

REFINE COURT FEE PROVISIONS FOR JUVENILES

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House Bill 5648

Sponsor: Rep. Jim Howell

Committee: Judiciary

Complete to 3-17-04

A SUMMARY OF HOUSE BILL 5648 AS INTRODUCED 3-16-04

Public Act 71 of 2003 amended the Probate Code to require a court to order a juvenile, as a condition of probation and in addition to other allowable fines and costs, to pay costs of not less than \$60 if the juvenile is found responsible for a felony, not less than \$45 for a serious misdemeanor or specified misdemeanor (as defined by the Crimes Victim's Rights Act and the Crime Victim's Rights Services Act), and not less than \$40 for other misdemeanor offenses.

The bill would amend the Probate Code to restrict payment of the above costs to those juveniles ordered to pay any combination of fines, costs, restitution, assessments, or payments arising out of the same juvenile proceeding.

Further, a juvenile could, under the bill, petition the court for a remission of the payment of any unpaid portion of the minimum state cost **if** he or she was not in willful default of the payment. If the court determined that payment of the amount due would impose a manifest hardship on the juvenile or his or her immediate family, the court could remit all or part of the amount of the minimum state cost due or modify the method of payment.

MCL 712A.18 and 712A.18M

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact. Although enactment of a hardship excuse could in theory reduce revenues for the Justice System Fund, which funds a variety of judiciary and other justice system programs, the revenue estimates incorporated into the FY 2003-2004 budget assumes the bill's provisions to be in place.

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