

# HOUSE BILL NO. 4844

September 04, 2025, Introduced by Reps. Andrews, Mentzer, Weiss, B. Carter, Rheingans, Young, Conlin and Arbit and referred to Committee on Judiciary.

A bill to amend 1939 PA 288, entitled  
"Probate code of 1939,"  
by amending section 2 of chapter XIIIA (MCL 712A.2), as amended by  
2019 PA 113.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### CHAPTER XIIIA

Sec. 2. The court has the following authority and  
jurisdiction:

(a) Exclusive original jurisdiction superior to and regardless  
of the jurisdiction of another court in proceedings concerning a  
juvenile **who is** under 18 years of age **and** who is found within the

1 county if 1 or more of the following apply:

2 (1) Except as otherwise provided in this sub-subdivision, the  
3 juvenile has violated any municipal ordinance or law of ~~the~~**this**  
4 state or of the United States. If the court enters into an  
5 agreement under section 2e of this chapter, the court has  
6 jurisdiction over a juvenile who committed a civil infraction as  
7 provided in that section. The court has jurisdiction over a  
8 juvenile 14 years of age or older who is charged with a specified  
9 juvenile violation only if the prosecuting attorney files a  
10 petition in the court instead of authorizing a complaint and  
11 warrant. As used in this sub-subdivision, "specified juvenile  
12 violation" means 1 or more of the following:

13 (A) A violation of section 72, 83, 86, 89, 91, 316, 317, 349,  
14 520b, 529, 529a, or 531 of the Michigan penal code, 1931 PA 328,  
15 MCL 750.72, 750.83, 750.86, 750.89, 750.91, 750.316, 750.317,  
16 750.349, 750.520b, 750.529, 750.529a, and 750.531.

17 (B) A violation of section 84 or 110a(2) of the Michigan penal  
18 code, 1931 PA 328, MCL 750.84 and 750.110a, if the juvenile is  
19 armed with a dangerous weapon. As used in this paragraph,  
20 "dangerous weapon" means 1 or more of the following:

21 (i) A loaded or unloaded firearm, whether operable or  
22 inoperable.

23 (ii) A knife, stabbing instrument, brass knuckles, blackjack,  
24 club, or other object specifically designed or customarily carried  
25 or possessed for use as a weapon.

26 (iii) An object that is likely to cause death or bodily injury  
27 when used as a weapon and that is used as a weapon or carried or  
28 possessed for use as a weapon.

29 (iv) An object or device that is used or fashioned in a manner

1 to lead a person to believe the object or device is an object or  
2 device described in subparagraphs (i) to (iii).

3 (C) A violation of section 186a of the Michigan penal code,  
4 1931 PA 328, MCL 750.186a, regarding escape or attempted escape  
5 from a juvenile facility, but only if the juvenile facility from  
6 which the individual escaped or attempted to escape was 1 of the  
7 following:

8 (i) A high-security or medium-security facility operated by the  
9 department or a county juvenile agency.

10 (ii) A high-security facility operated by a private agency  
11 under contract with the department or a county juvenile agency.

12 (D) A violation of section 7401(2)(a)(i) or 7403(2)(a)(i) of  
13 the public health code, 1978 PA 368, MCL 333.7401 and 333.7403.

14 (E) An attempt to commit a violation described in paragraphs  
15 (A) to (D).

16 (F) Conspiracy to commit a violation described in paragraphs  
17 (A) to (D).

18 (G) Solicitation to commit a violation described in paragraphs  
19 (A) to (D).

20 (H) A lesser included offense of a violation described in  
21 paragraphs (A) to (G) if the individual is charged with a violation  
22 described in paragraphs (A) to (G).

23 (I) Another violation arising out of the same transaction as a  
24 violation described in paragraphs (A) to (G) if the individual is  
25 charged with a violation described in paragraphs (A) to (G).

26 (2) The juvenile has deserted ~~his or her~~ **the juvenile's** home  
27 without sufficient cause, and the court finds on the record that  
28 the juvenile has been placed or refused alternative placement or  
29 the juvenile and the juvenile's parent, guardian, or custodian have

1 exhausted or refused family counseling.

2 (3) The juvenile is repeatedly disobedient to the reasonable  
3 and lawful commands of ~~his or her~~ **the juvenile's** parents, guardian,  
4 or custodian, and the court finds on the record by clear and  
5 convincing evidence that court-accessed services are necessary.

6 (4) The juvenile willfully and repeatedly absents ~~himself or~~  
7 ~~herself~~ **the juvenile** from school or other learning program intended  
8 to meet the juvenile's educational needs, or repeatedly violates  
9 rules and regulations of the school or other learning program, and  
10 the court finds on the record that the juvenile, the juvenile's  
11 parent, guardian, or custodian, and school officials or learning  
12 program personnel have met on the juvenile's educational problems  
13 and educational counseling and alternative agency help have been  
14 sought. As used in this sub-subdivision only, "learning program"  
15 means an organized educational program that is appropriate, given  
16 the age, intelligence, ability, and psychological limitations of a  
17 juvenile, in the subject areas of reading, spelling, mathematics,  
18 science, history, civics, writing, and English grammar.

