

DIVORCE EFFECTS EDUCATION PROGRAM

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House Bill 5470

Sponsor: Rep. Barb Vander Veen

Committee: Judiciary

Complete to 3-29-04

A SUMMARY OF HOUSE BILL 5470 AS INTRODUCED 2-5-04

House Bill 5470 would amend Chapter 84 of the Revised Statutes of 1846, entitled “Of divorce”, to require that the parties to a divorce complete a divorce effects educational program before the entry of the judgment of divorce, if there are minor children (or if the wife is pregnant and the husband would be considered the child’s father under the law). The divorce effects program would have to cover at least all of the following subjects:

- The child’s (or children’s) developmental stages, responses to divorce, symptoms of maladjustment to divorce and response to maladjustment, and education or counseling options for the child or children.
- The adult parties’ communication skills; conflict resolution skills; emotional adjustment, family adjustment, financial adjustment, and work adjustment techniques; stress reduction; parallel and cooperative parenting techniques; reconciliation and counseling options, and remarriage issues; and substance abuse information and referral.
- Court procedure and process as described in information available from the friend of the court.

A divorce effects program could be conducted by a licensed professional counselor, licensed marriage and family therapist, licensed or limited licensed psychologist, certified social worker, social worker licensed or registered under the Public Health Code, psychiatrist, an official representative of a religious institution or his or her designee, or by court or friend of the court personnel. If conducted by a representative of a religious institution, the program could omit any of the required subject matter if training, education, or counseling on that matter would violate a tenet of the religious institution.

A program provider could offer a fee schedule to accommodate families of various financial means, including allowing participation by indigent individuals for no fee. Payment for such a program would be made directly to the program provider.

The court would be prohibited from ordering a divorce effects program if a party to the marriage filed a sworn statement that he or she is a victim of domestic violence. Further, the court could otherwise excuse a party from attending a program for good cause. A

party who was not excused or exempted under this provision and who failed to complete the program could be held in contempt, or the court could impose another reasonable sanction.

MCL 552.5 and 552.5a

Legislative Analyst: S. Stutzky

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