Office of the Child Advocate

Case Number: 2024-0342

The Child

Date of Birth: December 1, 2022

Investigation Start: August 2, 2024

Recommendation Issued: September 12, 2025

Case Background

This case came to the attention of the OCA after a complaint was received, and a preliminary investigation found relatives had come forward seeking placement of The Child but had not been assessed by the agency for placement. A full investigation was opened on August 2, 2024, to review why relative assessments had not occurred and to advocate for The Child to be placed with his family.

Case Objective

The objective of this review is to identify areas for improvement in the child welfare system by looking at how the case involving The Child was handled by Methodist Children's Home and Oakland County MDHHS. This report is not intended to place blame, but to highlight areas of concern regarding the case; inform policy, procedure, and practice of MDHHS and partners within the child welfare system; and advocate for changes within it on behalf of similarly situated children.

Response received from MDHHS: December 17, 2025

Findings

Finding 1:

The child advocate finds The Child was removed from his parental home on December 3, 2022, and placed in an unrelated licensed foster home, separate from his siblings.

a. At the time of The Child's placement, relatives Maternal Aunt and Cousin Two and Cousin One Cousin, came forward in January 2023 requesting placement of The Child.
b. Methodist Children's Home completed the required MDHHS 5770s and approved both homes for placement on February 6, 2023, effective January 27, 2023.
c. The Child was moved to the relative home of the Cousins One and Two on February 24, 2023.

Finding 2:

The child advocate finds The Child was moved from the Cousins One and Two home on May 7, 2024, and placed in an unrelated foster home.

Finding 3:

The child advocate finds Maternal Aunt, who was previously approved for placement of The Child in February 2023, requested placement of The Child on May 9, 2024, June 3, 2024, and July 8, 2024.

a. Additional requests were made to Methodist Children's Home on June 3, 2024, by Cousin Three. Cousin One was also interested in resuming placement of The Child, as she was separated from Cousin Two and filed for divorce.

Responses

MDHHS Response to Finding 1:

MDHHS agrees. The MDHHS-5770 was approved in MiSACWIS on 02/06/2023 and the MDHHS-3130-A was approved in MiSACWIS on 02/23/2023 by Methodist Children's Home.

MDHHS Response to Finding 2:

MDHHS agrees. On May 7, 2024, the agency moved The Child from Cousin One's home due to a domestic violence incident involving Cousin One and Cousin Two. Cousin Two was arrested. Cousin One appealed the move through foster care review board (FCRB). FCRB agreed with MDHHS and Methodist Children's Home that the move was in The Child's best interest. On May 7, 2024 The Child was placed in a licensed foster home through Methodist Children's Home.

MDHHS Response to Finding 3:

MDHHS agrees.

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Response received from MDHHS: December 17, 2025

Findings

Finding 4:

The child advocate finds Methodist Children's Home did not complete the MDHHS 5770 relative safety screens for Maternal Aunt or Cousin Three, within the five days of written and verbal requests for placement of The Child as required by FOM 722-03b.

Finding 5:

The child advocate finds an emergency placement was needed for The Child's siblings, Sibling One, Sibling Two, Sibling Three, and Sibling Four on August 5, 2024.

a. Methodist Children's Home completed a MDHHS 5770 for Maternal Aunt and approved her for placement of Sibling One, Sibling Three, and Sibling Four. The children were subsequently placed in her home.
b. Methodist Children's Home completed a MDHHS 5770 for Cousin Three and approved her for placement of Sibling Two He was subsequently placed in her home.
c. Subsequent DHS 3130a's were completed as required and approved on September 17, 2024.
d. During this process Methodist Children's Home did not include an assessment for placement of The Child with Maternal Aunt or Cousin Three.
e. The Child's placement in Maternal Aunt or Cousin Three's home would keep him with his family and place him with siblings.

Finding 6:

The child advocate finds the OCA began having discussions with staff at Methodist Children's Home and MDHHS regarding the importance of assessing relatives interested in placement on August 9, 2024.

a. The OCA requested Methodist Children's Home complete proper assessments on relatives interested in placement of The Child on August 12, 2024, August 13, 2024, August 15, 2024, and September 10, 2024.
b. On September 9, 2024, parental rights for The Child's parents were terminated and he became an MCI ward.
c. Due to The Child being an MCI ward, MCI had to approve a move from The Child's current placement.

Responses

MDHHS Response to Finding 4:

MDHHS agrees. An MDHHS-5770 was completed on October 4, 2024, for placement with Maternal Aunt. An MDHHS-5770 was completed on August 5, 2024, for Cousin Three regarding placement of Sibling Two (sibling of The Child).

MDHHS Response to Finding 5:

MDHHS agrees.

