

Legislative Analysis



ADOPTION REVISIONS

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House Bill 4911 as introduced
Sponsor: Rep. Kathy Crawford
Committee: Judiciary
Complete to 2-16-16

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

The bill would amend the Michigan Adoption Code to do the following:

- ❖ In a hearing to determine the identity and the rights of the father of a child claimed to have been born out of wedlock, the bill would allow the court—in lieu of the mother's live testimony—to receive an affidavit or a verified written declaration from the mother as evidence of the identity and whereabouts of the child's father. If the document is determined to be insufficient, the court must allow the affidavit or verified written declaration to be amended.
- ❖ Currently, three months after formal placement, a court may enter an order of adoption for a child less than one year old at the time a petition for adoption is filed, unless the court determines that circumstances make adoption undesirable. (This is an exemption to the general requirement of a six-month period between formal placement of an adoptee and the issuance of a court order of adoption.)

The bill would provide that upon the motion of the petitioner, the court would be allowed to waive the three-month period, or any portion of it, if the waiver is in the adoptee's (child's) best interest.

- ❖ In a step-parent adoption of a child born out of wedlock, the Adoption Code allows the mother to join in a petition for adoption of the child filed by her *husband*. The bill would refer instead to the mother's *spouse*.

The bill will take effect 90 days after enactment.

MCL 710.36 and 710.56

FISCAL IMPACT:

House Bill 4911 would have no significant impact on the Department of Health and Human Services.

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