

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

APRIL DEBOER, individually and as parent  
and next friend of N.D.-R, R.D.-R., and J.D.-R,  
minors, and JAYNE ROWSE, individually and as parent  
and next friend of N.D.-R, R.D.-R., and J.D.-R,  
minors,

Plaintiffs,

ED Mi No. 12-10285  
Honorable Bernard A. Friedman  
United States District Judge

-vs-

Honorable Michael J. Hluchaniuk  
United States Magistrate Judge

BILL SCHUETTE, in his official capacity as  
Michigan Attorney General,

Defendant.

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**DECLARATION OF CYNTHIA BOSTWICK UNDER 28 USC §1746**

I, Cynthia Bostwick, do hereby declare as follows:

1. The statements made in this declaration are based on personal knowledge, I am competent to testify to them and, if called as a sworn witness, my testimony would be consistent with them.

2. I was appointed as the Probate Register in Washtenaw County, Michigan in August of 2008, and in that capacity, I supervised the Probate Adoption Caseworker, who reviewed all petitions and conducted home studies for the court. I also conducted hearings to accept consents to terminate parental rights, and hearings on the "default" terminations. I conducted hearings to finalize adoptions.

3. Once a petition for adoption is filed in a step-parent or relative case, an adoption caseworker from the probate court will conduct a home study as required by statute. See MCL 710.46. The worker makes a home visit, completes a background check on all adults residing in the home, which includes a criminal multi-state LEIN check and a DHS Registry check, and the worker will interview the person's references. In so-called non-family "stranger" adoptions, the home studies must be performed by outside agencies, however, all the same procedures are required.

4. During the time that I was employed as the Probate Register in Washtenaw County,

there were no petitions for "second parent" adoptions filed in Washtenaw County.

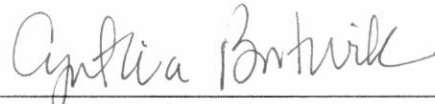
5. I adopted my son Ben as a single parent in St. Clair County in 2004.

6. I married my domestic partner, Linda Ham, in Washington, D.C. in July 2011.

7. On December 1, 2011, Ms. Ham and I attempted to file a step parent adoption petition so that both Ms. Ham and I could be legal adoptive parents to our son Ben. Although the petition was proper in every way, with the filing fee tendered to the clerk contemporaneously, I was informed that my petition would not be accepted for filing, and that no such petitions were being accepted by the Probate Court for filing.

8. I declare under penalty for perjury under the laws of the United States that the foregoing statement is true.

Dated:



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Cynthia Bostwick