



**Michigan Supreme Court
State Court Administrative Office
Trial Court Services Division**
Michigan Hall of Justice
P.O. Box 30048
Lansing, MI 48909

February 20, 2014

TO: Michigan Court Forms Committee, Adoption Work Group

FROM: Colin F. Boes, Forms and Manuals Analyst

RE: Agenda and Materials for **February 27, 2014 Meeting**

PLACE: **Michigan Hall of Justice**, 925 West Ottawa, downtown Lansing (map enclosed)

Below is the agenda for the February 27, 2014 meeting of the Michigan Court Forms Committee, Adoption Work Group. The meeting starts at 9:30 a.m. and ends at approximately 3:30 p.m. Lunch reservations have been made for you. **If you cannot attend, please contact me at least two days before the meeting.** I can be reached at either 517-373-2217 or boesc@courts.mi.gov. Please note that our office is located at 925 W. Ottawa in Lansing. A map and directions are provided.

Please bring these agenda materials to the meeting. Although documentation is provided with the agenda, it would also be helpful to bring a copy of the Michigan Court Rules and any other resources you believe are necessary.

1. **Format of Checkboxes for use on forms relating to an Indian Child**

A Department of Human Services (DHS) adoption worker has suggested that the forms that have a check box for indicating if the child is an Indian child, such as PCA 322, Order Committing to Agency/DHS, be modified to also have checkbox to indicate that the child is not an Indian child. Should the forms using this format be modified?

A judge has commented that it is not necessary to have a checkbox indicating the child is not an Indian child. This fact would be apparent if the box is not checked. She has suggested that another box would not be helpful.

2. **Should the Line for the Case Name on Some Forms be Modified?**

A DHS adoption worker has suggested that the line for the case name on the forms, such as PCA 327, be modified to remove the “, adoptee” from after the “In the matter of” line. Instead, it has been suggested that the word adoptee appear below the line for filling in the adoptee’s name.

3. **Should There Be a Line on the Forms to Print or Type the Judge’s Name Under the Signature?**

A county adoption specialist has suggested that the adoption forms where a judge signs the order be modified to provide a line to type or print the judge’s name under the signature line. See, for example, PCA 304, PCA 308a, PCA 318, PCA, 321, PCA 321b, PCA 322, PCA 326, PCA 341, and PCA 351.

4. **Should a Clarifying Parenthetical be Added After the Word “Place” on Certain Forms?**

A county adoption specialist has suggested that item 1 on PCA 305, Release of Child by Parent, be modified to put after the word “place” the following: (City, County, State). Examples of other forms where the same change is suggested include PCA 308 and PCA 308a.

5. **Should Forms Asking for an Attorney’s Information also Ask for the Attorney’s Email Address?**

An attorney has suggested that a line should be added to forms that request an attorney’s information to allow for the attorney to provide their email address. For example, see PCA 301 and 301a.

6. **Should a Line to Print or Type a Signer’s Name be Added to Certain Forms?**

An attorney has suggested that certain forms where an individual signs, but does not have a place to print or type their name, should be modified to include a line for the individual to print or type their name. These forms include: (1) PCA 305a (under item 7); (2) PCA 307 (under item 7); PCA 308 (under item 7); and PCA 308a (under item 7).

7. **Should some Forms Include Language Explaining the Effect of a Termination Order over an Order Stemming from a Divorce or Separate Maintenance Action?**

It has been suggested by the Friend of the Court Bureau that language be added to PCA 305 (following item 5), PCA 305a (following item 5), PCA 318 (following item 5), and PCA 322 (following paragraph 3) that tracks MCL 710.29(9).

MCL 710.29(9) indicates that, “[e]ntry of an order terminating the rights of both parents under subsection (7) terminates the jurisdiction of the circuit court over the child in any

divorce or separate maintenance action.” The reason for adding this language would be to prevent two courts from issuing orders that facially conflict. An existing order in a divorce or separate maintenance action would likely include an order for custody, parenting time, and support. The parents of the child would have an order which would conflict with a termination order, if entered. The proposed statement would provide explicit guidance to the parents as to which order controls. Further, it has been suggested that inclusion of this language would help FOC staff by having an order that clearly ends the obligation of the parent whose rights were terminated.

