

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

600.5511 Action for mental or emotional injury suffered while in custody; showing of physical injury; payment of damages to prisoner; satisfaction of outstanding restitution orders; notification to crime victims.

Sec. 5511.

(1) A person shall not bring an action against this state or a subdivision of this state, or an official, employee, or agent of this state or a subdivision of this state, for mental or emotional injury suffered while in custody without a showing of physical injury arising out of the incident giving rise to the mental or emotional injury.

(2) Subject to section 220h of 1953 PA 232, MCL 791.220h, and the crime victim's rights act, 1985 PA 87, MCL 780.751 to 780.834, any damages awarded to a prisoner in connection with a civil action brought against a prison or against an official, employee, or agent of a prison shall be paid directly to satisfy any outstanding restitution orders pending against the prisoner, including, but not limited to, restitution orders issued under the state correctional facility reimbursement act, 1935 PA 253, MCL 800.401 to 800.406, the prisoner reimbursement to the county act, 1984 PA 118, MCL 801.81 to 801.93, 1982 PA 14, MCL 801.301, and the crime victim's rights act, 1985 PA 87, MCL 780.751 to 780.834, any outstanding costs and fees, and any other debt or assessment owed to the jurisdiction housing the prisoner. The remainder of the award after full payment of all pending restitution orders, costs, and fees shall be forwarded to the prisoner.

(3) Before payment of any damages awarded to a prisoner in connection with a civil action described in subsection (2), the court awarding the damages shall make reasonable efforts to notify the victims of the crime for which the prisoner was convicted and incarcerated concerning the pending payment of damages.

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