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BILL ANALYSIS

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Senate Bill 1418 (Substitute S-2 as reported by the Committee of the Whole)
Senate Bill 1419 (as reported without amendment)
Sponsor: Senator Mark C. Jansen (S.B. 1418)
Senator Bill Hardiman (S.B. 1419)
Committee: Families and Human Services

CONTENT

Senate Bill 1418 (S-2) would amend the Child Protection Law to do the following:

- Require the Department of Human Services (DHS) to determine whether there was an open Friend of the Court (FOC) case regarding a child who was suspected of being abused or neglected if a Child Protective Services investigation of child abuse or neglect resulted in specific dispositions (described below).
- Require the DHS to notify the local FOC office of an investigation into suspected abuse or neglect of a child, and to report a change in the child's placement, if the DHS determined that there was an open FOC case regarding the child.
- Require the DHS, if it determined that there was an open FOC case, to give a form with information on how to change a custody or parenting time order, to noncustodial parents of a child who was suspected of being abused or neglected.
- Permit information in the central registry of alleged child abuse or neglect reports to be made available to local FOC offices (without current restrictions on availability).
- Extend the Law's mandatory reporting requirements to any employee of an organization or entity that, as a result of Federal funding statutes, regulations, or contracts, would be prohibited from reporting in the absence of a state mandate or court order.

The DHS would have to determine whether there was an open FOC case if a Child Protective Services (CPS) investigation resulted in any of the following dispositions:

- The CPS found that a preponderance of evidence indicated that there had been child abuse and neglect.
- There was an emergency removal of the child for abuse and neglect before the investigation was completed.
- The family court took jurisdiction on a petition and a child was maintained in his or her own home under DHS supervision.
- One or more children residing in the home were removed and one or more remained.
- The DHS determined that any other circumstances applied and related to child safety.

Senate Bill 1419 would amend the Friend of the Court Act to require an FOC office, upon being notified by the DHS of an investigation into alleged child abuse or neglect, to notify the DHS of any procedural developments in an open FOC case regarding that child while the case was pending.

Senate Bill 1419 is tie-barred to Senate Bill 1418, which would take effect October 1, 2008.

FISCAL IMPACT

Senate Bill 1418 (S-2) could cause the Department of Human Services to experience a moderate increase in administrative costs associated with integrating a check of open Friend of the Court cases into investigations of suspected abuse and neglect, and providing information to noncustodial parents about changing custody or parenting time court orders.

Senate Bill 1419 would have no fiscal impact on the Department of Human Services. The bill could result in minor administrative costs for local Friend of the Court offices.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.