

PROBATE CODE OF 1939 (EXCERPT)
Act 288 of 1939

710.55 Persons authorized to place child for adoption or advertise for, solicit, or recruit biological or adoptive parents or guardians; violation as misdemeanor; penalty; “advertise for, solicit, or recruit” defined.

Sec. 55. (1) Only a person specified in sections 23a(1), 23b(1), and 23c of this chapter may place a child for adoption. A prospective adoptive parent may advertise for, solicit, or recruit biological parents or guardians of potential adoptees for the purposes of a court-supervised adoption. A biological parent or guardian, the court, department, or child placing agency with authority to place a child may advertise for, solicit, or recruit potential adoptive parents only to fulfill the purposes of a court-supervised adoption of that child. No other person or entity may advertise for, solicit, or recruit prospective parents for the purpose of facilitating the transfer, adoption, or other permanent placement of a child.

(2) A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$100.00, or both, for the first violation, and of a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both, for each subsequent violation. The court may enjoin from further violations any person who violates this section.

(3) As used in this section, "advertise for, solicit, or recruit" means to communicate in person, in writing, or via any medium, public or private, for the purpose of locating a previously unknown person or entity with whom to temporarily or permanently place a child. Advertise for, solicit, or recruit does not include disseminating information about the availability of an attorney's legal services, including an advertisement or website as allowed under the Michigan rules of professional conduct.

History: Add. 1994, Act 222, Eff. Jan. 1, 1995;—Am. 2016, Act 481, Eff. Apr. 6, 2017;—Am. 2020, Act 183, Imd. Eff. Oct. 8, 2020.

Popular name: Probate Code