It has also been suggested that this statement regarding entry of the order be followed by a statement that: “This does not eliminate any financial obligations that have accrued under that order that have not yet been paid.”

8. **CCFD 01, Petition for Placement Order of Surrendered Newborn Child**

A county adoption specialist has suggested that item 5.c. on this form have a check box in front of it so that it is consistent with 5.a. and 5.b. on the form. These items relate to information required by MCL 712.3.

A county adoption specialist has also suggested that the form be modified to include the actual date the newborn was surrendered. It has been suggested this would help establish that the child qualifies as a “newborn” under the Act by making it clear that the child was surrendered within 72 hours of birth. Should this information be added to this form?

A county adoption worker also has suggested that the form be reorganized to better reflect the chronological progression of the process. It has been suggested the form be rearranged as follows:

1. Item 1: Current item 3
2. Item 2 Current item 2
3. Item 3: Proposed new statement regarding the date surrendered (if added)
4. Item 4: Current item 5
5. Item 6: Current item 1
6. Item 7: Current item 6
7. Item 8: Current item 7
8. Item 9: Current item 8

9. **PCA 301, Petition for Adoption**

A draft of this form has been modified internally by SCAO and presented for consideration in an effort to comply with the Indian Child Welfare Act (ICWA) and the Michigan Indian Family Preservation Act (MIFPA). Specifically, item 12 was modified to have three check box options instead of only one for use in indicating whether the case involves an Indian child. Additionally, a citation to MCL 712B.9(1) was added to the bottom of the form. The citation in item 11 to MCR 3.002(5) was updated to MCR

3.002(12)

A DHS adoption worker made four suggestions pertaining to this form. (1) Should this form have an instruction page? (2) Should additional identifying checkboxes be added to the top of the form to allow a foster parent or recruited family to check a specific box, rather than use the “other” box? (3) It has been suggested that item 6 is confusing and that the adoptive parents always want to sign on the lines that are supposed to be used to indicate the pertinent information relating to the adoptee’s parents. Could the form be adjusted in some way to make it clearer what information is being requested? (4) Should the form include any information relating to married couples adopting separately?

An attorney has made two suggestions regarding this form. (1) It has been suggested that the form be clarified so that it is clear that the blank at the top where it says, “I, _____ (name)” is for the name of the legal parent in a stepparent adoption, not the name of the adopting stepparent. (2) It has also been suggested that boxes be put in front of adopting mother/father to indicate which is adopting.

10. **PCA 301a, Petition for Direct Placement Adoption**

A draft of this form has been modified internally by SCAO and presented for consideration in an effort to comply with ICWA and MIFPA. Specifically, a citation to MCL 712B.9(1) was added to the bottom of the form.

Additionally, it has been suggested by a county adoption specialist that check boxes should be added before a. and b. under item 18. These appear to be items used to comply with MCL 710.46, but under the statute the court may, but is not required to order an additional investigation. Should items 18 a. and b. be presented as check box options?

11. **PCA 302, Supplemental Petition and Affidavit to Terminate Parental Rights of Noncustodial Parent**

Following SCAO internal review of this form in light of ICWA and MIFPA, it is suggested that a citation to MCL 712B.9(1) be added to the bottom of this form.

