

REIMBURSEMENT OF LEGAL COSTS OF FOSTER PARENTS (EXCERPT)
Act 33 of 1980

722.161 Reimbursement of certain legal costs of foster parents; conditions.

Sec. 1. (1) The department of social services may reimburse a foster parent for the costs of legal counsel when an action is commenced against the foster parent for injury or damage which is sustained or which is alleged to have been sustained by, or which resulted from or which is alleged to have resulted from the action of, a foster child during the time when the foster parent was acting within the scope of his or her authority as a foster parent. This subsection does not apply to an administrative hearing or judicial review under Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.315 of the Michigan Compiled Laws.

(2) The department of social services shall not reimburse a foster parent as provided in subsection (1), unless the department is satisfied that all of the following apply:

(a) The foster parent is licensed under Act No. 116 of the Public Acts of 1973, as amended, being sections 722.111 to 722.128 of the Michigan Compiled Laws.

(b) If the action is a civil action, a judgment for damages is not awarded against the foster parent as a result of the action.

(c) If the action is a criminal action, the foster parent is not convicted, does not plead nolo contendere, or is not found guilty but mentally ill or not guilty by reason of insanity as a result of the action.

History: 1980, Act 33, Imd. Eff. Mar. 11, 1980.