

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

600.5523 Immediate termination of prospective relief; court findings; limitations.

Sec. 5523.

(1) A defendant or intervenor is entitled to the immediate termination of a prospective relief ordered in a civil action concerning prison conditions if the relief was ordered in the absence of a finding by the court that the relief is narrowly drawn, extends no further than necessary to correct the violation of the state right, and is the least intrusive means necessary to correct the violation of a right under state or local law.

(2) Prospective relief shall not terminate if the court makes written findings based on the record that prospective relief remains necessary to correct a current or ongoing violation of the right, extends no further than necessary to correct the violation of the right, and is narrowly drawn and the least intrusive means to correct the violation.

(3) A party shall not seek modification or termination before the relief is terminable under section 5521 to the extent that modification or termination would otherwise be legally permissible.

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