

JUVENILE DIVERSION ACT (EXCERPT)
Act 13 of 1988

722.823 Powers of law enforcement official or court intake worker where petition not filed or authorized; diversion of minor.

Sec. 3. (1) If in the course of investigating an alleged offense by a minor a petition has not been filed with the court, or if a petition has not been authorized, a law enforcement official or court intake worker may do 1 of the following:

(a) Release the minor into the custody of his or her parent, guardian, or custodian and discontinue the investigation.

(b) Divert the matter by making an agreement pursuant to section 5 with the minor and the minor's parent, guardian, or custodian to refer the minor to a person or public or private organization or agency that will assist the minor and the minor's family in resolving the problem that initiated the investigation.

(c) File a petition with the court or authorize a petition that has been filed.

(2) A minor may be diverted only as provided in subsection (1)(a) or (b) and subsection (3).

(3) A minor accused or charged with an assaultive offense shall not be diverted.

History: 1988, Act 13, Eff. Apr. 1, 1988.