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## Michigan Justice Urges No-Fault Aid for Struggling Parents

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A recent ruling by the Michigan Supreme Court has sparked renewed calls for legislation that would shield parents from being branded neglectful when they have exhausted all options to care for children with severe mental health disorders. The decision underscores growing concerns about a system that often leaves desperate families without help and punishes them for seeking last-resort solutions.

In April 2025, the Michigan Supreme Court overturned a neglect finding against a mother who refused to bring her adopted teenage son home after a hospital cleared him for

discharge without securing inpatient psychiatric placement, finding her actions reasonable under the circumstances. The mother, identified only in court records, testified she feared for the safety of her other children after years of violent episodes and failed interventions. Justice Megan Cavanagh, writing in concurrence, emphasized that parents who exhaust available resources to support their mentally ill children should not face legal consequences when no appropriate services are available.

“This case shows the urgent need for reform,” Justice Cavanagh stated. “Parents who have gone to great lengths to help their mentally ill children but who ultimately exhaust the resources at their disposal should not suffer additional legal and collateral consequences.”

The case, known as *In re Lange*, has become a flashpoint in the wider debate over how states handle the intersection of child welfare and the youth mental health crisis.

A U.S. Department of Health and Human Services report found that approximately 5% of foster care admissions nationally involve relinquishment due to lack of access to mental health care, with Michigan estimates lower (around 2%).

State Representative Luke Meerman, chair of Michigan’s House child welfare oversight committee, stated he intends to propose legislation establishing a “no–fault” pathway allowing parents unable to manage severe mental health crises to seek state support without facing neglect allegations. However, Meerman cautioned that any policy must include safeguards to prevent misuse by families who have not truly exhausted every option.

“This can’t be an open door for people who are simply frustrated,” Meerman told *The Imprint*. “But when you have a parent who has tried everything, and there are no more options left, the law should recognize that.”

Michigan is not alone in grappling with this issue. Minnesota recently enacted a law shielding parents from neglect findings if they safely refuse to bring a child home post-hospitalization when appropriate mental health services are unavailable; in Texas, legislative efforts to expand Medicaid for mental health services remain stalled.

Meanwhile, families remain caught in the gap. In the *Lange* case, after her son was repeatedly hospitalized for suicidal behavior and aggression, the mother felt she had no choice but to refuse his return home when inpatient care was denied. Though the state later

sought to remove her other children, a trial judge ultimately determined her actions were not abusive.

Advocates argue the court's decision sets an important precedent but does not solve the underlying shortage of accessible mental health treatment for children. Without legislative action, they warn, more families may be forced into impossible choices between protecting their children and preserving their parental rights.

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