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**Effect of Obergefell Same-Sex Marriage Decision on Michigan Statutes**

Melissa L. Meyers

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In June of this year, in their landmark Obergefell v. Hodges decision, the United States Supreme Court held that states cannot ban same-sex marriages, thereby requiring all states to issue marriage licenses to same-sex couples.

Currently, Michigan statutes read that marriage is a civil contract between a “man” and a “woman”. Additionally, numerous other statutes commonly cited or referenced in family law utilize gender-specific language to codify and specify the validity of heterosexual marriages solely, including not only the statutes pertaining to marriage, but also the subsequent divorce consequences involving minor children. As they currently exist, Michigan’s statutes pertaining to custody and parenting time utilize the nouns “mother” and “father” in reference to minor children. These statutes will all need to be modified to conform Michigan law to the Supreme Court’s opinion.

Currently there are no bills on the House or Senate floor seeking to modify these statutes to bring them into conformity. Several non-partisan groups are combing through these statutes pulling out those needing amendment. It could take months, if not years, for the language in all these statutes to be updated accordingly. In the meantime, practitioners in the area of family law will have to deal with the non-conformity of statute to Supreme Court decision in their daily practice.