

Specific Statutes and Court Rules Applicable to Proceedings Involving Juveniles

The following table provides general guidance in locating statutes and court rules governing various proceedings involving juveniles in the Family Division and in courts of general criminal jurisdiction. Other statutes and court rules may be incorporated by reference in these provisions.

| Type Of Proceeding | Generally Governing Statutes And Court Rules | Selected Specifically Applicable Statutes And Court Rules |
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| <p>Delinquency Cases in Family Division, Including Status Offenses</p> | <p>STATUTES MCL 712A.1 <i>et seq.</i> (Juvenile Code) MCL 722.821 <i>et seq.</i> (Juvenile Diversion Act)</p> <p>COURT RULES MCR 3.901–MCR 3.950 MCR 3.991–MCR 3.993</p> | <p>STATUTES MCL 712A.1(a)(1): Delinquency (violation of law or ordinance, including civil infractions) MCL 712A.2(a)(2)-(4): Status offenses MCL 712A.2(d): Status offenses involving “wayward minors” MCL 712A.2b: Traffic violations MCL 712A.2f: Consent calendar MCL 712A.11: Preliminary inquiry MCL 712A.14: Custody; preliminary hearing MCL 712A.15: Detention pending hearing MCL 712A.16: Detention and care of juvenile MCL 712A.18: Disposition MCL 722.824: Diversion factors</p> <p>COURT RULES MCR 1.111(B)(1): Appointment of foreign language interpreter MCR 3.904(A)(1): Use of videoconferencing technology MCR 3.931: Initiating delinquency proceedings MCR 3.935: Preliminary hearing and detention MCR 3.942: Trial MCR 3.943: Dispositional hearing MCR 3.944: Probation violation MCR 3.945: Dispositional review</p> |

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| <p>Personal Protection Order (PPO) Actions With Minor Respondents in Family Division</p> | <p>STATUTES MCL 600.1701 <i>et seq.</i> (contempt of court) MCL 600.2950 and MCL 600.2950a (PPOs) MCL 712A.1 <i>et seq.</i> (Juvenile Code) MCL 764.15b (warrantless arrest for PPO violation) MCL 764.15c (domestic violence report and notice requirements)</p> <p>COURT RULES MCR 3.701–MCR 3.707 MCR 3.709 MCR 3.981–MCR 3.989 MCR 3.993</p> | <p>STATUTES MCL 600.1715: Contempt (penalties) MCL 600.1735: Contempt (arrest) MCL 600.2950: “Domestic relationship” PPOs MCL 600.2950a(1): “Non-domestic stalking” PPOs MCL 600.2950a(2): “Non-domestic sexual assault” PPOs MCL 712A.2(h): Jurisdiction over minor PPO proceedings MCL 712A.2a(3): Continuing jurisdiction of Family Division MCL 712A.15: Detention MCL 712A.18: Disposition MCL 712A.26: Contempt</p> <p>COURT RULES MCR 1.111(B)(1): Appointment of foreign language interpreter MCR 3.703: Commencing PPO action MCR 3.705: Issuance of PPOs MCR 3.706: Orders granting PPOs MCR 3.707: Modification, termination, or extension of PPOs MCR 3.904(A)(1): Use of videoconferencing technology MCR 3.982: Enforcement of minor PPOs MCR 3.983: Contempt proceedings (supplemental petition) MCR 3.984: Apprehension of minor for PPO violation MCR 3.985: Preliminary hearing and detention MCR 3.987: Violation hearing MCR 3.988: Dispositional hearing</p> |

