

SENATE BILL No. 1233

April 17, 2002, Introduced by Senators VAN REGENMORTER, GOUGEON and BULLARD
and referred to the Committee on Judiciary.

A bill to amend 1939 PA 288, entitled
"Probate code of 1939,"
by amending sections 11 and 30 of chapter XIIA (MCL 712A.11 and
712A.30), section 11 as amended by 1996 PA 409 and section 30 as
amended by 1996 PA 561.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XIIA

Sec. 11. (1) Except as provided in subsection (2), if a
person gives information to the court that a juvenile is within
section 2(a)(2) to ~~-(6)-~~ (4), (b), (c), or (d) of this chapter, a
preliminary inquiry may be made to determine whether the inter-
ests of the public or the juvenile require that further action be
taken. If the court determines that formal jurisdiction should
be acquired, the court shall authorize a petition to be filed.

1 (2) Only the prosecuting attorney may file a petition
2 requesting the court to take jurisdiction of a juvenile allegedly
3 within section 2(a)(1) of this chapter. If the prosecuting
4 attorney submits a petition requesting the court to take juris-
5 diction of a juvenile allegedly within section 2(a)(1) of this
6 chapter and the court determines that formal jurisdiction should
7 be acquired, the court shall authorize a petition to be filed.

8 (3) EXCEPT FOR A DISMISSAL BASED UPON A JUDICIAL FINDING ON
9 THE RECORD THAT THE PETITION AND THE FACTS SUPPORTING IT ARE
10 INSUFFICIENT TO SUPPORT A CLAIM OF JURISDICTION UNDER SECTION
11 2(A)(1) OF THIS CHAPTER, A CASE INVOLVING THE ALLEGED COMMISSION
12 OF AN OFFENSE LISTED IN SUBSECTION (4) BY A JUVENILE SHALL NOT BE
13 DIVERTED, PLACED ON THE CONSENT CALENDAR, OR MADE SUBJECT TO ANY
14 OTHER PREPETITION OR PREADJUDICATION PROCEDURE THAT REMOVES THE
15 CASE FROM THE ADJUDICATIVE PROCESS UNLESS THE COURT GIVES WRITTEN
16 NOTICE TO THE PROSECUTING ATTORNEY OF THE COURT'S INTENT TO
17 REMOVE THE CASE FROM THE ADJUDICATIVE PROCESS AND ALLOWS THE
18 PROSECUTING ATTORNEY THE OPPORTUNITY TO ADDRESS THE COURT ON THAT
19 ISSUE BEFORE THE CASE IS REMOVED FROM THE ADJUDICATIVE PROCESS.
20 BEFORE ANY FORMAL OR INFORMAL ACTION IS TAKEN, THE PROSECUTOR
21 SHALL GIVE THE VICTIM NOTICE OF THE TIME AND PLACE OF THE HEARING
22 ON THE PROPOSED REMOVAL OF THE CASE FROM THE ADJUDICATIVE
23 PROCESS. BEFORE FINALIZING ANY INFORMAL DISPOSITION, PREADJUDI-
24 CATION, OR EXPEDITED PROCEDURE, THE PROSECUTING ATTORNEY SHALL
25 OFFER THE VICTIM THE OPPORTUNITY TO CONSULT WITH THE PROSECUTING
26 ATTORNEY TO OBTAIN THE VIEWS OF THE VICTIM ABOUT THAT MANNER OF
27 DISPOSING OF THE CASE.

1 (4) SUBSECTION (3) APPLIES TO THE FOLLOWING OFFENSES:

2 (A) A VIOLATION OF A PENAL LAW OF THIS STATE FOR WHICH A
3 JUVENILE OFFENDER, IF CONVICTED AS AN ADULT, MAY BE PUNISHED BY
4 IMPRISONMENT FOR MORE THAN 1 YEAR OR AN OFFENSE EXPRESSLY DESIG-
5 NATED BY LAW AS A FELONY.

