

Dear Grandparent/Grandchild Supporter:

As promised, I am providing you an update as to what happened in the recently decided DeRose vs. DeRose case decided July 31, 2003, by the Michigan Supreme Court. Unfortunately the letter that I had hoped to send is different than the one that I am forced to send. As many of you may already know, the Michigan Supreme Court, in a 6 to 1 decision, ruled that our Grandparent Visitation Law in the State of Michigan was unconstitutional. In the Court's ruling it did not rule that grandparents should not see grandchildren or, that in any way grandparents should be precluded from seeing their grandchildren. The six opinion majority ruled that Michigan's law was deficient for three reasons:

The statute did not provide a presumption that fit parents act in the best interests of their children;

The statute failed to accord the fit parent's decision concerning visitation any "special weight"; and

The statute failed to clearly place the burden in the proceedings on the grandparents, rather than the parents.

We never objected to any of those three requirements as we believe that Michigan's law already provides for them as part of our Grandparent Visitation Statute as contained within the Michigan Child Custody Act.

Please be advised that first thing Friday, morning, August 1, 2003, we were in contact with both Michigan Senators and Representatives requesting new legislation be enacted to amend our Grandparent Visitation Law to insert those three requirements in order to validate Michigan's Law and make it constitutional once again. Representative Edward Gaffney, from Grosse Pointe, has agreed to work with us in order to put together a proposed bill which will be introduced in the House of Representatives. We have also been contacted by State Senator Hansen Clarke of Detroit who, also volunteered his services to assist in drafting legislation from the Senate perspective. I am hopeful that this will become a non-partisan issue and, since we agree to the three provisions the Supreme Court said was necessary to validate Michigan's law, that our new law will be enacted as quickly as possible. However, that will require your aid and assistance. If you are familiar with the legislative process, you will know that your State Representative and State Senator will need to hear from you and any friend/family member who supports our position in order to move this bill forward quickly. If you know the name and phone number of your State Representative (both House and Senate) in Lansing, please write, e-mail, or call them and express your concern about this topic and request their support for the new bill which will be introduced. We do not have a House Number for the bill yet, but I am sure they will know of it once it has been written. In the event you are not sure of who your State Representatives are, please call the Grandparents Rights Organization directly at (248) 646-7177 and we will assist you in finding out who your representative is and provide you with their address, phone number and e-mail address.

We would also request, as soon as possible, that in addition to letters to your representatives. Send letters to the:

President of the Senate Senate Majority Leader
Lieutenant Governor John D. Cherry Kenneth R. Sikkema
P.O. Box 30036 P.O. Box 30036
Lansing, MI 48909-7536 Lansing, MI 48909-7536
(517) 373-6800 (517) 373-0797

Speaker of the House House Majority Floor Leader
Rick Johnson - District 102 Randy Richardville - District 56
P.O. Box 30014 P.O. Box 30014

Lansing, MI 48909 Lansing, MI 48909
(517) 373-1747 (517) 373-2617

as well as to all newspapers in your area, as letters to the "Editor", supporting the need for grandparent visitation laws which will allow children the opportunity to experience the shared memories and experiences which are unique to the grandparent/grandchild relationship. Again, because we are requesting public policy enactments, it will be necessary for the State Legislators to know this is an issue of public concern that has public support. Without your assistance, that will not be possible.

In the event you have any further questions or concerns, please contact me or one of our volunteer staff members. Please be aware that all of our GRO staff are volunteers and we will do our very best to assist you as quickly as possible. Therefore, if you call our office for the name of your State Representative and State Senator, please find out the District Number where you reside (you can call your local township or city office, library or police station) to request this information. Once we know the district you live in, we are then able to provide you the name, address, phone number, etc., of your representatives.

Thank you for your assistance and support. We look forward to rectifying this tragedy which has occurred to the grandparents and grandchildren in our state as quickly as possible.

Very truly yours,

RICHARD S. VICTOR

Founder and Executive Director