



16th Judicial Circuit Court

Macomb County

10 North Main, 8th Floor Mt. Clemens, MI 48043 (586) 469-5240
<http://juvenilecourt.macombgov.org/JuvenileCourt-Home>

Circuit Judges:

JAMES M. BIERNAT, JR., *Chief Judge*
MATTHEW S. SWITALSKI, *Chief Judge Pro Tem*
EDWARD A. SERVITTO, JR.
RICHARD L. CARETTI
DIANE M. DRUZINSKI
TRACEY A. YOKICH
KATHRYN A. VIVIANO
JENNIFER M. FAUNCE
JAMES M. MACERONI
JOSEPH TOIA
MICHAEL E. SERVITTO
RACHEL RANCILIO
JULIE GATTI
TERI L. DENNINGS
MATTHEW P. SABAUGH

Clerk of the Court

ANTHONY FORLINI

Court Administrator

JULIE L. BOVENSCHEN

Juvenile Division Administrator

NICOLE N. FAULDS

Juvenile Program Director

DAVID JOSEPH

Chief Juvenile Referee

LINDA C. HARRISON

INSTRUCTION SHEET FOR PARENT FILED PETITIONS

- YOU MUST BE THE **CUSTODIAL PARENT** OR **GUARDIAN** IN ORDER TO FILE A PETITION
- YOU AND THE JUVENILE **MUST RESIDE IN MACOMB COUNTY** AND THE JUVENILE MUST BE UNDER THE AGE OF 18
- YOU MUST ATTEMPT COMMUNITY RESOURCES BEFORE FILING A PETITION. IF NO COMMUNITY AGENCIES HAVE BEEN USED OR DOCUMENTED, THE PETITION WILL BE DENIED
- PETITIONS INVOLVING SCHOOL TRUANCY OR SCHOOL INCORRIGIBILITY WILL ONLY BE ACCEPTED BY THE MACOMB INTERMEDIATE SCHOOL DISTRICT (MISD)
- THERE IS A CHARGE FOR COURT PROGRAMS-PARENT(S)/GUARDIAN(S) WILL BE RESPONSIBLE FOR ALL FEES ASSESSED.

Please print legibly and fill in all highlighted areas on the following forms.

Form #1 Request to Petition

- In part 1- Fill in all blank areas in the first 4 lines (the juvenile is the defendant)
- In the parent section, fill in the names of both parents and/or court-appointed guardian(s) (if applicable)
- Divorce information (if applicable)
- Summarize the reason for filing the petition (attach additional pages if necessary)
- Fill in your name (you are the petitioner) and telephone number

Form #2 Petition

- Print the name of the juvenile
- #2- indicate whether there are any prior domestic cases in the Macomb County Circuit Court (i.e. divorce, custody, support, etc.)
- #4- print the name of the person who has custody of the juvenile
- #5- print all parent and/or guardian information including address and telephone numbers
- Sign your name and date the document; print your name on the next line; list your address and telephone number.

Form #3 Complaint/Request for Action

- Use this form to list all the agencies where you have sought help and the results.
- Fill out section #1 and all areas A-F that apply
- Sign and date the bottom

Form #4 Confidential Case Inventory

- Use this form to list all prior domestic actions including divorce, child support, custody, paternity, PPO.
- Fill in the child's full name in the "In the matter of" section
- List each domestic/PPO action previously filed including the name of the court, case number and judge.
- Sign and date the bottom

Form #5 Protected Personal Identifying Information

- Use this form to list all the agencies where you have sought help and the results.
- Fill in the child's full name in the "In the matter of" section
- Fill in your name as the person completing the form and enter the date
- Print the name of the juvenile
- #1-enter the juvenile's date of birth
- #3-enter the juvenile's driver's license number (if applicable)

**** Failure to fill out ALL attached pages will result in your petition being incomplete and ultimately denied****

How to file your Petition with the Court

- 1) Email all documents to: PETITIONERS@MACOMBGOV.ORG
- 2) Fax all documents to: (586) 469-7029
- 3) Mail all documents to: Macomb County Juvenile Court, 10 N. Main St., 8th Floor, Mt. Clemens, MI 48043
- 4) Hand-deliver all documents to the Court at the above address

What the Court looks for in for Home Truancy Petitions

For the Court to place a child under its jurisdiction for home truancy, it must be convinced:

- (1) That the child has actually run away. This means more than coming home really late.
- (2) That the parent(s)/guardian(s) have made thorough efforts to get help from agencies besides the Court to resolve the difficulties they are having with their child. This may include finding a temporary place for the child to live elsewhere until things are resolved.

