

MICHIGAN PROBATE JUDGES ASSOCIATION

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March 26, 2015

Chairwoman Judy K. Emmons
Senate Families, Seniors and Human Services Committee
P.O. Box 30014
Lansing, MI 48909-7514

RE: House Bills 4188, 4189, 4190

Dear Chairwoman Emmons:

House Bills 4188, 4189, and 4190 present very real practical concerns for Michigan Probate Judges. Our foster care system is charged with the care of over 13,000 children in Michigan. Courts seek to ensure that children who come into the system find permanency as expediently as possible, either through reunification with their parents, placement with relatives, or adoption.

Although the identified goal of these bills is to place children in "safe, loving and supportive" homes, the proposed legislation would actually inhibit the Court's ability to pursue all potential avenues in finding permanency for these children, and at the very least would risk increasing the timelines to permanency.

Courts rely on foster care and adoption agencies to help find safe and loving homes for foster care children, who have already experienced the trauma of being separated from a parent. The Courts depend upon agencies to provide the most thorough assessments possible in exploring all potential placements for a child. In fact, state law requires that agencies explore all possible relative placements before placing a child in a non-relative foster care setting. MCL 722.954a(5). If this bill is passed, it would allow faith-based agencies to refuse accepting cases that conflict with their "sincerely held" religious beliefs. Not knowing what these "sincerely held" religious beliefs might be is of some concern.

In some parts of the state, especially Western Michigan, faith-based organizations are the only nearby agencies available to the courts. In essence, this means that if a faith-based organization declined a referral due to its religious beliefs, a Court might have a difficult time locating a non-faith-based organization, and the timeline of the case would be unnecessarily prolonged.

The bill states, "placing the child in a safe loving and supportive homes is a paramount goal of this state." Foster care and adoption agencies receiving state funding and court referrals have a responsibility to the Courts and to the children to perform the duty of finding these homes without reservation. The primary focus of any foster care and adoption agency should be the wellbeing of children even if what is in the children's best interest doesn't necessarily coincide with privately held religious beliefs.

Sincerely,

MICHIGAN PROBATE JUDGES ASSOCIATION



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