
OVERVIEW

Parents who are absent or putative may have an interest in creating a parental relationship with their child and are more likely to become involved in the case service plan if engaged early in the proceedings. Caseworkers must begin attempts to locate and engage parents who are absent and putative parents from case onset.

DEFINITIONS

Legal Father

[Michigan Court Rule \(MCR\) 3.903\(7\)](#) defines a legal father as any of the following:

- A man married to the mother at any time from a child's conception to the child's birth, unless a court has determined, after notice and a hearing, that the child was conceived or born during the marriage but is not the issue of the marriage.
- A man who legally adopts the child.
- A man who by order of filiation or by judgment of paternity is judicially determined to be the father of the child.
- A man judicially determined to have parental rights.
- A man whose paternity is established by the completion and filing of an acknowledgment of parentage in accordance with the provisions of the [Acknowledgment of Parentage Act, MCL 722.1001 et seq.](#), or a previously applicable procedure. For an acknowledgment under the Acknowledgment of Parentage Act, the man and mother must sign the acknowledgment of parentage before a notary public appointed in Michigan. The acknowledgment must be filed with the state registrar at either the time of birth or during the child's lifetime.

Putative Father

Putative father is defined as an alleged biological father of a child ([MCR 3.903\(24\)](#)).

A putative father can only exist where a child has no legal father. If a legal father exists, a putative father may not participate in a child protective proceeding. If the legal father's presumption of paternity is rebutted, or if no legal father exists, the court may conduct a putative father hearing to identify the alleged father, notify the father, and allow the father to legally establish paternity of the child. Once a putative father legally acknowledges paternity of a child or the court determines the child's legal father, then the father may participate in the child protective proceedings.

ABSENT PARENT PROTOCOL

The [Michigan Absent Parent Protocol](#) was developed to provide guidance to courts and child welfare staff for identifying and locating absent parents of children involved in the child welfare system. Caseworkers must be prepared to report the specific efforts made to identify and locate absent parents to the court.

IDENTIFYING THE LEGAL FATHER

To determine whether there is a legal father or a putative father, the caseworker must:

- Determine whether the mother was married at the time of conception or birth by talking with the mother and relatives.
- Obtain divorce and child support information, including the county where these proceedings may have occurred, by interviewing the parents and/or relatives.
- Review the birth certificate to see if a father is listed.

Note: Being named on the birth certificate does not establish legal parentage for a father.

- Ask the child about their father. Determine if the child or someone the child knows is aware of the father's possible whereabouts.
- Contact the Friend of the Court to ascertain if anyone has been paying support.

- Contact the Family Division of Circuit Court to determine whether there is an order of filiation filed.
- Contact the probate court and/or search the birth registry system to determine whether there is an affidavit of parentage filed; see *MiSACWIS Job Aid: DCH Birth Registry System for MDHHS Workers*.

LOCATION EFFORTS

The caseworker must document efforts to locate parents in all case service plans and in social work contacts. Efforts may include, but are not limited to:

- Review of case history in MiSACWIS.
- Statewide Bridges inquiry.
- Secretary of State inquiry.
- Search of telephone book or an [online phone book](#).
- US Post Office address search.
- Friend of the Court inquiry.
- Check with county clerk's office for vital statistics.
- Contact the last known place of employment.
- Follow up on leads provided by friends and relatives.
- Legal publication (court action).
- Search of social networking sites.
- Conduct a [Federal Bureau of Prisons inmate search](#).
- Contact local jails and state prisons.
 - [Michigan Department of Corrections Offender Tracking Information System](#).

Federal Parent Locator Service

The Adoption and Safe Families Act authorized the use of the Federal Parent Locator Service (FPLS) for caseworkers. The caseworker must use the FPLS if the absent/putative parent's Social Security number is known. The FPLS obtains location information from:

- The Department of Defense.
- Federal Bureau of Investigation.
- National Directory of New Hires.
- Veterans Administration.

- Social Security Administration, including employer/beneficiary names and addresses.

Caseworkers must complete and submit the [DHS-1445, Child Support Confidential Locate Request](#) to the MDHHS Office of Child Support (OCS) to request information from the FPLS. The DHS-1445 contains directions for submission.

Questions about the Federal Parent Locator Service should be directed to the [MDHHS OCS Locates mailbox](#).

POLICY CONTACT

Questions about this policy item should be emailed to [the Child Welfare Policy Mailbox](#).