What should be included in the Request to Petition (HOME TRUANCY)

- List the help the parent(s)/guardian(s) have tried to get, and describe the results.
- Describe the evidence that the child has run away from home (dates, length of time gone, nature of prior notification (if any), and nature of contact after leaving (if any)).
- If the child has returned to the home, the reasons for believing that the child is likely to run away again.
- Describe any risks the child is known to have exposed himself/herself to while gone from the home.

What the Court looks for in Home Incurrigibility Petitions

For the Court to place a child under its jurisdiction for incurrigibility, it must be convinced:

- (1) That the child is constantly disobeying. That means more than major fight or two, or ignoring ONE particular rule.
- (2) That the parent(s)/guardian(s) have made thorough efforts to get help from agencies besides the Court to resolve the difficulties they are having with their child.

What should be included in the Request to Petition (HOME INCORRIGIBILITY)

- List the help the parent(s)/guardian(s) have tried to get, and describe the results.
- Be specific about the rules and “commands” the child “repeatedly” disobeys—giving examples, and saying how often and how recently they happened.
- Be specific about how the child behaves in being disobedient.

What the Court can do after it accepts a Home Truancy/Incurrigibility Petition

Diversion

Most often, the Court uses diversion procedures for status offenses: Hearings are off the record, and the child receives no public court record so long as s/he completes the Court’s requirements. Diversion may include different levels of supervision, up to and including once-a-week face-to-face meetings with a caseworker, depending on what it takes to work effectively with the child and the family.

The first step is a preliminary inquiry. At that off-the record hearing:

- The referee makes sure the parent(s)/guardian(s) and the child understand how diversion works in general.
- The referee has a conversation with the family to be satisfied that the law’s requirements for the Court to respond to the petition have been met.
- The child must admit that the charge of truancy or incurrigibility is true.

The second step is usually an investigation by a caseworker, who talks with the parent(s)/guardian(s), the child, and perhaps other professionals who have worked with the child or the family. In most cases, this investigation results in a case plan, worked out with the family, about how to resolve the problems that resulted in the petition. If there is complete agreement on a plan, the caseworker will submit it to the referee for approval; and if the child completes the requirements in the plan by the date set for completion, s/he will be out from supervision. The plan may involve help from professions outside the Court.

What the Court expects from parents/guardians

The Court is not responsible for taking difficult children off the hands of the adults who are responsible for them. It can provide some services, and refer families to other services, to help an entire family work better together. For the Court's efforts to work, the entire family must participate. The Court has some leverage in requiring the child's active participation once it accepts a petition. Its only leverage with the rest of the family is to make it clear it will dismiss the case unless it has the support and participation of the rest of the family.

- If the parent(s)/guardian(s) do not appear at the scheduled hearing, the Court will usually dismiss the petition right away; and the Court is unlikely to accept a later petition for truancy or incorrigibility against the child.
- Once the Court accepts the petition, if the parent(s)/guardian(s) do not participate helpfully in resolving the situation, the Court will usually dismiss the petition; and the Court is unlikely to accept a later petition for truancy or incorrigibility against the child. In extreme circumstances the Court may request a petition from the Department of Human Services for child neglect.

The Court does not provide this support for families for free. There is a cost for supervision, and additional costs for specific programs and services. If the child fails—or is not offered—diversion, and is placed on probation, there may be additional supervision costs, and/or costs for spending time in the Juvenile Justice Center or in a residential placement.

IMPORTANT: If the most important aspect of a child's disobedience includes that s/he strikes you and/or other family members, you should call the police and ask them to file a petition for Domestic Violence.

