

PROBATE CODE OF 1939 (EXCERPT)
Act 288 of 1939

712A.2a Continuing jurisdiction beyond maximum age; voluntary foster care; extended guardianship assistance; jurisdiction over juvenile committing certain violations; juvenile under jurisdiction of department of corrections; definitions.

Sec. 2a. (1) Except as otherwise provided in this section, if the court has exercised jurisdiction over a juvenile under section 2(a) or (b) of this chapter, jurisdiction shall continue for a period of 2 years beyond the maximum age of jurisdiction conferred under section 2 of this chapter, unless the juvenile is released sooner by court order.

(2) If the department files a report with the court under section 15 of the young adult voluntary foster care act, 2011 PA 225, MCL 400.655, the court shall determine whether it is in the youth's best interests to continue in voluntary foster care within 21 days of the filing of the report. A hearing is not required under this subsection, but may be held on the court's own motion or at the request of the youth or the department.

(3) If the court finds that the voluntary foster care agreement is in the youth's best interests, the court shall issue an order containing individualized findings to support its determinations made under subsection (2) and close the case in accordance with section 19 of the young adult voluntary foster care act, 2011 PA 225, MCL 400.659. The individualized findings shall be based on the department's written report and other materials and information submitted to the court.

(4) If the court has appointed a guardian under section 19a or 19c of this chapter for a youth age 16 or older, the court shall retain jurisdiction of the youth until the department determines the youth's eligibility to receive extended guardianship assistance under the young adult voluntary foster care act, 2011 PA 225, MCL 400.641 to 400.671, that shall be completed within 120 days of the youth's eighteenth birthday. If the department determines the youth will receive extended guardianship assistance, the court shall retain jurisdiction of the youth until that youth no longer receives guardianship assistance.

(5) If the court has exercised jurisdiction over a juvenile under section 2(a)(1) of this chapter for an offense that, if committed by an adult, would be a violation or attempted violation of section 72, 83, 84, 86, 88, 89, 91, 110a(2), 186a, 316, 317, 349, 520b, 520c, 520d, 520g, 529, 529a, 530, or 531 of the Michigan penal code, 1931 PA 328, MCL 750.72, 750.83, 750.84, 750.86, 750.88, 750.89, 750.91, 750.110a, 750.186a, 750.316, 750.317, 750.349, 750.520b, 750.520c, 750.520d, 750.520g, 750.529, 750.529a, 750.530, and 750.531, or section 7401(2)(a)(i) or 7403(2)(a)(i) of the public health code, 1978 PA 368, MCL 333.7401 and 333.7403, jurisdiction may be continued under section 18d of this chapter until the juvenile is 21 years of age.

(6) If the court exercised jurisdiction over a child under section 2(h) of this chapter, jurisdiction of the court continues until the order expires but action regarding the personal protection order after the respondent's eighteenth birthday is not subject to this chapter.

(7) This section does not apply if the juvenile is sentenced to the jurisdiction of the department of corrections.

(8) Except as provided in subsection (9), as used in this chapter, "child", "minor", "youth", or any other term signifying a person under the age of 18 applies to a person 18 years of age or older concerning whom proceedings are commenced in the court under section 2 of this chapter and over whom the court has continuing jurisdiction under subsections (1) to (6).

(9) For the purpose of this section only, "juvenile" applies to a person 18 years of age or older concerning whom proceedings are commenced in the court under section 2 of this chapter and over whom the court has continuing jurisdiction under subsections (1) to (6).

History: Add. 1953, Act 193, Eff. Oct. 2, 1953;—Am. 1959, Act 81, Eff. Mar. 19, 1960;—Am. 1962, Act 8, Imd. Eff. Mar. 19, 1962;—Am. 1972, Act 175, Imd. Eff. June 16, 1972;—Am. 1988, Act 54, Eff. Oct. 1, 1988;—Am. 1994, Act 192, Eff. Oct. 1, 1994;—Am. 1996, Act 250, Eff. Jan. 1, 1997;—Am. 1996, Act 409, Eff. Jan. 1, 1998;—Am. 1998, Act 474, Eff. Mar. 1, 1999;—Am. 2011, Act 226, Imd. Eff. Nov. 22, 2011;—Am. 2014, Act 533, Imd. Eff. Jan. 14, 2015.

Compiler's note: Section 3 of Act 54 of 1988 provides: "This amendatory act shall take effect June 1, 1988." This section was amended by Act 174 of 1988 to read as follows: "This amendatory act shall take effect October 1, 1988."

Popular name: Probate Code

Popular name: Juvenile Code