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My Little Angel Did What?

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As parents, we've all been faced with the fact that the little cherubs we proudly call our children aren't always perfectly behaved. We've all had to suffer through the meltdowns at the grocery store or restaurant when we would rather crawl under the table to escape the stares of onlookers (who, by the way, are typically pretty sympathetic – we've all been there).

But when does that bad behavior cross the line to the point where the actions of a child are something for which their parent can be held liable?

Under Michigan law parents are liable for their children's willful and/or malicious actions which result in damage to property or physical injury, not to exceed \$2,500. The child must have specifically meant to cause the damage. The harm caused must be a physical injury or damage to property; non-physical harm or damage to reputation are not recoverable.

A parent can also be held responsible for criminal restitution ordered to be paid by a juvenile offender if a court determines that the child is unable to pay all of the ordered restitution. Note that there is no monetary cap on what the Court can order a parent to pay in this situation.

A parent can also be held liable for negligent supervision of their child if an injured party can show that the parent had a duty to monitor their child, that the parent failed to monitor the child, and that as a direct result of the failure to monitor the child, the child caused injury or damage to the injured party.

Finally, a parent can be held liable for negligent entrustment of a dangerous instrument to a child. For example, if a parent were to give a rifle to a child with known mental illness or cognitive impairments, and the child injures or kills another with the rifle, the parent can be held liable for their child's actions.