

REIMBURSEMENT OF LEGAL COSTS OF FOSTER PARENTS (EXCERPT)
Act 33 of 1980

722.163 Action against foster parent or legal guardian for injuries; “legal guardian” defined.

Sec. 3.

(1) A foster child may maintain an action against his or her foster parent who is licensed under Act No. 116 of the Public Acts of 1973, being sections 722.111 to 722.128 of the Michigan Compiled Laws, and a child may maintain an action against his or her legal guardian for injuries suffered as a result of the alleged ordinary negligence of the foster parent or legal guardian except in either of the following instances:

(a) If the alleged negligent act involves an exercise of reasonable parental authority over the child.
(b) If the alleged negligent act involves an exercise of reasonable parental discretion with respect to the provision of food, clothing, housing, medical and dental services, and other care.

(2) As used in this section, "legal guardian" means a person appointed by a court of competent jurisdiction to exercise care and custody decisions over a minor.

History: Add. 1988, Act 233, Eff. Aug. 1, 1988

Compiler's Notes: Section 3 of Act 233 of 1988 provides: “This amendatory act shall apply to causes of action occurring on or after August 1, 1988.”