



Report on Public Policy Position

Name of Committee:

Criminal Jurisprudence and Practice Committee

Contact Person:

Valerie Newman/Marty Krohner

Email:

valerie@sado.org

Bill Number:

HB 4851 (Schuitmaker) Juveniles; criminal procedure; age under which court has jurisdiction; revise. Amends sec. 2, ch XIII of 1939 PA 288 (MCL 712A.2).

Date position was adopted:

June 16, 2005

Process used to take the ideological position:

Committee meeting

Number of members in the decision-making body:

15

Number who voted in favor and opposed to the position:

14 in favor and 1 opposed

Position:

HB 4851 makes a minor change to the juvenile jurisdiction statute increasing the probate court's jurisdiction from those age 17 to those age 18.

The text (may be provided by hyperlink) of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report:

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4851>

RECOMMEND STATE BAR ACTION ON THIS ISSUE:

Arguments for the position:

This bill extends the jurisdiction of the juvenile court for one year, until the age of 18, and will protect kids from an adult record and create better symmetry in the criminal justice system.

Arguments against the position (if any):

No argument advanced.

If the State Bar currently has a position on this subject matter, state the position, and an analysis of whether the recommended position and the current State Bar position are in conflict.

At its September 21, 2005 meeting, the State Bar of Michigan's Board of Commissioners unanimously voted to support in principle HB 4851.

Fiscal implications of the recommended policy to the State Bar of Michigan:

None.

FOR LEGISLATIVE ISSUES ONLY:

This position falls within the following Keller-permissible category:

- The regulation and discipline of attorneys**
- ✓ **The improvement of the functioning of the courts**
- The availability of legal services to society**
- The regulation of attorney trust accounts**
- The regulation of the legal profession, including the education, the ethics, the competency, and the integrity of the profession.**

Keller- permissible explanation:

This amendment will keep matters properly within the purview of the probate court in that court.