

Temporary Placement¹ Checklist (Custody Hearing)

“Except as otherwise provided, the court may allow the use of videoconferencing technology for proceedings under [subchapter 3.800, Adoption] in accordance with [MCR 2.407](#).” [MCR 3.811](#).

Procedures to follow during the custody hearing:²

- Call case, identify case number and full name of child.
- Ensure all findings of fact and conclusions of law are made on the record.
- Ensure notice was properly served to all interested parties. [MCL 710.24a\(5\)](#); [MCR 3.805](#). If an Indian child is involved, the child’s parent or Indian custodian and the Indian child’s Tribe must be notified.³ [25 USC 1912\(a\)](#); [MCL 712B.9\(1\)](#); [25 CFR 23.11\(a\)](#).
- Ensure venue is proper. [MCL 710.23d\(2\)](#) (the court in the county in which the child’s parent or guardian or the prospective adoptive parent resides, or in which the child is found).
- May appoint a guardian ad litem for child or minor parent of child. [MCL 710.23e\(6\)](#).
- May appoint an attorney to represent the child or refer the matter to the DHHS. [MCL 710.23e\(3\)](#).

¹ *Temporary placement* means “a placement that occurs before court approval under [[MCL 710.51](#)] and that meets the requirements of [[MCL 710.23d](#)].” [MCL 710.22\(x\)](#).

² For a detailed discussion on temporary placements, see the Michigan Judicial Institute’s [Adoption Proceedings Benchbook](#), Chapter 5.

³ Copies of the notice must also be sent to the appropriate Regional Director, which for Michigan is the Midwest Regional Director. [25 CFR 23.11\(a\)](#); [25 CFR 23.11\(b\)\(2\)](#).

- ❑ If appointing an attorney/removing the matter to DHHS, remove child from home of prospective adoptive parent and make a temporary disposition appropriate for the child's welfare as authorized by [MCL 712A.18](#). [MCL 710.23e\(3\)](#).
- ❑ If no petition has been filed within 14 days after appointing an attorney/referring the matter to the DHHS, order the child returned to the parent/legal guardian, or child placing agency if agency has legal custody. [MCL 710.23e\(3\)](#).
- ❑ May appoint a guardian under the Estate and Protected Individuals Code, [MCL 700.1101 et seq.](#), and make a temporary disposition for the child's welfare as authorized under [MCL 712A.18](#) until the guardianship is entered. [MCL 710.23e\(4\)](#).

For court forms related to adoption proceedings, see the One Court of Justice [website](#).