6 (B) A VIOLATION OF SECTION 81 (ASSAULT AND BATTERY, INCLUD-
7 ING DOMESTIC VIOLENCE), 81A (ASSAULT; INFLECTION OF SERIOUS
8 INJURY, INCLUDING AGGRAVATED DOMESTIC VIOLENCE), 115 (BREAKING
9 AND ENTERING OR ILLEGAL ENTRY), 136B(6) (CHILD ABUSE IN THE
10 FOURTH DEGREE), 145A (ENTICING A CHILD FOR IMMORAL PURPOSES), 234
11 (DISCHARGE OF A FIREARM INTENTIONALLY AIMED AT A PERSON), 235
12 (DISCHARGE OF AN INTENTIONALLY AIMED FIREARM RESULTING IN
13 INJURY), 335A (INDECENT EXPOSURE), OR 411H (STALKING) OF THE
14 MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.81, 750.81A, 750.115,
15 750.136B, 750.145A, 750.234, 750.235, 750.335A, AND 750.411H.

16 (C) A VIOLATION OF SECTION 617A (LEAVING THE SCENE OF A PER-
17 SONAL INJURY ACCIDENT) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,
18 MCL 257.617A, OR A VIOLATION OF SECTION 625 (OPERATING A VEHICLE
19 WHILE UNDER THE INFLUENCE OF OR IMPAIRED BY INTOXICATING LIQUOR
20 OR A CONTROLLED SUBSTANCE, OR WITH UNLAWFUL BLOOD ALCOHOL
21 CONTENT) OF THAT ACT, MCL 257.625, IF THE VIOLATION INVOLVES AN
22 ACCIDENT RESULTING IN DAMAGE TO ANOTHER INDIVIDUAL'S PROPERTY OR
23 PHYSICAL INJURY OR DEATH TO ANOTHER INDIVIDUAL.

24 (D) SELLING OR FURNISHING ALCOHOLIC LIQUOR TO AN INDIVIDUAL
25 LESS THAN 21 YEARS OF AGE IN VIOLATION OF SECTION 33 OF THE
26 FORMER 1933 (EX SESS) PA 8, OR SECTION 701 OF THE MICHIGAN LIQUOR

1 CONTROL CODE OF 1998, 1998 PA 58, MCL 436.1701, IF THE VIOLATION
2 RESULTS IN PHYSICAL INJURY OR DEATH TO ANY INDIVIDUAL.

3 (E) A VIOLATION OF SECTION 80176(1) OR (3) (OPERATING A
4 VESSEL WHILE UNDER THE INFLUENCE OF OR IMPAIRED BY INTOXICATING
5 LIQUOR OR A CONTROLLED SUBSTANCE, OR WITH UNLAWFUL BLOOD ALCOHOL
6 CONTENT) OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION
7 ACT, 1994 PA 451, MCL 324.80176, IF THE VIOLATION INVOLVES AN
8 ACCIDENT RESULTING IN DAMAGE TO ANOTHER INDIVIDUAL'S PROPERTY OR
9 PHYSICAL INJURY OR DEATH TO ANY INDIVIDUAL.

10 (F) A VIOLATION OF A LOCAL ORDINANCE SUBSTANTIALLY CORRE-
11 SPONDING TO A LAW ENUMERATED IN SUBDIVISIONS (A) TO (E).

12 (G) A VIOLATION DESCRIBED IN SUBDIVISIONS (A) TO (F) THAT IS
13 SUBSEQUENTLY REDUCED TO A VIOLATION NOT INCLUDED IN SUBDIVISIONS
14 (A) TO (F).

15 (5) ~~-(3)-~~ The petition described in subsections (1) ~~and~~
16 ~~+(2)-~~ TO (3) shall be verified and may be upon information and
17 belief. The petition shall set forth plainly the facts that
18 bring the juvenile within this chapter and shall contain all of
19 the following information:

20 (a) The juvenile's name, birth date, and address.

21 (b) The name and address of the juvenile's parents.

22 (c) The name and address of the juvenile's legal guardian,
23 if there is one.

24 (d) The name and address of each person having custody or
25 control of the juvenile.

