

HOUSE BILL No. 4232

February 5, 1997, Introduced by Reps. Horton, Martinez, McBryde, Hammerstrom, Cropsey, Johnson, Gire, McManus, Gernaat, Green, Jansen, LaForge, Scott, Goschka, Oxender and Perricone and referred to the Committee on Human Services and Children.

A bill to amend 1975 PA 238, entitled
"Child protection law,"
by amending section 7 (MCL 722.627), as amended by 1995 PA 225,
and by adding sections 7b, 7c, 7d, 7e, 7f, 7g, and 7h.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) The department shall maintain a central regis-
2 try to carry out the intent of this act. ~~—A—~~ UNLESS MADE PUBLIC
3 AS INFORMATION RELEASED UNDER SECTION 7C, A written report, docu-
4 ment, or photograph filed with the department as provided in this
5 act is a confidential record available only to 1 or more of the
6 following:

7 (a) A legally mandated public or private child protective
8 agency investigating a report of known or suspected child abuse
9 or neglect.

1 (b) A police or other law enforcement agency investigating a
2 report of known or suspected child abuse or neglect.

3 (c) A physician who is treating a child whom the physician
4 reasonably suspects may be abused or neglected.

5 (d) A person legally authorized to place a child in protec-
6 tive custody when the person is confronted with a child whom the
7 person reasonably suspects may be abused or neglected and the
8 confidential record is necessary to determine whether to place
9 the child in protective custody.

10 (e) A person, agency, or organization, including a multidis-
11 ciplinary case consultation team, authorized to diagnose, care
12 for, treat, or supervise a child or family who is the subject of
13 a report or record under this act, or who is responsible for the
14 child's health or welfare.

15 (f) A person named in the report or record, OR A PARENT OF A
16 CHILD WHO IS THE SUBJECT OF THE REPORT OF CHILD ABUSE OR NEGLECT,
17 if the identity of the reporting person is protected as provided
18 in section 5.

19 (g) A court that determines the information is necessary to
20 decide an issue before the court.

21 (h) A grand jury that determines the information is neces-
22 sary in the conduct of the grand jury's official business.

23 (i) A person, agency, or organization engaged in a bona fide
24 research or evaluation project, except information identifying a
25 person named in the report or record shall not be made available
26 unless the department has obtained that person's written
27 consent. The person, agency, or organization shall not conduct a

1 personal interview with a family without the family's prior
2 consent and shall not disclose information that would identify
3 the child or the child's family or other identifying
4 information.

5 (j) A person appointed as legal counsel as prescribed in
6 section 10.

7 (k) A child placing agency licensed under ~~Act No. 116 of~~
8 ~~the Public Acts of 1973, being sections 722.111 to 722.128 of the~~
9 ~~Michigan Compiled Laws~~ 1973 PA 116, MCL 722.11 TO 722.128, for
10 the purpose of investigating an applicant for adoption, a foster
11 care applicant or licensee or an employee of a foster care appli-
12 cant or licensee, an adult member of an applicant's or licensee's
13 household, or other persons in a foster care or adoptive home who
14 are directly responsible for the care and welfare of children, to
15 determine suitability of a home for adoption or foster care. The
16 child placing agency shall disclose the information to a foster
17 care applicant or licensee under ~~Act No. 116 of the Public Acts~~
18 ~~of 1973~~ 1973 PA 116, MCL 722.111 TO 722.128, or to an applicant
19 for adoption.

20 (l) Juvenile court staff authorized by the court to investi-
21 gate foster care applicants and licensees, employees of foster
22 care applicants and licensees, adult members of the applicant's
23 or licensee's household, and other persons in the home who are
24 directly responsible for the care and welfare of children, for
25 the purpose of determining the suitability of the home for foster
26 care. The court shall disclose this information to the applicant
27 or licensee.

1 (m) Subject to section 7a, a standing or select committee or
2 appropriations subcommittee of either house of the legislature
3 having jurisdiction over protective services matters for
4 children.

5 (n) The children's ombudsman appointed under the children's
6 ombudsman act, ~~Act No. 204 of the Public Acts of 1994, being~~
7 ~~sections 722.921 to 722.935 of the Michigan Compiled Laws~~ 1994
8 PA 204, MCL 722.921 TO 722.935.

