

PROBATE CODE OF 1939 (EXCERPT)
Act 288 of 1939

710.31 Child born out of wedlock; inability to obtain release or consent of natural father; release by mother; petition of dependency or neglect; order authorizing temporary care; delaying formal execution of mother's release.

Sec. 31. (1) Except as provided in section 23d of this chapter, if a child is born out of wedlock and the release or consent of the biological father cannot be obtained, the child shall not be placed for adoption until the parental rights of the father are terminated by the court as provided in section 37 or 39 of this chapter, by the court pursuant to chapter XIIA, or by a court of competent jurisdiction in another state or country.

(2) Pending the termination or other disposition of the rights of the father of a child born out of wedlock, the mother may execute a release terminating her rights to the child. If the mother releases the child, the child placing agency or department to which the child is released may file a petition of dependency or neglect pursuant to chapter XIIA. Pending disposition of the dependency or neglect petition, the court may enter an order authorizing temporary care of the child.

(3) At the request of the mother, her formal execution of a release or consent shall be delayed until after court determination of the status of the putative father's request for custody of the child.

History: Add. 1974, Act 296, Eff. Jan. 1, 1975;—Am. 1994, Act 222, Eff. Jan. 1, 1995;—Am. 1994, Act 373, Eff. Jan. 1, 1995.

Popular name: Probate Code