

SUBSTITUTE FOR

SENATE BILL NO. 1441

(As amended, November 3, 2004)

A bill to amend 1939 PA 288, entitled
"Probate code of 1939,"
by amending section 19c of chapter XIIIA, (MCL 712A.19c), as
amended by 2000 PA 46.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

CHAPTER XIIIA

2

Sec. 19c. (1) Except as provided in section 19(4) and

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subject to subsection (2), if a child remains in ~~foster care~~ << >>

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placement following the termination of parental rights to the

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child, the court shall conduct a **review** hearing not more than 91

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days after the termination of parental rights and ~~at least~~ **no**

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later than every 91 days after that hearing **for the first year**

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following termination of parental rights to the child. If a

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child remains in a placement for more than 1 year following

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termination of parental rights to the child, a review hearing

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1 shall be held no later than << >> 182 days from the immediately
2 preceding review hearing before the end of the first year and no
3 later than every 182 days from each preceding review hearing
4 thereafter <<until the case is dismissed>>. A review hearing under this
5 subsection shall not be
6 canceled or delayed beyond the number of days required in this
7 subsection, regardless of whether any other matters are pending.
8 Upon motion by any party or in the court's discretion, a review
9 hearing may be accelerated to review any element of the case. The
10 court shall conduct the first permanency planning hearing within
11 12 months from the date that the child was originally removed
12 from the home. Subsequent permanency planning hearings shall be
13 held within 12 months of the preceding permanency planning
14 hearing. If proper notice for a permanency planning hearing is
15 provided, a permanency planning hearing may be combined with a
16 review hearing held under section 19(2) to (4) of this chapter.
17 A permanency planning hearing under this section shall not be
18 canceled or delayed beyond the number of months required in this
19 subsection, regardless of whether any other matters are pending.
20 At a hearing under this section, the court shall review all of
21 the following:

22 (a) The appropriateness of the permanency planning goal for
23 the child.

24 (b) The appropriateness of the child's placement. ~~in foster
25 care.~~

26 (c) The reasonable efforts being made to place the child for
27 adoption or in other permanent placement in a timely manner.

(2) This section applies only to a child's case in which

1 parental rights to the child were either terminated as the result
2 of a proceeding under section 2(b) of this chapter or a similar
3 law of another state or terminated voluntarily following the
4 initiation of a proceeding under section 2(b) of this chapter or
5 a similar law of another state. This section applies as long as
6 the child is subject to the jurisdiction, control, or supervision
7 of the court or of the Michigan children's institute or other
8 agency.