



Report on Public Policy Position

Name of Committee:

Standing Committee on Justice Initiatives

Contact Person:

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Bill Number:

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

Date position was adopted:

August 17, 2005

Process used to take the ideological position:

In-person discussion and vote

Number of members in the decision-making body:

Sixteen

Number who voted in favor and opposed to the position:

Nine in favor, none opposed

Position:

Support passage of the bill

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 circuit court family division/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. Most states have the jurisdictional age at 18. This will make the system work better. Many seventeen year olds have no safety net, and parents have 17-year olds who won't listen but juvenile courts have no jurisdiction.

Arguments against the position (if any):

None 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 competence, and the integrity of the profession.

Keller- permissible explanation:

This amendment will keep matters properly within the purview of the family division of circuit court.