

1 **child's best interests.**

2 (3) ~~-(2)-~~ If, at any time in the proceeding, the court
3 determines that the child's best interests are inadequately
4 represented, the court may appoint a lawyer-guardian ad litem to
5 represent the child. A lawyer-guardian ad litem represents the
6 child and has powers and duties in relation to that
7 representation as set forth in section 17d of chapter XIIIA of **the**
8 **probate code of 1939**, 1939 PA 288, MCL 712A.17d. All provisions
9 of section 17d of chapter XIIIA of **the probate code of 1939**, 1939
10 PA 288, MCL 712A.17d, apply to a lawyer-guardian ad litem
11 appointed under this act.

12 (4) ~~-(3)-~~ In a proceeding in which a lawyer-guardian ad litem
13 represents a child, he or she may file a written report and
14 recommendation. The court may read the report and
15 recommendation. The court shall not ~~-, however,-~~ admit the
16 report and recommendation into evidence unless all parties
17 stipulate the admission. The parties may make use of the report
18 and recommendation for purposes of a settlement conference.

19 (5) ~~-(4)-~~ After a determination of ability to pay, the court
20 may assess all or part of the costs and reasonable fees of the
21 lawyer-guardian ad litem against 1 or more of the parties
22 involved in the proceedings or against the money allocated from
23 marriage license fees for family counseling services under
24 section 3 of 1887 PA 128, MCL 551.103. A lawyer-guardian ad
25 litem appointed under this section shall not be paid a fee unless
26 the court first receives and approves the fee.

27 Enacting section 1. This amendatory act takes effect

House Bill No. 5471 (S-2) as amended December 9, 2004

1 October 1, [2005].

2 Enacting section 2. This amendatory act does not take
3 effect unless [all of the following bills of the 92nd Legislature are
4 enacted into law:

- (a) House Bill No. 5467.
- (b) House Bill No. 5468.
- (c) House Bill No. 5469.
- (d) House Bill No. 5470.
- (e) House Bill No. 5473.
- (f) House Bill No. 5474.
- (g) Senate Bill No. 959.
- (h) Senate Bill No. 961.
- (i) Senate Bill No. 963.
- (j) Senate Bill No. 964.
- (k) Senate Bill No. 966.]