Additionally, an attorney has suggested that this form (as well as PCA 304) need to be changed in light of *In re AJR*, 300 Mich App 597; 834 NW2d 904 (2013). It has been suggested that references on both forms to the “custodial parent” be modified to indicate that the parent in question is the parent with sole legal custody. The question addressed by *In re AJR* was whether MCL 710.51(6), allowing for stepparent adoption, is applicable to situations where the parents share joint legal custody. *In re AJR*, 300 Mich App at 600. Currently, the form uses the term “custodial parent,” but MCL 710.51(6) uses the phrase, “the parent having legal custody.” The Court of Appeals determined that this phrase must mean the parent having sole legal custody. *Id.* at 602. However, on October 23, 2013, the Michigan Supreme Court granted leave in this case. See *In re AJR*, ___ Mich ___; 838 NW2d 148 (2013). In its order granting leave to appeal, the Supreme Court indicated that the issue regarding the meaning of the phrase “the parent having legal custody of the

child” was to be addressed by the parties. What change to the forms, if any, should be made pending the outcome of *In re AJR*?

Further, the Friend of the Court Bureau has suggested that this form be modified, following item 8.b. on the form, to add a list of options like that found on PCA 315. It is suggested that this form should have options for: (1) contacted family; (2) contacted friends; (3) visited last known address; (4) letter to last known address; (5) contacted office of child support (OCS) or friend of the court (FOC) to locate the individual; (6) other. The OCS (if there is no order) and the Friend of the Court (if there is a court order) will provide the noncustodial parent’s address on request unless the noncustodial parent’s address is classified as confidential by the court.

A judge has commented that the forms PCA 302 and PCA 304 should not be modified in light of *In re AJR* until after the Michigan Supreme Court issues an opinion.

12. **PCA 303, Notice of Hearing, Termination of Parental Rights**

A draft of this form has been modified internally by SCAO and presented for consideration in an effort to comply with ICWA and MIFPA. Specifically, a citation to MCL 712B.9 was added to the bottom of the form.

13. **PCA 304, Order Terminating Rights of Noncustodial Parent**

A draft of this form has been modified internally by SCAO and presented for consideration in an effort to comply with ICWA and MIFPA. Specifically, the citation to MCR 3.002(5) was updated in item 11 to MCR 3.002(12) and a reference to the Michigan Indian Family Preservation Act was added to this item. Further, citations to 25 USC 1901 *et seq.* (for ICWA) and MCL 712B.1 *et seq.* (for MIFPA) were added to the bottom of the form.

14. **PCA 305, Release of Child by Parent**

After internal review, SCAO is proposing this form be split into two forms. One form for use in certain circumstances where the child is an Indian child and both parents are releasing (PCA 305-I) and another form for use where the child is not an Indian child or both parents are not releasing (PCA 305). On PCA 305, a use note would be added indicating that if the child is an Indian child and both parents are releasing under MCL 712B.13, PCA 305-I should be used. Additionally, an item is proposed to be added under the certification portion on the second page indicating the release involved an Indian child and that the terms and consequences of the release were fully explained to the parent and understood by the parent. It is also suggested that the words “giving up” under the special acknowledgement be moved from before the word permanently to after the word permanently. A proposed draft of PCA 305-I is available for review. Are there any potential issues that could arise if the form is split into two?

An additional question to consider is whether the court needs to obtain the information

required by MCL 710.27 before or at the same time as the release is executed?

A judge has commented that the draft version of PCA 305, in paragraph 6, still includes references to releases involving an Indian child. The judge has indicated that she does not believe a separate form, proposed PCA 305-I, is necessary, as more forms are not always better. Instead, she suggests we modify PCA 305 for use in both types of circumstances that the proposed split forms would cover.

15. PCA 307, Consent to Adoption by Adoptee

A county adoption specialist has suggested that the description of the information requested on the first blank line indicating “full name of child” should be modified to say “full name of adoptee.” Should the form be modified?

