

**Report on Public Policy Position****Name of section:**

Family Law Section

**Contact person:**

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[HB 5643](#) (Calley) Children; adoption; placement of child in homes with other blood siblings; require to consider as best interest of child. Amends [1939 PA 288](#) (MCL [710.21](#) - 712A.32) by adding sec. 23g to ch. X.

**Date position was adopted:**

February 6, 2010

**Process used to take the ideological position:**

Position adopted after discussion and vote at a scheduled meeting.

**Number of members in the decision-making body:**

21

**Number who voted in favor and opposed to the position:**

19 Voted for position

0 Voted against position

0 Abstained from vote

2 Did not vote

**Position:**

Oppose

**Explanation of the position, including any recommended amendments:**

HB 5643 would amend the probate code for adoption proceedings to require DHS to “consider and evaluate” placing a child who is being removed from a home in the same placement as a sibling who was previously removed. The bill attempts to join two disparate proceedings: removals under the Juvenile Code and adoption proceedings. DHS already has a duty to try to keep family together under state law (MCL 722.954a(2)) and their own policy manual. This bill is unnecessary, and its reference to two disparate proceedings would distort the current process. The Family Law Section opposes this bill.

**The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.**

<http://legislature.mi.gov/doc.aspx?2009-HB-5643>