



Sixth Judicial Circuit Court – Family Division
Oakland County Juvenile Court

FILING A HOME STATUS OFFENSE PETITION IN OAKLAND COUNTY

The Circuit Court Family Division has jurisdiction over juveniles under 18 who run away from home (truancy) or repeatedly disobey the reasonable and lawful commands of their parents or guardians (incurrigibility). These court proceedings are called “status” offenses because of the age status of the person committing the violation. Home status offenses begin when the juvenile’s parent or guardian files a petition with the court.

Incurrigibility Petitions

If a parent files a home incurrigibility petition, the parent must prove that –

- the juvenile is repeatedly disobedient to the reasonable and lawful commands of his or her parents, guardian, or custodian, and,
- there is “clear and convincing evidence” that court-accessed services are necessary to solve the incurrigibility.

Incurrigibility is more than simple disobedience. The Oakland County juvenile court will not accept a home incurrigibility petition unless the juvenile has engaged in incurrigible behavior for at least the last three months before the filing of the petition. Second, the juvenile’s incurrigibility must be causing significant problems for the juvenile, parents, or the guardians in the home. Examples of incurrigible behavior include:

- Leaving home without permission or violating curfew,
- Threatening to cause or causing deliberate physical harm to family members,
- Causing property damage to the home or property of family members,
- Stealing money or property from other family members,
- Using alcohol, drugs, or other illegal substances,
- Using vulgar or abusive language to parents and/or family members,
- Not following the parents’ reasonable requests,
- Associating with undesirable people,
- Skipping school or being disruptive in school against the parents’ directives.

Truancy Petitions

If a parent files a home truancy petition, the parent must prove that –

- the juvenile has deserted his or her home without sufficient cause, and,
- the juvenile –
 - has been placed or refused alternative placement (other than the juvenile’s home), OR,
 - the juvenile and his parents have exhausted or refused family counseling.

If a juvenile is currently truant at the time the parent files the petition with the court, the court may issue an Order to Take Into Custody (“OTTIC”) for the juvenile. When apprehended, the juvenile will be temporarily placed in Oakland County Children’s Village pending a preliminary hearing within the next 24 hours (excluding holidays and weekends).

Oakland County Youth Assistance

Prior to coming to the court, parents are encouraged to seek help from their local Youth Assistance office for services to aid with incorrigibility and truancy. A petitioner may use Youth Assistance involvement to prove that “court-accessed services are necessary to solve the incorrigibility” (incorrigibility cases) or that “the juvenile and his parents have exhausted or refused family counseling” (truancy cases). Without such proof, the court will reject a newly filed petition.

Status Offense Court Procedure

Once the court receives a status offense petition, the case will be referred to Oakland County Youth Assistance for an intake evaluation. The Youth Assistance caseworker will work with the family and the court to determine the next steps. Those steps could include a recommendation for further non-court action, such as:

- Attending individual and family therapy,
- Working with the juvenile’s school,
- Exploring arrangements for the juvenile to live with a relative if necessary, or,
- Trying other actions identified by Youth Assistance or the Court Intake Liaison.

If efforts have been made to solve the problem and the situation has still not improved, the court may accept the parents’ petition. A time for a Court hearing will be set. That hearing could be –

- A diversion conference between the juvenile, the parents, and a juvenile court referee.
- A pretrial hearing before a juvenile court referee on the court’s formal docket.

If the matter is scheduled for a hearing on the court’s formal docket, the court will appoint an attorney to represent the juvenile. Formal court proceedings can lead to either a plea from the juvenile that he or she committed the offense in the petition, or a trial in which the parents must produce evidence to prove that the juvenile is incorrigible or truant. The trial can be before a juvenile court referee, a Family Division judge, or a jury of 6 members of the public. If the juvenile is found guilty of the offense, the court will set a disposition hearing to determine what orders the juvenile must follow.