MDHHS Response to Finding 6:

MDHHS agrees. Oakland County MDHHS staff and leadership met with OCA Deputy Director and OCA investigator on October 7, 2024, to discuss placement assessment concerns. OCA spoke with Oakland Section Manager on September 23, 2024, and subsequently met with Oakland POS monitor on September 25, 2024.

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Response received from MDHHS: December 17, 2025

Findings

Finding 7:

The child advocate finds Methodist Children's Home completed an addendum on October 4, 2024, to Maternal Aunt's DHS 3130a for The Child's siblings, to include The Child in their assessment. Maternal Aunt was approved for placement of The Child.

Finding 8:

The child advocate finds Methodist Children's Home took 148 days to complete an assessment regarding placement after Maternal Aunt's initial request was made.

a. For 123 of these days, The Child was a temporary ward of the court and MCI would not have had to approve a placement change.
b. The assessment occurred after parental rights were terminated and The Child became an MCI ward.

Responses

MDHHS Response to Finding 7:

MDHHS agrees. Oakland County MDHHS contacted Methodist Children's Home to inquire about the safety assessment of Maternal Aunt. Methodist Children's Home completed an addendum to address The Child's placement request on October 4, 2024.

On October 18, 2024, a conference was held with MCI regarding placement of The Child. During the conference, Methodist Children's Home recommended a placement change to Maternal Aunt. MCI decided to not disrupt placement until there was a better understanding of permanency related to competing parties. Methodist Children's Home informed the relatives interested in placement of The Child that he would remain in his current placement until all Adoptive Family Assessments (MDHHS-5643) were completed. There was a relative out of state, Cousin Four, who was interested in placement. A referral was submitted to Michigan's Interstate Compact on the Placement of Children (ICPC) and Methodist were awaiting the final report from Ohio. The Adoptive Family Assessment for Maternal Aunt was approved on April 16, 2025. The Adoptive Family Assessment for The Child's current placement was approved on March 17, 2025. There was a preliminary assessment pending for another relative, Aunt Two, who was identified from reviewing prior CPS history.

MDHHS Response to Finding 8:

MDHHS agrees. The Child remains with his current foster parents pending the completion of Adoptive Family Assessments on all competing parties including one interested relative who resides out of state. There are four competing parties interested in adopting The Child.

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Response received from MDHHS: December 17, 2025

Findings

Finding 9:

The child advocate finds MCI informed the OCA on October 7, 2024, consideration to place children with family and siblings is a priority of the MCI office.

a. On October 18, 2024, MCI made the decision not to move The Child from his current unrelated foster home placement. This has kept The Child from being placed with his family and his siblings.
b. The Child had only been placed in his current unrelated foster placement for five months at the time of the MCI's decision.

Finding 10:

The child advocate finds that The Child has been placed in the licensed foster home for 491 days as of September 10, 2025. The agency reports The Child is bonded with his foster family and working to build a secure attachment. These are factors MCI will consider when reviewing the competing party adoption.

Finding 11:

The child advocate finds MCI should provide information or evidence used to show The Child had bonded with his foster parents after five months of placement and what training they've received to make that determination.

Finding 12:

The child advocate finds MDHHS did not comply with MCL 722.954a(2) when choosing not to place him with his relative because none of the listed good cause exceptions from MCL 722.954a(2) applied to The Child's circumstances.

Finding 13:

The child advocate finds MDHHS did not comply with MCL 722.954a(6)(a) when choosing not to place The Child with his siblings because there is no documentation to indicate that a joint placement would be contrary to the safety or well-being of any of the siblings.

Responses

MDHHS Response to Finding 9:

MDHHS agrees. The Child remained with his foster parents pending the completion of all Adoptive Family Assessments.

MDHHS Response to Finding 10:

MDHHS agrees. The Child remains with his current foster parents pending the completion of Adoptive Family Assessments on all competing parties.

MDHHS Response to Finding 11:

MDHHS disagrees. It was not necessarily the bond or lack of a bond that The Child may have had with his foster parents that was a determining factor; it was his young age and the number of moves at his young age that could affect his ability to form a healthy attachment.

MDHHS Response to Finding 12:

MDHHS agrees.

MDHHS Response to Finding 13:

MDHHS agrees.

Recommendations

Recommendation 1:

1. The child advocate recommends private agencies and MDHHS ensure FOM 722-03 and 722-03b are followed and proper relative assessments are completed when relatives express interest in placement of a child(ren) in their home.

Responses

MDHHS Response to Recommendation 1:

MDHHS agrees.