9 (o) Child fatality review teams authorized by the department
10 to investigate and review child deaths. The department shall not
11 authorize a child fatality review team to investigate and review
12 a child death unless the membership of the child fatality review
13 team consists of at least all of the following:

14 (i) A county medical examiner or deputy county medical
15 examiner.

16 (ii) A representative of a local law enforcement agency.

17 (iii) A representative of the department.

18 (iv) ~~The~~ A county prosecuting attorney or his or her
19 designee.

20 (v) A representative of the department of public health or a
21 local health department.

22 (p) A county medical examiner or deputy county medical
23 examiner appointed under ~~Act No. 181 of the Public Acts of 1953,~~
24 ~~being sections 52.201 to 52.216 of the Michigan Compiled Laws~~
25 1953 PA 181, MCL 52.201 TO 52.216, for the purpose of carrying
26 out his or her duties under ~~Act No. 181 of the Public Acts of~~
27 ~~1953~~ 1953 PA 181, MCL 52.201 TO 52.216.

1 (2) A person or entity to whom a report, document, or
2 photograph is made available shall make the report, document, or
3 photograph available only to a person or entity described in
4 subsection (1). This subsection shall not be construed to
5 require a court proceeding to be closed that otherwise would be
6 open to the public.

7 (3) If a report of suspected child abuse or neglect is sub-
8 stantiated, the department shall maintain a record in the central
9 registry and, within 30 days after the substantiation, shall
10 notify in writing each individual who is named in the record as a
11 perpetrator of the child abuse or neglect. The notice shall set
12 forth the individual's right to request expunction of the record
13 and the right to a hearing if the department refuses the
14 request. THE NOTICE SHALL STATE THAT THE RECORD MAY BE RELEASED
15 UNDER SECTION 7C. The notice shall not identify the person
16 reporting the suspected child abuse or neglect.

17 (4) A person who is the subject of a report or record made
18 under this act may request the department to amend an inaccurate
19 report or record from the central registry and local office
20 file. A person who is the subject of a report or record made
21 under this act may request the department to expunge from the
22 central registry a report or record in which no relevant and
23 accurate evidence of abuse or neglect is found to exist. A
24 report or record filed in a local office file is not subject to
25 expunction except as the department authorizes, when considered
26 in the best interest of the child.

1 (5) If the department refuses a request for amendment or
2 expunction, or fails to act within 30 days after receiving the
3 request, the person shall be granted a hearing to determine by a
4 preponderance of the evidence whether the report or record in
5 whole or in part should be amended or expunged from the central
6 registry on the grounds that the report or record is not relevant
7 or accurate evidence of abuse or neglect. The hearing shall be
8 before a hearing officer appointed by the department and shall be
9 conducted pursuant to the administrative procedures act of 1969,
10 ~~Act No. 306 of the Public Acts of 1969, being sections 24.201 to~~
11 ~~24.328 of the Michigan Compiled Laws~~ 1969 PA 306, MCL 24.201 TO
12 24.328.

13 (6) If the investigation of a report conducted under this
14 act fails to disclose evidence of abuse or neglect, the informa-
15 tion identifying the subject of the report shall be expunged from
16 the central registry. If evidence of abuse or neglect exists,
17 the information identifying the subject of the report shall be
18 expunged when the child alleged to be abused or neglected reaches
19 the age of 18, or 10 years after the report is received by the
20 department, whichever occurs later.

21 (7) In releasing information under this act, the department
22 shall not include a report compiled by a police agency or other
23 law enforcement agency related to an investigation of suspected
24 child abuse or neglect. This subsection does not prevent the
25 department from including reports of convictions of crimes
26 related to child abuse or neglect.

1 SEC. 7B. (1) SECTIONS 7C TO 7H GOVERN THE DIRECTOR'S
2 DECISIONS TO RELEASE SPECIFIED INFORMATION FROM CHILD PROTECTIVE
3 SERVICES RECORDS. AS USED IN THIS SECTION AND SECTIONS 7C TO 7H,
4 "SPECIFIED INFORMATION" MEANS THE INFORMATION IN A CHILD PROTEC-
5 TIVE SERVICE RECORD THAT RELATES SPECIFICALLY TO ALL REFERRALS OR
6 REPORTS OF ALLEGED OR SUBSTANTIATED REPORT OF CHILD ABUSE OR
7 NEGLECT. "SPECIFIED INFORMATION" DOES NOT INCLUDE ANY OF THE
8 FOLLOWING:

