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JUVENILE PROCEEDINGS; PARENTS' APPEARANCE

House Bill 5739

Sponsor: Rep. Mark Schauer

Committee: Judiciary

Complete to 5-8-98

A SUMMARY OF HOUSE BILL 5739 AS INTRODUCED 4-2-98

The bill would amend provisions of the Probate Code dealing with juveniles to specify that if a parent personally appears and participates in a hearing held in conjunction with a juvenile proceeding and does not object to a lack of or a defect in a summons or notice to him or her, the parent would waive objection to a hearing, determination, order, or other action under the act based on the petition or a supplemental petition in the same case. The court would have to dismiss an appeal or other challenge by that parent if it was based on a lack of or defect in a summons or notice to the parent. However, the bill specifies that this provision would not discharge the duty of the court or other appropriate person to serve a summons on or serve notice to a parent under the act. Further, the bill would not preclude a parent from executing a written waiver of process or notice under Section 12 of the law, which allows a person voluntarily appearing in such proceedings to waive service of process or notice of a hearing.

MCL 712A.1

House Bill 5739 (5-8-98)

Analyst: D. Martens

■ 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.