16. PCA 308, Consent to Adoption by Parent

After internal review, SCAO is proposing that this form be split into two forms. One form for use in certain circumstances where the child is an Indian child and both parents are consenting to the adoption (PCA 308-I) and another form for use where the child is not an Indian child or both parents are not consenting (PCA 308). On PCA 308, it has been proposed that the words “give up” in item 2 be moved from before the word “permanently” to after the word permanently. The same change was made to the language of the special acknowledgement on the second page. Additionally, a use note was added to the top of PCA 308 to indicate when PCA 308-I would be used, which is when the child is an Indian child and both parents are consenting to the adoption under MCL 712B.13. Item 6 was also be modified to update the citation from MCR 3.002(5) to MCR 3.002(12)

Additionally, it has been suggested by a county adoption specialist that the line for the signature of a parent/guardian of an unemancipated minor (who is the parent of the child the consent relates to) should also indicate that the guardian ad litem can sign. MCL 710.43(4). provides that, “[i]f the parent of the child to be adopted is an unemancipated minor, that parent’s consent is not valid unless a parent, guardian, or guardian ad litem of that minor parent has also executed the consent.” Should a reference to the guardian ad litem being one of the individuals who could sign be added to the form?

17. PCA 308a, Consent to Adoption by Guardian

After internal review, SCAO is proposing that item 7 on this form be modified to be consistent with the use on the other forms. It should only say Indian child, not American Indian child, and should reference the definition of Indian child now found at MCR 3.002(12).

Additionally, after SCAO review, the citation on form to MCL 700.431(1)(c) should be removed. That section was repealed by PA 386 of 1998, effective April 1, 2000. However, a provision comparable to the language in previous MCL 700.431(1)(c), which

said in pertinent part, “[s]ubject to the conditions and restrictions of chapter X of Act No. 288 of the Public Acts of 1939, as amended, being sections 710.21 to 710.70 of the Michigan Compiled Laws, a guardian may consent to the adoption of a minor ward or release a minor ward for adoption,” can now be found at MCL 700.5215(e), which states, “[s]ubject to the conditions and restrictions of chapter X of the probate code of 1939, 1939 PA 288, MCL 710.21 to 710.70, a guardian may consent to marriage or adoption of a minor ward or to the release of a minor ward for adoption.” Should a citation to MCL 700.5215(e) be added to bottom of the form?

Additionally, a circuit court adoption coordinator has suggested that item 2 be modified to remove the reference to: “a copy of my current letters of guardianship are attached.” It has been suggested this causes confusion because in some cases of foreign adoptions, like those involving children from India, there are no letters of guardianship and, instead, there is only an order. Should this item be modified in some way to accommodate these situations? See MCL 710.43.

18. PCA 309, Consent to Adoption by Agency/Court

A circuit court adoption coordinator has suggested that a note be added to this form to indicate that the consenting court, if the signor, does not need to have the document notarized. MCL 710.44 outlines the form of the consent and when the consent is required to be notarized. Should such a note be added to the form?

19. PCA 310, Petition for Hearing to Identify Father and Determine or Terminate His Rights

A draft of this form has been modified internally by SCAO and presented for consideration in an effort to comply with ICWA and MIFPA. Specifically, the word “petition” in the title of the form was removed and replaced with the word “motion.” Further, citations to 25 USC 1901 *et seq.* (for ICWA) and MCL 712B.1 *et seq.* (for MIFPA) were added to the bottom of the form. Also, the citation in item 5 was updated to reflect the location in the court rule for the definition of Indian child, now found at MCR 3.002(12).

20. PCA 311, Notice of Hearing to Identify Father and Determine or Terminate His Rights

A draft of this form has been modified internally by SCAO and presented for consideration in an effort to comply with ICWA and MIFPA. Specifically, citations to MCL 712B.9 and MCL 712B.13(1)(b) were added to the bottom of the form.

21. PCA 312, Order Terminating Rights of Father Without Release or Consent

A draft of this form has been modified internally by SCAO and presented for consideration in an effort to comply with ICWA and MIFPA. Specifically, citations to 25 USC 1901 *et seq.* (for ICWA) and MCL 712B.1 *et seq.* (for MIFPA) were added to the

bottom of the form. Also, the citation in item 5 was updated to reflect the location in the court rule for the definition of Indian child, now found at MCR 3.002(12).

22. PCA 314, Notice of Intent to Release or Consent

A county adoption specialist has suggested that the word location near the bottom of the form be followed by the parenthetical “(complete address).”