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Response received from MDHHS: December 17, 2025

Recommendations	Responses
Recommendation 2: 1. The child advocate recommends private agencies be held accountable for failing to adhere to FOM 722-03b in relation to timely assessments of relatives and placement with siblings.	**MDHHS Response to Recommendation 2:** MDHHS agrees.
Recommendation 3: 1. The child advocate recommends Methodist Children's Home complete additional training on relative safety screens, DHS 3130a's and the required timeframes for completing these assessments.	**MDHHS Response to Recommendation 3:** MDHHS agrees.
Recommendation 4: 1. The child advocate recommends Methodist Children's Home provide proof of the training completed to the child advocate.	**MDHHS Response to Recommendation 4:** MDHHS agrees.
Recommendation 5: 1. The child advocate recommends Methodist Children's Home and MDHHS share and discuss the findings and recommendations outlined in this report with MDHHS foster care and Placement Agency Foster Care staff.	**MDHHS Response to Recommendation 5:** MDHHS agrees.
Recommendation 6: 1. The child advocate recommends MCI approve a replacement of The Child into a family member's home who is approved for placement.	**MDHHS Response to Recommendation 6:** **MDHHS disagrees.** Following the completion of adoption assessments an adoption and placement decision will be made. There are many factors to be considered in determining a permanent placement for The Child.

References

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The Child

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Case Objective

The objective of this review is to identify areas for improvement in the child welfare system by looking at how the case involving The Child was handled by Methodist Children's Home and Oakland County MDHHS. This report is not intended to place blame, but to highlight areas of concern regarding the case; inform policy, procedure, and practice of MDHHS and partners within the child welfare system; and advocate for changes within it on behalf of similarly situated children.

This case came to the attention of the OCA after a complaint was received, and a preliminary investigation found relatives had come forward seeking placement of The Child but had not been assessed by the agency for placement. A full investigation was opened on August 2, 2024, to review why relative assessments had not occurred and to advocate for The Child to be placed with his family.

Family History and Case Background

The Mother is the mother of five minor children, Sibling One (10), Sibling Two (8), Sibling Three (6), Sibling Four (5), and The Child (1). Sibling One, Sibling Two, Sibling Three and Sibling Four's legal father is Siblings Father, Legal Father is The Child' legal father.
On September 7, 2021, Wayne County court authorized a petition removing The Child's siblings, Sibling One, Sibling Two, Sibling Three, and Sibling Four from their parental home. The children were removed due to concerns for physical abuse, physical neglect, failure to protect, abandonment, and improper supervision (MiSACWIS investigation ID: 107243926). The children were placed in the relative home of Aunt Two (maternal great aunt) on September 15, 2021. Their foster care case was handled by Methodist Children's Home, with Wayne County MDHHS assigned to monitor (MiSACWIS ID: 7050650).

On December 1, 2022, The Child was born, while his siblings remained in foster care. A petition was filed and authorized by Oakland County court on December 3, 2022, removing The Child from his parental home (MiSACWIS investigation ID: 137553032). The Child was initially placed in an unrelated licensed foster home. On an unknown date between December 3, 2022, and January 27, 2023, two of The Child's relatives, Maternal Aunt (maternal great aunt), and Cousin One and Cousin Two (maternal second cousins), requested placement of The Child. The Child's foster care case was handled by Methodist Children's Home, with Oakland County MDHHS assigned to monitor (MiSACWIS ID: 7050650).

The relative home assessments, MDHHS 5770s[1] for Maternal Aunt and the Cousin's were initiated on January 27, 2023, and approved on February 6, 2023. At this time, The Child remained in an unrelated licensed foster home, and the agency began completing the required Children's Foster Care Relative Placement Home Studies, also known as the DHS 3130a[2]. Both 3130a's began on February 8, 2023. Maternal Aunt requested placement of The Child again on February 23, 2023. The 3130a was approved for Cousin One and Cousin Two, and The Child was placed in their home on February 24, 2023. During The Child's placement with Cousin One and Cousin Two, The Child was able to have contact and interact with other family members, including Maternal Aunt and his siblings.

On July 7, 2023, the parental rights of The Mother were terminated to Sibling One, Sibling Two, Sibling Three, and Sibling Four. Their father, Sibling Two Sr.'s, parental rights were maintained.

On May 7, 2024, The Child was moved from the Cousin's home because of concerns about domestic violence between Cousin One and Cousin Two, which involved a Maltreatment in Care (MIC) CPS investigation. The Child was placed in an unrelated foster home.

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[1] The MDHHS 5770, Relative Approval and Placement Safety Screen is required to examine the basic qualifications of a prospective caregiver and to identify immediate safety concerns in the caregiver's home.
[2] After approval of the MDHHS 5770, a DHS 3130A- Relative Placement Home Study, must be completed for emergency placements within 30 calendar days of the child's placement in the relative home. For planned placement changes, the DHS-3130a must be completed prior to placement.

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Family History and Case Background Cont.

