

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.6458 Court of claims; judgment against state; payment.

Sec. 6458.

(1) In rendering any judgment against the state, or any department, commission, board, institution, arm, or agency, the court shall determine and specify in that judgment the department, commission, board, institution, arm, or agency from whose appropriation that judgment shall be paid.

(2) Upon any judgment against the state or any department, commission, board, institution, arm, or agency becoming final, or upon allowance of any claim by the state administrative board and upon certification by the secretary of the state administrative board to the clerk of the court of claims, the clerk of the court shall certify to the state treasurer the fact that that judgment was entered or that the claim was allowed and the claim shall thereupon be paid from the unencumbered appropriation of the department, commission, board, institution, arm, or agency if the state treasurer determines the unencumbered appropriation is sufficient for the payment. In the event that funds are not available to pay the judgment or allowed claim, the state treasurer shall instruct the clerk of the court of claims to issue a voucher against an appropriation made by the legislature for the payment of judgment claims and allowed claims. In the event that funds are not available to pay the judgment or allowed claim, that fact, together with the name of the claimant, date of judgment, date of allowance of claim by the state administrative board and amount shall be reported to the legislature at its next session, and the judgment or allowed claim shall be paid as soon as money is available for that purpose. The clerk shall not certify any judgment to the state treasurer until the period for appeal from that judgment shall have expired, unless written stipulation between the attorney general and the claimant or his or her attorney, waiving any right of appeal or new trial, is filed with the clerk of the court.

(3) The clerk shall approve vouchers under the direction of the court for the payment of the several judgments rendered by the court. All warrants issued in satisfaction of those judgments shall be transmitted to the clerk for distribution; and all warrants issued in satisfaction of claims allowed by the state administrative board shall be transmitted to the secretary of the state administrative board for distribution.

History: 1961, Act 236, Eff. Jan. 1, 1963 ;-- Am. 2002, Act 429, Imd. Eff. June 5, 2002