



Michigan League FOR Human Services

**Testimony on House Bills 5153  
Judiciary Committee  
Jane Zehnder-Merrell  
January 26, 2012**

Good morning, Chairman Walsh and members of the committee. I am Jane Zehnder-Merrell, Kids Count in Michigan Project Director at the Michigan League for Human Services. Thank you for the opportunity to speak with you today.

The League has some concerns about HB 5153 that will protect private agencies that provide court-appointed social services to our most vulnerable children. Our concerns include the following:

- The act sets a very high bar in its definition of “gross negligence” for those working with the most vulnerable children who are essentially defenseless in the system – multiple cases of problems, especially in the juvenile facilities
- “Willful” misconduct is almost impossible to prove
- Weak oversight by the Department of its own workers has been a perennial problem cited by the Children’s Ombudsman in its annual reports
- Everyone but children is protected in this bill

Thank you again for the opportunity to share these concerns.