

# JUVENILE GUARDIANSHIP CONSENT REQUEST FOR MCI WARDS

State of Michigan  
Department of Human Services

|                                    |  |                 |
|------------------------------------|--|-----------------|
| Child's Name (Last, First, Middle) | Date of Birth  | SWSS Log Number |
| DHS Local Office                   | Name of Recommended Juvenile Guardian(s):  |                 |
|                                    | <input type="checkbox"/> <b>Foster Parent</b> <input type="checkbox"/> <b>Relative</b> <input type="checkbox"/> <b>Other</b> |                 |
| L-GAL's Name                       | Phone<br>(    )  | Email:          |

**Instructions: Complete either Section A or B, and all of Section C.**

A.  **EXPEDITED CONSENT REQUEST** (All of the following must apply):      **Date placed in the home:** \_\_\_\_\_

The child has resided in the prospective guardian's home for a minimum of six consecutive months and all of his/her physical and emotional needs are being satisfactorily met.

The home is a licensed foster home.

Criminal record checks, including fingerprint based check for guardian, and CPS clearances for all adults in the home are current (see foster care policy) – no arrests or convictions.

The family has no previous complaints (licensing and/or CPS) involving the care of a child.

B.  **REGULAR CONSENT REQUEST**      **Date placed in the home:** \_\_\_\_\_

The child has resided in the prospective guardian's home for a minimum of six consecutive months and all of his/her physical and emotional needs are being satisfactorily met.

The home is a licensed foster home.

The family has previous licensing, protective services, or criminal complaints.

There are other circumstances existing that require additional documentation.

C. **ALL OF THE FOLLOWING ARE REQUIRED FOR EACH CONSENT REQUEST:**

Foster care license number: \_\_\_\_\_ Date of licensure: \_\_\_\_\_

Copy of the current foster care licensing evaluation.

Copy of the child's birth certificate or other verification of birth.

Copy of the child's USP that includes the required report elements for juvenile guardianship as defined under "Case Plan Requirements".

Legal documentation (A copy of at least 1 of the following legal forms is included):

- a. A copy of the Order Terminating Parental Rights, Commitment to DHS (JC63).
- b. The applicable legal documents committing a child to DHS following a voluntary release (PCA 305, 306, 312, 318, 322).
- c. Combination of a and b above.
- d. Order committing a child to MCI (following a disrupted adoption).

Placement Agency and Address

|                                     |      |                  |
|-------------------------------------|------|------------------|
| Signature of Foster Care Caseworker | Date | Telephone Number |
|-------------------------------------|------|------------------|

|  |      |
|--|------|
| Signature of Foster Care Supervisor Approving the Guardianship | Date |
|--|------|

|  |  |
|--|--|
| Department of Human Services (DHS) will not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, sex, sexual orientation, gender identity or expression, political beliefs or disability. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you are invited to make your needs known to a DHS office in your area. | AUTHORITY: MCL 710.21 et. seq. and P.A. 280 OF 1939<br>RESPONSE: Required.<br>PENALTY: Guardianship delay. |
|--|--|

DISTRIBUTION: Original – Central Office; Copy – Retain for your file

## **REQUIREMENTS TO REQUEST CONSENT FOR JUVENILE GUARDIANSHIP OF MCI WARDS**

### **LEGAL AUTHORITY**

The Superintendent of the Michigan Children's Institute (MCI) represents the state as guardian of state wards beginning with the date of the child's commitment and continuing until the age of 19 (MCL 400.203). The MCI Superintendent is authorized to consent to adoption, juvenile guardianship, medical procedures, marriage, or emancipation according to the laws for adoption, juvenile guardianship, marriage or emancipation (MCL 400.209 and MCL 712A.19c).

### **CONSENT TO JUVENILE GUARDIANSHIP**

The authority to grant consent to juvenile guardianship for state wards rests with the MCI Superintendent. State wards include children who have been committed to the state through involuntary termination of parental rights in the Family Division of a Circuit Court (PA 220 of 1935), or through release of parental rights by the legal parent(s) or private child placing agency to whom the child has been previously released (PA 296 of 1974). The MCI Superintendent must approve juvenile guardianship of any state ward. The request for consent from the placing agency is a recommendation that the family be granted consent by the MCI Superintendent. In requesting consent for the juvenile guardianship of a child, the Juvenile Guardianship Consent Request form must be completed and sent with required documentation to the MCI Superintendent, Adoption Services Division-Central Office. The Superintendent may request additional information or actions prior to issuing a decision regarding consent.

### **Juvenile Guardianship Consent Packet**

1. Juvenile Guardianship Consent Request Form.
2. Copy of child's birth certificate.
3. Order Terminating Parental Rights/Commitment to the Department of Human Services (JC 63).
4. If the case was a voluntary release:
  - a. Release of Child By Parent (PCA 305).
  - b. Release of Child By Agency (PCA 306).
  - c. Order Terminating Parental rights After Release or Consent (PCA 318).
  - d. Order Committing to Department of Human Services.
5. Copy of Foster Care Home Evaluation and foster home license number.
6. Copy of Caseworker's Permanency Planning Checklist (DHS-2052).
7. Copy of Caregiver's Permanency Planning Checklist (DHS-2051).
8. Copy of case plan/USP addressing the required elements:
  - The steps the agency has taken to determine that it is not appropriate for the child to be adopted.
  - The reasons for any separation of siblings during placement.
  - The reasons why a permanent placement with guardian through a guardianship assistance arrangement is in the child's best interest.
  - The ways in which the child meets the requirements for a guardianship assistance payment.
  - The efforts the agency has made to discuss adoption by the child's relatives or foster parents as a more permanent alternative to legal guardianship and, in the case of a relative foster parent who has chosen not to pursue adoption, documentation of the reasons.

The consent packet should be combined with the DHS-3310, Certification of Guardianship Assistance Eligibility and Request for Agreement and sent to:

Michigan Department of Human Services  
Subsidy Office  
Suite 412  
P.O. Box 30037  
Lansing, Michigan 48909