

PROBATE COURT SYSTEM

2013 Spring Release - Juvenile



**Judicial
Information
Systems**

PCS Team

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System](#)**

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ITEMS CONTAINED IN THIS RELEASE

**Juvenile Incompetency
Form Changes
Permanency Indicators Report
Contact Information
Q & A ~ March Training**



Please copy and distribute this document to all court staff that uses the PCS Application.

The Spring 2013 update is scheduled to be installed on your system the week of May 13th.

JIS **will not** be sending out a Release CD. The updates will be installed directly to your system by JIS.

Juvenile Competency

On March 21, 2013 a memorandum was distributed by the State Court Administrative Office regarding the addition of Juvenile Competency legislation as a result of 2012 PA 540 and PA 541. These changes are in effect as of March 28, 2013. The link to the SCAO memorandum is:

[SCAO Memo - Juvenile Competency](#)

As a result of the legislation, several changes have occurred.

1. Caseload Changes
 - a. Part 1
 - b. Part 2
 - c. Part 4
2. JIS Changes
 - a. New adjudications
 - b. New event codes
 - c. New hearing types
 - d. Updated version of the Quick Reference Guide
 - i. Follow this link for the most recent version of the Juvenile Quick Reference Guide

[Juvenile Quick Reference Guide](#)

Overview of Juvenile Competency

- Juveniles under the age of 10 are presumed incompetent to stand trial.
- Juveniles ten years or older are presumed competent to proceed unless the issue of competency is raised.
- Court may order a competency evaluation if a motion requesting the same is filed.
- The mental health examiner must submit a report within 30 days after receiving the order to conduct a competency evaluation. A 30-day extension may be granted.
- The court must hold a hearing to determine competency within 30 days after the report is filed.
- If the juvenile is found incompetent to proceed, but able to be restored to competency the court shall either dismiss the matter or suspend the proceedings against the juvenile.
- If the matter is suspended, the court may issue a restoration order.

Caseload Changes

As a result of the changes to Juvenile Competency Legislation, changes have been made to Caseload reporting.

Section E Part 1 Line 3

Line	CASE TYPE	DJ	DL	PJ	TL
1	Beginning Pending				
2	New Petitions				
3	Reopened				

Line 3: Provide the total number of reopened petitions. Count cases reopened only if they have been previously counted as disposed.

- A juvenile petition is counted as a reopened petition:
 - when remanded from another court for a new trial.
 - when a request to withdraw plea is granted or when a judgment notwithstanding the verdict is entered except when entered upon return of the jury verdict.
 - when the juvenile fails to comply with a consent calendar agreement or a diversion program.
 - when the court transfers an adjudicated petition to the consent calendar before disposition under MCR 3.932(C)(8)
 - when the judge overturns a decision of a referee.
 - when the juvenile appears on a petition/citation which was previously reported disposed for failure to appear.
 - after receiving a report from a qualified juvenile forensic mental health examiner or a qualified restoration provider regarding the competency of the juvenile to stand trial, report this based upon date received.
 - when the prosecutor files a nolle prosequi after the case has been previously counted disposed under inactive status.
- Count as a reopened petition each petition scheduled for hearing under MCR 3.705(B) after an order is entered denying or dismissing a petition for **ex parte** personal protection.

Court rules and statute associated with reopening a juvenile petition are MCR 3.932(C)(8), 3.941, 6.310, 7.215(D) and 7.317 and MCL 712A.18p(5) and 712A.28s(2)(c).

Count as *reopened* when a nolle prosequi is filed or when a report from a forensic mental health examiner or qualified restoration provider regarding the minor's competency has been filed with the court.

To count as reopened, a reopen date must be entered on the petition screen.

JIS will make the required changes to the caseload report (RPT JUV Option #9) with the Fall 2013 Release.

Caseload ~ Section E ~ Part 2

Line	CASE TYPE	DL	TL
1	Jury Verdict		
2	Bench Verdict		
3	Admission/ No Contest		
4	Prosecutor Waiver		
5	Traditional Waiver		
6	Nolle Prosequi		
7	Dismissed by Court		
8	Dismissed Incompetent		
9	Consent Calendar		
10	Transferred		
11	Diversion/ Not Auth.		
12	Designation Granted		
13	Inactive Status		
14	Not Charged		
15	Case Type Change		

DL – Lines 8 and Line 13

Count when dismissed by the court after a finding of incompetence

Count when a warrant is issued for nonappearance before adjudication and when a juvenile is ordered for evaluation to determine whether competent to stand trial, when the court enters an order finding a juvenile incompetent to stand trial, when the court enters an initial or renewed restoration order, or when the court allows a restoration order to continue

Line	CASE TYPE	DJ
16	Jury Verdict	
17	Bench Verdict	
18	Guilty Plea	
19	Nolle Prosequi	
20	Dismissed by Court	
21	Dismissed Incompetent	
22	Inactive Status	
23	Not Authorized	

