



SENATE BILL No. 697

September 27, 1995, Introduced by Senators NORTH, GOUGEON, BENNETT, MC MANUS, STILLE, STEIL and SCHUETTE and referred to the Committee on Judiciary.

A bill to amend chapter XIIA of Act No. 288 of the Public Acts of 1939, entitled as amended

"An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act,"

as amended, being sections 712A.1 to 712A.31 of the Michigan Compiled Laws, by adding section 32.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Chapter XIIIA of Act No. 288 of the Public Acts
2 of 1939, as amended, being sections 712A.1 to 712A.31 of the
3 Michigan Compiled Laws, is amended by adding section 32 to read
4 as follows:

CHAPTER XIIIA

6 SEC. 32. (1) IF A COMPLAINT OR PETITION IS FILED WITH THE
7 COURT AGAINST A CHILD FOR VIOLATING A CRIMINAL LAW OF THIS STATE,
8 THE COURT MAY, AT THE REQUEST OF THE PERSON OR ENTITY SUBMITTING
9 THE COMPLAINT OR PETITION, ORDER THE CHILD TO APPEAR AT A PLACE
10 AND TIME DESIGNATED BY THE COURT FOR IDENTIFICATION BY ANOTHER
11 PERSON. IDENTIFICATION UNDER THIS SECTION MAY INCLUDE IDENTIFI-
12 CATION IN A CORPOREAL LINEUP.

13 (2) IF THE COURT ORDERS IDENTIFICATION PROCEEDINGS UNDER
14 THIS SECTION, THE COURT SHALL NOTIFY THE CHILD AND THE CHILD'S
15 PARENT, GUARDIAN, OR CUSTODIAN THAT HE OR SHE HAS THE RIGHT TO
16 CONSULT AN ATTORNEY AND TO HAVE AN ATTORNEY PRESENT DURING THE
17 IDENTIFICATION PROCEEDINGS. IF THE CHILD AND THE CHILD'S PARENT,
18 GUARDIAN, OR CUSTODIAN CANNOT AFFORD AN ATTORNEY BUT REQUEST AN
19 ATTORNEY, THE COURT SHALL APPOINT AN ATTORNEY TO REPRESENT THE
20 CHILD.