26 (e) The name and address of the juvenile's nearest known
27 relative, if no parent or guardian can be found.

1 (6) ~~-(4)-~~ If any of the facts required under subsection
2 ~~-(3)-~~ (5) are not known to the petitioner, the petition shall
3 state that the facts are not known. If the juvenile attains his
4 or her seventeenth birthday after the filing of the petition, the
5 court's jurisdiction shall continue beyond the juvenile's seven-
6 teenth birthday and the court may hear and dispose of the peti-
7 tion under this chapter.

8 (7) ~~-(5)-~~ When a petition is authorized, the court shall
9 examine the court file to determine if a juvenile has had finger-
10 prints taken as required under section 3 of ~~Act No. 289 of the~~
11 ~~Public Acts of 1925, being section 28.243 of the Michigan~~
12 ~~Compiled Laws~~ 1925 PA 289, MCL 28.243. If a juvenile has not
13 had his or her fingerprints taken, the court shall do either of
14 the following:

15 (a) Order the juvenile to submit himself or herself to the
16 police agency that arrested or obtained the warrant for the
17 arrest of the juvenile so the juvenile's fingerprints can be
18 taken.

19 (b) Order the juvenile committed to the custody of the sher-
20 iff for the taking of the juvenile's fingerprints.

21 (8) ~~-(6)-~~ A petition or other court record may be amended at
22 any stage of the proceedings as the ends of justice require.

23 (9) ~~-(7)-~~ If the juvenile diversion act, ~~Act No. 13 of the~~
24 ~~Public Acts of 1988, being sections 722.821 to 722.831 of the~~
25 ~~Michigan Compiled Laws~~ 1988 PA 13, MCL 722.821 TO 722.831, is
26 complied with and the court determines that court services can be
27 used in the prevention of delinquency without formal

1 jurisdiction, the court may offer court services to a juvenile
2 without a petition being authorized as provided in section 2(e)
3 of this chapter.

4 Sec. 30. (1) For purposes of this section and section 31:

5 (a) "Juvenile offense" means a violation by a juvenile of a
6 penal law of this state or a violation by a juvenile of an ordi-
7 nance of a local unit of government of this state punishable by
8 imprisonment or by a fine that is not a civil fine.

9 (b) "Victim" means an individual who suffers direct or
10 threatened physical, financial, or emotional harm as a result of
11 the commission of a juvenile offense. For purposes of subsec-
12 tions (2), (3), (6), (8), (9), and (13), victim includes a sole
13 proprietorship, partnership, corporation, association, governmen-
14 tal entity, or other legal entity that suffers direct physical or
15 financial harm as a result of the commission of a juvenile
16 offense.

17 (2) Except as provided in subsection (8), at the disposi-
18 tional hearing OR SENTENCING for a juvenile offense, the court
19 shall order, in addition to or in lieu of any other disposition
20 OR PENALTY authorized by law, that the juvenile make full resti-
21 tution to any victim of the juvenile's course of conduct that
22 gives rise to the disposition OR CONVICTION or to the victim's
23 estate. FOR AN OFFENSE THAT IS RESOLVED INFORMALLY BY MEANS OF A
24 CONSENT CALENDAR DIVERSION OR ANY OTHER INFORMAL METHOD THAT DOES
25 NOT RESULT IN A DISPOSITIONAL HEARING, THE COURT SHALL ORDER THE
26 RESTITUTION REQUIRED UNDER THIS SECTION BEFORE THE OFFENSE IS
27 INFORMALLY RESOLVED.

1 (3) If a juvenile offense results in damage to or loss or
2 destruction of property of a victim of the juvenile offense —
3 or results in the seizure or impoundment of property of a victim
4 of the juvenile offense, the order of restitution may require
5 that the juvenile do 1 or more of the following, as applicable:

6 (a) Return the property to the owner of the property or to a
7 person designated by the owner.

8 (b) If return of the property under subdivision (a) is
9 impossible, impractical, or inadequate, pay an amount equal to
10 the greater of subparagraph (i) or (ii), less the value, deter-
11 mined as of the date the property is returned, of that property
12 or any part of the property that is returned:

13 (i) The value of the property on the date of the damage,
14 loss, or destruction.

