



House
Legislative
Analysis
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ADOPTION REHEARING PETITIONS

House Bill 4203 as enrolled
Second Analysis (8-8-94)

Sponsor: Rep. James McNutt
House Committee: Judiciary
Senate Committee: Family Law, Mental
Health, and Corrections

THE APPARENT PROBLEM:

Michigan court rules use multiples of seven in establishing deadlines for taking action. Recent practice has been to amend statute as the opportunity arises to make statutory deadlines for taking action divisible by seven days. The adoption code contains 20-day deadlines for seeking a rehearing or filing an appeal. Amendments have been proposed make the deadlines consistent with current policy.

THE CONTENT OF THE BILL:

The bill would amend the adoption code to change the deadline for filing a petition for rehearing from 20 to 21 days after the court issued an order under the code. The deadline for appealing to the court of appeals would be similarly extended from 20 to 21 days.

The bill could not take effect unless Senate Bill 725, which deals with various foster care matters, also was enacted.

MCL 710.64 and 710.65

FISCAL IMPLICATIONS:

The Senate Fiscal Agency says that the bill would have no fiscal impact on state or local government.
(3-15-94)

ARGUMENTS:

For:

The bill would make the adoption code's deadlines for seeking a rehearing or bringing an appeal consistent with current policy and court rules calling for time frames to be divisible by seven days.

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