COMMITMENT OF CHILDREN TO STATE INSTITUTIONS
Act 271 of 1925

AN ACT to provide for the commitment to state institutions of certain children placed with, released to, or committed to persons, societies, organizations, associations or corporations licensed and approved by the state department of social welfare; to provide for the protection of the rights of children over whom jurisdiction is in doubt because of some question of residence, and providing for the payment of the expense thereof.

History: 1925, Act 271, Eff. Aug. 27, 1925;—Am. 1955, Act 186, Imd. Eff. June 14, 1955.

The People of the State of Michigan enact:

722.531 Children incapable of adoption; commitment to state institution; expenses of commitment; maintenance.

Sec. 1. Whenever it appears to the court that a child placed with, committed to, or released to a person, society, organization, association, or corporation licensed and approved by the family independence agency to receive, maintain, or place out for adoption minor children or to obtain homes for dependent and neglected children, is, by reason of mental or physical disability or for any other reason, incapable of adoption, the child may be committed to a proper state institution. A commitment under this section may be made by the family division of the circuit court for the county in which the home of the person, or the principal office of the society, organization, association, or corporation is located, or for the county in which the child was placed with, released to, or committed to the person, society, organization, association, or corporation, or for the county in which the child may be found, upon application of the person or the principal officer of the society, organization, association, or corporation to which such child has been committed or released. The expense of committing the child to a state institution and any expense chargeable to counties for maintenance in a state institution shall be paid by the county where the child was a resident at the time of his or her placement with, release to, or commitment to the person, society, organization, association, or corporation.

History: 1925, Act 271, Eff. Aug. 27, 1925;—CL 1929, 12882;—CL 1948, 722.531;—Am. 1955, Act 186, Imd. Eff. June 14, 1955;—Am. 1996, Act 410, Eff. Jan. 1, 1998.

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722.532 Protection of children's rights; director of social welfare, duties.

Sec. 2. Whenever, after a careful investigation and report, it shall appear to the director of the state department of social welfare that any child in Michigan under 17 years of age has no guardian willing and able to take suitable action in behalf of the child or that it appears that such child is being deprived of some service or right generally available to children in Michigan because of the refusal or asserted inability of some administrative or judicial agency or agencies of the state or its political subdivisions to provide or order such service or enforce such right, and it further appears that such refusal or asserted inability exists for the reason of no jurisdiction or power because of some question of residence of the child, it shall be the duty of said director, acting as the agent of the state, to take such action as may be necessary to obtain a final legal determination as to which administrative or judicial agency has the duty of furnishing or ordering the service to or protecting the rights of such child.

History: Add. 1955, Act 186, Imd. Eff. June 14, 1955.

722.533 Protection of children's rights; prosecuting attorney.

Sec. 3. It shall be the duty of the prosecuting attorney of the county, in some court of or for which the director, with the advice of the attorney general, determines to begin his action to discharge this service for the state including appeals whenever such may be necessary to reach a final determination.

History: Add. 1955, Act 186, Imd. Eff. June 14, 1955.

722.534 Protection of children's rights; question of jurisdiction, residence, costs.

Sec. 4. As it is the intent of the legislature that this duty shall be for the general purpose of clarifying the laws for the protection of children, when a question of jurisdiction based on residence is concerned, all cases arising under this act shall be deemed public cases without assessment of costs against any party.

History: Add. 1955, Act 186, Imd. Eff. June 14, 1955.

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