On May 9, 2024, Maternal Aunt requested placement of The Child in writing via email. Additional requests for placement of The Child were made during a Team Decision Making Meeting (TDM)[1] on June 3, 2024. These requests for placement were made by Maternal Aunt and another relative, Cousin Three (maternal second cousin). Cousin One also was interested in resuming placement of The Child, as she was separated from Cousin Two and planning to file for divorce. The agency did not provide the relatives with a response or inform them if assessments would occur.

Maternal Aunt continued attempts to gain custody of The Child and filed for guardianship of The Child on or around June 5, 2024. The guardianship was not recognized due to the open abuse and neglect case concerning The Child. On July 8, 2024, Maternal Aunt made another request to Methodist Children's Home via email requesting placement of The Child.

On August 5, 2024, an emergency placement was needed for Sibling One, Sibling Two, Sibling Three, and Sibling Four due to concerns for supervision in the relative home placement with Aunt Two. Methodist Children's Home completed a MDDHS 5770 for Maternal Aunt's home on August 5, 2024. The MDDHS 5770 was approved, and Sibling One, Sibling Three, and Sibling Four were placed in Maternal Aunt's home. A separate MDDHS 5770 was completed for Cousin Three on August 5, 2024. The MDDHS 5770 was approved, and Sibling Two was placed in her home. Subsequent DHS 3130a's were completed as required by the agency and approved on September 17, 2024.

Maternal Aunt's son, Cousin Four, also spoke with Methodist Children's Home staff by phone on August 5, 2024, expressing interest in having The Child placed in his home. He also expressed interest in providing care for The Child's siblings. This was a potential out of state placement for The Child as Cousin Four lives in Ohio with his wife. At this point, four relatives provided eight separate requests for The Child's placement.

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[1] The Team Decision Making meeting is a facilitated meeting where key stakeholders, including family members, child welfare professionals, and other relevant parties, come together to make critical decisions regarding child welfare cases, particularly those involving potential out-of-home placements or changes in placement. These meetings aim to ensure that decisions are made collaboratively, with input from all involved parties, and prioritize the safety and well-being of the child.

OCA Investigation and Continued Case Information

The OCA reviewed a Team Decision Making (TDM) meeting that occurred on June 3, 2024, concerning The Child's placement when he was moved from the Cousins One and Two's home. The OCA noted multiple relatives were documented as being present during the TDM. Additionally, it was documented that those relatives expressed interest in placement of The Child. The information contained in the TDM notes was confirmed with MDHHS staff to be an accurate description of what occurred during the TDM, and the OCA was advised the relatives were told Methodist Children's Home would "look into" the relatives who expressed interest in placement.

The OCA conducted interviews with Methodist Children's Home foster care staff on August 9, 2024, August 12, 2024, and August 13, 2024. Some of the staff spoken with on these dates were newly assigned to the family and were unaware of relatives requesting placement of The Child. One staff member interviewed during these dates was familiar with the family and was aware there were additional relatives who were asking for placement of The Child. The OCA was informed that these relatives were Maternal Aunt and Cousin Three. The OCA was further advised Methodist Children's Home, "had not strongly considered moving The Child because he is doing well where he is." Staff advised The Child's siblings had been moved and placed with Maternal Aunt and Cousin Three. Methodist Children's Home staff also confirmed multiple relatives attended the TDM that occurred on June 3, 2024, and requested placement of The Child, and these relatives were Maternal Aunt, Cousin Three, and Cousin One. The OCA expressed the importance of assessing relatives and the requirements per MCL 722.954a and Foster Care Manual (FOM), 722-03 and FOM 722-03b, with Methodist Children's Home staff. During the interview on August 13, 2024, the staff was asked if the agency would be assessing the relatives who have come forward and was told "…we are going to have to per policy we don't have a choice." The OCA also stressed the importance of assessing relatives prior to termination of parental rights as this could assist with assessing who may be able to provide permanency pending the upcoming termination trial.

The OCA had additional discussions with MDHHS staff regarding The Child's foster care case on August 15, 2024, September 16, 2024, and September 23, 2024. The MDHHS staff were either responsible for monitoring the foster care case or had direct oversight of the monitoring staff. MDHHS staff were aware of the relatives who had come forward expressing interest in placement of The Child and advised the private agency planned to assess the homes for placement of The Child. MDHHS staff expressed concern that the relatives supported the mother, who was facing termination of

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OCA Investigation and Continued Case Information cont.

parental rights, as an apprehension they had for placing The Child in the relative homes. MDHHS staff acknowledged the relatives had placement of The Child's siblings, who have the same mother.

