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BILL ANALYSIS

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Senate Bill 1441 (as introduced 9-30-04)
Sponsor: Senator Virg Bernero
Committee: Judiciary

Date Completed: 10-5-04

CONTENT

The bill would amend the juvenile code to double the time between foster care review hearings held after the initial hearing following termination of parental rights. The bill also would require the family court to conduct a permanency planning hearing within 12 months after a child was removed from his or her home, and once every 12 months after that.

Under the code, if a child remains in foster care following the termination of parental rights (other than in a permanent foster family agreement or a permanent placement with a relative), the family division of circuit court (family court) must conduct a hearing within 91 days after the termination of parental rights and at least every 91 days after that hearing. Under the bill, the family court still would have to conduct the first hearing within 91 days after termination, but would have to hold subsequent hearings at least every 182 days after the first hearing.

In addition, the bill would require the family court to conduct the first permanency planning hearing within 12 months after the date the child originally was removed from his or her home. The court would have to hold subsequent permanency planning hearings within 12 months after the preceding hearing.

MCL 712A.19c

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. By lengthening the period within which the court must hold subsequent foster care review hearings, and in doing so, decreasing the number of hearings held, the bill could decrease local court costs. By requiring permanency planning hearings every 12 months for children remaining in foster care after parental rights have been terminated, the bill could increase court costs. Any change in the number of foster care review and permanency planning hearings held also could increase Family Independence Agency caseload costs, the amount of which cannot be determined at this time.

Fiscal Analyst: Bethany Wicksall

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