

PROBATE CODE OF 1939 (EXCERPT)
Act 288 of 1939

710.27 Nonidentifying information to be provided prospective adoptive parent; time of submission; supplemental information; compilation; maintenance; transmission; destruction of information as misdemeanor; forwarding adoption records; adoptions to which section applicable; exchanging identifying information.

Sec. 27. (1) Before placement of a child for adoption, a parent or guardian, a child placing agency, the department, or the court that places the child shall compile and provide to the prospective adoptive parent a written document containing all of the following nonidentifying information that is not made confidential by state or federal law and that is reasonably obtainable from the parents, relatives, or guardian of the child; from any person who has had physical custody of the child for 30 days or more; or from any person who has provided health, psychological, educational, or other services to the child:

(a) Date, time, and place of birth of the child including the hospital, city, county, and state.

(b) An account of the health and genetic history of the child, including an account of the child's prenatal care; medical condition at birth; any drug or medication taken by the child's mother during pregnancy; any subsequent medical, psychological, psychiatric, or dental examination and diagnosis; any psychological evaluation done when the child was under the jurisdiction of the court; any neglect or physical, sexual, or emotional abuse suffered by the child; and a record of any immunizations and health care the child received while in foster or other care.

(c) An account of the health and genetic history of the child's biological parents and other members of the child's family, including any known hereditary condition or disease; the health of each parent at the child's birth; a summary of the findings of any medical, psychological, or psychiatric evaluation of each parent at the time of placement; and, if a parent is deceased, the cause of and the age at death.

(d) A description of the child and the child's family of origin, including all of the following:

(i) Given first name of the child at birth.

(ii) The age and sex of siblings of the child.

(iii) The child's enrollment and performance in school, results of educational testing, and any special educational needs.

(iv) The child's racial, ethnic, and religious background, and a general description of the child's parents, including the age of the child's parents at the time of termination of parental rights, and the length of time the parents had been married at the time of placement.

(v) An account of the child's past and existing relationship with any relative, foster parent, or other individual or facility with whom the child has lived or visited on a regular basis. The account shall not include names and addresses of individuals.

(vi) The levels of educational, occupational, professional, athletic, or artistic achievement of the child's family.

(vii) Hobbies, special interests, and school activities of the child's family.

(viii) The circumstances of any judicial order terminating the parental rights of a parent for abuse, neglect, abandonment, or other mistreatment of the child.

(ix) Length of time between the termination of parental rights and adoptive placement and whether the termination was voluntary or court-ordered.

(x) Any information necessary to determine the child's eligibility for state or federal benefits, including financial, medical, or other assistance.

(2) Information required by subsection (1) that is unobtainable before temporary placement shall be submitted by the time of formal placement if reasonably obtainable. The information required by subsection (1) shall be supplemented by other nonidentifying background information that the parent or guardian, child placing agency, department, or court considers appropriate.

(3) A parent or guardian, the department, a child placing agency, or a court that places an adoptee under this chapter shall compile all of the following identifying information if reasonably obtainable:

(a) Name of the child before placement in adoption.

(b) Name of each biological parent at the time of termination of parental rights.

(c) The most recent name and address of each biological parent.

(d) Names of the biological siblings at the time of termination.

(4) The information required by subsections (1) to (3) shall be maintained by the child placing agency, department, or court that places the child or, in the case of a direct placement by a parent or guardian, by the court that approves the placement. In a direct placement, the parent or guardian shall transmit the information required under subsections (1) to (3) to the court before the termination of parental rights. An employee or

agent of a child placing agency, the court, or the department who intentionally destroys information required to be maintained under this section is guilty of a misdemeanor.

(5) If a child placing agency ceases to operate, the agency's adoption records shall be forwarded to the department. A branch or associate agency of a child placing agency that ceases to operate shall forward its records to the central agency of the branch or associate agency.

(6) This section does not apply to a stepparent adoption or to the adoption of a child related to the petitioner within the fifth degree by marriage, blood, or adoption.

(7) This section does not prevent a parent or guardian and prospective adoptive parent from exchanging identifying information or meeting pursuant to sections 23a and 23b.

History: Add. 1980, Act 116, Eff. Sept. 12, 1980;—Am. 1988, Act 505, Eff. Mar. 30, 1989;—Am. 1990, Act 175, Imd. Eff. July 2, 1990;—Am. 1994, Act 208, Eff. Jan. 1, 1995.

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