The OCA was informed on September 6, 2024, Maternal Aunt's son, Cousin Four, had still not received Interstate Compact on the Placement of Children (ICPC) paperwork to be assessed for placement of The Child. Cousin Four resides with his wife in Ohio, about three hours away from his mother (Maternal Aunt). Cousin Four spoke with the agency and requested placement of the children on August 5, 2024.
On September 9, 2024, parental rights for The Mother and Legal Father concerning The Child were terminated by the 6thJudicial Circuit Court in Oakland County.

The OCA held a case discussion with multiple staff members from Methodist Children's Home and MDHHS on September 10, 2024. The OCA was informed the parental rights for The Child's parents were terminated at the court proceedings on September 9, 2024. Methodist Children's Home staff advised DHS 3130a's were pending and being reviewed for approval concerning The Child's siblings and their placements with Maternal Aunt and Cousin Three. Staff acknowledged Maternal Aunt's son in Ohio was also interested in placement and said this would have to go through the ICPC process. The OCA asked if there was a reason why The Child was not placed with a relative or his siblings. The OCA was informed Cousin Three was no longer interested in taking placement of The Child and Maternal Aunt needed items to secure placement, such as a crib. The OCA asked if these were things the agency or MDHHS could help Maternal Aunt secure, and the OCA was told yes. During the September 10th meeting, the OCA expressed concerns about the lack of timeliness assessing The Child's relatives and stressed the importance of placing children with relatives when appropriate. The OCA expressed concern with the long-term effects this could have for The Child and his siblings if they remain separated and do not get to grow up knowing each other due to The Child not being with family. It was expressed that even if Maternal Aunt was unable to take The Child because she has three of his other siblings, there are other relatives who have come forward who would care for The Child and provide him with the opportunity to know his family. The OCA reiterated policy supports children being placed with their relatives and with their siblings when possible, and there is an opportunity for the agency to adhere to both policies, FOM 722-03 and FOM 722-03b. The agency was encouraged to consider The Child's future and the ability for him to know his culture, background and family when looking into the best interest of The Child.

The DHS 3130a for Cousin Three and placement of Sibling Two in her home was started on August 15, 2024, completed by staff on August 27, 2024, and approved by supervision on September 10, 2024. This DHS 3130a did not include an assessment of whether Cousin Three's home was suitable for placement of The Child. As noted previously, Cousin Three expressed interest in providing placement for The Child in May 2024.

The DHS 3130a for Maternal Aunt was started on August 8, 2024, and completed by staff on September 3, 2024, concerning placement of Sibling One, Sibling Three and Sibling Four. The DHS 3130a was approved by supervision on September 17, 2024. This DHS 3130a did not include an assessment of whether Maternal Aunt's home was suitable for placement of The Child. As previously noted, Maternal Aunt expressed interest in providing placement for The Child initially on May 9, 2024, in writing.

During this timeframe, Maternal Aunt, her son Cousin Four, and Cousin Three continued to express interest for wanting to take placement of The Child and wanting him to be with his family. Maternal Aunt also advised Methodist Children's Home of her back up plan on who would care for The Child or any of the children if she became unable, given her age.

Methodist Children's Home completed an addendum to the DHS 3130a regarding Maternal Aunt's home on October 4, 2024. This addendum included assessing Maternal Aunt for placement of The Child. The addendum recommended Maternal Aunt for placement of The Child, noting Maternal Aunt was willing and able to meet the needs of the children in the home and placement of The Child in her home would reunite him with his siblings. This approval occurred 148 days after Maternal Aunt's initial request was made and 25 days after parental rights were terminated and The Child became a Michigan Children's Institute (MCI) ward.

On October 7, 2024, the OCA was informed The Child's placement could not be changed due to his status as an MCI ward and the foster parents filing a complaint with the Foster Care Review Board (FCRB). Another meeting was held with staff from Methodist Children's Home on October 8, 2024, where the OCA was again advised The Child could not be moved without approval from MCI. Concerns were expressed by staff that Maternal Aunt may have difficulty providing care for four children but acknowledged she had a strong support system to help her. The OCA asked why Maternal Aunt was not assessed when The Child was moved from his previous relative's placement. The OCA was informed that she was not assessed at that time because they were hoping they would have been able to place The Child back with Cousin One. Methodist Children's Home staff acknowledged The Child could have and should have been placed with a relative. The OCA was informed they would be recommending The Child be placed with Maternal Aunt but ultimately MCI would make the final decision on a change of placement.

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OCA Investigation and Continued Case Information cont.

The OCA conducted an interview with the MCI office on October 7, 2024. The MCI office was familiar with the case, and advised they were needing to decide if they were going to provide permission for the private agency to move The Child. The MCI office informed the OCA it was likely not going to allow The Child to be moved due to the long-term best interest for the child. The OCA was further advised the MCI office focuses on keeping siblings together and placement with relatives, but The Child had not had stability in his prior placements and had become attached to his current foster parents. At the time of this conversation, The Child had been placed with his current foster parents for five months. The MCI office advised the relative would still be able to be considered for adoption.

