

PROBATE CODE OF 1939 (EXCERPT)
Act 288 of 1939

712.1 Short title of chapter; definitions.

Sec. 1. (1) This chapter shall be known and may be cited as the "safe delivery of newborns law".

(2) As used in this chapter:

(a) "Child placing agency" means that term as defined in section 1 of 1973 PA 116, MCL 722.111.

(b) "Court" means the family division of circuit court.

(c) "Department" means the department of human services.

(d) "DNA identification profile" and "DNA identification profiling" mean those terms as defined in section 1 of the paternity act, 1956 PA 205, MCL 722.711.

(e) "Domestic violence" means that term as defined in section 1 of 1978 PA 389, MCL 400.1501.

(f) "Emergency service provider" means a uniformed or otherwise identified employee or contractor of a fire department, hospital, or police station when that individual is inside the premises and on duty. Emergency service provider also includes a paramedic or an emergency medical technician when either of those individuals is responding to a 9-1-1 emergency call.

(g) "Fire department" means an organized fire department as that term is defined in section 1 of the fire prevention code, 1941 PA 207, MCL 29.1.

(h) "Gross negligence" means conduct so reckless as to demonstrate a substantial lack of concern for whether an injury results.

(i) "Hospital" means a hospital that is licensed under article 17 of the public health code, 1978 PA 368, MCL 333.20101 to 333.22260.

(j) "Lawyer-guardian ad litem" means an attorney appointed under section 2 of this chapter. A lawyer-guardian ad litem represents the newborn, and has the powers and duties, as set forth in section 17d of chapter XIA.

(k) "Newborn" means a child who a physician reasonably believes to be not more than 72 hours old.

(l) "Police station" means that term as defined in section 43 of the Michigan vehicle code, 1949 PA 300, MCL 257.43.

(m) "Preplacement assessment" means an assessment of a prospective adoptive parent as described in section 23f of chapter X.

(n) "Surrender" means to leave a newborn with an emergency service provider without expressing an intent to return for the newborn.

History: Add. 2000 Act 232, Eff. Jan. 1, 2001;—Am. 2006, Act 488, Eff. Jan. 1, 2007.

Compiler's note: Enacting section 1 of Act 232 of 2000 provides:

"Enacting section 1. Section 19b of chapter XIA of the probate code of 1939, 1939 PA 288, MCL 712A.19b, as amended by this amendatory act, and chapter XII of the probate code of 1939, 1939 PA 288, as added by this amendatory act, do not apply to a proceeding that arises before the effective date of this amendatory act."

The heading to Chapter XII added by 2000 PA 232 ("SAFE DELIVERY OF NEWBORNS") was incorrectly referenced in 2000 PA 235 as "SURRENDERED NEWBORNS." The chapter heading evidently should read "SAFE DELIVERY OF NEWBORNS."

Popular name: Baby Abandonment

Popular name: Baby Drop Off