

Semiannual Release of SCAO-Approved Court Forms

SCAO-approved court forms are distributed in June and December of each calendar year, though forms may be released as needed outside this schedule.

You can purchase these forms from a number of printers, publishers, and software companies. See <http://courts.mi.gov/Administration/SCAO/Forms/Pages/Printers-and-Publishers.aspx> for a nonexclusive list. Copies can also be obtained at <http://courts.mi.gov/administration/scao/forms/pages/search-for-a-form.aspx>.

Below is a listing of each form released in December 2015 and an explanation of changes. Questions and comments should be directed to CourtFormsInfo@courts.mi.gov or 517-373-2217.

Explanation of Changes to Michigan Court Forms

1. MC 227, Application to Set Aside Conviction

The address information for the Michigan Attorney General's office was updated on page 2.

2. MC 228, Order on Application to Set Aside Conviction

In the distribution section, a 5th copy for the attorney general was added to accommodate the attorney general's request to be notified of orders setting aside convictions.

On page 1, the words "pursuant to" were replaced with "under" for stylistic and consistency reasons. On page 2, paragraphs (a) through (f) were shifted to the left.

Explanation of Changes to Miscellaneous Family Division Forms

1. PC 51, Petition to Change Name

In the masthead and caption information, the line for the petitioner's new name was removed to prevent clerical or typographical errors between this line and item 8.

Item 2 was restructured and reworded to better track the statutory language of MCL 711.1. The note before item 7 was clarified to state when it is appropriate to skip. Finally, on page 2, the minor's consent was removed and header boxes were added. The minor's consent was removed to comply with the 2015 amendments to MCR 3.613(B). A new form, PC 51b, was created for the minor's consent. Header boxes were added to PC 51 along with parentheticals to clarify where the petitioner or consenting party should sign, depending on the petitioner.

The address information for the Michigan State Police Criminal Justice Information Center was updated in the special instructions.

2. PC 51b, Minor's Consent to Change Name

This new form was created to comply with the 2015 amendments to MCR 3.613(B).

3. PC 52, Order Following Hearing on Petition to Change Name

In the masthead and caption information, the line for the petitioner's new name was removed to prevent clerical or typographical errors between this line and item 13.

A new finding was added as item 10 stating that a minor 14 years of age or older signed a written consent in the presence of the court. All other items were renumbered to account for the additional finding. For example, former item 10 was renumbered to item 11.

The language directing the reader to the next page was updated to state "SEE SECOND PAGE" for style and consistency. Additionally, the words "pursuant to" were replaced with "under" for style and consistency.

Explanation of Changes to Juvenile Court Forms

For details on changes, see the work group meeting minutes at <http://courts.mi.gov/Administration/SCAO/Forms/Pages/Minutes.aspx>

1. JC 05b, Order to Take Child(ren) into Protective Custody and Place (Child Protective Proceedings)

"Pursuant to" was replaced with "Under" for style and consistency and court rule references to MCR 3.974(B) were corrected to MCR 3.974(C)(1) in item 3.b and at the foot of the form.

The word "date" was added to the referee's signature line to prompt referees to date their recommendation.

References to the Department of Human Services were updated to "the department" in item 6.a. A reference note was added to the bottom of page 2 stating that the term "department" refers to the Department of Health and Human Services.

2. JC 11a, Order after Preliminary Hearing (Child Protective Proceedings)

On page 6, item 13, bullet 5 was updated to track the language used in item 20a.

In item 13, the word "not" was added to state "The child(ren) has *not*/have not" for purposes of clarification.

The subparts of items 13 and 25 were renumbered for style and consistency.

In item 25.a.3, the reference to MCL 712A.13a was corrected to MCL 712A.13a(15).

References to the Department of Human Services were updated to “the department” in items 25 and 27. A reference note was added to the bottom of page 5 stating that the term “department” refers to the Department of Health and Human Services.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

A “use note” was added to the bottom left corner of page 1 to inform users not to use this form if a petition was already authorized in the case.

3. JC 11b, Order after Pretrial Hearing (Child Protective Proceedings)

In item 9, the word “not” was added to state “The child(ren) has *not*/have not” for purposes of clarification.

The subparts of item 9 were renumbered for style and consistency.

A new item 18 was added allowing the court to find that a motion was made to dismiss the petition.

