Michigan Judges Association

Founded 1927

October 19, 2006

PRESIDENT:
HON. NANCI J. GRANT
Oakland County Circuit Court
1200 N. Telegraph Rd
Pontiac, MI 48341
Office: 248-858-0358
Fax: 248-975-9795
e-mail: grantn@co.oakland.mi.us

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Traverse City, MI

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Detroit, MI

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Executive Director:
TIM WARD

Hon. Clifford W. Taylor
Chief Justice, Michigan Supreme Court
P.O. Box 30052
Lansing, MI 48909

RE: Proposed Amendment of MCR 3.912

Dear Chief Justice Taylor:

On October 17, 2006 the Michigan Judges Association convened for their monthly meeting. Pursuant to a motion by the Family Law Committee, the Executive Board voted to decline support for the proposed amendment to MCR 3.912.

Although there was a unanimous agreement that the spirit of the amendment has merit, the following aspects of the amendment were problematic.

1. The judges were not certain of the legal definition for "relative care givers" and "pre-adoptive parents". There were various opinions as to how far reaching this should go.

2. The court is not always in the best position to know the exact address of these interested parties. The Department of Human Services is best suited to handle notice to these parties.

3. The greatest concern of the proposed amendment is that the addresses of foster parents need to be kept confidential. The court giving notice is likely to leave a paper trail supplying parents with information necessary to find their children having been placed by the court.

It would appear the aforementioned problems with the amendment to MCR 3.912 could be worked out. Until such time, however, the Michigan Judges Association does not support this proposed court rule change.

We thank the Court for considering our input on these matters. If the Michigan Judges Association may provide any further information or assistance, please do not hesitate to contact us.

Sincerely,

MICHIGAN JUDGES ASSOCIATION

Hon. Nanci J. Grant, President
Circuit Judge, Sixth Circuit Court

cc: Corbin R. Davis, Clerk Michigan Supreme Court
Ann Boomer, Administrative Counsel
Hon. Paul E. Hamre, Chair Family & Domestic Law Committee
Hon. Jeffrey L. Martlew, Secretary Michigan Judges Association