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	PETITION (DELINQUENCY PROCEEDINGS) <input type="checkbox"/> Amended <input type="checkbox"/> Supplemental	CASE NO. PETITION NO. JUDGE
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Court Address _____ Court telephone no. _____

ORI	CTN	TCN	SID	DOB <small>Put in box 1 on MC 97.</small>	DLN <small>Put in box 3 on MC 97.</small>
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A sample for chemical testing for DNA identification profiling is on file with the Michigan State Police from a previous petition.

In the matter of First and last name(s), alias(es)

1. The above named juvenile comes within the provisions of MCL 712A.2. has violated probation as follows:
 Citations and allegations: operator/chauffeur driver's license commercial driver's license no license vehicle type

See attached sheet for further allegations. Member of or eligible for membership in an Indian tribe, as stated above.

2. a. There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the petition.

b. There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the petition. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.

c. It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

3. I designate this case as a case in which the juvenile is to be tried in the same manner as an adult.

4. The juvenile named above is a legal resident of _____ County, and resides in the care and custody of _____
County where child resides
Name of person with whom the child resides

5. The names and addresses of the parents, guardian, legal custodian, or nearest known relative are as follows:

NAME	ADDRESS	HOME PHONE	WORK PHONE
Father Putative <input type="checkbox"/>			
Mother			
Guardian/Legal custodian			

6. I request the court to (check either box a or b)

- a. review the information and make an appropriate decision.
- b. authorize this petition and take jurisdiction over the juvenile. Further, I request the court to
 - 1) issue an order to apprehend and/or detain the juvenile.
 - 2) find the juvenile in contempt of court for violating a minor personal protection order.
 - 3) find the juvenile has violated probation and
 - notify the juvenile to appear for the hearing.
 - order the juvenile apprehended and brought to court for a detention hearing.
 - 4) designate this case as a case in which the juvenile is to be tried in the same manner as an adult.

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Petitioner's signature Date

Print or type name

Address

City, state, and zip Telephone no.

7. I approve this petition for submission. I agree to have this petition placed on the consent calendar.

Date

Prosecutor's signature

8. A preliminary inquiry and/or hearing has been conducted and the filing of this petition is is not authorized.

Judge/Referee signature and date

STATE OF MICHIGAN 16TH JUDICIAL CIRCUIT-FAMILY DIVISION MACOMB COUNTY	COMPLAINT (REQUEST FOR ACTION DELINQUENCY PROCEEDINGS)	FID: CASE NO.:
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Court address 10 North Main Mt. Clemens MI 48043

Court telephone no. (586) 469-5240

1. In the matter of _____
Juvenile's Last Name
First
Middle

The child is a resident of Macomb County and is not following the reasonable and lawful commands of his/her parent/guardian based upon the following specific allegations:

A. The child has left home without permission and did not return for a period exceeding 24 hours on the following dates:

_____ Date _____ Date _____ Date _____ Date _____
 Did you document the truancy(s) by contacting the police?
_____ Yes _____ No

B. The child has child has violated his/her curfew, or leaves home without permission and does not inform the parent/guardian of their whereabouts on the following dates:

_____ Date _____ Date _____ Date _____ Date _____
 Did you document the incident(s) by contacting the police?
_____ Yes _____ No

C. The child has damaged the home or destroyed property of other family members on the following dates:

_____ Date _____ Date _____ Date _____ Date _____
 Did you document the incident(s) by contacting the police?
_____ Yes _____ No

D. The child has used drugs or alcohol on the following dates:

_____ Date _____ Date _____ Date _____ Date _____
 Substances you believe the child is using _____

E. Community Resources Attempted:

Counseling	Alcohol/Drug treatment	Assistance from C.A.R.E.	Parenting Classes
_____ Yes _____ No	_____ Yes _____ No	_____ Yes _____ No	_____ Yes _____ No
Anger Management Classes	Placement with a Relative	Family Youth Interventions (FYI)	
_____ Yes _____ No	_____ Yes _____ No	_____ Yes _____ No	

F. Please list Counseling services and/or agencies you have received help from as well as approximate dates of service:

Signature **Date**

STATE OF MICHIGAN CIRCUIT COURT - FAMILY DIVISION COUNTY	CONFIDENTIAL CASE INVENTORY (DOMESTIC RELATIONS AND JUVENILE CODE)	CASE NO. PETITION NO. JUDGE
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Plaintiff's name	v	Defendant's name
In the matter of _____ <small>CHILD'S FIRST & LAST NAME</small>		

Instructions: List any known pending or resolved family division cases involving the person(s) named in the complaint or petition or family members of the person(s) named in the complaint or petition. File the completed form with the complaint or petition, but do not attach or staple together. Complete and file additional sheets if necessary.