23. PCA 316, Notice to Putative Father and Custody Statement

A county adoption specialist has suggested that the line in item 3 be longer to allow for more space to indicate who the notice should be delivered to.

24. PCA 318, Order Terminating Parental Rights after Release or Consent

A draft of this form has been modified internally by SCAO and presented for consideration in an effort to comply with ICWA and MIFPA. Specifically, citations to 25 USC 1901 *et seq.* (for ICWA) and MCL 712B.1 *et seq.* (for MIFPA) were added to the bottom of the form. Also, the citation in item 4 was updated to reflect the location in the court rule for the definition of Indian child, now found at MCR 3.002(12).

A circuit court adoption coordinator has suggested that under the line in item 5, instead of just saying “Name(s),” it should say, “Names of parent(s), agency, or court.” Would it ever be appropriate to complete item 5 with the name of an agency or court given the reference to “parental rights” in item 5?

25. PCA 320, Order Placing Child After Consent

A draft of this form has been modified internally by SCAO and presented for consideration in an effort to comply with ICWA and MIFPA. Specifically, the citation in the note at the bottom of the form to MCL 712B.23 was updated to MCL 712B.23(1).

A DHS adoption worker has made two additional suggestions. (1) It has been suggested that the second blank line in item 8 be replaced with a specific time interval. However, MCL 710.52(1) indicates that investigations should be made at “reasonable intervals.” Should any change be made to item 8? (2) It has also been suggested that item 8 be clarified to indicate that the supervision only continues “until the order of adoption is entered.” This appears consistent with MCL 710.52, which indicates supervision continues until an order of adoption has been entered. Should the form be clarified in any way?

A judge has commented that paragraph 9 should refer to *prospective* adoptive parents or petitioners, not adoptive parents. The question is whether the term adoptive parents includes prospective adoptive parents, as used in the act.

26. PCA 322, Order Committing to Agency/DHS

After internal review, SCAO is proposing that citations to MCL 712B.13 and MCL 712B.23 be added to the bottom of the form.

27. **PCA 323, Advice of Rights After Order Terminating Parental Rights (Adoption Code)**

After internal review, SCAO is proposing this form be split into two forms. One form for use in where the child is an Indian child and both parents consented (PCA 323-I) and another form for use where the child is not an Indian child or both parents did not consent (PCA 323). A use note is proposed at the bottom of PCA 323 to indicate, "If the child is an Indian child and both parents consented to adoption under MCL 712B.13, use form PCA 323-I. If the child is an Indian child and both parents did not consent to adoption under MCL 712B.13, use this form."

28. **PCA 325, Notice to Adopting Parents on Pending or Potential Appeal/Rehearing**

A DHS adoption worker has made two suggestions pertaining to this form. (1) It has been suggested that the "TO" line be amended to indicate under the blank line that it is to be filled in with the names of the adopting parents. (2) The language in item 1, following the first checkbox, should be modified to be more easily understood by adoptive parent(s).

An attorney and a circuit court adoption coordinator have both suggested that a line should be added to allow an attorney to be a signatory on the form. MCL 710.41(2) indicates that the notice shall be provided by the child placing agency, the court, or the department and must provide certain information. Is there any reason to include a signature line for an attorney on this form?

29. **PCA 328, Certificate of Adoptive Information**

A DHS adoption worker inquired as to why PCA 328 uses the phrase "natural parents" in item 3. 25 USC 1951 requires that the notice where an Indian child is being adopted must contain the names and addresses of the biological parents. 25 USC 1951(a)(2). Should the terminology on this form be modified?

A county adoption specialist suggested that under the signature line at the bottom of the form it should indicate "deputy clerk" or "signature of clerk" because this would be the individual signing the certificate. Further, it was suggested that a line be added for the printed or typed name of the individual signing the document. Should these modifications be made to the form in light of 25 USC 1951, which this form is used to satisfy, which only indicates that the state court must provide the information, without specifying who must sign the certificate?

