



Report on Public Policy Position

Name of Section:

Family Law Section

Contact Person:

Kent Weichmann

Email:

weichmann@earthlink.net

Bill Number:

HB 4259 (Condino) Children; adoption; second parent adoption; provide for. Amends secs. 24 & 51 of 1939 PA 288 (MCL 710.24 & 710.51).

Date position was adopted:

May 5, 2007

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:

14 Voted for position

2 Voted against position

0 Abstained from vote

5 Did not vote

Position:

Support with recommended amendments

Explanation of the position, including any recommended amendments:

HB 4259 is this year's version of the second parent adoption bill. The council supported HB 5399 last year. The Council renews its support for this bill with the following additions: We suggest that 41(4) read "This section does not apply if the petitioner for adoption is married to or has joined in an adoption petition with the parent having legal custody of the child. 710.51(3) should also be amended to keep the children of parents with legal custody from having their child(ren) becoming wards of the court as are the children in step parent adoptions. The last line of 51(3) should read: "If the petitioner for adoption is married to the parent having legal custody of the child, or has joined in an adoption petition with another person under section 24(1) of this chapter, the child shall not be made a ward of the court after termination of the rights of the other parent."

The text (may be provided by hyperlink) of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report:

<http://legislature.mi.gov/doc.aspx?2007-HB-4259>