9 (A) PERSONAL IDENTIFICATION INFORMATION FOR AN INDIVIDUAL
10 IDENTIFIED IN THE CHILD PROTECTIVE SERVICES RECORD EXCEPT FOR THE
11 PERPETRATOR OF THE CHILD ABUSE OR NEGLECT, INCLUDING IDENTIFICA-
12 TION OF A REPORTING PERSON AS PROVIDED IN SECTION 5. HOWEVER,
13 PERSONAL IDENTIFICATION INFORMATION FOR AN INDIVIDUAL ALLEGED TO
14 HAVE PERPETRATED CHILD ABUSE OR NEGLECT, WHICH ALLEGATION HAS NOT
15 BEEN SUBSTANTIATED, SHALL NOT BE RELEASED.

16 (B) INFORMATION IN A LAW ENFORCEMENT REPORT AS PROVIDED IN
17 SECTION 7(7).

18 (C) ANY OTHER INFORMATION THAT IS SPECIFICALLY DESIGNATED AS
19 CONFIDENTIAL UNDER OTHER LAW.

20 (2) THE DIRECTOR MAY DESIGNATE ANOTHER INDIVIDUAL TO ACT FOR
21 THE DIRECTOR UNDER SECTIONS 7C TO 7H, AND A REFERENCE TO THE
22 DIRECTOR UNDER THOSE SECTIONS APPLIES TO AN INDIVIDUAL DESIGNATED
23 BY THE DIRECTOR.

24 (3) FOR THE PURPOSES OF SECTIONS 7C TO 7H, THE BEST INTEREST
25 OF A CHILD SHALL BE DETERMINED BASED ON ALL OF THE FOLLOWING:

26 (A) PROTECTION OF THE CHILD'S SAFETY.

1 (B) PRESERVATION OF THE CHILD'S PHYSICAL, MENTAL, AND
2 EMOTIONAL HEALTH.

3 (C) CONSIDERATION OF THE CHILD'S LIKELIHOOD OF ESTABLISHING
4 A SUCCESSFUL AND TIMELY PERMANENT FAMILY AND COMMUNITY
5 RELATIONSHIP.

6 (4) SECTIONS 7C TO 7H SHALL NOT BE CONSTRUED TO SUBJECT A
7 RECORD THAT IS CONFIDENTIAL UNDER THIS ACT TO DISCLOSURE UNDER
8 THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO
9 15.246.

10 SEC. 7C. (1) SUBJECT TO SECTIONS 7B TO 7H, AT THE
11 DIRECTOR'S INITIATIVE OR UPON WRITTEN REQUEST, THE DIRECTOR MAY
12 RELEASE SPECIFIED INFORMATION. IF A WRITTEN REQUEST FOR SPECI-
13 FIED INFORMATION IS SUBMITTED TO THE DEPARTMENT, THE DIRECTOR
14 SHALL MAKE A PRELIMINARY DECISION TO RELEASE OR TO DENY RELEASE
15 OF THE SPECIFIED INFORMATION WITHIN 14 DAYS AFTER RECEIPT OF THE
16 REQUEST. AFTER NOTIFYING THE REQUESTER, THE DIRECTOR MAY EXTEND
17 THAT TIME PERIOD FOR AN ADDITIONAL 14 DAYS IF THE ADDITIONAL TIME
18 IS NECESSARY TO RESEARCH AND COMPILE THE REQUESTED SPECIFIED
19 INFORMATION.

20 (2) THE DIRECTOR MAY RELEASE SPECIFIED INFORMATION UNDER
21 THIS SECTION IF, IN THE DIRECTOR'S JUDGMENT, EITHER OF THE FOL-
22 LOWING IS TRUE:

23 (A) THE RELEASE OF THE SPECIFIED INFORMATION IS IN THE BEST
24 INTEREST OF THE CHILD TO WHOM THE SPECIFIED INFORMATION RELATES.

25 (B) THE RELEASE OF THE SPECIFIED INFORMATION IS NOT IN CON-
26 FLICT WITH THE BEST INTEREST OF THE CHILD TO WHOM THE SPECIFIED
27 INFORMATION RELATES, AND 1 OR MORE OF THE FOLLOWING ARE TRUE:

1 (i) THE RELEASE IS IN THE BEST INTEREST OF A MEMBER OF THE
2 CHILD'S FAMILY OR OF AN INDIVIDUAL WHO RESIDES IN THE SAME HOME
3 IN WHICH THE CHILD RESIDES. FOR THE PURPOSES OF THIS SUBPARA-
4 GRAPH, THE CHILD'S FAMILY INCLUDES THE CHILD'S PARENTS, LEGAL
5 GUARDIANS, GRANDPARENTS, AND SIBLINGS.