A new item 19 was added allowing the court to dismiss the petition. All subsequent items were renumbered accordingly.

The subparts of item 21 were renumbered for style and consistency.

In item 21.a.3, the reference to MCL 712A.13a was corrected to MCL 712A.13a(15).

References to the Department of Human Services were updated to “the department” in items 21 and 23. A reference note was added to the bottom of page 4 stating that the term “department” refers to the Department of Health and Human Services.

In item 25, the parenthetical statement was revised to inform that amendments/corrections, withdrawal of termination, stipulations, and more can be written in this space.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

4. JC 15, Motion and Authorization/Denial

The statutory reference to MCL 712A.13a was corrected to MCL 712A.13a(14).

5. JC 17, Order of Disposition (Child Protective Proceedings)

A new item 6 was added to allow the court to find that the hearing is being conducted under MCR 3.974 for an Indian child, along with checkboxes for findings about the Indian child removal hearing. This item was added to comply with the 2015 amendment of MCR 3.974(D)(1). All subsequent items and internal references were renumbered accordingly.

The note at the bottom of page 1 was revised to clarify that a removal of the children resulting from new allegations or discoveries during the disposition should be conducted in accordance with MCR 3.974.

In the use note on page 1, the word “pursuant to” was replaced with “under” for style and consistency.

References to the Department of Human Services were updated to “the department” in items 19 and 23. A reference note was added to the bottom of page 4 stating that the term “department” refers to the Department of Health and Human Services.

In item 19.a.3, the reference to MCL 712A.13a was corrected to MCL 712A.13a(15).

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

6. JC 17a, Order of Disposition, Child In-Home (Child Protective Proceedings)

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

7. JC 19, Order Following Dispositional Review/Permanency Planning Hearing (Child Protective Proceedings)

References to the Department of Human Services were updated to “the department” in items 1, 24, 26, 27, and 29. A reference note was added to the bottom of page 5 stating that the term “department” refers to the Department of Health and Human Services.

Item 6 was revised to allow the court to find that the hearing is being conducted under MCR 3.974 for an Indian child, along with checkboxes for findings about the Indian child removal hearing. This revision was made to comply with the 2015 amendment of MCR 3.974(D)(2).

The note at the bottom of page 1 was revised to clarify that a removal of the children resulting from new allegations or discoveries during the disposition should be conducted in accordance with MCR 3.974.

Item 17.e was revised to remove the reference to APPLA-E as a result of DHHS policy

changes to [FOM 722-7F](#). In addition, the language “child(ren) age 16 or older” was added to comply with the 2014 amendment to 42 USC 675(5)(c)(i).

In items 21, 22, 24.d, 28.b, “Pursuant to” was replaced with “Under” for style and consistency.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

On page 5, example 3 in the “compelling reasons” section was removed because it did not apply to any of the permanency plans. All subsequent items were renumbered accordingly.

8. JC 47, Order for Alternate Service

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

9. JC 49, Order of Adjudication (Child Protective Proceedings)

In item 21.a.3, the reference to MCL 712A.13a was corrected to MCL 712A.13a(15). The subparts of this item were also renumbered for style and consistency.

References to the Department of Human Services were updated to “the department” in items 21, 24, and the note on page 5. A reference note was added to the bottom of the page 5 stating that the term “department” refers to the Department of Health and Human Services.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

10. JC 63, Order Following Hearing to Terminate Parental Rights (Child Protective Proceedings)

In item 8.b and 8.c, the words “there is” and “there is not” were bolded to highlight the difference between the lines.

In the use note on page 1, “Pursuant to” was replaced with “Under” for style and consistency.

References to the Department of Human Services were updated to “the department” in items 12 and 14. A reference note was added to the bottom of the page stating that the term “department” refers to the Department of Health and Human Services.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

11. JC 65, Order Removing Alleged Abuser from Child's Home (Child Protective Proceedings)

After the words “The Court Finds:” the word “that” was removed for style and consistency.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

12. JC 66, Application to Set Aside Adjudication(s)

On pages 2 and 4, the internal reference to page 9 was updated to page 10.

On pages 4, 8, and 9, the word “Adjudication” was revised to “Adjudication(s)” for consistency.

On page 10, the words “a conviction” were revised to “adjudications” for consistency. Additionally, the underline was removed from the website reference to Michigan Legal Help.