30. **PCA 330, Statement of Parent/Guardian Transferring Physical Custody of Child for Adoption**

Last year, the adoption work group tabled consideration of PCA 330. The issue considered was whether the report section at the bottom of PCA 330 should be moved to the bottom of PCA 340. At the meeting last year, SCAO staff indicated that the report was on PCA 330 in compliance with MCL 710.23d(2), which is a two day reporting requirement. It was argued that PCA 330 fulfills the requirement for a statement pursuant to MCL 710.23d(1)(c) and (d), the authorization required under MCL 710.23b, and the report required under MCL 710.23d(2). It was noted that while an agency might find it more convenient to have a report following the statement of identifying information, PCA 340 was designed to meet the requirements of MCL 710.24(8). Should any modifications to PCA 330 be considered in light of last year's discussion?

An attorney has suggested that the statement in item 2.b. should be modified to indicate "full identifying information is not being exchanged" instead of just "identifying information." The change to the terminology, if made, should also be made in the reference to identifying information under the report on the second page of the form.

31. PCA 333, Follow-Up Report After Temporary Placement of Child for Adoption

An attorney has suggested that paragraph 4 be modified to appear as follows: a. A petition for adoption was submitted for filing on _____. b. Strike the phrase, "no petition for adoption was filed." Strike item c. entirely. Should this change be made in light of the language in MCL 710.23d(3) requiring the report indicate whether or not one of the listed dispositions occurred.

32. PCA 334, Clerk's Report to Prosecuting Attorney

A county adoption specialist has suggested a field be added to the form to allow the typed or printed name of the clerk signing the form. Should such a line be added?

33. PCA 338, Statement to Accompany Release

An attorney has made two suggestions relating to this form. (1) The first checkbox in item 4 should be modified to read, "I have or intend to receive counseling for this adoption." Is this language appropriate in light of the language found in the statute at MCL 710.29(5)(b), which requires that the release indicate whether "the parent or guardian has received counseling related to the adoption of his or her child or waives counseling with the signing of the verified statement." (2) The word "schedule" in item 5 should be replaced with the words "parent's verified accounting." Is there a reason to change the phrase to "verified accounting" instead of "schedule" in light of the statutory language? See MCL 710.29(5)(c).

A circuit court adoption coordinator has suggested that this form and PCA 348 both be modified to include a signature line for the parent or guardian of an unemancipated minor to sign the form. This would be similar to the lines that appear like this on PCA 305 and PCA 308. However, the release or consent forms must include the signature of the parent, guardian, or guardian ad litem, where the parent of the child to be adopted is an

unemancipated minor, see MCL 710.28(2) (for release) and MCL 710.43(4) (for consent). No such requirement appears to exist for the statements to accompany the release and consent. See MCL 710.29(5) (for release) and MCL 710.44(5) (for consent). Should such a line be added to the forms?

34. **PCA 339, Statement to Accompany Consent in Direct Placement**

A county adoption specialist has suggested a new item with a check box in front of it be added to indicate when the individual is being assisted by an attorney and what they received from the attorney. Additionally, if this change is made, should a line be added for the attorney to sign or provide their information?

An attorney has made three suggestions relating to this form. (1) The first checkbox in item 4 should be modified to read, "I have or intend to receive counseling for this adoption." Is this language appropriate in light of the language found in the statute at MCL 710.44(5)(b), which requires that the release indicate whether "the parent or guardian has received counseling related to the adoption of his or her child or waives counseling with the signing of the verified statement." (2) The word "schedule" in item 5 should be replaced with the words "parent's verified accounting." Is there a reason to change the phrase to verified accounting instead of schedule in light of the statutory language? See MCL 710.44(5)(c). (3) The last word of item 6 should say "adoptive parent(s)" instead of "adoptive parent." While MCL 710.44(5)(d) uses the singular "parent" throughout, given the possibility of more than one adopting parent, should the language be modified?

Additionally, SCAO asks the committee to consider if any changes are necessary to the form in light of MIFPA, specifically MCL 712B.13(6)(a)-(f). What changes, if any, need to be made to the form in order for it to comply with the requirements for a verified statement under MIFPA?

