

SENATE BILL No. 1203

March 3, 2010, Introduced by Senators BASHAM, HUNTER and GLEASON and referred to the Committee on Families and Human Services.

A bill to amend 1982 PA 294, entitled
"Friend of the court act,"
(MCL 552.501 to 552.535) by adding section 5b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 5B. (1) AT THE REQUEST OF A PUTATIVE FATHER OF A CHILD
2 WHO IS THE SUBJECT OF PROCEEDINGS UNDER THE MICHIGAN ADOPTION CODE,
3 CHAPTER X OF THE PROBATE CODE OF 1939, 1939 PA 288, MCL 710.21 TO
4 710.70, THE FRIEND OF THE COURT FOR THE COUNTY WHERE THE CHILD
5 RESIDES SHALL OPEN AN ACCOUNT TO COLLECT CHILD SUPPORT PAYMENTS
6 FROM THE PUTATIVE FATHER.

7 (2) AT THE TIME OF MAKING A REQUEST TO OPEN AN ACCOUNT UNDER
8 SUBSECTION (1), A PUTATIVE FATHER SHALL PROVIDE THE FRIEND OF THE

1 COURT WITH ALL OF THE FOLLOWING:

2 (A) THE NAME OF THE COURT IN WHICH THE ADOPTION PROCEEDINGS
3 ARE PENDING, THE NAME OF THE PRESIDING JUDGE, AND THE CASE NUMBER.

4 (B) THE NAME OF THE CHILD AND THE NAMES AND LAST KNOWN
5 ADDRESSES OF THE MOTHER, THE PROSPECTIVE ADOPTIVE PARENTS, AND ANY
6 PERSON WHO HAS CUSTODY OF THE CHILD.

7 (3) ON OPENING AN ACCOUNT UNDER THIS SECTION, THE FRIEND OF
8 THE COURT SHALL DO ALL OF THE FOLLOWING:

9 (A) NOTIFY THE MOTHER AND THE PROSPECTIVE ADOPTIVE PARENTS
10 THAT THE ACCOUNT HAS BEEN OPENED.

11 (B) NOTIFY THE MOTHER OR ANY PERSON WHO HAS CUSTODY OF THE
12 CHILD THAT THE MOTHER OR CUSTODIAN HAS THE RIGHT TO WITHDRAW MONEY
13 IN THE ACCOUNT, AFTER PAYMENT OF THE FRIEND OF THE COURT SERVICE
14 FEE.

15 (4) THE FRIEND OF THE COURT SHALL WITHDRAW FROM AN ACCOUNT
16 OPENED UNDER THIS SECTION A SERVICE FEE EQUAL TO THE SERVICE FEE
17 IMPOSED ON SUPPORT ORDERS UNDER SECTION 2538 OF THE REVISED
18 JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.2538, AT THE INTERVALS
19 AT WHICH SERVICE FEES ARE REQUIRED TO BE PAID UNDER THAT SECTION.
20 SERVICE FEES COLLECTED UNDER THIS SUBSECTION SHALL BE DEPOSITED IN
21 THE GENERAL FUND OF THE COUNTY AND DISTRIBUTED IN THE SAME MANNER
22 AS MONEY DEPOSITED IN THE GENERAL FUND OF THE COUNTY UNDER SECTION
23 2536 OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL
24 600.2538, IS DISTRIBUTED.