DJ – Lines 21 and Line 22

Count when dismissed by the court after a finding of incompetence

Count when a warrant is issued for nonappearance before adjudication and when a juvenile is ordered for evaluation to determine whether competent to stand trial, when the court enters an order finding a juvenile incompetent to stand trial, when the court enters an initial or renewed restoration order, or when the court allows a restoration order to continue

New Codes

Petition Adjudications

Adjud. Codes	Description	Result	Additional Data Entry	Impact on Caseload
CEV	Competency Evaluation - Inactive			Part 2; Line 13 (DL) Part 2; Line 22 (DJ) Part 4
DIC	Dismissed for Incompetency			Part 2; Line 8 (DL) Part 2; Line 21 (DJ) Part 4
RST	Restoration Order - Inactive			Part 2; Line 13 (DL) Line 22 (DJ) Part 4

Hearings

Hearing Codes	Description	Result	Additional Data Entry	Impact on Caseload
COH	Competency Hearing		EVT ADD	None
			Next Hearing	
RSH	Restoration Hearing		EVT ADD	None
			Next Hearing:	

Results

Result Codes	Description
IRS	Incompetent, but may be restored
ICR	Incompetent and cannot be restored

Events

Event Codes	Document	Result	Additional Data Entry	Impact on Caseload
MCE	Motion for Competency Evaluation		Schedule Next Hearing: <i>Competency Hearing</i>	None
OCE	Order on Motion for Competency Evaluation	Result: Granted	PET MOD: Adjud: <i>CEV Competency Evaluation - Inactive</i>	Part 2: Inactive Status Part 4
		Result: Denied	EVT ADD: Scheduled for next required hearing (<i>e.g. Adjudication Hearing, Trial, etc.</i>)	Part 4
OCM	Order after Hearing to Determine Competency	Result: Incompetent, but may be restored	PET MOD: Adjud: <i>RST - Restoration Order-Inactive</i>	Part 2; Line 13 (DL) Part 2; Line 22 (DJ) Part 4
		Result: Incompetent and cannot be restored	PET MOD: Adjud: <i>DIC-Dismissed for Incompetency</i>	Part 2; Line 8 (DL) Part 2; Line 21 (DJ) Part 4
RMR	Report from Forensic Mental Health/Restoration Provider		PET MOD: Reopen Date: <i>Enter the date the report was filed.</i>	Part 1, Line 3 Part 4:
			EVT ADD:	
			Next Hearing: <i>Restoration Hearing</i>	
RSO	Restoration Order	Result: Incompetent, but may be restored	PET MOD: Adjud: <i>RST Restoration Order – Inactive</i>	Part 2; Line 13 (DL) Part 2; Line 22 (DJ) Part 4
		Result: Incompetent and cannot be restored	PET MOD: Adjud: <i>DIC Dismissed for Incompetency</i>	Part 2; Line 8 (DL) Part 2; Line 21 (DJ) Part 4

State Reporting

The State of Michigan (*not SCAO*) may request data regarding how many Motions for Competency Evaluation are filed with your court.

This information can be obtained by running Report Generator

```

REPORT GENERATOR SELECTION
ENTER "S" TO SELECT "P" TO PRINT 1-9 TO SORT
CASE OR TRAFFIC SCREEN
- CASE TYPE -
- CASE STATUS -
P CASE NUMBER
P NAME
- GRADE -
- RACE -
- CASE OPENED DATE -
- CASE CLOSED DATE -
- CASE RE-OPENED DATE -
- DATE OF BIRTH -
- PUBLIC ATT -
  
```

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EVENT SCREEN
S EVENT TYPE MCE S EVENT DATE 0101 2013 - 1231 2013
- LEGAL STATUS - - PROGRAM - PLACEMENT -
- RESULT - - BOND TYPE - BOND AMOUNT -
- NEXT HEARING TYPE - - NEXT HEARING DATE -
- NEXT HEARING JURIST - - NEXT HEARING TIME - : - : -
- NEXT HEARING CHG - - NEXT HEARING COURTROOM -
- EVENT COMMENT - - PLACEMENT TYPE - REP/REC -
  
```

Changes to Permanency Indicators Report

On April 3, 2013 a memorandum was distributed by the State Court Administrative Office regarding changes to the Permanency Indicators Report (SCAO 66)

The link to the memorandum is listed below:

[Additional Reason for Delay Code - Permanency Indicators Report](#)

The modification adds an additional delay reason code

- **ICW** - Indian Child (notice, tribal extension request, qualified expert witness, placement preferences)

The updated code has been added to your system, as well as an additional field on the event screen. The changes to the report will be included with the PCS Fall 2013 Release.

