

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

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

722.928.amended Department, child placing agency, and residential facility; duties; information to be provided to biological parent, adoptive parent, or foster parent; access to departmental computer networks.

Sec. 8. (1) The department, a child placing agency, and a residential facility must do all of the following:

(a) Upon the child advocate's request, grant the child advocate or his or her designee access to all information, records, and documents in the possession of the department, child placing agency, or residential facility that the child advocate considers relevant and necessary in an investigation.

(b) Assist the child advocate to obtain the necessary releases of those documents that are specifically restricted.

(c) Upon the child advocate's request, provide the child advocate with progress reports concerning the administrative processing of a complaint.

(d) Upon the child advocate's request, provide the child advocate information he or she requests under subdivision (a) within 10 business days after the request. If the department determines that release of the information would violate federal or state law, the child advocate must be notified of that determination within the same 10-day deadline.

(2) The department, an attorney involved with an adoption, a child placing agency, and a residential facility must provide information to a biological parent, legal guardian, prospective adoptive parent, or foster parent regarding the provisions of this act.

(3) The child advocate, the department, and the department of technology, management, and budget must ensure that the child advocate has access, in the child advocate's own office, to departmental computer networks pertaining to protective services, foster care, adoption, juvenile delinquency, the central registry, and juvenile justice services, unless otherwise prohibited by state or federal law, or the release of the information to the child advocate would jeopardize federal funding. The cost of implementing this subsection must be negotiated among the office of the child advocate, the department, and the department of technology, management, and budget.

(4) A residential facility must conspicuously post in an area accessible to residents, employees, and visitors a description of the office of child advocate services and the contact information for the purpose of filing a complaint.

(5) During the course of an investigation conducted by the child advocate, the residential facility must ensure that a resident has anonymity, privacy, and procedures in place to accommodate interviews conducted by the office of child advocate.

History: 1994, Act 204, Eff. Jan. 1, 1995;—Am. 2004, Act 560, Imd. Eff. Jan. 3, 2005;—Am. 2013, Act 38, Imd. Eff. June 4, 2013;—Am. 2023, Act 303, Eff. Feb. 13, 2024.