

FILING A PETITION FOR A HOME STATUS OFFENSE IN OAKLAND COUNTY

The family division of the circuit court has jurisdiction in proceedings against juveniles under 17 if the juvenile runs away from home (truancy) or repeatedly disobeys the reasonable and lawful commands of his or her parents or guardians (incorrigibility). Furthermore, the court must find that the family has exhausted all non-court options, such as counseling and other living arrangements, before it may accept a parent's request for court intervention.

Information for Completing Your Petition

1. You must complete the petition completely and by yourself. Court employees may not provide legal advice.
2. Your allegations about your child's behavior must be current. The alleged behaviors must have occurred within the last three months.
3. You must present a statement from a counseling agency that details your efforts to use community resources to solve your child's truancy or incorrigibility issues. This statement is required even if your child refuses to attend counseling with you. Oakland County Youth Assistance may be used to satisfy the counseling requirement for a nominal fee. The Youth Assistance general telephone number is (248) 858-0051.
4. If the court accepts your petition, it may be several weeks until a hearing is held. Your son or daughter will be at home with you during this time.
5. If the court finds your child is truant or incorrigible and court-accessed services are necessary, the court will enter orders to rectify the situation. The court orders will be binding on you as well as your child and may include probation and/or family counseling.
6. You must include your child's descriptive information on the next page of this packet. Without descriptive information, the court cannot issue an order for your child's apprehension if your child has run away from home.
7. You will be responsible for the costs of the court-ordered services, including;
 - a. Costs of a diversionary program, if utilized,
 - b. Costs of a consent calendar probation program, if utilized,
 - c. Costs of formal calendar programs, if utilized, including;
 - i. court-appointed attorney fees for your child (an attorney *must* be appointed if your case goes to formal court),
 - ii. monthly costs for probation department services,
 - iii. per-day costs for your child's out-of-home or day treatment placement, if utilized.
8. Mail or deliver the enclosed documents, when completed, with the required attachments to:

Juvenile Intake Department
Ground Floor, East Wing
Courthouse Building
1200 N. Telegraph Road
Pontiac, MI 48341

FAMILY INFORMATION FOR HOME STATUS OFFENSES

1. **Juvenile's Information**

Juvenile's Last Name		First		Middle
Other name Juvenile has used – Last		First		Middle
Date of Birth	Place of Birth	Sex	Race	School/District
Eye Color	Hair Color	Weight	Height	S.S. # (Last 4 digits)

2. **Mother's Information**

Mother's Last Name	First	Middle	Date of Birth	S.S. # (Last 4 digits)
Address	City, State, Zip	Home Phone	Work Phone	Cell Phone

3. **Father's Information**

Father's Last Name	First	Middle	Date of Birth	S.S. # (Last 4 digits)
Address	City, State, Zip	Home Phone	Work Phone	Cell Phone

4. **Step Parent's Information**

Step Parent's Last Name	First	Middle	Date of Birth	S.S. # (Last 4 digits)
Address	City, State, Zip	Home Phone	Work Phone	Cell Phone

5. **Guardian/Legal Custodian's Information**

Guardian/Legal Custodian's Last Name	First	Middle	Date of Birth	S.S. # (Last 4 digits)
Address	City, State, Zip	Home Phone	Work Phone	Cell Phone

6. **Social Information**

Divorced? <input type="checkbox"/> No <input type="checkbox"/> Yes	Date of Divorce	Place of Divorce (County, State)
Custody to: <input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> Stepfather <input type="checkbox"/> Stepmother <input type="checkbox"/> Other:		
Juvenile living with: <input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> Stepfather <input type="checkbox"/> Stepmother <input type="checkbox"/> Other:		

STATE OF MICHIGAN 6th JUDICIAL CIRCUIT - FAMILY DIVISION OAKLAND COUNTY	PETITION (DELINQUENCY PROCEEDINGS) <input type="checkbox"/> Amended <input type="checkbox"/> Supplemental	CASE NO. PETITION NO.
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Court address _____ Court telephone no. _____

ORI	CTN	TCN	SID	DLN
MI-				

A sample for chemical testing for DNA identification profiling is on file with the Michigan State Police from a previous petition.