35. **PCA 344, Petition and Order for Release of Information from Confidential Intermediary and Court**

A circuit court adoption coordinator has suggested that another line be added under the "Order" portion of the form to accommodate MCL 710.68b(6)(c). MCL 710.68b(6)(c) has been interpreted by at least one court as allowing the court to deny the request outright, as good cause to release the information was not shown. Is this an option under MCL 710.68b(6) which indicates the court must do one of the three subparts?

36. **PCA 347, Petitioner's Verified Accounting**

An attorney suggested that there is some confusion regarding the use of this form and whether the birth certificate correction fee should be reported under item 1 on page 1, or elsewhere on the form. Should the form be clarified in some way to indicate where this fee should be recorded? For example a line could be added specifically for this fee, or, alternatively, an instruction could be included indicating where it should be recorded. See

MCL 710.54.

A circuit court adoption coordinator has indicated there is confusion regarding the use of this form. Specifically, there is confusion relating to the use of the form as either the 7-day or 21-day accounting. It has been suggested that perhaps the committee consider clarifying the form and the use of the sentence indicating, “[e]xcept for those payments or disbursements listed in my 7-day accounting in the amount of \$_____, no other payments or disbursements have been made or agreed to be made by me in connection with this adoption.”

37. **PCA 349, Petition for Rescission of Adoption and Order**

A circuit court adoption coordinator made two suggestions regarding this form. (1) A line should be added to the form to indicate if the petitioner is filing a new certificate of live birth, pursuant to MCL 710.66(3). (2) MCL 710.66(4) indicates that upon receipt of a rescission petition, the court “shall conduct a hearing after notice” has been properly served on interested parties. Under MCL 710.24a(4)(c), interested parties in a rescission petition include “the spouse of the parent whose rights were terminated.” Does this mean current spouse, if any? If so, it has been suggested another line be added attesting to this information and including the name of the spouse on the form. Should this be included?

38. **PCA 350, Motion and Order for Delayed Registration of Foreign Birth**

A circuit court adoption coordinator made four suggestions regarding this form. (1) It has been suggested that the description of the child’s name be changed from, “Full name of child” to “Current full name of child” at the top of the form after “In the matter of.” (2) Item 1 on the form currently assumes the individual making the motion is married. Should the form be modified so that it does not assume the adopting parent is married? (3) The references on this form to “adoptee” should be replaced with “child” because MCL 710.22(a) defines an “adoptee” as the individual who is to be adopted. When this form is used, the child has already been adopted. (4) It has been suggested that the second line in item 4 be modified to read, “established by court order and the **new** name of the child be recorded as:” instead of the current language. “New name’ is the phrase used by MCL 333.2830.

39. **PCA 351, Order Following Hearing on Review of Adoption Placement (IV-E Eligibility Compliance)**

An inquiry was made regarding why this form is only used for Title IV-E eligibility compliance. This form appears to be used to comply with 42 USC 671(a)(15). Do any changes need to be made to the form?

40. **PCA 352, Notice of Adoption Proceedings Concern of an Indian Child**

After internal review, SCAO staff are proposing that citations to MCL 712B.13 and MCL 712B.23 be added to the bottom of the form. Additionally, should the reference in item 6

to rights under ICWA also reference MIFPA?

41. **Proposed New Form: Publication of Notice of Hearing for use in Adoption Cases**

Should a new form be developed, potentially modeled on PC 563, for publication of notice of hearing for use specifically in adoption cases?

42. **Proposed New Form for use in Adoption Cases under MIFPA where Consent is Withdrawn**

It has been suggested that a new form be developed for use in light of MIFPA for use where the minor child is an Indian child and the consent or release is withdrawn. The creation of a form or forms for use as a written request to withdraw consent/release and an order will be considered. A draft has been included for review.

Attached you will find comments from Lauran Howard regarding many of the above items.

Attachments