

THE CHILDREN'S OMBUDSMAN ACT (EXCERPT)
Act 204 of 1994

***** 722.924.amended THIS AMENDED SECTION IS EFFECTIVE FEBRUARY 13, 2024 *****

722.924.amended Procedures; training; complaint; investigation; notification of safety concerns.

Sec. 4. (1) The child advocate shall establish procedures for the office for budgeting, expending money, and employing personnel according to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594. Subject to annual appropriations, the child advocate must employ sufficient personnel to carry out the duties and powers prescribed by this act.

(2) The child advocate must establish procedures for receiving and processing complaints from complainants and individuals not meeting the definition of complainant, conducting investigations, holding informal hearings, and reporting findings and recommendations resulting from investigations.

(3) Personnel employed by the office of the child advocate shall receive training in the areas of child abuse or child neglect as determined by the child advocate.

(4) Any individual may submit a complaint to the child advocate. The child advocate has the sole discretion and authority to determine if a complaint falls within his or her duties and powers to investigate and if a complaint involves an administrative act. The child advocate may initiate an investigation without receiving a complaint. The child advocate may initiate an investigation upon receipt of a complaint from an individual not meeting the definition of complainant. An individual not meeting the definition of complainant is not entitled to receive information under this act as if he or she is a complainant. The individual is entitled to receive the published findings and recommendations of the child advocate and the department's or the residential facility's response to the recommendations of the child advocate in accordance with state and federal law. During the course of an investigation, the child advocate may refer a case to the department if the child advocate determines that the department received a complaint on the case, but did not conduct an investigation. If the child advocate refers a case to the department, the department must conduct an investigation of the case or provide notice to the child advocate why an investigation was not conducted, or what alternative steps may have been taken to address the situation. If an investigation has been conducted, the department must report the results to the child advocate.

(5) The child advocate must notify the department or residential facility of any immediate safety concerns regarding a child or children who are part of an active or open child protective services or foster care case. This notification must occur as soon as possible, but not later than 1 business day after the child advocate becomes aware of the concerns.

History: 1994, Act 204, Eff. Jan. 1, 1995;—Am. 2004, Act 560, Imd. Eff. Jan. 3, 2005;—Am. 2014, Act 243, Eff. Sept. 25, 2014;—Am. 2023, Act 303, Eff. Feb. 13, 2024.