- In the matter of name(s), alias(es), DOB _____
- The above named juvenile comes within the provisions of MCL 712A.2. has violated probation as follows:
Citations and allegations: operator/chauffeur driver's license commercial driver's license no license vehicle type

Allegations contained on Page #2

- See attached sheet for further allegations. Member of or eligible for membership in an Indian tribe, as stated above.
- a. There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the petition.
- b. There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the petition. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.
- c. It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- 4. I designate this case as a case in which the juvenile is to be tried in the same manner as an adult.
- 5. The juvenile named above is a legal resident of _____ County, and resides in the care and custody of _____.
- 6. The names and addresses of the parents, guardian, legal custodian, or nearest known relative are as follows:

NAME	ADDRESS	HOME PHONE	WORK PHONE
Father Putative <input type="checkbox"/>			
Mother			
Guardian/Legal custodian/Nearest known relative			

- I request the court to (check either box a or b)**
 - a. review the information and make an appropriate decision.
 - b. authorize this petition and take jurisdiction over the juvenile. Further, I request the court to
 - 1) issue an order to apprehend and/or detain the juvenile.
 - 2) find the juvenile in contempt of court for violating a minor personal protection order.
 - 3) find the juvenile has violated probation and notify the juvenile to appear for the hearing.
 - order the juvenile apprehended and brought to court for a detention hearing.
 - 4) designate this case as a case in which the juvenile is to be tried in the same manner as an adult.

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Petitioner's signature _____ Date _____ Agency/Address _____

Print or type name _____ City, state, and zip _____ Telephone no. _____

- I approve this petition for submission. I agree to have this petition placed on the consent calendar.

Date _____ Prosecutor's signature _____

- A preliminary inquiry and/or hearing has been conducted and the filing of this petition is is not authorized.

Date _____ Judge/Referee _____ Bar no. _____



Court address 1200 N. Telegraph Road, Pontiac, MI 48341

Court telephone no. (248) 858-0112

1. In the matter of _____
Juvenile's Last Name First Middle

2. Citations and allegations (cont.):

The child has engaged in the following behaviors in the home WITHIN THE LAST THREE MONTHS:

a. **TRUANCY (MCL 712A.2(a)(2): The juvenile has deserted his or her home without sufficient cause, as follows:**

The child left home without permission and did not return for a period exceeding 24 hours on the following dates:

_____ Date _____ Date _____ Date _____ Date _____ Date

The child is currently a runaway from home and,

the child's whereabouts are unknown, OR,

the child's parent believes the child is located at: _____

Address

REQUIRED INFORMATION FOR TRUANCY PETITIONS (select one that applies):

The child and the child's parent(s) or guardian(s) have exhausted or refused family counseling (letter from counseling agency attached), - OR -

The parent has arranged an alternative placement (i.e., with a relative, family friend, etc.) for the child and the child has: (1) lived in that placement unsuccessfully, or, (2) refused to live in that placement. Describe the alternative placement: _____

b. **INCORRIGIBILITY (MCL 712A.2(a)(3)): The juvenile is repeatedly disobedient to the reasonable and lawful commands of his or her parent(s) or guardian(s), as follows:**

The child leaves home without permission and does not inform his or her parents of his or her whereabouts.

The child violates his or her curfew.

The child uses foul and abusive language.

The child allows other people into the home against the directives of his or her parents.

The child has damaged the home or destroyed property of other family member(s).

The child has stolen money or property from family members.

The child associates with undesirable people.

The child uses alcohol or other drugs.

The child did not follow the reasonable requests of his or her parents.

The child does not attend school on a regular basis, against the directives of his or her parents.

The child's behavior, while in school, is incorrigible, against the directives of his or her parents.

Other: _____

REQUIRED INFORMATION FOR INCORRIGIBILITY PETITIONS:

Community resources have been attempted and have been unsuccessful in the correcting the situation. Court accessed services are necessary (letter from counseling agency attached).

The child refused to attend counseling appointments made on the following dates:

_____ Date _____ Date _____ Date _____ Date _____ Date