

Michigan Laws Pertaining to Responsibility of Parents For Children Born In and Out of Wedlock

Below are excerpts of Michigan statutes related to child abuse, neglect, and child support. For the complete language of Michigan Compiled Laws, go to www.michiganlegislature.org. Concerns regarding interpretation should be directed to legal counsel.

Child Protection Law

722.622 Definitions

(f) “**Child abuse**” means harm or threatened harm to a child’s health or welfare that occurs through nonaccidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment, by a parent, a legal guardian, or any other person responsible for the child’s health or welfare or by a teacher, a teacher’s aide, or a member of the clergy.

(j) “**Child neglect**” means harm or threatened harm to a child’s health or welfare by a parent, legal guardian, or any other person responsible for the child’s health or welfare that occurs through either of the following:

- (i) Negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care.
- (ii) Placing a child at an unreasonable risk to the child’s health or welfare by failure of the parent, legal guardian, or other person responsible for the child’s health or welfare to intervene to eliminate that risk when that person is able to do so and has, or should have, knowledge of the risk.

Support Laws

There are many laws in Michigan that govern the determination of child support, enforcement, and procedure. The Attorney General relies upon the following two criminal statutes to prosecute those who fail to support their children:

- MCL 750.161
- MCL 750.165

750.161 Desertion, abandonment, or refusal or neglect to provide shelter, food, care, and clothing; felony; penalty; bond; probation; failure to comply with conditions in bond; forfeiture of bond; disposition of sums received; continuing offense; proof.

Sec. 161.

(1) A person who deserts and abandons his or her spouse or deserts and abandons his or her children under 17 years of age, without providing necessary and proper shelter, food, care, and clothing for them, and a person who being of sufficient ability fails, neglects, or refuses to provide necessary and proper shelter, food, care, and clothing for his or her spouse or his or her children under 17 years of age, is guilty of a felony, punishable by imprisonment in a state correctional facility for not less than 1 year and not more than 3 years, or by imprisonment in the county jail for not less than 3 months and not more than 1 year.

750.165 Refusing to support wife or children as required by court order; violation as felony; penalty; exception; suspension of sentence; bond; “state disbursement unit” or “SDU” defined.

Sec. 165.

(1) If the court orders an individual to pay support for the individual’s former or current spouse, or for a child of the individual, and the individual does not pay the support in the amount or at the time stated in the order, the individual is guilty of a felony punishable by imprisonment for not more than 4 years or by a fine of not more than \$2,000.00, or both.

Sources:

- Michigan Legislature www.michiganlegislature.org
- Child Support Web site established by the Attorney General’s Office www.paykids.com

Additional Resources on Child Support:

- Order form to get free materials related to child support
http://www.michigan.gov/documents/dhs/DHS-1454_285930_7.pdf
- Understanding Child Support: A Handbook for Parents
http://www.michigan.gov/documents/dhs/DHS-PUB-748_209001_7.pdf