19 (b) Jurisdiction in proceedings concerning a juvenile under 18  
20 years of age found within the county:

21 (1) Whose parent or other person legally responsible for the  
22 care and maintenance of the juvenile, when able to do so, neglects  
23 or refuses to provide proper or necessary support, education,  
24 medical, surgical, or other care necessary for ~~his or her~~ **the**  
25 **juvenile's** health or morals, who is subject to a substantial risk  
26 of harm to ~~his or her~~ **the juvenile's** mental well-being, who is  
27 abandoned by ~~his or her~~ **the juvenile's** parents, guardian, or other  
28 custodian, or who is without proper custody or guardianship. As  
29 used in this sub-subdivision:

1 (A) "Education" means learning based on an organized  
2 educational program that is appropriate, given the age,  
3 intelligence, ability, and psychological limitations of a juvenile,  
4 in the subject areas of reading, spelling, mathematics, science,  
5 history, civics, writing, and English grammar.

6 (B) "Neglect" means that term as defined in section 2 of the  
7 child abuse and neglect prevention act, 1982 PA 250, MCL 722.602.

8 (C) "Without proper custody or guardianship" does not mean a  
9 parent has placed the juvenile with another person who is legally  
10 responsible for the care and maintenance of the juvenile and who is  
11 able to and does provide the juvenile with proper care and  
12 maintenance.

13 (2) Whose home or environment, by reason of neglect, cruelty,  
14 drunkenness, criminality, or depravity on the part of a parent,  
15 guardian, nonparent adult, or other custodian, is an unfit place  
16 for the juvenile to live in. As used in this sub-subdivision,  
17 "neglect" means that term as defined in section 2 of the child  
18 abuse and neglect prevention act, 1982 PA 250, MCL 722.602.

19 (3) If the juvenile is dependent and is in danger of  
20 substantial physical or psychological harm. The juvenile may be  
21 found to be dependent when any of the following ~~occurs~~**occur**:

22 (A) The juvenile is homeless or not domiciled with a parent or  
23 other legally responsible person.

24 (B) The juvenile has repeatedly run away from home and is  
25 beyond the control of a parent or other legally responsible person.

26 (C) The juvenile is alleged to have committed a commercial  
27 sexual activity as that term is defined in section 462a of the  
28 Michigan penal code, 1931 PA 328, MCL 750.462a or a delinquent act  
29 that is the result of force, fraud, coercion, or manipulation

1 exercised by a parent or other adult.

2 (D) The juvenile's custodial parent or legally responsible  
3 person has died or has become permanently incapacitated and no  
4 appropriate parent or legally responsible person is willing and  
5 able to provide care for the juvenile.

6 (4) Whose parent has substantially failed, without good cause,  
7 to comply with a limited guardianship placement plan described in  
8 section 5205 of the estates and protected individuals code, 1998 PA  
9 386, MCL 700.5205, regarding the juvenile.

10 (5) Whose parent has substantially failed, without good cause,  
11 to comply with a court-structured plan described in section 5207 or  
12 5209 of the estates and protected individuals code, 1998 PA 386,  
13 MCL 700.5207 and 700.5209, regarding the juvenile.

14 (6) If the juvenile has a guardian under the estates and  
15 protected individuals code, 1998 PA 386, MCL 700.1101 to 700.8206,  
16 and the juvenile's parent meets both of the following criteria:

17 (A) The parent, having the ability to support or assist in  
18 supporting the juvenile, has failed or neglected, without good  
19 cause, to provide regular and substantial support for the juvenile  
20 for 2 years or more before the filing of the petition or, if a  
21 support order has been entered, has failed to substantially comply  
22 with the order for 2 years or more before the filing of the  
23 petition. As used in this sub-subdivision, "neglect" means that  
24 term as defined in section 2 of the child abuse and neglect  
25 prevention act, 1982 PA 250, MCL 722.602.

26 (B) The parent, having the ability to visit, contact, or  
27 communicate with the juvenile, has regularly and substantially  
28 failed or neglected, without good cause, to do so for 2 years or  
29 more before the filing of the petition. As used in this sub-

subdivision, "neglect" means that term as defined in section 2 of the child abuse and neglect prevention act, 1982 PA 250, MCL 722.602.

If a petition is filed in the court alleging that a juvenile is within the provisions of this subdivision and the custody of that juvenile is subject to the prior or continuing order of another court of record of this state, the manner of notice to the other court of record and the authority of the court to proceed is governed by rule of the supreme court.