6 (ii) THE RELEASE CLARIFIES ACTIONS TAKEN BY THE DEPARTMENT
7 ON A SPECIFIC CASE.

8 (iii) THE RECORD CONTAINING THE SPECIFIED INFORMATION CON-
9 CERNS A CHILD WHO HAS DIED OR THAT CHILD'S FAMILY.

10 (iv) ALL OR PART OF THE RECORD CONTAINING THE SPECIFIED
11 INFORMATION IS PUBLICLY DISCLOSED IN A JUDICIAL PROCEEDING.

12 (v) A CHILD ABUSE OR NEGLECT COMPLAINT OR INVESTIGATION TO
13 WHICH THE RECORD CONTAINING THE SPECIFIED INFORMATION RELATES HAS
14 BEEN PART OF THE SUBJECT MATTER OF A PUBLISHED OR BROADCAST MEDIA
15 STORY.

16 (vi) THE RECORD CONTAINING THE SPECIFIED INFORMATION CON-
17 CERNS A SUBSTANTIATED REPORT OF SEXUAL ABUSE, SERIOUS INJURY, OR
18 LIFE THREATENING HARM INVOLVING THE CHILD OR A SIBLING OF THE
19 CHILD IDENTIFIED IN THE REQUEST.

20 SEC. 7D. (1) THE DIRECTOR SHALL NOT DENY A REQUEST FOR
21 SPECIFIED INFORMATION UNDER SECTION 7C BASED UPON A DESIRE TO
22 SHIELD A LACK OF OR AN INAPPROPRIATE PERFORMANCE BY THE
23 DEPARTMENT.

24 (2) EVEN IF THE DIRECTOR DETERMINES THAT SPECIFIED INFORMA-
25 TION MAY BE RELEASED UNDER SECTION 7C, THE DIRECTOR SHALL NOT
26 RELEASE THE SPECIFIED INFORMATION IF ANY OF THE FOLLOWING ARE
27 TRUE:

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1 (A) THE REQUEST FOR RELEASE DOES NOT INCLUDE INFORMATION
2 SUFFICIENT TO IDENTIFY THE SPECIFIC CASE TO WHICH THE REQUEST
3 RELATES.

4 (B) AN INVESTIGATION OF THE REPORT OF CHILD ABUSE OR NEGLECT
5 TO WHICH THE SPECIFIED INFORMATION RELATES IS IN PROGRESS AND THE
6 REPORT HAS NOT BEEN SUBSTANTIATED OR UNSUBSTANTIATED, UNLESS, IN
7 THE DIRECTOR'S JUDGMENT, THE RELEASE OF THE SPECIFIED INFORMATION
8 DOES NOT INTERFERE WITH THE INVESTIGATION. THIS SUBDIVISION DOES
9 NOT APPLY IF MORE THAN 60 DAYS HAVE ELAPSED SINCE THE INVESTIGA-
10 TION WAS COMMENCED UNLESS THE DIRECTOR STATES THE REASONS THAT
11 THE INVESTIGATION HAS NOT BEEN CONCLUDED.

12 (C) A HEARING IS PENDING UNDER SECTION 7(5).

13 (D) THE INDIVIDUAL WHO SUBMITS THE REQUEST IS SERVING A SEN-
14 TENCE OF IMPRISONMENT IN A STATE, COUNTY, OR FEDERAL CORRECTIONAL
15 FACILITY IN THIS STATE OR IN ANOTHER STATE.

16 (E) THE CHILD TO WHOM THE RECORD RELATES IS 18 YEARS OF AGE
17 OR OLDER.

18 SEC. 7E. (1) NOT LESS THAN 14 DAYS BEFORE SPECIFIED INFOR-
19 MATION IS RELEASED OR WITHIN 14 DAYS AFTER MAKING A DECISION TO
20 DENY A REQUEST FOR RELEASE OF SPECIFIED INFORMATION UNDER SECTION
21 7C, THE DIRECTOR SHALL GIVE NOTICE AS PROVIDED IN THIS SUBSECTION
22 AND SECTION 7F OF A PRELIMINARY DECISION TO RELEASE OR TO DENY A
23 REQUEST TO RELEASE SPECIFIED INFORMATION. THE NOTICE SHALL BE IN
24 WRITING AND SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING:

25 (A) THE BASIS ON WHICH THE SPECIFIED INFORMATION IS BEING
26 RELEASED OR THE BASIS FOR DENIAL OF THE REQUEST FOR RELEASE.

