

HOUSE BILL NO. 5998

September 26, 2024, Introduced by Rep. Young and referred to the Committee on Families, Children and Seniors.

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

1 places where the child has lived during the last 5 years, and the
2 names and present addresses of the persons with whom the child has
3 lived during that period. The pleading or sworn statement must
4 state all of the following:

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

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

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

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

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

29 (4) Each party has a continuing duty to inform the court of a

1 proceeding in this or another state that could affect the current
2 child-custody proceeding.

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