

HOUSE BILL No. 6055

May 9, 2002, Introduced by Rep. Voorhees and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1939 PA 288, entitled
"Probate code of 1939,"
by amending section 1 of chapter XIIA (MCL 712A.1), as amended by
2000 PA 46.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XIIA

2 Sec. 1. (1) As used in this chapter:

3 (a) "Civil infraction" means that term as defined in
4 section 113 of the revised judicature act of 1961, 1961 PA 236,
5 MCL 600.113.

6 (b) "County juvenile agency" means that term as defined in
7 section 2 of the county juvenile agency act, 1998 PA 518, MCL
8 45.622.

9 (c) "Court" means the family division of circuit court.

1 (d) "MCI" means the Michigan children's institute created
2 and established by 1935 PA 220, MCL 400.201 to 400.214.

3 (2) Except as otherwise provided, proceedings under this
4 chapter are not criminal proceedings.

5 (3) This chapter shall be liberally construed so that each
6 juvenile coming within the court's jurisdiction receives the
7 care, guidance, and control, preferably in his or her own home,
8 conducive to the juvenile's welfare and the best interest of the
9 state. If a juvenile is removed from the control of his or her
10 parents, the juvenile shall be placed in care as nearly as possi-
11 ble equivalent to the care that should have been given to the
12 juvenile by his or her parents.

13 (4) IF A PARENT PERSONALLY APPEARS AND PARTICIPATES IN A
14 HEARING HELD UNDER THIS CHAPTER AND DOES NOT OBJECT TO A LACK OF
15 OR DEFECT IN A SUMMONS OR NOTICE TO HIM OR HER, THE PARENT WAIVES
16 OBJECTION TO A HEARING, DETERMINATION, ORDER, OR OTHER ACTION
17 UNDER THIS ACT BASED ON THE PETITION OR A SUPPLEMENTAL PETITION
18 IN THE SAME CASE. THE COURT SHALL DISMISS AN APPEAL OR OTHER
19 CHALLENGE BY THAT PARENT THAT IS BASED ON A LACK OF OR DEFECT IN
20 A SUMMONS OR NOTICE TO THE PARENT. THIS SUBSECTION DOES NOT DIS-
21 CHARGE THE DUTY OF THE COURT OR ANOTHER PERSON WHO IS REQUIRED BY
22 THIS ACT TO SERVE A SUMMONS ON OR GIVE NOTICE TO A PARENT AS THIS
23 ACT PRESCRIBES. THIS SUBSECTION DOES NOT PRECLUDE A PARENT FROM
24 EXECUTING A WRITTEN WAIVER OF PROCESS OR NOTICE UNDER SECTION 12.