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## CHILD PROTECTION CATEGORIES

### Senate Bill 603 (Substitute H-2) Addendum to SFA analysis (12-9-98)

**Sponsor: Sen. Glenn D. Steil**  
**Senate Committee: Families, Mental  
Health and Human Services**  
**House Committee: Human Services and  
Children**

### **ADDENDUM TO SENATE FISCAL AGENCY ANALYSIS OF SB 603 DATED 7-15-98:**

#### ***HOUSE COMMITTEE ACTION:***

The House Committee on Human Services and Children reported a Substitute H-2 version of the bill that differs from the Senate-passed version in several ways. The House substitute would conform to the provisions of Senate Bills 954, 955, 956, and 1032, which would amend the juvenile code, the Revised Probate Code, the Child Custody Act, and the Child Protection Law, respectively, to require the appointment of an attorney and a guardian ad litem for a child. A "child-attorney" would serve as a child's legal advocate in an abuse or neglect proceeding, or in a divorce case; and a guardian ad litem, who would not need to be an attorney, would be an individual appointed by the court to assist in determining a child's best interests. A lawyer-guardian ad litem, on the other hand, could also be appointed under the House substitute, in situations where the court determined that a child's best interests were not being adequately represented.

The House substitute would differentiate between "substantiated" and "unsubstantiated" Child Protective Services' (CPS) cases: "substantiated cases" would be those classified as Central Registry cases; and "unsubstantiated" cases would be those the department classified as categories III, IV, or V. (Cases that were investigated before the bill's effective date would be referred to as CPS cases in which an allegation of child abuse or neglect had been substantiated; and those investigated after the bill's effective date would be referred to as CPS cases that the department classified as categories I or II.) In addition, the House substitute would require that the FIA identify by July 1, 1999 the number of families classified in Category III for 18 months. The FIA would also have to provide the appropriate legislative standing committees and the House and Senate Appropriations subcommittees for the department with statistics on these families.

The House substitute would also conform to the provisions of House Bill 4232, which would amend the act to permit the release of a child's Protective Services record in certain circumstances. In addition, the House substitute would provide an effective date of July 1, 1999, for the bill.

**POSITIONS:**

The Lieutenant Governor's Office supports the bill. (12-8-98)

The Family Independence Agency supports the bill. (12-8-98)

The Michigan Federation of Private Child and Family Agencies supports the bill. (12-8-98)

The Michigan County Social Services Association (MCSSA) supports the bill. (12-8-98)

Analyst: R. Young

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.