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| <p>Designated Proceedings in Family Division</p> | <p>STATUTES MCL 712A.1 et seq. (Juvenile Code)</p> <p>COURT RULES MCR 2.512–MCR 2.513 (jury trial) MCR 3.951– MCR 3.956 (designated proceedings) MCR 6.400 et seq. (trials)</p> | <p>STATUTES MCL 712A.2d(1): Prosecutor-designated cases (specified juvenile violations) MCL 712A.2d(2): Court-designated cases (offenses other than specified juvenile violations) MCL 712A.18(1)(m): Disposition or sentence MCL 712A.18i: Delayed imposition of sentence and probation MCL 769.25; MCL 769.25a: Life-without-parole sentences MCL 780.981 et seq.: Michigan Indigent Defense Commission Act (MIDCA)</p> <p>COURT RULES MCR 1.111(B)(1): Appointment of foreign language interpreter MCR 2.512: Jury instructions MCR 2.513: Conduct of jury trial MCR 3.904(A)(1): Use of videoconferencing technology MCR 3.943: Dispositional hearing MCR 3.944(C): Probation violation hearing MCR 3.944(E): Probation violation disposition (if probation was imposed as a juvenile disposition) MCR 3.951(A): Initiating prosecutor-designated proceedings MCR 3.951(B): Initiating court-designated proceedings MCR 3.952: Designation hearing MCR 3.953: Preliminary examination MCR 3.955: Sentencing or disposition MCR 3.956: Delayed imposition of sentence (including review hearings and probation violation) MCR 6.110: Preliminary examination MCR 6.400 et seq. (except MCR 6.402[A]): Trial MCR 6.445: Probation violation (if adult sentence was imposed)</p> |

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| <p>Automatic Waiver of Family Division Jurisdiction</p> | <p>STATUTES MCL 600.606 (jurisdiction of court of general criminal jurisdiction) MCL 712A.2(a)(1) (Family Division jurisdiction) MCL 764.1f (prosecutorial charging discretion) MCL 766.1 <i>et seq.</i> (preliminary examination; probable cause conference; bindover) MCL 769.1 <i>et seq.</i> (sentencing and dispositional options; other postconviction proceedings) MCL 771.7 (probation revocation)</p> <p>COURT RULES MCR 6.108 (probable cause conference) MCR 6.110 (preliminary examination) MCR 6.445 (probation violation) MCR Subchapter 6.900 (additional rules concerning arraignment, juvenile sentencing hearing, probation violation, and reviews)</p> | <p>STATUTES MCL 600.606: Criminal Division jurisdiction over specified juvenile violations MCL 712A.2(a)(1): Family Division jurisdiction over specified juvenile violations MCL 764.1f: Prosecutorial charging discretion MCL 766.4: Preliminary examination; probable cause conference MCL 766.13: Bindover MCL 769.1(1): Mandatory adult sentencing for twelve very serious specified juvenile violations MCL 769.1(3): Juvenile sentencing hearing MCL 769.1b: Probation and commitment to state wardship; review MCL 769.25; MCL 769.25a: Life-without-parole sentences MCL 780.981 <i>et seq.</i>: Michigan Indigent Defense Commission Act (MIDCA)</p> <p>COURT RULES MCR 1.111(B)(1): Appointment of foreign language interpreter MCR 6.108: Probable cause conference MCR 6.110: Preliminary examination and bindover MCR 6.445(A)-(F): Probation violation arraignment and hearing MCR 6.445(G)-(H): Probation violation sentencing and review (if adult sentence was imposed) MCR 6.907: Arraignment MCR 6.909: Detention MCR 6.911: Preliminary examination MCR 6.931: Juvenile sentencing hearing MCR 6.933: Juvenile probation revocation (disposition) MCR 6.935: Progress reviews MCR 6.937: Commitment review hearings MCR 6.938: Final review hearings</p> |

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| <p>Traditional Waiver of Family Division Jurisdiction</p> | <p>STATUTES MCL 712A.4 (Juvenile Code)</p> <p>COURT RULES MCR 3.950 MCR Chapter 6 (Criminal Procedure)</p> | <p>STATUTES MCL 712A.4(1): Waiver of jurisdiction MCL 712A.4(3): First-phase (“probable cause” or “adjudicative”) hearing MCL 712A.4(4): Second-phase (“best interests” or “dispositional”) hearing MCL 712A.4(5): Mandatory waiver without second-phase hearing for juveniles previously waived to court of general criminal jurisdiction MCL 712A.4(10): Arraignment following waiver MCL 769.25; MCL 769.25a: Life-without-parole sentences MCL 780.981 et seq.: Michigan Indigent Defense Commission Act (MIDCA)</p> <p>COURT RULES MCR 1.111(B)(1): Appointment of foreign language interpreter MCR 3.950(C): Prosecutor’s motion to waive jurisdiction MCR 3.950(D)(1): First-phase hearing MCR 3.950(D)(2): Second-phase hearing MCR 3.950(E): Grant of waiver motion MCR 3.950(E)(1)(c): Appeal of waiver decision MCR 3.950(F): Denial of waiver motion</p> |

