



p 517-346-6300

p 800-968-1442

f 517-482-6248

www.michbar.org

306 Townsend Street

Michael Franck Building

Lansing, MI

48933-2012

July 6, 2010

The Honorable Joel A. Sheltroun  
State Representative  
State Capitol  
P.O. Box 30014  
Lansing, MI 48909-7514

**RE: HB 5995 – Juvenile Records**

Dear Representative Sheltroun:

At its June 12, 2010 meeting, the State Bar of Michigan Board of Commissioners unanimously voted to **support HB 5995 with recommended amendments**. In making its decision the Board reviewed recommendations from its Criminal Jurisprudence and Practice Committee and Criminal Issues Initiative.

With the following amendments, the State Bar can offer its full support of the bill:

1. An amendment allowing for the destruction of a juvenile's fingerprints and arrest card if there is a legally authorized dismissal, with a non-public, law enforcement exception for the retention of the juvenile's fingerprints and arrest card for any assaultive, criminal sexual conduct, delivery of a controlled substance or for an offense which would constitute a felony if committed by an adult.
2. An amendment to move Line 20 from page 5, "Section 2(a)(1) of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712a.2, or has had his or her alleged juvenile offense dismissed after successfully completing a period of probation," to a new section 9(g).
3. An amendment to the language of the bill containing clarification that it applies to outright dismissal of a case, and not to other dispositions the court may impose that are not a dismissal of the case but merely from the court's jurisdiction and oversight.

I would appreciate your consideration of the amendments offered. If you would like to discuss this position in further detail or have questions, please contact me directly at your convenience.

Sincerely,

Elizabeth K. Lyon  
Director of Governmental Relations  
Direct dial: (517) 346-6325  
Email: elyon@mail.michbar.org

CC. Charles R. Toy, President  
Nell Kuhnmuensch, Governmental Consultant Services, Inc.