Information for Completing Your Petition

1. You must complete the petition completely and by yourself. Court employees may not provide legal advice.
2. The 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 the Youth Assistance Caseworker or documentation from a community-based agency that details your efforts to solve your child's truancy or incorrigibility issue. Your child must participate in a MAYSI screening as arranged by the Court Intake Liaison.
4. If the Court accepts your petition, it may be several weeks until a hearing is held. Your child will be at home with you during this time.
5. If the Court finds your child guilty of truancy or incorrigibility, the Court will enter orders to rectify the situation. The Court orders will be binding to 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 he or she has run away from home. You must include a completed Dental Form for your child. The form is attached and must be filled out by your child's dentist's office. You must also include a copy of your most recent custody order, if applicable.
7. You will be responsible for the costs of the court-ordered services, including:
 - Costs of a diversionary program, if utilized,
 - Costs of a consent calendar probation program, if utilized
 - Costs of formal calendar programs, if utilized, including:
 - Court-appointed attorney fees for your child (an attorney *must* be appointed if your case goes to formal court),
 - Monthly costs for probation department services,
 - Per-day costs for your child's out-of-home placement, if utilized.
8. When completed, mail or deliver the enclosed documents and 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"/> Supplemental	CASE NO. PETITION NO.
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Court address 1200 N. Telegraph Road, Pontiac, MI 48341

Court telephone no. (248) 858-0112

ORI
MI-630013J

CTN	TCN	SID	DLN
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1. In the matter of name(s), alias(es), DOB

Last name	First name	Middle name	Date of birth
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2. 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 Indian Tribe, stated above.
3. An action within the jurisdiction of the family division of circuit court involving the family or family members of the minor has been previously filed in _____ Court, Case Number _____, was assigned to Judge _____, and remains is no longer pending.
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 above named juvenile is a legal resident(s) of Oakland County, and resides in the care and custody of the Petitioner.
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			

7. 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 that the statements in this petition are true to the best of my information, knowledge, and belief.

/s/ _____ Date _____ Agency/Address _____

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

Petition approved for submission: /s/ _____ Date _____
 Prosecutor's signature

8. 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

DENTAL FORM

Court Case # _____

SECTION 1

Patient's Name: _____ Age: _____

Completed by: _____ Date Completed: _____

Address: _____

Telephone#: _____ Email Address: _____

X-Rays Available? Yes No Dental Models Available? Yes No Dental Photographs Available? Yes No

SECTION 2

DENTAL CHARACTERISTICS

Upper Right			Lower Right		
01 (18)	_____		32 (48)	_____	
02 (17)	_____		21 (47)	_____	
03 (16)	_____		30 (46)	_____	
04 (15)	_____ (A)	(Number in parentheses Represent FDI System.)	29 (45)	_____ (T)	
05 (14)	_____ (B)		28 (44)	_____ (S)	
06 (13)	_____ (C)		27 (43)	_____ (R)	
07 (12)	_____ (D)		26 (42)	_____ (Q)	
08 (11)	_____ (E)		25 (41)	_____ (P)	
Upper Left				Lower Left	
09 (21)	_____ (F)		(Letters in parentheses represent deciduous dentition).	24 (31)	_____ (O)
10 (22)	_____ (G)			23 (32)	_____ (N)
11 (23)	_____ (H)	22 (33)		_____ (M)	
12 (24)	_____ (I)	21 (34)		_____ (L)	
13 (25)	_____ (J)	20 (35)		_____ (K)	
14 (26)	_____	19 (36)		_____	
15 (27)	_____	18 (37)		_____	
16 (28)	_____	17 (38)		_____	

SECTION 3

DENTAL CODES

X=Tooth has been removed or did not develop
V=Tooth is unrestored or no information (Default Code)
M=Mesial Surface Restored
O=Occlusal/Incisal Surface Restored
D=Distal Surface Restored

F=Facial or Buccal Surface Restored
L=Lingual Surface Restored
C=Lab Processed or Prefabricated Restoration
R=Endodontic Treatment
/ = Tooth Present with endodontic treatment but clinical crown missing
(i.e., fractured, caries)*

(*The codes V and / are used differently in the Missing Person Dental Report than in the Unidentified Person Dental Report.)

SECTION 4

DENTAL REMARKS

ALL (All 32 teeth are present and unrestored) UNK (No dental information available)