

STATE OF MICHIGAN



SAGINAW COUNTY TRIAL COURT
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CHIEF CIRCUIT JUDGE

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CHIEF DISTRICT JUDGE

A.T. FRANK

DARNELL JACKSON

PATRICK J. MCGRAW
CHIEF PROBATE JUDGE

DAVID D. HOFFMAN

BARBARA L. METER

M. RANDALL JURRENS

MANVEL TRICE III

Local Administrative Order
10th Circuit Court 2024-05

Rescinds Local Administrative Order Numbers
10th Circuit Court 2003 – 01

Reviewing Cases of Children Absent Without Legal Permission (AWOLP)

This local administrative order is issued in accordance the Michigan Supreme Court Administrative Order 2002-04, and in order to establish a plan for review of cases involving children who are absent from court-ordered placements without legal permission, and to protect those wards of the 10th Circuit Court-Juvenile & Family Division.

IT IS ORDERED:

1. Establishment of Special Docket or Expedited Review Process

- a) An expedited review process has been established by the Court to ensure that an AWOLP youth's case is reviewed with urgency. This process is outlined under section 4 of this LAO.

2. Responsibility for Ensuring Compliance

- a) The Presiding Judge of the Juvenile & Family Division is responsible for supervision of this plan and the on-going efforts to locate children absent without legal permission (AWOLP).
- b) Cases of children absent without legal permission will receive priority oversight from the Juvenile & Family Division. The Court, along with the Michigan Department of Health and Human Services, have committed to monitoring and updating the status of any wards deemed to be AWOLP.
- c) The Presiding Judge's judicial assistant of the Juvenile & Family Division will maintain a list of any children under court jurisdiction AWOLP from approved placements in Saginaw County. The judicial assistant will keep the judge advised of information concerning those children; whether that information is received from the Michigan Department of Health and Human Services, law enforcement, the State Court Administrative Office, or any other source.

3. Coordination of Efforts with Department of Health and Human Services

- a) The Saginaw County Department of Health and Human Services will notify the Judge's judicial assistant of any child who is absent without legal permission. This notification will be by way of filing with the Court the "Unauthorized Leave Report to Court/Law Enforcement" (MDHHS 3198A) within 24 hours/1 business day after the child is identified as AWOLP. This will involve electronic, as well as hard copy notice provided by supervisors designated by MDHHS to perform this function.
- b) The Court will issue an "Order to Take/Place into Temporary Custody" the same day the Court is notified of the AWOLP.
- c) The designated MDHHS liaison responsible for MDHHS efforts to locate AWOLP children is Teri June, Program Manager.

4. Process for Review of Cases involving AWOLP children.

- a) The Court will schedule an initial review hearing or a case status conference to ascertain steps that may be taken to locate, secure and appropriately place the child within 24 hours of the Court being notified of the AWOLP. At this hearing or case status conference, the Court will ensure the following:
 - i. Determine persons of interest who may have information to aid in locating the missing child.
 - ii. Make decisions regarding actions to be taken to locate the missing child.
 - iii. Determine the appropriate actions to be taken when the missing child has been located.
 - iv. The initial review process will include review of MDHHS reports, reports from law enforcement, and information received or maintained by the court.
- b) A status conference with MDHHS shall be scheduled within seven days of notification that a child is AWOLP. This status conference will allow the Presiding Judge to assess “active efforts” the MDHHS has been involved with to locate the child.
- c) After the expedited hearing, hearings will be scheduled, as needed, ensuring at least seven days’ notice to interested persons. A hearing *must* be scheduled every 30 days to re-evaluate the progress of the department in locating the child.
- d) Should the Presiding Judge of the Juvenile & Family Division be unavailable, for any reason, the Senior Juvenile & Family Division Referee will provide oversight and direct action consistent with this administrative order.

5. Identified Special Problems

- a) No special issues have been identified that may delay implementation of this order. Presiding Judge will confer regularly with the Director of the Michigan Department of Health and Human Services. This on-going communication will identify and remedy systemic problems, as they arise. Any special case specific issues that may arise will be dealt with through the status conference and/or hearing process for that case.

6. Obtaining Information and Scheduling Hearings

- a) Information required by the court on AWOLP cases will be provided to the court by the designated MDHHS worker within 24 hours of a scheduled hearing and includes:
 - i. All pertinent available information in the MDHHS case file related to the potential location of child. This includes family members, unrelated caregivers, friends, known associates, churches, or a neighborhood center.
 - ii. All information related to the school that the child last attended to verify that the child is not in attendance and determine if there are friends/teachers who may have information.
 - iii. All information related to the MDHHS diligent search checklist.

- b) Procedures that will be used to obtain information that will assist in efforts to locate AWOLP children include:
 - i. In its discretion, the Court may use informal measures to locate, communicate with and ensure proper placement of an AWOLP child. In all cases, the Court will utilize all statutory and court rule authority to locate and expedite return of the AWOLP child to proper placement. The Court will also offer assistance, consistent with this plan, to Saginaw County and the Michigan Department of Health and Human Services in locating all AWOLP children, even if the child involved is not a current ward of the 10th Circuit Court- Juvenile & Family Division. The only exception to this is the Court will not duplicate efforts of another court within this state.
 - ii. The MDHHS, in cooperation with this plan, will provide the court all information requested using the procedures listed below:
 1. DHS-3198A – Unauthorized Leave Report to Court/Law Enforcement.
 2. DHS-710 – Clearance to Publish Children AWOLP on MDHHS Web and NCMEC Web.
 3. DHS-991 – Diligent Search Checklist.

- c) AWOLP review hearings will be scheduled every 30 days a child remains in AWOLP status.

7. Priority to Cases of Children Ages 15 and Younger

- a) Because of the high priority of cases involving children under 16 years of age, the Presiding Judge will personally monitor and report on the status of these children absent without legal permission. Reports will be updated, as circumstances indicate, and that information will be provided to the Chief Circuit Court Judge and the State Court Administrative Office.
- b) The presiding Judge will also consult with the 10th Circuit – Juvenile and Family Division Court Administrator to ensure that all updates to the state MCAP system occur the 1st of every month. This is to ensure that accurate and up to date information is provided on these children.

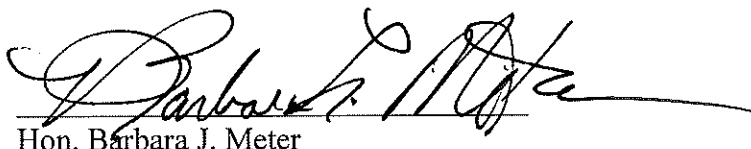
Effective Date

This plan shall take effect upon approval of the State Court Administrative Office.


Hon. Patrick McGraw
Chief Judge - Probate Court

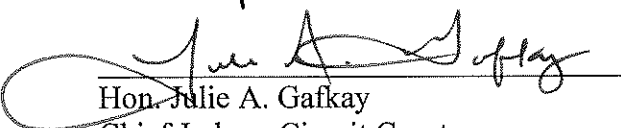
Date

6/17/24


Hon. Barbara J. Meter
Presiding Judge, Juvenile & Family Division

Date

6/17/24


Hon. Julie A. Gafkay
Chief Judge - Circuit Court

Date

6/17/2024