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BILL ANALYSIS

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Senate Bill 1440 (as introduced 9-30-04)  
Sponsor: Senator Michael D. Bishop  
Committee: Judiciary

Date Completed: 10-5-04

### **CONTENT**

The bill would amend the juvenile code to require the family division of circuit court (family court) to conduct an initial foster care review hearing within 91 days after removal of a child from his or her home, rather than within 91 days after entry of a court order regarding the child's foster care placement, in a case involving neglect or abandonment.

Currently, when a child is under the jurisdiction of the family court in a proceeding under Section 2(b) of the code, and the child is placed and remains in foster care (other than in a permanent foster family agreement or a permanent placement with a relative), a review hearing must be held within 91 days after the order of disposition is entered and every 91 days after that as long as the child is subject to the jurisdiction, control, and supervision of the family court or of the Michigan Children's Institute or other agency. Under the bill, the family court would have to hold a review hearing within 91 days after the child was removed from his or her home and every 91 days after that.

(Section 2(b) of the juvenile code provides that the family court has jurisdiction in proceedings concerning a juvenile under 18 years old who has been neglected or abandoned by his or her parents or guardians, whose home or environment is an unfit place for the juvenile to live, or whose parent has substantially failed, without good cause, to comply with either a limited guardianship placement plan or a court-structured guardianship plan under the Estates and Protected Individuals Code.)

MCL 712A.19

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bill would have no significant fiscal impact on State or local government.

Fiscal Analyst: Bethany Wicksall

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