Examples of family division cases include personal protection orders, divorce, custody, paternity, child support, juvenile delinquency, and child protective proceedings. See MCL 600.1021 for a complete list.

Note: This form is confidential and not to be served on other parties in this case.

Court information (name, number, and county/state) <input type="checkbox"/> This court <input type="checkbox"/> Other court or tribunal:		
Case name	Case/File no.	
Assigned judge	Case status <input type="checkbox"/> Pending <input type="checkbox"/> Resolved	Are support or custody/parenting time orders in effect? <input type="checkbox"/> Support <input type="checkbox"/> Custody/Parenting Time

Court information (name, number, and county/state) <input type="checkbox"/> This court <input type="checkbox"/> Other court or tribunal:		
Case name	Case/File no.	
Assigned judge	Case status <input type="checkbox"/> Pending <input type="checkbox"/> Resolved	Are support or custody/parenting time orders in effect? <input type="checkbox"/> Support <input type="checkbox"/> Custody/Parenting Time

Court information (name, number, and county/state) <input type="checkbox"/> This court <input type="checkbox"/> Other court or tribunal:		
Case name	Case/File no.	
Assigned judge	Case status <input type="checkbox"/> Pending <input type="checkbox"/> Resolved	Are support or custody/parenting time orders in effect? <input type="checkbox"/> Support <input type="checkbox"/> Custody/Parenting Time

Court information (name, number, and county/state) <input type="checkbox"/> This court <input type="checkbox"/> Other court or tribunal:		
Case name	Case/File no.	
Assigned judge	Case status <input type="checkbox"/> Pending <input type="checkbox"/> Resolved	Are support or custody/parenting time orders in effect? <input type="checkbox"/> Support <input type="checkbox"/> Custody/Parenting Time

Date _____

Signature _____

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	PROTECTED PERSONAL IDENTIFYING INFORMATION	CASE NO. and JUDGE
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Court address _____ Court telephone no. _____

Plaintiff's/Petitioner's name	v	Defendant's/Respondent's name
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In the matter of _____
CHILD'S FIRST & LAST NAME

This form is nonpublic because it contains personal identifying information (PII) that is protected from public inspection under MCR 1.109(D)(9)(a). Use this form to provide PII only for a person who is a defendant, respondent, or decedent. If the person is a plaintiff, petitioner, or other individual, use form MC 97a.

Instructions:

- When PII (such as date of birth) must be filed with the court on a public document, DO NOT include it on that public document. Instead, you must provide it on this form.
- **Provide only** the protected PII required for your particular case. For example, if you are filing a public document that requires you to provide a date of birth to the court, complete only that field on this form.

Name of form/document that this MC 97 is being filed with: _____

Printed name of individual completing form and date _____

Instructions: Provide the name of the person that the PII applies to, followed by the specific PII that is required to be provided. For Other, specify the type of PII in addition to the PII itself. Use the below reference number (Ref. No.) in the public document in place of the protected PII. For example, insert "Ref. No. 1" in place of the DOB in the public document.

Ref. No.	Name (required) (JUVENILE)
1	Date of birth (JUVENILE)
2	National ID no. / Last 4 digits of SSN XXX-XX-_____
3	Driver's License / State-issued ID no. (JUVENILE - IF APPLICABLE)
4	Passport no.
5	Other

Ref. No.	Instructions: List the name of the financial institution and the account number. List the paragraph that references the account, if needed for clarity. Use reference number (Ref. No.) when necessary to refer to account in public documents.		
6	Financial institution	Account no.	Paragraph no.
7	Financial institution	Account no.	Paragraph no.
8	Financial institution	Account no.	Paragraph no.
9	Financial institution	Account no.	Paragraph no.