procedures, addresses, and other identifying  
3 information, in a child-custody proceeding, each party, in its  
4 first pleading or in an attached ~~sworn~~ statement, **verified pursuant**  
5 **to Michigan court rules**, shall give information, if reasonably  
6 ascertainable, ~~under oath~~ as to the child's present address, the  
7 places where the child has lived during the last 5 years, and the  
8 names and present addresses of the persons with whom the child has  
9 lived during that period. The pleading or sworn statement must

1 state all of the following:

2 (a) Whether the party has participated, as a party or witness  
3 or in another capacity, in another child-custody proceeding with  
4 the child and, if so, identify the court, the case number of the  
5 child-custody proceeding, and the date of the child-custody  
6 determination, if any.

7 (b) Whether the party knows of a proceeding that could affect  
8 the current child-custody proceeding, including a proceeding for  
9 enforcement or a proceeding relating to domestic violence, a  
10 protective order, termination of parental rights, or adoption, and,  
11 if so, identify the court, the case number, and the nature of the  
12 proceeding.

13 (c) The name and address of each person that the party knows  
14 who is not a party to the child-custody proceeding and who has  
15 physical custody of the child or claims rights of legal custody or  
16 physical custody of, or parenting time with, the child.

17 (2) If the information required by subsection (1) is not  
18 furnished, upon motion of a party or its own motion, the court may  
19 stay the proceeding until the information is furnished.

20 (3) If the declaration as to an item described in subsection  
21 (1) is in the affirmative, the declarant shall give additional  
22 information under oath as required by the court. The court may  
23 examine the parties under oath as to details of the information  
24 furnished and other matters pertinent to the court's jurisdiction  
25 and the disposition of the case.

26 (4) Each party has a continuing duty to inform the court of a  
27 proceeding in this or another state that could affect the current  
28 child-custody proceeding.

29 (5) If a party alleges in a ~~sworn~~ **pleading or** statement, ~~or a~~

1 ~~pleading under oath~~ **verified pursuant to Michigan court rules**, that  
2 a party's or child's health, safety, or liberty would be put at  
3 risk by the disclosure of identifying information, the court shall  
4 seal and not disclose that information to the other party or the  
5 public unless the court orders the disclosure after a hearing in  
6 which the court considers the party's or child's health, safety,  
7 and liberty and determines that the disclosure is in the interest  
8 of justice.

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