15 (ii) The value of the property on the date of disposition.

16 (c) Pay the costs of the seizure or impoundment, or both.

17 (4) If a juvenile offense results in physical or psychologi-
18 cal injury to a victim, the order of restitution may require that
19 the juvenile do 1 or more of the following, as applicable:

20 (a) Pay an amount equal to the REASONABLY DETERMINED cost of
21 ~~actual~~ medical and related professional services and devices
22 ACTUALLY INCURRED AND REASONABLY EXPECTED TO BE INCURRED relating
23 to physical and psychological care.

24 (b) Pay an amount equal to the REASONABLY DETERMINED cost of
25 ~~actual~~ physical and occupational therapy and rehabilitation
26 ACTUALLY INCURRED AND REASONABLY EXPECTED TO BE INCURRED.

1 (c) Reimburse the victim or the victim's estate for
2 after-tax income loss suffered by the victim as a result of the
3 juvenile offense.

4 (d) Pay an amount equal to the REASONABLY DETERMINED cost of
5 psychological and medical treatment for members of the victim's
6 family ~~that has been~~ ACTUALLY incurred OR REASONABLY EXPECTED
7 TO BE INCURRED as a result of the juvenile offense.

8 (e) Pay an amount equal to the costs of ~~actual~~ homemaking
9 and child care expenses ACTUALLY incurred OR REASONABLY EXPECTED
10 TO BE INCURRED as a result of the juvenile offense OR, IF HOME-
11 MAKING OR CHILD CARE IS PROVIDED WITHOUT COMPENSATION BY A RELA-
12 TIVE, FRIEND, OR ANY OTHER PERSON, AN AMOUNT EQUAL TO THE COSTS
13 THAT WOULD REASONABLY BE INCURRED AS A RESULT OF THE JUVENILE
14 OFFENSE FOR THAT HOMEMAKING AND CHILD CARE, BASED ON THE RATES IN
15 THE AREA FOR COMPARABLE SERVICES.

16 ~~(5) If a juvenile offense resulting in bodily injury also~~
17 ~~results in the death of a victim, the order of restitution may~~
18 ~~require that the juvenile pay~~

19 (F) PAY an amount equal to the cost of actual funeral and
20 related services.

21 (G) IF THE DECEASED VICTIM COULD BE CLAIMED AS A DEPENDENT
22 BY HIS OR HER PARENT OR GUARDIAN ON THE PARENT'S OR GUARDIAN'S
23 FEDERAL, STATE, OR LOCAL INCOME TAX RETURNS, PAY AN AMOUNT EQUAL
24 TO THE LOSS OF THE TAX DEDUCTION OR TAX CREDIT. THE AMOUNT OF
25 REIMBURSEMENT SHALL BE ESTIMATED FOR EACH YEAR THE VICTIM COULD
26 REASONABLY BE CLAIMED AS A DEPENDENT.

1 (5) IF A JUVENILE OFFENSE RESULTING IN BODILY INJURY ALSO
2 RESULTS IN THE DEATH OF A VICTIM OR SERIOUS IMPAIRMENT OF A BODY
3 FUNCTION OF A VICTIM, THE COURT MAY ORDER UP TO 3 TIMES THE
4 AMOUNT OF RESTITUTION OTHERWISE ALLOWED UNDER THIS SECTION. AS
5 USED IN THIS SUBSECTION, "SERIOUS IMPAIRMENT OF A BODY FUNCTION
6 OF A VICTIM" INCLUDES, BUT IS NOT LIMITED TO, 1 OR MORE OF THE
7 FOLLOWING:

