



1 provided in subsection (10), if the court finds that a juvenile is  
2 within this chapter, the court shall order the juvenile returned to  
3 ~~his or her~~ **the juvenile's** parent if the return of the juvenile to  
4 ~~his or her~~ **the juvenile's** parent would not cause a substantial risk  
5 of harm to the juvenile or society. The court may also enter any of  
6 the following orders of disposition that are appropriate for the  
7 welfare of the juvenile and society in view of the facts proven and  
8 ascertained:

9 (a) Warn the juvenile or the juvenile's parents, guardian, or  
10 custodian and, except as provided in subsection (7), dismiss the  
11 petition.

12 (b) Place the juvenile on probation, or under supervision in  
13 the juvenile's own home or in the home of an adult who is related  
14 to the juvenile. As used in this subdivision, "related" means a  
15 relative as that term is defined in section 13a of this chapter.  
16 The court shall order the terms and conditions of probation or  
17 supervision, including reasonable rules for the conduct of the  
18 parents, guardian, or custodian, if any, as the court determines  
19 necessary for the physical, mental, or moral well-being and  
20 behavior of the juvenile. The court may order that the juvenile  
21 participate in a juvenile drug treatment court under chapter 10A of  
22 the revised judicature act of 1961, 1961 PA 236, MCL 600.1060 to  
23 600.1088. The court also shall order, as a condition of probation  
24 or supervision, that the juvenile shall pay the minimum state cost  
25 prescribed by section 18m of this chapter.

26 (c) If a juvenile is within the court's jurisdiction under  
27 section 2(a) of this chapter, or under section 2(h) of this chapter  
28 for a supplemental petition, place the juvenile in a suitable  
29 foster care home subject to the court's supervision. If a juvenile

1 is within the court's jurisdiction under section 2(b) of this  
2 chapter, the court shall not place a juvenile in a foster care home  
3 subject to the court's supervision.

4 (d) Except as otherwise provided in this subdivision, place  
5 the juvenile in or commit the juvenile to a private institution or  
6 agency approved or licensed by the department's division of child  
7 welfare licensing for the care of juveniles of similar age, sex,  
8 and characteristics. If the juvenile is not a ward of the court,  
9 the court shall commit the juvenile to the department or, if the  
10 county is a county juvenile agency, to that county juvenile agency  
11 for placement in or commitment to an institution or agency as the  
12 department or county juvenile agency determines is most  
13 appropriate, subject to any initial level of placement the court  
14 designates.

15 (e) Except as otherwise provided in this subdivision, commit  
16 the juvenile to a public institution, county facility, institution  
17 operated as an agency of the court or county, or agency authorized  
18 by law to receive juveniles of similar age, sex, and  
19 characteristics. If the juvenile is not a ward of the court, the  
20 court shall commit the juvenile to the department or, if the county  
21 is a county juvenile agency, to that county juvenile agency for  
22 placement in or commitment to an institution or facility as the  
23 department or county juvenile agency determines is most  
24 appropriate, subject to any initial level of placement the court  
25 designates. In a placement under subdivision (d) or a commitment  
26 under this subdivision, except to a state institution or a county  
27 juvenile agency, the juvenile's religious affiliation must be  
28 protected by placement or commitment to a private child placing or  
29 child caring agency or institution, if available. Except for

1 commitment to the department or a county juvenile agency, in an  
2 order of commitment under this subdivision to a state institution  
3 or agency described in the youth rehabilitation services act, 1974  
4 PA 150, MCL 803.301 to 803.309, or in 1935 PA 220, MCL 400.201 to  
5 400.214, the court shall name the superintendent of the institution  
6 where the juvenile is committed as a special guardian to receive  
7 benefits due the juvenile from the government of the United States.  
8 An order of commitment under this subdivision to the department or  
9 a county juvenile agency must name that agency as a special  
10 guardian to receive those benefits. The benefits received by the  
11 special guardian must be used to the extent necessary to pay for  
12 the portions of the cost of care in the institution or facility  
13 that the parent or parents are found unable to pay.

14 (f) Provide the juvenile with medical, dental, surgical, or  
15 other health care, in a local hospital if available, or elsewhere,  
16 maintaining as much as possible a local physician-patient  
17 relationship, and with clothing and other incidental items the  
18 court determines are necessary.

19 (g) Order the parents, guardian, custodian, or any other  
20 person to refrain from continuing conduct that the court determines  
21 has caused or tended to cause the juvenile to come within or to  
22 remain under this chapter or that obstructs placement or commitment  
23 of the juvenile by an order under this section.

