

**PROBATE CODE OF 1939 (EXCERPT)**  
**Act 288 of 1939**

**712.7 Duties of child placing agency.**

Sec. 7.

Upon receipt of notice from a hospital under section 5 of this chapter, the child placing agency shall do all of the following:

- (a) Immediately assume the care, control, and temporary protective custody of the newborn.
- (b) If a parent is known and willing, immediately meet with the parent.
- (c) Unless otherwise provided in this subdivision, make a temporary placement of the newborn with a prospective adoptive parent who has an approved preplacement assessment. If a petition for custody is filed under section 10 of this chapter, the child placing agency may make a temporary placement of the newborn with a licensed foster parent.
- (d) Unless the birth was witnessed by the emergency service provider, immediately request assistance from law enforcement officials to investigate and determine, through the missing children information clearinghouse, the national center for missing and exploited children, and any other national and state resources, whether the newborn is a missing child.
- (e) Not later than 48 hours after a transfer of physical custody to a prospective adoptive parent, petition the court in the county in which the prospective adoptive parent resides to provide authority to place the newborn and provide care for the newborn. The petition shall include all of the following:
  - (i) The date of the transfer of physical custody.
  - (ii) The name and address of the emergency service provider to whom the newborn was surrendered.
  - (iii) Any information, either written or verbal, that was provided by and to the parent who surrendered the newborn. The emergency service provider that originally accepted the newborn as required by section 3 of this chapter shall provide this information to the child placing agency.
- (f) Within 28 days, make reasonable efforts to identify, locate, and provide notice of the surrender of the newborn to the nonsurrendering parent. The child placing agency shall file a written report with the court that issued the order placing the child. The report shall state the efforts the child placing agency made in attempting to identify and locate the nonsurrendering parent and the results of those efforts. If the identity and address of the nonsurrendering parent are unknown, the child placing agency shall provide notice of the surrender of the newborn by publication in a newspaper of general circulation in the county where the newborn was surrendered.

**History:** Add. 2000 Act 232, Eff. Jan. 1, 2001 ;-- Am. 2006, Act 488, Eff. Jan. 1, 2007

**Compiler's Notes:** Enacting section 1 of Act 232 of 2000 provides: "Enacting section 1. Section 19b of chapter XIA of the probate code of 1939, 1939 PA 288, MCL 712A.19b, as amended by this amendatory act, and chapter XII of the probate code of 1939, 1939 PA 288, as added by this amendatory act, do not apply to a proceeding that arises before the effective date of this amendatory act."

**Popular Name:** Baby Abandonment

**Popular Name:** Baby Drop Off