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REMOVAL OF CHILDREN FROM RELATIVES' CARE

House Bill 4858

Sponsor: Rep. Irma Clark

Committee: Civil Law and the Judiciary

Complete to 10-10-01

A SUMMARY OF HOUSE BILL 4858 AS INTRODUCED 5-30-01

The bill would add a section to Chapter XIIA (the "Juvenile Code") of the Probate Code. Specifically, if a child were residing with a relative at the time when the child comes under the jurisdiction of the family division of the circuit court, the court could not issue an order to remove the child from the relative's care unless the court found that the child were at risk of being harmed.

In addition, if the relative intended to become the child's foster parent, guardian, or adoptive parent, the court would be prohibited from ordering the child removed from the relative until the proceedings regarding the child's placement were concluded, unless the court found that the child were at risk of being harmed.

The bill would define "relative" to mean an adult who was the child's grandparent, brother, sister, stepsister, stepbrother, uncle, or aunt by marriage, blood, or adoption.

MCL 712A.11a

House Bill 4858 (10-10-01)

Analyst: M. Wolf

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.