

SUBSTITUTE FOR
HOUSE BILL NO. 5472

A bill to amend 1846 RS 84, entitled
"Of divorce,"
by amending section 45 (MCL 552.45).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 45. Every bill of complaint filed shall set forth the
2 names and ages of all children of the marriage, and ~~when~~ **if**
3 there are children under 17 years of age a copy of the summons
4 issued in the cause shall be served upon the ~~the~~ prosecuting
5 attorney of the county where suit is commenced, or upon the
6 friend of the court in those counties having a population of
7 500,000 or more ~~which~~ **that** have a friend of the court. The
8 prosecuting attorney or friend of the court so served ~~shall~~ **may**
9 enter his **or her** appearance in the cause, and ~~when~~ **if**, in his
10 **or her** judgment, the interest of the children or the public good
11 so requires, he **or she** shall introduce evidence and appear at the

1 hearing and oppose the granting of a decree of divorce. In ~~any~~
2 a case ~~wherein~~ **in which** there are no children the issue of such
3 marriage under the age of 17 years, ~~when~~ **if** it ~~shall appear~~
4 **appears** to the court that the public good ~~so~~ requires, an order
5 may be entered requiring the prosecuting attorney or friend of
6 the court in counties having a population of 500,000 or more to
7 appear and oppose the granting of a decree of divorce. ~~For~~
8 ~~every case which the prosecuting attorney investigates, and in~~
9 ~~which he appears by and with the consent of the court, he shall~~
10 ~~receive the sum of \$5.00, to be paid by the county treasurer upon~~
11 ~~the certificate of the circuit judge that such services have been~~
12 ~~performed.~~ Nothing in this act ~~contained shall be construed as~~
13 ~~preventing~~ **prevents** prosecuting attorneys or their partners from
14 acting as solicitors or counsel for either party to the suit. If
15 a prosecuting attorney or friend of the court is in any way
16 interested as solicitor or counsel for either of the parties the
17 court shall appoint some reputable attorney to perform the
18 services of prosecuting attorney, as provided in this act, who
19 shall receive the compensation provided for such service.