

SENATE BILL No. 1286

September 21, 1994, Introduced by Senators DINGELL and WELBORN and referred to the Committee on Family Law, Mental Health, and Corrections

A bill to amend chapter X of Act No 288 of the Public Acts of 1939, entitled as amended

"An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court to provide for appeals from the juvenile division of the probate court to prescribe the powers and duties of certain state departments, agencies, and officers and to provide remedies and penalties for the violation of this act."

as amended, being sections 710 21 to 710 70 of the Michigan Compiled Laws, by adding section 65a

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THE PEOPLE OF THE STATE OF MICHIGAN ENACT

- 1 Section 1 Chapter X of Act No 288 of the Public Acts of
- 2 1939, as amended, being sections 710 21 to 710 70 of the Michigan
- 3 Compiled Laws, is amended by adding section 65a to read as
- 4 follows
- 5 CHAPTER X
- 6 SEC 65A (1) AN ORDER ISSUED UNDER THIS CHAPTER MAY NOT BE
- 7 VACATED OR ANNULLED UPON APPLICATION OF A PERSON WHO WAIVED
- 8 NOTICE, OR WHO WAS PROPERLY SERVED WITH NOTICE PURSUANT TO THIS
- 9 CHAPTER AND FAILED TO RESPOND OR APPEAR WITHIN THE TIME ALLOWED
- 10 UNDER THIS CHAPTER
- 11 (2) THE VALIDITY OF AN ADOPTION MAY NOT BE CHALLENGED FOR A
- 12 PERSON'S FAILURE TO COMPLY WITH AN AGREEMENT FOR VISITATION OR
- 13 COMMUNICATION WITH AN ADOPTEE
- 14 (3) AN ORDER OF ADOPTION OR OTHER ORDER ISSUED UNDER THIS
- 15 CHAPTER IS NOT SUBJECT TO A CHALLENGE BEGUN MORE THAN 6 MONTHS
- 16 AFTER THE ORDER IS ISSUED IF A CHALLENGE IS BROUGHT BY AN INDI-
- 17 VIDUAL WHOSE PARENTAL RELATIONSHIP TO AN ADOPTEE IS TERMINATED BY
- 18 AN ORDER UNDER THIS CHAPTER, THE COURT SHALL DENY THE CHALLENGE
- 19 UNLESS THE COURT FINDS BY CLEAR AND CONVINCING EVIDENCE THAT THE
- 20 ORDER IS NOT IN THE BEST INTEREST OF THE ADOPTEE

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