

CHILD PROTECTION LAW (EXCERPT)
Act 238 of 1975

***** 722.627d.amended THIS AMENDED SECTION IS EFFECTIVE NOVEMBER 1, 2022 *****

722.627d.amended Release of information by director; preliminary decision to release or deny information; extension of time period; evidence.

Sec. 7d. (1) Subject to sections 7c to 7i, at the director's initiative or upon written request, the director may release specified information. If a written request for specified information is submitted to the department, the director must make a preliminary decision to release or to deny release of the specified information within 14 days after receipt of the request. After notifying the requester, the director may extend that time period for an additional 14 days if the additional time is necessary to research and compile the requested specified information.

(2) The director may release specified information under this section if there is clear and convincing evidence that either of the following is true:

(a) The release of the specified information is in the best interest of the child to whom the specified information relates.

(b) The release of the specified information is not in conflict with the best interest of the child to whom the specified information relates, and 1 or more of the following are true:

(i) The release is in the best interest of a member of the child's family or of an individual who resides in the same home in which the child resides. For the purposes of this subparagraph, the child's family includes the child's parents, legal guardians, grandparents, and siblings.

(ii) The release clarifies actions taken by the department on a specific case.

(iii) The report or record containing the specified information concerns a child who has died or concerns a member of that child's family.

(iv) All or part of the report or record containing the specified information is publicly disclosed in a judicial proceeding.

(v) A child abuse or child neglect complaint or investigation to which the report or record containing the specified information relates has been part of the subject matter of a published or broadcast media story.

(vi) The report or record containing the specified information concerns a confirmed report of sexual abuse, serious injury, or life threatening harm involving the child or a sibling of the child identified in the request.

History: Add. 1998, Act 428, Eff. Apr. 1, 1999;—Am. 2022, Act 66, Eff. Nov. 1, 2022.