24 (h) Appoint a guardian under section 5204 of the estates and  
25 protected individuals code, 1998 PA 386, MCL 700.5204, in response  
26 to a petition filed with the court by a person interested in the  
27 juvenile's welfare. If the court appoints a guardian as authorized  
28 by this subdivision, it may dismiss the petition under this  
29 chapter.

1 (i) Order the juvenile to engage in community service.

2 (j) If the court finds that a juvenile has violated a  
3 municipal ordinance or a state or federal law, order the juvenile  
4 to pay a civil fine in the amount of the civil or penal fine  
5 provided by the ordinance or law. Money collected from fines levied  
6 under this subsection must be distributed as provided in section 29  
7 of this chapter.

8 (k) If the court finds that the juvenile has violated a court  
9 order under section 2(a)(2) to (4) of this chapter, order the  
10 juvenile to be placed in a secure facility. A court order under  
11 this subdivision must state all of the following:

12 (i) The court order the juvenile violated.

13 (ii) The factual basis for determining that there was  
14 reasonable cause to believe that the juvenile violated the court  
15 order.

16 (iii) The court's finding of fact to support a determination  
17 that there is no appropriate less restrictive alternative placement  
18 available considering the best interests of the juvenile.

19 (iv) The length of time, not to exceed 7 days, that the  
20 juvenile may remain in the secure facility and the plan for the  
21 juvenile's release from the facility.

22 (v) That the order may not be renewed or extended.

23 (l) For a second or subsequent violation of a court order under  
24 section 2(a)(2) to (4) of this chapter, issue a second or  
25 subsequent order under subdivision (k), but only if the court finds  
26 both of the following:

27 (i) The juvenile violated a court order after the date that the  
28 court issued the first order under subdivision (k).

29 (ii) The court has procedures in place to ensure that a

1 juvenile held in a secure facility by a court order is not in  
2 custody more than 7 days or the length of time authorized by the  
3 court, whichever is shorter.

4 (m) If a juvenile is within the court's jurisdiction under  
5 section 2(a)(1) of this chapter, order the juvenile's parent or  
6 guardian to personally participate in treatment reasonably  
7 available in the parent's or guardian's location.

8 (n) If a juvenile is within the court's jurisdiction under  
9 section 2(a)(1) of this chapter, place the juvenile in and order  
10 the juvenile to complete satisfactorily a program of training in a  
11 juvenile boot camp established by the department under the juvenile  
12 boot camp act, 1996 PA 263, MCL 400.1301 to 400.1309, as provided  
13 in that act. If the county is a county juvenile agency, the court  
14 shall commit the juvenile to that county juvenile agency for  
15 placement in the program under that act. Upon receiving a report of  
16 satisfactory completion of the program from the department, the  
17 court shall authorize the juvenile's release from placement in the  
18 juvenile boot camp. Following satisfactory completion of the  
19 juvenile boot camp program, the juvenile shall complete an  
20 additional period of not less than 120 days or more than 180 days  
21 of intensive supervised community reintegration in the juvenile's  
22 local community. To place or commit a juvenile under this  
23 subdivision, the court shall determine all of the following:

24 (i) Placement in a juvenile boot camp will benefit the  
25 juvenile.

26 (ii) The juvenile is physically able to participate in the  
27 program.

28 (iii) The juvenile does not appear to have any mental handicap  
29 that would prevent participation in the program.

1           (iv) The juvenile will not be a danger to other juveniles in  
2 the boot camp.

3           (v) There is an opening in a juvenile boot camp program.

4           (vi) If the court must commit the juvenile to a county juvenile  
5 agency, the county juvenile agency is able to place the juvenile in  
6 a juvenile boot camp program.

7           (o) If the court entered a judgment of conviction under  
8 section 2d of this chapter, enter any disposition under this  
9 section or, if the court determines that the best interests of the  
10 public would be served, impose any sentence upon the juvenile that  
11 could be imposed upon an adult convicted of the offense for which  
12 the juvenile was convicted, **other than imprisonment for life**  
13 **without parole eligibility**. If the juvenile is convicted of a  
14 violation or conspiracy to commit a violation of section  
15 7403(2) (a) (i) of the public health code, 1978 PA 368, MCL 333.7403,  
16 the court may impose the alternative sentence permitted under that  
17 section if the court determines that the best interests of the  
18 public would be served. The court may delay imposing a sentence of  
19 imprisonment under this subdivision for a period not longer than  
20 the period during which the court has jurisdiction over the  
21 juvenile under this chapter by entering an order of disposition  
22 delaying imposition of sentence and placing the juvenile on  
23 probation upon the terms and conditions it considers appropriate,  
24 including any disposition under this section. If the court delays  
25 imposing sentence under this section, section 18i of this chapter  
26 applies. If the court imposes sentence, it shall enter a judgment  
27 of sentence. If the court imposes a sentence of imprisonment, the  
28 juvenile shall receive credit against the sentence for time served  
29 before sentencing. In determining whether to enter an order of

1 disposition or impose a sentence under this subdivision, the court  
2 shall consider all of the following factors, giving greater weight  
3 to the seriousness of the offense and the juvenile's prior record:

4 (i) The seriousness of the offense in terms of community  
5 protection, including, but not limited to, the existence of any  
6 aggravating factors recognized by the sentencing guidelines, the  
7 use of a firearm or other dangerous weapon, and the impact on any  
8 victim.

