

CRIMINAL LAW SECTION

Respectfully submits the following position on:

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HB 4947 – HB 4954

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The Criminal Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Criminal Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Criminal Law Section is 2,508.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 24. The number who voted in favor to this position was 10. The number who voted opposed to this position was 4. The number who abstained from voting was 3.

Report on Public Policy Position

Name of section:

Criminal Law Section

Contact person:

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Bill Numbers:

[HB 4947](#) (Lucido) Juveniles; criminal procedure; age of juvenile court jurisdiction and location of juvenile detention in some instances; modify. Amends secs. 1, 3 & 11, ch. XIIA of [1939 PA 288](#) (MCL 712A.1 et seq.).

[HB 4948](#) (Howrylak) Juveniles; criminal procedure; juveniles under age 18 arrested for nonlisted offenses; provide for jurisdiction in the family division of circuit court. Amends sec. 27, ch. IV of [1927 PA 175](#) (MCL [764.27](#)).

[HB 4949](#) (Pagel) Juveniles; criminal procedure; age of juvenile court jurisdiction in juvenile diversion act; modify. Amends secs. 2 & 8 of [1988 PA 13](#) (MCL [722.822](#) & [722.828](#)).

[HB 4950](#) (Garrett) Juveniles; criminal procedure; age of juvenile jurisdiction in youth rehabilitation services act; modify. Amends sec. 2 of [1974 PA 150](#) (MCL [803.302](#)).

[HB 4951](#) (Forlini) Mental health; other; age of juvenile in disposition of persons found not guilty by reason of insanity; modify. Amends sec. 1060a of [1974 PA 258](#) (MCL [330.2060a](#)).

[HB 4952](#) (Webber) Criminal procedure; sentencing; procedures for sentencing juveniles prosecuted for personal protection order violation; revise code of criminal procedure to revise age limit. Amends sec. 15b, ch. IV of [1927 PA 175](#) (MCL [764.15b](#)).

[HB 4953](#) (Afendoulis) Juveniles; criminal procedure; definition of adult in Michigan indigent defense commission act; modify. Amends sec. 3 of [2013 PA 93](#) (MCL [780.983](#)).

[HB 4954](#) (Santana) Criminal procedure; youthful trainees; age eligibility for youthful trainee status; raise to 18 years. Amends sec. 11, ch. II of [1927 PA 175](#) (MCL [762.11](#)).

Date position was adopted:

January 19, 2016

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

24

Number who voted in favor and opposed to the position:

10 Voted for position

4 Voted against position

3 Abstained from vote

7 Did not vote (absent)

Position:

Support

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2015-HB-4947>

<http://legislature.mi.gov/doc.aspx?2015-HB-4948>

<http://legislature.mi.gov/doc.aspx?2015-HB-4949>

<http://legislature.mi.gov/doc.aspx?2015-HB-4950>

<http://legislature.mi.gov/doc.aspx?2015-HB-4951>

<http://legislature.mi.gov/doc.aspx?2015-HB-4952>

<http://legislature.mi.gov/doc.aspx?2015-HB-4953>

<http://legislature.mi.gov/doc.aspx?2015-HB-4954>