```

Event      ADD Case#  01014361  Petition# 01143611  Type NA  Filed 0130 2001
Jurist 25876 ROBERTSON  Attny 49173 BAUMHART  Worker
Name MILLER/AMBER/  ICU DOB 719 1988 Gen F Race
Petition Opened 130 2001 Jurist 25876 Adjud 201 2012 Jurist 25876 Code NOL
Offense: Date 129 2001 Loc  Petitr FIA SSN 0000000000 CTN 000000000000
          ICU
Num Date  Cg Typ Comments  Jurist Attny Rep/Rec
 98 408 2013  DSP
Results  Pgm Status
Delay Rsn:  Prm Achvd:  Jud Dtrm Not Req:
    
```

Additional Field

NEW DELAY REASON

CODE TABLE	
POSITION TO	_____
AOA	AWAITING OUTSIDE AGENCY ACTION (DHS OR OTHER SVC P
ICW	INDIAN CHILD (NOTICE, EXT REQ, EXP WITNESS, PLACEMENT
NOA	NON-APPEARANCE (NON-AVAILABILITY OF ATTYS/PTY/WITN
OPI	OPERATION ISSUES (MISPLACED FILE, REASSIGNMENT/JUR
SVC	SERVICE OF PROCESS ISSUES
STA	STIPULATION TO ADJOURN

PIR HISTORY FILE

Also included with the release are updates to the data contained in the history file for each child.

As you enter hearings and other documents, please check the history file to confirm that the data is updating the history file correctly.

If you have any issues or concerns, please do not hesitate to contact us.

PIR History Work Window

CT: 19 Case# 11009966 - 01

Rpt#	Petn#	Date	Code	Description	Evt#
05	11099661	07012011	IDR	Initial 182 Day Statutory	0007
Reason:	ICW			Perm: ___ Jud Dtrm: _ Days:	0000150
08	11099661	09282011	SRE	STATUTORY REVIEW HEARING	0009
Reason:				Perm: ___ Jud Dtrm: _ Days:	0000089
08	11099661	12212011	SRE	STATUTORY REVIEW HEARING	0010
Reason:				Perm: ___ Jud Dtrm: _ Days:	0000084

More...

F1/F3=Exit F7=Print

Remember - You can print the History Work Window and store it in the file for reference.

ATTENTION

Would you like to help test the Permanency Indicators Report? We are looking for courts who would like to review the report for several months.

Please contact us if you would like to participate.

Form Revisions

The following forms have been updated with the listed SCAO version date.

Form #	Form Name	Version Date
JC 17	Order of Disposition ~ Child Protective Proceedings	2/13
JC 17a	Order of Disposition - Child in Home ~ Child Protective Proceedings	9/06
JC 29	Order to Transfer Case	9/11
JC 38	Order for Reimbursement	9/12
JC 49	Order of Adjudication ~ Child Protective Proceedings	10/12
JC 63	Order Following Hearing to Terminate Parental Rights	9/12

The following forms have been removed from the system.

Form #	Form Name	Version Date
JC 98	Petition to Terminate Appointment of Juvenile Guardian, Notice of Hearing and Order for Investigation	9/12

To download the most recent versions of SCAO approved forms, please follow this link

[SCAO Approved Forms](#)

PCS Webpage

The Probate Court System webpage contains information regarding current and past release documents, training sessions that were held, PCS manuals, and information regarding M-CAP uploads, etc.

To access our webpage, click the link below. We recommend that you save this to your 'Favorites'

[Probate Court System](#)

We update this page regularly with announcements that will help you with the management of your cases.

Court Contact Information

Please remember to contact us if there are any changes regarding employees, phone numbers, e-mail addresses, etc.

We rely on this information to send notifications of trainings and programming changes so it is important that we have accurate information.

Changes to contact information can be e-mailed to pcshelpdesk@courts.mi.gov or by contacting by phone at 888-339-1547, option #2.

You may also make changes by completing the Contact Information Sheet available on our website and faxing it to 517-373-7451.

JIS Contact Information

It is important that all questions regarding the **Probate Court System (PCS)** be directed to the PCS HelpDesk.

All of the Technical Services Representatives are active with the new MiCS application, either due to development or testing and we cannot always return your calls or e-mails immediately.

JIS/PCS HelpDesk can be reached by calling 1-888-339-1547, Option #2 or e-mail to pcshelpdesk@courts.mi.gov

Questions and Answers March 2013 Training

Look for information regarding additional training in the fall.

TOPIC Permanency Indicators Report



Can I print the Summary of Placement List?

- *You can either print screen the list or run Payable Report No. 15 – Placement Cost by Case.*

Can we have a code of SAR for Statement to Accompany Release so we can record this document on our register of actions when parents have released their parental rights pursuant to a child protective proceeding?

- *The code of SAR has been created and is available for use.*

Will the system calculate the destruction date for child protective proceedings?

- *No, this is calculated manually.*

Can the JC 49 Order of Adjudication Form be corrected so that 17b is not automatically checked when 17a is checked?

- *This problem has been corrected and sent out to all of the courts.*

Petition Count Report

- *When generated for a quarter versus a whole year, the data will vary. If your date parameters are for a whole year, the system will search for all petitions opened and closed for the year and will give you a count of what remains open. If you run a quarter, the petition may have closed in a different quarter, so you may end up with petitions on your list that are no longer open, but because they didn't close during the selected time frame, they are on your report.*

When I receipt a money order, both fields say "money order #," and I don't know where to put the money order amount.

- *This has been fixed and sent out to all of the courts.*

Thank you for your participation in our training!