On October 18, 2024, the MCI office disagreed with moving The Child from his current unrelated foster home. To date, The Child remains placed away from his family. At the time of this report it has been over a year since The Child was moved from a relative's home to an unrelated foster home.

The family of The Child continues to advocate for him to be placed with family and have expressed their interest in adopting him. Maternal Aunt continues to have placement of Sibling Three, Sibling One, and Sibling Four. The OCA learned Sibling Two was placed in an unrelated licensed foster home after the OCA investigation was concluded.

Law and Policy

During this investigation, the OCA reviewed law and policy surrounding relative placement and the requirements for MDHHS and private agencies to assess relatives.

MCL 722.954a(2) states in part "Upon removal, as part of a child's initial case service plan as required by rules promulgated under 1973 PA 116, MCL 722.111 to 722.128, and by section 18f of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18f, the supervising agency must, within 30 days, identify, locate, notify, and consult with relatives to determine placement with a fit and appropriate relative who would meet the child's developmental, emotional, and physical needs. Preference shall be given to an adult related to the child within the fifth degree by blood, marriage, or adoption provided the relative meets all relevant state child protection standards."

MCL 722.954a(5) states "before determining placement of a child in its care, a supervising agency must give special consideration and preference to a child's relative or relatives who are willing to care for the child, are fit to do so, and would meet the child's developmental, emotional, and physical needs. The supervising agency's placement decision must be made in the child's best interests."

Additionally, MCL 722.954a(6) states "Reasonable efforts must be made to do the following:
(a) Place siblings removed from their home in the same foster care, kinship guardianship, or adoptive placement, unless the supervising agency documents that a joint placement would be contrary to the safety or well-being of any of the siblings.
(b) In the case of siblings removed from their home who are not jointly placed, provide for at least monthly visitation or other ongoing contact between the siblings, unless the supervising agency documents that at least monthly visitation or other ongoing contact would be contrary to the safety or well-being of any of the siblings.

FOM 722-03 and FOM 722-03b - The law is further supported in foster care policies, FOM 722-03 and FOM 722-03b. Both discuss relative placements, relative approvals and placement safety screens. FOM 722-03 identifies "maintaining continuity by placing the child with relatives and in their community whenever possible" as one of the four principles that must be considered for supporting the safety, permanency, and well-being of a child in foster care. Policy continues to state that case managers must make ongoing efforts to place siblings together unless the placement would be contrary to the safety or well-being of any of the siblings and these efforts should continue until case closure. Policy further outlines that a reassessment of a sibling split placement is required each quarter and must include efforts made to place all siblings together. Policy notes that termination of parental rights does not dissolve a child's relationship to their siblings and efforts to place siblings in out-of-home care together must continue.

FOM 722-03b states that when children are placed in out-of-home care, preference must be given to placement with a relative. Policy outlines a Relative Approval and Placement Safety Screen or MDHHS 5770 is required to be used to examine the basic qualifications of a prospective caregiver and to identify immediate safety concerns in the caregiver's home.

Case managers must complete a MDHHS 5770, Relative Approval & Placement Safety Screen for all adult relatives who express an interest in placement, within five business days of the relative's written or verbal request for placement consideration. Verbal requests must be documented in a social work contact.

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Law & Policy cont.

The MDHHS 5770 must be completed and approved prior to, but no more than 30 calendar days before a child's placement. All MDHHS 5770s must be completed in the electronic case management record. All adult relatives who express an interest in placement must be screened using the MDHHS 5770.

FOM 722-03b further outlines that after approval of the MDHHS 5770, a DHS 3130a - Relative Placement Home Study, must be completed for emergency placements within 30 calendar days of the child's placement in the relative home. For planned placement changes, the DHS 3130a must be completed prior to placement.

In The Child's case, law and policy were not adhered to by Methodist Children's Home or MDHHS. Multiple relatives came forward interested in the placement of The Child. The agency did not assess these relatives timely which impacted The Child's ability to be placed with his siblings and relatives.

Additional Research

The OCA conducted additional research into the importance of placing children with relatives also known as kinship caregivers.