1 (B) A STATEMENT THAT THE DECISION BECOMES A FINAL DECISION
2 UNLESS INFORMATION THAT COULD BE THE BASIS FOR A DIFFERENT
3 DECISION IS SUBMITTED TO THE DIRECTOR IN WRITING WITHIN 14 DAYS
4 AFTER THE NOTICE IS GIVEN.

5 (C) A STATEMENT THAT THERE IS A RIGHT TO APPEAL A FINAL
6 DECISION AS PROVIDED IN SECTION 7G. THE NOTICE SHALL INCLUDE
7 INFORMATION REGARDING WHERE TO FILE THE APPEAL AND DESCRIBING
8 APPELLATE PROCEDURES.

9 (2) IF, WITHIN 14 DAYS AFTER GIVING NOTICE, THE DIRECTOR
10 DOES NOT RECEIVE INFORMATION IN WRITING THAT COULD BE THE BASIS
11 FOR A DIFFERENT DECISION, THE DIRECTOR'S DECISION IS FINAL.

12 (3) IF THE DIRECTOR DOES RECEIVE INFORMATION AS DESCRIBED IN
13 SUBSECTION (2), THE DIRECTOR SHALL MAKE A FINAL DECISION TO
14 RELEASE OR DENY A REQUEST TO RELEASE THE SPECIFIED INFORMATION
15 WITHIN 7 DAYS AFTER RECEIPT OF THE INFORMATION. THE DIRECTOR
16 SHALL GIVE NOTICE OF A FINAL DECISION MADE UNDER THIS SUBSECTION
17 TO EACH INDIVIDUAL REQUIRED TO BE NOTIFIED UNDER SECTION 7F(1) OR
18 (2). THE NOTICE REQUIRED BY THIS SUBSECTION SHALL BE IN WRITING
19 AND SHALL INCLUDE AT LEAST NOTIFICATION OF THE RIGHT TO APPEAL A
20 FINAL DECISION AS PROVIDED IN SECTION 7G.

21 SEC. 7F. (1) IF THE DIRECTOR DECIDES TO RELEASE SPECIFIED
22 INFORMATION UNDER SECTION 7C, THE DEPARTMENT SHALL GIVE EACH
23 NOTICE REQUIRED UNDER SECTION 7E TO ALL OF THE FOLLOWING:

24 (A) EACH INDIVIDUAL NAMED IN THE REPORT AS A PERPETRATOR OR
25 AN ALLEGED PERPETRATOR OF THE CHILD'S ABUSE OR NEGLECT, UNLESS A
26 COURT HAS FOUND THE INDIVIDUAL TO BE THE PERPETRATOR OF THE ABUSE
27 OR NEGLECT.

1 (B) EACH PARENT OR LEGAL GUARDIAN OF THE CHILD.

2 (C) EACH ATTORNEY REPRESENTING THE CHILD WHO IS THE SUBJECT
3 OF THE CASE, OR REPRESENTING AN INDIVIDUAL LISTED IN SUBDIVISION
4 (A) OR (B), IF THE DEPARTMENT HAS NOTICE OF THAT REPRESENTATION.

5 (D) THE CHILD'S GUARDIAN AD LITEM.

6 (2) IF THE DIRECTOR DENIES A REQUEST FOR RELEASE OF INFORMA-
7 TION UNDER SECTION 7C, THE DEPARTMENT SHALL ONLY NOTIFY THE
8 REQUESTING PERSON.