The address information for the Michigan Attorney General’s office was updated on page 6.

13. JC 75, Order Following Removal Hearing (Child Protective Proceedings)

The word “emergency” was removed from the title because to track the language in MCR 3.974

Items 8.a and 8.b were split and combined with item 3 to create items 3.a and 3.b. Item 9 was also combined with item 3.a because the written statement of reasons for removal and advice of rights is a specific requirement for emergency removals under MCR 3.974(C). All subsequent items and internal references were renumbered accordingly.

Item 6 (previously item 7) was corrected to reflect the appropriate hearing type for an Indian child removal hearing.

On page 1, a use note was added to specify when JC 75 should be used.

References to the Department of Human Services were updated to “the department” in items 13 and 15. A reference note was added to the bottom of page 4 stating that the term “department” refers to the Department of Health and Human Services.

Item 16 (previously item 19) was modified to comply with MCR 3.974.

Item 17 (previously item 20) was modified to clarify its reference to an Indian child removal hearing.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

14. JC 76, Order after Post-Termination Review/Permanency Planning Hearing

Item 9.d was revised to remove the reference to APPLA-E as a result of DHHS policy changes to [FOM 722-7F](#). In addition, the language “child(ren) age 16 or older” was added to comply with the 2014 amendment to 42 USC 675(5)(c)(i).

In items 14, 15, and 25, the words “pursuant to” were replaced with “under” for style and consistency.

References to the Department of Human Services were updated to “the department” in items 15, 16, 17, and 19. A reference note was added to the bottom of page 2 stating that the term “department” refers to the Department of Health and Human Services.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

On page 2, example 3 in the “compelling reasons” section was removed because it did not apply to any of the permanency plans. All subsequent items were renumbered accordingly.

15. JC 91, Order Appointing Juvenile Guardian

The words “pursuant to” were replaced with “under” and “in accordance with” for style and consistency.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

16. JC 95, Order Appointing Person to Investigate Juvenile Guardianship

Reference to the Michigan Department of Human Services was updated to state “The Michigan Department of Health and Human Services.”

The words “pursuant to” were replaced with “under” in item 3 and “as required by” in item 4 for style and consistency.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

17. JC 97, Order Following Investigation and Report on Juvenile Guardianship

In item 6, “Bar no.” was added under the line for Judge/Referee.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

In the use note, “pursuant to” was replaced with “under” for style and consistency.

18. JC 98, Petition to Terminate Appointment of Juvenile Guardian, Notice of Hearing, and Order for Investigation

In the Notice of Hearing section, “Bar no.” was added under the line for Judge/Referee.

Reference to the Department of Human Services was updated to “the department” in the order section. A reference note was added to the bottom of the form stating that the term “department” refers to the Department of Health and Human Services.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

19. JC 99, Petition to Revoke Juvenile Guardianship, Notice of Hearing, and Order for Investigation

Item 2 was revised to state “a department representative”. References to the Department of Human Services in item 4 and in the order section were updated to “the department.” A reference note was added to the bottom of the form stating that the term “department” refers to the Department of Health and Human Services.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

20. JC 100, Order Following Hearing on Petition to Terminate Appointment of Juvenile Guardian

In item 2, “Bar no.” was added under the line for Judge/Referee.

In item 4, the parenthetical was revised to state “(Under MCR 3.963.)”

Reference to the Department of Human Services was updated to “the department” in item 9. A reference note was added to the bottom of the form stating that the term “department” refers to the Department of Health and Human Services.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

21. JC 101, Order Regarding Revocation of Juvenile Guardianship

In item 2, “Bar no.” was added under the line for Judge/Referee.

In item 4, the parenthetical was revised to state “(Under MCR 3.963.)”

The subparts of Item 9.a were renumbered for style and consistency.

Reference to the Department of Human Services was updated to “the department” in item 9. A reference note was added to the bottom of the form stating that the term “department” refers to the Department of Health and Human Services.

The word “date” was added under the referee’s signature line to prompt referees to date their recommendation.

22. JC 105, Order on Application to Set Aside Adjudication(s)

In the distribution section, a 5th copy for the attorney general was added to accommodate the attorney general’s request to be notified of orders setting aside adjudications.

Additionally, the words “pursuant to” were replaced with “under” for style and consistency.