9 (ii) The juvenile's culpability in committing the offense,  
10 including, but not limited to, the level of the juvenile's  
11 participation in planning and carrying out the offense and the  
12 existence of any aggravating or mitigating factors recognized by  
13 the sentencing guidelines.

14 (iii) The juvenile's prior record of delinquency, including, but  
15 not limited to, any record of detention, any police record, any  
16 school record, or any other evidence indicating prior delinquent  
17 behavior.

18 (iv) The juvenile's programming history, including, but not  
19 limited to, the juvenile's past willingness to participate  
20 meaningfully in available programming.

21 (v) The adequacy of the punishment or programming available in  
22 the juvenile justice system.

23 (vi) The dispositional options available for the juvenile.

24 (p) In a proceeding under section 2(b) or (c) of this chapter,  
25 if a juvenile is removed from the parent's custody at any time, the  
26 court shall permit the juvenile's parent to have regular and  
27 frequent parenting time with the juvenile. Parenting time between  
28 the juvenile and ~~his or her~~ **the juvenile's** parent ~~shall~~ **must** not be  
29 less than 1 time every 7 days unless the court determines either



1 that exigent circumstances require less frequent parenting time or  
2 that parenting time, even if supervised, may be harmful to the  
3 juvenile's life, physical health, or mental well-being. If the  
4 court determines that parenting time, even if supervised, may be  
5 harmful to the juvenile's life, physical health, or mental well-  
6 being, the court may suspend parenting time until the risk of harm  
7 no longer exists. The court may order the juvenile to have a  
8 psychological evaluation or counseling, or both, to determine the  
9 appropriateness and the conditions of parenting time.

10 (2) An order of disposition placing a juvenile in or  
11 committing a juvenile to care outside of the juvenile's own home  
12 and under state, county juvenile agency, or court supervision must  
13 contain a provision for reimbursement by the juvenile, parent,  
14 guardian, or custodian to the court for the cost of care or  
15 service. The order ~~shall~~**must** be reasonable, taking into account  
16 both the income and resources of the juvenile, parent, guardian, or  
17 custodian. The amount may be based upon the guidelines and model  
18 schedule created under subsection (6). If the juvenile is receiving  
19 an adoption assistance under sections 115f to 115m or 115t of the  
20 social welfare act, 1939 PA 280, MCL 400.115f to 400.115m and  
21 400.115t, the amount must not exceed the amount of the support  
22 subsidy. The reimbursement provision applies during the entire  
23 period the juvenile remains in care outside of the juvenile's own  
24 home and under state, county juvenile agency, or court supervision,  
25 unless the juvenile is in the permanent custody of the court. The  
26 court shall provide for the collection of all amounts ordered to be  
27 reimbursed and the money collected must be accounted for and  
28 reported to the county board of commissioners. Collections to cover  
29 delinquent accounts or to pay the balance due on reimbursement

1 orders may be made after a juvenile is released or discharged from  
2 care outside the juvenile's own home and under state, county  
3 juvenile agency, or court supervision. Twenty-five percent of all  
4 amounts collected under an order entered under this subsection must  
5 be credited to the appropriate fund of the county to offset the  
6 administrative cost of collections. The balance of all amounts  
7 collected under an order entered under this subsection must be  
8 divided in the same ratio in which the county, state, and federal  
9 government participate in the cost of care outside the juvenile's  
10 own home and under state, county juvenile agency, or court  
11 supervision. The court may also collect from the government of the  
12 United States benefits paid for the cost of care of a court ward.  
13 Money collected for juveniles placed by the court with or committed  
14 to the department or a county juvenile agency must be accounted for  
15 and reported on an individual juvenile basis. In cases of  
16 delinquent accounts, the court may also enter an order to intercept  
17 state or federal tax refunds of a juvenile, parent, guardian, or  
18 custodian and initiate the necessary offset proceedings to recover  
19 the cost of care or service. The court shall send to the person who  
20 is the subject of the intercept order advance written notice of the  
21 proposed offset. The notice must include notice of the opportunity  
22 to contest the offset on the grounds that the intercept is not  
23 proper because of a mistake of fact concerning the amount of the  
24 delinquency or the identity of the person subject to the order. The  
25 court shall provide for the prompt reimbursement of an amount  
26 withheld in error or an amount found to exceed the delinquent  
27 amount.