Kinship care is when youth live with relatives, including aunts, uncles, grandparents, siblings, extended family, or those previously known to the family with whom the youth have a relationship with. When a child's home environment is unsafe, relative or kinship placements are the preferred option because they maintain family connections, cultural traditions, and minimize the trauma of separation.[1] Additional benefits for placing children with relatives or kin are increased placement stability, improved behavioral outcomes, and promotion of sibling relationships.[2]

Child welfare agencies across the country recognize the importance of placing children with family members when children cannot remain in their home safely. Both the Casey Family Foundation, and the Annie E. Casey Foundation recognize separating children from their family is traumatic, they deserve to be placed with kin, relatives by blood or marriage, or people they consider their "chosen family." Placing children in kinship care helps to minimize trauma and preserves their cultural identity and connections to their communities.[3]

The Annie E. Casey Foundation describes benefits of Kinship Care compared to children in the general foster care population to include "kids in kinship care tend to be more likely to stay with their siblings and maintain lifelong connections to family, have more stability, have better physical health and experience fewer behavior problems, have better academic outcomes, and have continued positive outcomes as adults, including better educational achievement and employment prospects, as well as reduced likelihood of receiving public assistance or experiencing homelessness or incarceration."[4]

On September 7, 2022, Governor Whitmer proclaimed September Kinship Care Month. In her proclamation, it states in Michigan "about 53,000 children are being raised by kinship caregivers, defined as relatives or others who are close to the youth and their families." The proclamation describes kinship care as "the full-time care, nurturing and protection of children by family members, close family friends, or other important adults in the child's life." The proclamation quotes MDHHS Children's Services Agency executive director, Demetirus Starling, as saying "MDHHS believes children who need placements should be placed with their relative whenever possible. Maintaining connections with relatives, friends, and communities they know, and love is vital to their physical and emotional well-being."[5]

In the recent published opinion, In re D.M.A.N., Minor, the Michigan Court of Appeals conditionally reversed the trial court's order terminating the respondents' parental rights and remanded the case for further proceedings. The appellate court emphasized that the Department of Health and Human Services (DHHS) had completely disregarded its statutory obligation under MCL 722.954a(2) to investigate potential relative placements. The court noted:

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[1] "About Kinship Care." Child Welfare Information Gateway. https://www.childwelfare.gov/topics/outofhome/kinship/about/
[2] Child Welfare Information Gateway. (2022). Kinship care and the child welfare system. U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau https://www.childwelfare.gov/pubs/f-kinship/
[3] First Placement With Family (2024); Casey Family Programs. https://www.casey.org/first-placement-family-placement/
[4] What Is Kinship Care? (2014, 2025); The Annie E. Casey Foundation. https://www.aecf.org/blog/what-is-kinship-care.
[5] Michigan recognizes the important role kinship caregivers play for children who need loving homes (2022). https://www.michigan.gov/mdhhs/inside-mdhhs/newsroom/2022/09/07/kinship-2022

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Additional Research cont.

"MCL 722.954a(2) provides that when a child is removed from his or her parents, DHHS must, within 30 days, identify, locate, notify, and consult with relatives to determine placement with a fit and appropriate relative who would meet the child's developmental, emotional, and physical needs."

The record demonstrated that this obligation was not met, as multiple relatives expressed interest in caring for the child, yet DHHS failed to explore their fitness. The court concluded that this omission violated DHHS's statutory duties and jeopardized the child's right to maintain relationships with safe relatives.

Because the outcome of the case could have been different had DHHS complied with the law, the appellate court conditionally reversed the trial court's best-interests determination and remanded the matter "for a determination as to whether a suitable relative placement is available." The opinion further stressed that DHHS's inaction "seriously affects the fairness, integrity, and public reputation of judicial proceedings."

This case illustrates the critical importance of DHHS's duty to investigate relative placements before pursuing termination of parental rights, reinforcing the principle that preserving familial bonds must be prioritized when safe and appropriate relatives are available.

Factual Findings

Introduction:

The child advocate shall prepare a report of the factual findings of an investigation and make recommendations to the department or the child placing agency if the child advocate finds one or more of the following:

a) A matter should be further considered by the department or the child placing agency.
b) An administrative act or omission should be modified, canceled, or corrected.
c) Reasons should be given for an administrative act or omission.
d) Other action should be taken by the department or the child placing agency.

The Child Advocate believes their findings should be further considered by the department, and additional actions by MDHHS and other child welfare partners are necessary.

Findings

1. The child advocate finds The Child was removed from his parental home on December 3, 2022, and placed in an unrelated licensed foster home, separate from his siblings.

a. At the time of The Child's placement, relatives Maternal Aunt and Cousin Two and Cousin One Cousin, came forward in January 2023 requesting placement of The Child.
b. Methodist Children's Home completed the required MDHHS 5770s and approved both homes for placement on February 6, 2023, effective January 27, 2023.
c. The Child was moved to the relative home of the Cousins One and Two on February 24, 2023.

2. The child advocate finds The Child was moved from the Cousins One and Two home on May 7, 2024, and placed in an unrelated foster home.

3. The child advocate finds Maternal Aunt, who was previously approved for placement of The Child in February 2023, requested placement of The Child on May 9, 2024, June 3, 2024, and July 8, 2024.

a. Additional requests were made to Methodist Children's Home on June 3, 2024, by Cousin Three. Cousin One was also interested in resuming placement of The Child, as she was separated from Cousin Two and filed for divorce.