9 (3) IF AN INDIVIDUAL REQUIRED TO BE NOTIFIED UNDER SUBSEC-
10 TION (1)(A) IS NAMED AS A PERPETRATOR OF CHILD ABUSE OR NEGLECT
11 IN A REPORT THAT CONTAINS SPECIFIED INFORMATION REQUESTED TO BE
12 RELEASED, AND THAT INDIVIDUAL WAS NOT PREVIOUSLY NOTIFIED UNDER
13 SECTION 7(3), THE DEPARTMENT SHALL NOTIFY THAT INDIVIDUAL AS
14 REQUIRED BY SECTION 7(3) NOT LESS THAN 14 DAYS BEFORE THE SPECI-
15 FIED INFORMATION IS RELEASED. IF AN INDIVIDUAL WHO IS REQUIRED
16 TO BE NOTIFIED UNDER THIS SUBSECTION REQUESTS EXPUNCTION OF THE
17 RECORD WITHIN 14 DAYS AFTER THE NOTICE IS GIVEN, THE SPECIFIED
18 INFORMATION SHALL NOT BE RELEASED UNDER THIS SECTION UNTIL THE
19 PROCEDURES GOVERNING EXPUNCTION UNDER SECTION 7 ARE COMPLETED.
20 IF AN INDIVIDUAL WHO IS REQUIRED TO BE NOTIFIED UNDER THIS SUB-
21 SECTION DOES NOT REQUEST EXPUNCTION WITHIN 14 DAYS, THE PROCE-
22 DURES FOR RELEASE OF SPECIFIED INFORMATION UNDER SECTIONS 7B TO
23 7H SHALL BE FOLLOWED, AND THE INDIVIDUAL DOES NOT HAVE A RIGHT TO
24 APPEAL THE DECISION TO RELEASE.

25 SEC. 7G. (1) BEFORE THE ACTUAL RELEASE OF SPECIFIED INFOR-
26 MATION UNDER SECTION 7C, AN INDIVIDUAL REQUIRED TO BE NOTIFIED
27 UNDER SECTION 7F MAY APPEAL THE DIRECTOR'S DECISION TO THE

1 CIRCUIT COURT. IF AN APPEAL IS FILED AND THE DEPARTMENT NOTIFIED
2 BEFORE THE ACTUAL RELEASE, THE SPECIFIED INFORMATION SHALL NOT BE
3 RELEASED UNTIL THE DECISION TO RELEASE IS UPHOLD BY THE CIRCUIT
4 COURT. IF THE DIRECTOR DENIES A REQUEST TO RELEASE SPECIFIED
5 INFORMATION UNDER SECTION 7C, WITHIN 30 DAYS AFTER NOTICE OF THE
6 DENIAL, THE PERSON WHOSE REQUEST IS DENIED MAY FILE AN APPEAL OF
7 THE DENIAL WITH THE CIRCUIT COURT. THE COURT SHALL UPHOLD A
8 DECISION TO RELEASE OR TO DENY RELEASE OF SPECIFIED INFORMATION
9 UNLESS THE COURT FINDS THAT THE DIRECTOR'S DECISION WAS NOT REA-
10 SONABLE BASED UPON THE CRITERIA FOR RELEASING OR NOT RELEASING
11 SPECIFIED INFORMATION PRESCRIBED BY SECTIONS 7B TO 7H.

12 (2) PROCEEDINGS ON AN APPEAL FILED UNDER THIS SECTION ARE
13 CONFIDENTIAL, AND ANY RECORD OF THESE PROCEEDINGS SHALL NOT BE
14 RELEASED UNLESS THE COURT UPHOLDS A DECISION TO RELEASE SPECIFIED
15 INFORMATION OR REVERSES THE DENIAL OF A REQUEST FOR RELEASE. THE
16 COURT SHALL CONDUCT ITS REVIEW SO THAT A PERSON WHOSE REQUEST FOR
17 SPECIFIED INFORMATION WAS DENIED DOES NOT HAVE ACCESS TO THAT
18 SPECIFIED INFORMATION DURING THE APPEAL PROCEEDINGS.

19 (3) IF THE COURT REVERSES THE DIRECTOR'S DECISION TO RELEASE
20 OR TO DENY RELEASE OF SPECIFIED INFORMATION IN AN APPEAL UNDER
21 THIS SECTION, THE COURT MAY ORDER THE DEPARTMENT TO PAY THE
22 APPELLANT'S COSTS AND REASONABLE ATTORNEY FEES THAT ARE RELATED
23 TO THE APPEAL.

24 SEC. 7H. THE DEPARTMENT MAY CHARGE A FEE FOR A COPY OF
25 SPECIFIED INFORMATION RELEASED UNDER SECTION 7C IN THE SAME
26 MANNER THAT A PUBLIC BODY IS AUTHORIZED TO CHARGE A FEE UNDER

1 SECTION 4 OF THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL

2 15.234.