

PROBATE CODE OF 1939 (EXCERPT)
Act 288 of 1939

710.24a Interested parties; appointment of guardian to defeat parent's status as interested party.

Sec. 24a. (1) Interested parties in a petition for adoption are all of the following:

- (a) The petitioner or petitioners.
- (b) The adoptee, if over 14 years of age.
- (c) A minor parent, adult parent, or surviving parent of an adoptee, unless 1 or more of the following apply:

- (i) The rights of the parent have been terminated by a court of competent jurisdiction.
 - (ii) A guardian of the adoptee, with specific authority to consent to adoption, has been appointed.
 - (iii) A guardian of the parent, with specific authority to consent to adoption, has been appointed.
 - (iv) The rights of the parent have been released.
 - (v) The parent has consented to the granting of the petition.
- (d) The department or a child placing agency to which the adoptee has been, or for purposes of subsection (3) is proposed to be, released or committed by an order of the court.
- (e) A parent, guardian, or guardian ad litem of an unemancipated minor parent of the adoptee.
 - (f) The court with permanent custody of the adoptee.
 - (g) A court with continuing jurisdiction over the adoptee.
 - (h) A child placing agency of another state or country that has authority to consent to adoption.
 - (i) The guardian or guardian ad litem of an interested party.

(2) Interested parties in a petition for a hearing to identify the father of an adoptee and to determine or terminate his rights are all of the following:

- (a) The persons set forth in subsection (1).
- (b) A putative father of the adoptee.

(3) Interested parties in a proceeding relating to the execution of a voluntary release are all of the following:

- (a) The adoptee, if over 5 years of age.
- (b) The department or a child placing agency to which the adoptee is proposed to be released.
- (c) The person executing the release of parental rights.
- (4) Interested parties in a rescission petition are all of the following:

- (a) The petitioners.
- (b) The stepparent who adopted the adult adoptee.
- (c) The spouse of the parent whose rights were terminated.
- (5) Interested parties in a hearing related to temporary placement are all of the following:
- (a) The parent or guardian who made or authorized the temporary placement.
- (b) The parent or guardian of an unemancipated minor parent of the adoptee.
- (c) A child placing agency that was authorized under section 23b of this chapter to make the temporary placement.

(d) If only 1 parent made or authorized the temporary placement, the other parent and each putative father of the adoptee.

- (e) The prospective adoptive parent with whom temporary placement was made.
- (f) The prosecutor who filed a petition under section 23d of this chapter.
- (g) The guardian ad litem of any interested party, if a guardian ad litem has been appointed.

- (6) In the interest of justice, the court may require additional parties to be served.
- (7) The court shall not appoint a guardian of the adoptee or of a parent solely for the purpose of defeating that parent's status as an interested party under this section.

History: Add. 1982, Act 72, Imd. Eff. Apr. 14, 1982;—Am. 1992, Act 247, Imd. Eff. Nov. 19, 1992;—Am. 1994, Act 222, Eff. Jan. 1, 1995;—Am. 1994, Act 373, Eff. Jan. 1, 1995;—Am. 1996, Act 409, Eff. Jan. 1, 1998;—Am. 2004, Act 487, Imd. Eff. Dec. 28, 2004.

Popular name: Probate Code