**(7) Whose parent or other person legally responsible for the care and maintenance of the juvenile has lost or given up custody of the juvenile, and a petition is filed to terminate parental rights under section 19b.**

(c) Jurisdiction over juveniles under 18 years of age, jurisdiction of whom has been waived to the family division of circuit court by a circuit court under a provision in a temporary order for custody of juveniles based upon a complaint for divorce or upon a motion related to a complaint for divorce by the prosecuting attorney, in a divorce judgment dissolving a marriage between the juvenile's parents, or by an amended judgment relative to the juvenile's custody in a divorce.

(d) If the court finds on the record that voluntary services have been exhausted or refused, concurrent jurisdiction in proceedings concerning a juvenile between ~~the ages of~~ 17 and 18 **years of age** found within the county who is 1 or more of the following:

(1) Repeatedly addicted to the use of drugs or the intemperate use of alcoholic liquors.

(2) Repeatedly associating with criminal, dissolute, or

1   disorderly persons.

2           (3) Found of ~~his or her~~ **the juvenile's** own free will and  
3   knowledge in a house of prostitution, assignation, or ill-fame.

4           (4) Repeatedly associating with thieves, prostitutes, pimps,  
5   or procurers.

6           (5) Willfully disobedient to the reasonable and lawful  
7   commands of ~~his or her~~ **the juvenile's** parents, guardian, or other  
8   custodian and in danger of becoming morally depraved.

9           If a juvenile is brought before the court in a county other  
10   than that in which the juvenile resides, before a hearing and with  
11   the consent of the judge of the court in the county of residence,  
12   the court may enter an order transferring jurisdiction of the  
13   matter to the court of the county of residence. Consent to transfer  
14   jurisdiction is not required if the county of residence is a county  
15   juvenile agency and satisfactory proof of residence is furnished to  
16   the court of the county of residence. The order does not constitute  
17   a legal settlement in this state that is required for the purpose  
18   of section 55 of the social welfare act, 1939 PA 280, MCL 400.55.  
19   The order and a certified copy of the proceedings in the  
20   transferring court must be delivered to the court of the county of  
21   residence. A case designated as a case in which the juvenile must  
22   be tried in the same manner as an adult under section 2d of this  
23   chapter may be transferred for venue or for juvenile disposition,  
24   but must not be transferred on grounds of residency. If the case is  
25   not transferred, the court having jurisdiction of the offense shall  
26   try the case.

27           (e) Authority to establish or assist in developing a program  
28   or programs within the county to prevent delinquency and provide  
29   services to act upon reports submitted to the court related to the



1 behavior of a juvenile who does not require formal court  
2 jurisdiction but otherwise falls within subdivision (a). These  
3 services must be used only if the juvenile and ~~his or her~~ **the**  
4 **juvenile's** parents, guardian, or custodian voluntarily accepts  
5 them.

6 (f) If the court operates a detention home for juveniles  
7 within the court's jurisdiction under subdivision (a)(1), authority  
8 to place a juvenile within that home pending trial if the juvenile  
9 is within the circuit court's jurisdiction under section 606 of the  
10 revised judicature act of 1961, 1961 PA 236, MCL 600.606, and if  
11 the circuit court orders the family division of circuit court in  
12 the same county to place the juvenile in that home. The family  
13 division of circuit court shall comply with that order.

14 (g) Authority to place a juvenile in a county jail under  
15 section 27a of chapter IV of the code of criminal procedure, 1927  
16 PA 175, MCL 764.27a, if the court designates the case under section  
17 2d of this chapter as a case in which the juvenile is to be tried  
18 in the same manner as an adult and the court determines there is  
19 probable cause to believe that the offense was committed and  
20 probable cause to believe the juvenile committed that offense.

21 (h) Jurisdiction over a proceeding under section 2950 or 2950a  
22 of the revised judicature act of 1961, 1961 PA 236, MCL 600.2950  
23 and 600.2950a, in which a minor less than 18 years of age is the  
24 respondent, or a proceeding to enforce a valid foreign protection  
25 order issued against a respondent who is a minor less than 18 years  
26 of age. A personal protection order must not be issued against a  
27 respondent who is a minor less than 10 years of age. Venue for an  
28 initial action under section 2950 or 2950a of the revised  
29 judicature act of 1961, 1961 PA 236, MCL 600.2950 and 600.2950a, is

1 proper in the county of residence of either the petitioner or  
2 respondent. If the respondent does not live in this state, venue  
3 for the initial action is proper in the petitioner's county of  
4 residence.

5 (i) In a proceeding under this chapter concerning a juvenile's  
6 care and supervision, the court may issue orders affecting a party  
7 as necessary. This subdivision does not apply after May 1, 2018. As  
8 used in this subdivision, "party" means 1 of the following:

9 (i) In a delinquency proceeding, the petitioner and juvenile.

10 (ii) In a child protective proceeding, the petitioner,  
11 department, child, respondent, parent, guardian, or legal  
12 custodian, and any licensed child caring institution or child  
13 placing agency under contract with the department to provide for a  
14 juvenile's care and supervision.