

GUARDIANSHIP ASSISTANCE ACT (EXCERPT)
Act 260 of 2008

722.873 Guardianship assistance; eligibility.

Sec. 3. (1) A child is eligible to receive guardianship assistance if the department determines that all of the following have been met:

(a) The child has been removed from his or her home as a result of a judicial determination by a state court or tribal court within this state that allowing the child to remain in the home would be contrary to the child's welfare.

(b) The child has resided in the home of the prospective guardian for, at a minimum, 6 consecutive months.

(c) Reunification and placing the child for adoption are not appropriate permanency options.

(d) The child demonstrates a strong attachment to the prospective guardian and the guardian has a strong commitment to caring permanently for the child until the child reaches 18 years of age.

(e) If the child has reached 14 years of age, he or she has been consulted regarding the guardianship arrangement.

(f) Certification has been made before the child's eighteenth birthday.

(g) The guardianship assistance agreement has been signed by the prospective guardian and the department before the guardianship is finalized by the court and before the child's eighteenth birthday.

(2) A determination by the department on the eligibility of guardianship assistance does not affect a judicial finding that a guardianship should be ordered for the child.

History: 2008, Act 260, Imd. Eff. Aug. 4, 2008;—Am. 2009, Act 15, Imd. Eff. Apr. 9, 2009;—Am. 2015, Act 227, Imd. Eff. Dec. 17, 2015;—Am. 2023, Act 69, Imd. Eff. July 12, 2023.