

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.5517 Prospective relief; conditions; limitation.

Sec. 5517.

(1) The court shall not grant or approve any prospective relief in a civil action concerning prison conditions unless the court finds that the relief is narrowly drawn, extends no further than necessary to correct the violation of the right, and is the least intrusive means necessary to correct the violation of the right. The court shall give substantial weight to any adverse effect on public safety or the operation of the criminal justice system caused by the relief.

(2) A court shall not order prospective relief that requires or permits a government official to exceed his or her authority under state or local law or otherwise violates local law, unless all of the following conditions exist:

- (a) State law permits the relief to be ordered in violation of local law.
- (b) The relief is necessary to correct the violation of a right under state or local law.
- (c) No other relief will correct the violation of the right.

(3) This section does not authorize a court, in exercising its remedial powers, to order the construction of prisons or the raising of taxes, or to repeal or detract from otherwise applicable limitations on the remedial powers of the court.

History: Add. 1999, Act 147, Imd. Eff. Nov. 1, 1999