

HOUSE BILL No. 6311

September 5, 2018, Introduced by Rep. Neeley and referred to the Committee on Judiciary.

A bill to amend 2008 PA 260, entitled
"Guardianship assistance act,"
by amending section 5a (MCL 722.875a), as amended by 2015 PA 227.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5a. **(1)** For a child whose permanency plan includes
2 placement with a guardian and will include the receipt of
3 guardianship assistance payments, the department shall include in
4 the case service plan for the child all of the following:

5 (a) The steps that the child placing agency or the department
6 has taken to determine that reunification and placing the child for
7 adoption are not appropriate permanency options.

8 (b) The reason for any separation of siblings during
9 placement.

1 (c) The reason a permanent placement through guardianship is
2 in the child's best interest.

3 (d) The way in which the child meets the eligibility criteria
4 for a guardianship assistance payment.

5 (e) The efforts the child placing agency or the department has
6 made to discuss adoption by the prospective guardian as a permanent
7 alternative to legal guardianship and documentation of the reasons
8 the prospective guardian has chosen not to pursue adoption.

9 (f) In cases where the parental rights have not been
10 terminated, the efforts the department has made to discuss with the
11 child's birth parent or parents the guardianship assistance
12 arrangement, or the reasons why the efforts were not made.

13 **(2) THE PROVISIONS OF SECTION 19D OF CHAPTER XIIIA OF THE**
14 **PROBATE CODE OF 1939, 1939 PA 288, MCL 712A.19D, APPLY TO CHILD**
15 **PLACING AGENCY AND COURT DECISIONS REGARDING THE CHILD'S BEST**
16 **INTEREST IN A PROCEEDING UNDER THIS SECTION.**

17 Enacting section 1. This amendatory act takes effect 90 days
18 after the date it is enacted into law.

19 Enacting section 2. This amendatory act does not take effect
20 unless Senate Bill No.____ or House Bill No.____ (request no.
21 01935'17) of the 99th Legislature is enacted into law.