

SENATE JOINT RESOLUTION Q

March 20, 2018, Introduced by Senators HERTEL, GREGORY and KNEZEK and referred to the Committee on Families, Seniors and Human Services.

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 28 to article I, to recognize the best interests of the child in determining the termination of parental rights in cases of child abuse or child neglect, child custody cases, and out-of-home child placements.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to recognize the best interests of the child in determining the termination of parental rights in cases of child abuse or child neglect, child custody cases, and out-of-home child

placements, is proposed, agreed to, and submitted to the people of the state:

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ARTICLE I

SEC. 28. (1) THE BEST INTERESTS OF THE CHILD ARE PARAMOUNT TO THE RIGHTS OF A PARENT AND ALL OTHER FACTORS IN DETERMINING WHETHER PARENTAL RIGHTS SHOULD BE TERMINATED IN CASES OF CHILD ABUSE AND CHILD NEGLECT. THE PLACEMENT OF A CHILD WITH ANOTHER FAMILY MEMBER DOES NOT PROHIBIT THE TERMINATION OF PARENTAL RIGHTS OF A PARENT.

(2) THE BEST INTERESTS OF THE CHILD ARE PARAMOUNT TO THE RIGHTS OF A PARENT OR GUARDIAN AND ALL OTHER FACTORS IN DETERMINING CHILD CUSTODY IN A CHILD CUSTODY PROCEEDING.

(3) THE BEST INTERESTS OF THE CHILD ARE PARAMOUNT TO THE RIGHTS OF A PARENT OR GUARDIAN AND ALL OTHER FACTORS IN DETERMINING AN OUT-OF-HOME PLACEMENT OF A CHILD IN A FOSTER CARE CASE OR ANY OTHER OUT-OF-HOME PLACEMENT CASE.

Resolved further, That the foregoing amendment shall be submitted to the people of the state at the next general election in the manner provided by law.