

Q: I understand that there is a court order that permits certain types of people to act as a next friend for a child. But what if the person seeking to act as a next friend for the child does not meet any of the allowed categories. How can that person become a next friend?

A. The person can apply to the Genesee County Court to be appointed as next friend for purposes of the settlement.

Q: What do you have to do to be appointed?

A: A Next Friend must be a “suitable and responsible adult” who can make decisions on behalf the child. In many cases, a Next Friend is qualified through the process described in the Flint Water Settlement Agreement.

In some situations, a Next Friend must be appointed by the Court. In order to be appointed by the Court, a person seeking to act as a Next Friend must submit certain application documents (sample forms attached) and appear before the Judge to testify under oath. The individual must testify to specific facts describing a significant relationship with and knowledge of the child, along with an understanding of the Next Friend’s role in the settlement at the hearing.

The Court will assign a time and date for this court appearance, or “hearing.” This hearing will be conducted via Zoom. Zoom instructions will be provided prior to the assigned hearing date.

The proposed Next Friend will provide facts on these topics:

Adult’s general background (for example, education, employment, responsibilities for other children, legal history)

Nature of the adult/child relationship (family member, foster relationship, other)

How long the adult has been involved in the child’s life

Continuity of relationship between the adult and the child

Description of the adult’s day to day role in the child’s life

Explanation of why this adult is best suited to make case decisions on behalf of the child

Explanation of why other adults in the child’s life are not suitable to make case decisions on behalf of the child

Understanding of the Next Friend’s role in the Flint Water Settlement (including obtaining necessary documentation, timely responding to Notices, requests for information, approving and/or challenging claims determinations, choosing how settlement funds are distributed on behalf of the child)

Acknowledgment that a Next Friend is not compensated for this appointment

Acknowledgment that a Next Friend does not have access to the Minor's settlement funds

All other facts unique to this appointment

The Judge may have additional questions