



HOUSE BILL No. 4203

February 10, 1993, Introduced by Reps. McNutt, Gubow, Freeman, DeMars, Yokich, Leland, Pitoniak, Gire and Dalman and referred to the Committee on Judiciary.

A bill to amend sections 64 and 65 of chapter X of Act No. 288 of the Public Acts of 1939, entitled as amended

"An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act,"

section 65 as amended by Act No. 72 of the Public Acts of 1982, being sections 710.64 and 710.65 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 64 and 65 of chapter X of Act No. 288
2 of the Public Acts of 1939, section 65 as amended by Act No. 72
3 of the Public Acts of 1982, being sections 710.64 and 710.65 of
4 the Michigan Compiled Laws, are amended to read as follows:

5 CHAPTER X

6 Sec. 64. (1) Upon the filing of a petition in probate court
7 within ~~20~~ 21 days after entry of any order under this chapter,
8 and after due notice to all interested parties, the judge of pro-
9 bate may grant a rehearing and may modify or set aside the
10 order.

11 (2) The court shall enter an order with respect to the orig-
12 inal hearing or rehearing of contested matters within ~~20~~ 21
13 days after the termination of the hearing or rehearing.

14 Sec. 65. (1) A party aggrieved by an order ~~which~~ THAT is
15 entered by the court under this chapter, including an order
16 entered after a rehearing, may appeal the order to the court of
17 appeals as of right not later than ~~20~~ 21 days after the order
18 is entered by the court or not later than ~~20~~ 21 days after a
19 petition for a rehearing is denied.

20 (2) An order of the court entered under this chapter shall
21 not be stayed pending appeal unless ordered by the court of
22 appeals upon motion for good cause shown and on such terms as are
23 deemed just.

24 (3) An appeal from an order entered under this chapter shall
25 be given priority in the court of appeals and shall take
26 precedence over all other matters, except for other matters

1 ~~-which-~~ THAT are given priority by specific statutory provision
2 or rule of the supreme court.