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Findings

4. The child advocate finds Methodist Children's Home did not complete the MDHHS 5770 relative safety screens for Maternal Aunt or Cousin Three, within the five days of written and verbal requests for placement of The Child as required by FOM 722-03b.

5. The child advocate finds an emergency placement was needed for The Child's siblings, Sibling One, Sibling Two, Sibling Three, and Sibling Four on August 5, 2024.

a. Methodist Children's Home completed a MDHHS 5770 for Maternal Aunt and approved her for placement of Sibling One, Sibling Three, and Sibling Four. The children were subsequently placed in her home.
b. Methodist Children's Home completed a MDHHS 5770 for Cousin Three and approved her for placement of Sibling Two He was subsequently placed in her home.
c. Subsequent DHS 3130a's were completed as required and approved on September 17, 2024.
d. During this process Methodist Children's Home did not include an assessment for placement of The Child with Maternal Aunt or Cousin Three.
e. The Child's placement in Maternal Aunt or Cousin Three's home would keep him with his family and place him with siblings.

6. The child advocate finds the OCA began having discussions with staff at Methodist Children's Home and MDHHS regarding the importance of assessing relatives interested in placement on August 9, 2024.

a. The OCA requested Methodist Children's Home complete proper assessments on relatives interested in placement of The Child on August 12, 2024, August 13, 2024, August 15, 2024, and September 10, 2024.
b. On September 9, 2024, parental rights for The Child's parents were terminated and he became an MCI ward.
c. Due to The Child being an MCI ward, MCI had to approve a move from The Child's current placement.

7. The child advocate finds Methodist Children's Home completed an addendum on October 4, 2024, to Maternal Aunt's DHS 3130a for The Child's siblings, to include The Child in their assessment. Maternal Aunt was approved for placement of The Child.

8. The child advocate finds Methodist Children's Home took 148 days to complete an assessment regarding placement after Maternal Aunt's initial request was made.

a. For 123 of these days, The Child was a temporary ward of the court and MCI would not have had to approve a placement change.
b. The assessment occurred after parental rights were terminated and The Child became an MCI ward.

9. The child advocate finds MCI informed the OCA on October 7, 2024, consideration to place children with family and siblings is a priority of the MCI office.

a. On October 18, 2024, MCI made the decision not to move The Child from his current unrelated foster home placement. This has kept The Child from being placed with his family and his siblings.
b. The Child had only been placed in his current unrelated foster placement for five months at the time of the MCI's decision.

10. The child advocate finds that The Child has been placed in the licensed foster home for 491 days as of September 10, 2025. The agency reports The Child is bonded with his foster family and working to build a secure attachment. These are factors MCI will consider when reviewing the competing party adoption.

11. The child advocate finds MCI should provide information or evidence used to show The Child had bonded with his foster parents after five months of placement and what training they've received to make that determination.

12. The child advocate finds MDHHS did not comply with MCL 722.954a(2) when choosing not to place him with his relative because none of the listed good cause exceptions from MCL 722.954a(2) applied to The Child's circumstances.

13. The child advocate finds MDHHS did not comply with MCL 722.954a(6)(a) when choosing not to place The Child with his siblings because there is no documentation to indicate that a joint placement would be contrary to the safety or well-being of any of the siblings.

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Recommendations

1. The child advocate recommends private agencies and MDHHS ensure FOM 722-03 and 722-03b are followed and proper relative assessments are completed when relatives express interest in placement of a child(ren) in their home.
2. The child advocate recommends private agencies be held accountable for failing to adhere to FOM 722-03b in relation to timely assessments of relatives and placement with siblings.
3. The child advocate recommends Methodist Children's Home complete additional training on relative safety screens, DHS 3130a's and the required timeframes for completing these assessments.
4. The child advocate recommends Methodist Children's Home provide proof of the training completed to the child advocate.
5. The child advocate recommends Methodist Children's Home and MDHHS share and discuss the findings and recommendations outlined in this report with MDHHS foster care and Placement Agency Foster Care staff.
6. The child advocate recommends MCI approve a replacement of The Child into a family member's home who is approved for placement.

Conclusion

Under authority pursuant to The Child Advocate's Act, MCL 722.903, the OCA respectfully submits this report of findings and recommendations.

The matters addressed in this report must be further considered by MDHHS and the Michigan Legislature. These recommendations may effectuate positive change and can improve the lives of similarly situated children involved in Michigan's child welfare system.

Before publishing, MDHHS has 60 days to provide a written response to this report in defense or mitigation of the action. The published report will include any statement of reasonable length made to the OCA by MDHHS.

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