28 (3) An order of disposition placing a juvenile in the  
29 juvenile's own home under subsection (1) (b) may contain a provision

1 for reimbursement by the juvenile, parent, guardian, or custodian  
2 to the court for the cost of service. If an order is entered under  
3 this subsection, an amount due must be determined and treated in  
4 the same manner provided for an order entered under subsection (2).

5 (4) An order directed to a parent or a person other than the  
6 juvenile is not effective and binding on the parent or other person  
7 unless opportunity for hearing is given by issuance of summons or  
8 notice as provided in sections 12 and 13 of this chapter and until  
9 a copy of the order, bearing the seal of the court, is served on  
10 the parent or other person as provided in section 13 of this  
11 chapter.

12 (5) If the court appoints an attorney to represent a juvenile,  
13 parent, guardian, or custodian, the court may require in an order  
14 entered under this section that the juvenile, parent, guardian, or  
15 custodian reimburse the court for attorney fees.

16 (6) The office of the state court administrator, under the  
17 supervision and direction of the supreme court, shall create  
18 guidelines that the court may use in determining the ability of the  
19 juvenile, parent, guardian, or custodian to pay for care and any  
20 costs of service ordered under subsection (2) or (3). The  
21 guidelines must take into account both the income and resources of  
22 the juvenile, parent, guardian, or custodian.

23 (7) If the court finds that a juvenile comes under section 30  
24 of this chapter, the court shall order the juvenile or the  
25 juvenile's parent to pay restitution as provided in sections 30 and  
26 31 of this chapter and in sections 44 and 45 of the William Van  
27 Regenmorter crime victim's rights act, 1985 PA 87, MCL 780.794 and  
28 780.795.

29 (8) If the court imposes restitution as a condition of

1 probation, the court shall require the juvenile to do either of the  
2 following as an additional condition of probation:

3 (a) Engage in community service or, with the victim's consent,  
4 perform services for the victim.

5 (b) Seek and maintain paid employment and pay restitution to  
6 the victim from the earnings of that employment.

7 (9) If the court finds that the juvenile is in intentional  
8 default of the payment of restitution, a court may, as provided in  
9 section 30 of this chapter, revoke or alter the terms and  
10 conditions of probation for nonpayment of restitution. If a  
11 juvenile who is ordered to engage in community service  
12 intentionally refuses to perform the required community service,  
13 the court may revoke or alter the terms and conditions of  
14 probation.

15 (10) The court shall not enter an order of disposition for a  
16 juvenile offense as defined in section 1a of 1925 PA 289, MCL  
17 28.241a, or a judgment of sentence for a conviction until the court  
18 has examined the court file and has determined that the juvenile's  
19 biometric data have been collected and forwarded as required by  
20 section 3 of 1925 PA 289, MCL 28.243, and the juvenile's  
21 fingerprints have been taken and forwarded as required by the sex  
22 offenders registration act, 1994 PA 295, MCL 28.721 to 28.730. If a  
23 juvenile's biometric data have not been collected or a juvenile has  
24 not had ~~his or her~~ **the juvenile's** fingerprints taken, the court  
25 shall do either of the following:

26 (a) Order the juvenile to ~~submit himself or herself~~ **go** to the  
27 police agency that arrested or obtained the warrant for the  
28 juvenile's arrest so the juvenile's biometric data can be collected  
29 and forwarded and ~~his or her~~ **the juvenile's** fingerprints can be

1 taken and forwarded.

2 (b) Order the juvenile committed to the sheriff's custody for  
3 collecting and forwarding the juvenile's biometric data and taking  
4 and forwarding the juvenile's fingerprints.

5 (11) Upon final disposition, conviction, acquittal, or  
6 dismissal of an offense within the court's jurisdiction under  
7 section 2(a)(1) of this chapter, using forms approved by the state  
8 court administrator, the clerk of the court entering the final  
9 disposition, conviction, acquittal, or dismissal shall immediately  
10 advise the department of state police of that final disposition,  
11 conviction, acquittal, or dismissal as required by section 3 of  
12 1925 PA 289, MCL 28.243. The report to the department of state  
13 police must include information as to the finding of the judge or  
14 jury and a summary of the disposition or sentence imposed.

15 (12) If the court enters an order of disposition based on an  
16 act that is a juvenile offense as defined in section 1 of 1989 PA  
17 196, MCL 780.901, the court shall order the juvenile to pay the  
18 assessment as provided in that act. If the court enters a judgment  
19 of conviction under section 2d of this chapter for an offense that  
20 is a felony, misdemeanor, or ordinance violation, the court shall  
21 order the juvenile to pay the assessment as provided in 1989 PA  
22 196, MCL 780.901 to 780.911.

23 (13) If the court has entered an order of disposition or a  
24 judgment of conviction for a listed offense as defined in section 2  
25 of the sex offenders registration act, 1994 PA 295, MCL 28.722, the  
26 court, the department, or the county juvenile agency shall register  
27 the juvenile or accept the juvenile's registration as provided in  
28 the sex offenders registration act, 1994 PA 295, MCL 28.721 to  
29 28.730.

1           (14) If the court enters an order of disposition placing a  
2 juvenile in a juvenile boot camp program, or committing a juvenile  
3 to a county juvenile agency for placement in a juvenile boot camp  
4 program, and the court receives from the department a report that  
5 the juvenile has failed to perform satisfactorily in the program,  
6 that the juvenile does not meet the program's requirements or is  
7 medically unable to participate in the program for more than 25  
8 days, that there is no opening in a juvenile boot camp program, or  
9 that the county juvenile agency is unable to place the juvenile in  
10 a juvenile boot camp program, the court shall release the juvenile  
11 from placement or commitment and enter an alternative order of  
12 disposition. A juvenile must not be placed in a juvenile boot camp  
13 under an order of disposition more than once, except that a  
14 juvenile returned to the court for a medical condition, because  
15 there was no opening in a juvenile boot camp program, or because  
16 the county juvenile agency was unable to place the juvenile in a  
17 juvenile boot camp program may be placed again in the juvenile boot  
18 camp program after the medical condition is corrected, an opening  
19 becomes available, or the county juvenile agency is able to place  
20 the juvenile.

21           (15) If the juvenile is within the court's jurisdiction under  
22 section 2(a)(1) of this chapter for an offense other than a listed  
23 offense as defined in section 2 of the sex offenders registration  
24 act, 1994 PA 295, MCL 28.722, the court shall determine if the  
25 offense is a violation of a law of this state or a local ordinance  
26 of a municipality of this state that by its nature constitutes a  
27 sexual offense against an individual who is less than 18 years of  
28 age. If so, the order of disposition is for a listed offense as  
29 defined in section 2 of the sex offenders registration act, 1994 PA

1 295, MCL 28.722, and the court shall include the basis for that  
2 determination on the record and include the determination in the  
3 order of disposition.

4 (16) The court shall not impose a sentence of imprisonment in  
5 the county jail under subsection (1)(o) unless the present county  
6 jail facility for the juvenile's imprisonment meets all  
7 requirements under federal law and regulations for housing  
8 juveniles. The court shall not impose the sentence until it  
9 consults with the sheriff to determine when the sentence will begin  
10 to ensure that space will be available for the juvenile.

11 (17) In a proceeding under section 2(h) of this chapter, this  
12 section only applies to a disposition for a violation of a personal  
13 protection order and subsequent proceedings.

14 (18) If a juvenile is within the court's jurisdiction under  
15 section 2(a)(1) of this chapter, the court shall order the juvenile  
16 to pay costs as provided in section 18m of this chapter.

17 (19) A juvenile who has been ordered to pay the minimum state  
18 cost as provided in section 18m of this chapter as a condition of  
19 probation or supervision and who is not in willful default of the  
20 payment of the minimum state cost may petition the court at any  
21 time for a remission of the payment of any unpaid portion of the  
22 minimum state cost. If the court determines that payment of the  
23 amount due will impose a manifest hardship on the juvenile or ~~his~~  
24 ~~or her~~ **the juvenile's** immediate family, the court may remit all or  
25 part of the amount of the minimum state cost due or modify the  
26 method of payment.

27 Enacting section 1. This amendatory act takes effect 90 days  
28 after the date it is enacted into law.

29 Enacting section 2. This amendatory act does not take effect

1 unless all of the following bills of the 102nd Legislature are  
2 enacted into law:

3 (a) Senate Bill No. \_\_\_\_\_ or House Bill No. 4163 (request no.  
4 01612'23).

5 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. 4162 (request no.  
6 01612'23 b).

7 (c) Senate Bill No. \_\_\_\_\_ or House Bill No. 4160 (request no.  
8 01612'23 c).

9 (d) Senate Bill No. \_\_\_\_\_ or House Bill No. 4161 (request no.  
10 01612'23 d).