- 8 (A) LOSS OF A LIMB OR USE OF A LIMB.
9 (B) LOSS OF A HAND OR FOOT OR USE OF A HAND OR FOOT.
10 (C) LOSS OF AN EYE OR USE OF AN EYE OR EAR.
11 (D) LOSS OR SUBSTANTIAL IMPAIRMENT OF A BODILY FUNCTION.
12 (E) SERIOUS VISIBLE DISFIGUREMENT.
13 (F) A COMATOSE STATE THAT LASTS FOR MORE THAN 3 DAYS.
14 (G) MEASURABLE BRAIN DAMAGE OR MENTAL IMPAIRMENT.
15 (H) A SKULL FRACTURE OR OTHER SERIOUS BONE FRACTURE.
16 (I) SUBDURAL HEMORRHAGE OR SUBDURAL HEMATOMA.
17 (J) LOSS OF A BODY ORGAN.
- 18 (6) If the victim or victim's estate consents, the order of
19 restitution may require that the juvenile make restitution in
20 services in lieu of money.
- 21 (7) If the victim is deceased, the court shall order that
22 the restitution be made to the victim's estate.
- 23 (8) The court shall order restitution to the crime ~~victims~~
24 ~~compensation board~~ VICTIM SERVICES COMMISSION or to any individ-
25 uals, partnerships, corporations, associations, governmental
26 entities, or any other legal entities that have compensated the
27 victim or victim's estate for a loss incurred by the victim to

1 the extent of the compensation paid for that loss. The court
2 shall also order restitution, for the costs of services provided,
3 to persons or entities that have provided services to the victim
4 as a result of the juvenile offense. Services that are subject
5 to restitution under this subsection include, but are not limited
6 to, shelter, food, clothing, and transportation. However, an
7 order of restitution shall require that all restitution to a
8 victim or victim's estate under the order be made before any res-
9 titution to any other person or entity under that order is made.
10 The court shall not order restitution to be paid to a victim or
11 victim's estate if the victim or victim's estate has received or
12 is to receive compensation for that loss, and the court shall
13 state on the record with specificity the reasons for its
14 actions. ~~If an entity entitled to restitution under this sub-~~
15 ~~section for compensating the victim or the victim's estate cannot~~
16 ~~or refuses to be reimbursed for that compensation, the restitu-~~
17 ~~tion paid for that entity shall be deposited by the state trea-~~
18 ~~surer in the crime victim's rights fund created under section 4~~
19 ~~of Act No. 196 of the Public Acts of 1989, being section 780.904~~
20 ~~of the Michigan Compiled Laws, or its successor fund.~~

21 (9) Any amount paid to a victim or victim's estate under an
22 order of restitution shall be set off against any amount later
23 recovered as compensatory damages by the victim or the victim's
24 estate in any federal or state civil proceeding and shall reduce
25 the amount payable to a victim or a victim's estate by an award
26 from the crime ~~victims compensation board~~ VICTIM SERVICES

1 COMMISSION made after an order of restitution under this
2 section.

3 (10) If not otherwise provided by the court under this sub-
4 section, restitution shall be made immediately. However, the
5 court may require that the juvenile make restitution under this
6 section within a specified period or in specified installments.

7 (11) If the juvenile is placed on probation, any restitution
8 ordered under this section shall be a condition of that
9 probation. The court may revoke probation if the juvenile fails
10 to comply with the order and if the juvenile has not made a good
11 faith effort to comply with the order. In determining whether to
12 revoke probation, the court shall consider the juvenile's employ-
13 ment status, earning ability, and financial resources, the will-
14 fulness of the juvenile's failure to pay, and any other special
15 circumstances that may have a bearing on the juvenile's ability
16 to pay.

17 (12) A juvenile who is required to pay restitution and who
18 is not in willful default of the payment of the restitution may
19 at any time petition the court to modify the method of payment.
20 If the court determines that payment under the order will impose
21 a manifest hardship on the juvenile or his or her immediate
22 family, AND IF THE COURT ALSO DETERMINES THAT MODIFYING THE
23 METHOD OF PAYMENT WILL NOT IMPOSE A MANIFEST HARDSHIP ON THE
24 VICTIM, the court may modify the method of payment.

25 (13) An order of restitution entered under this section
26 remains effective until it is satisfied in full. An order of
27 restitution is a judgment and lien against all property of the

1 individual ordered to pay restitution for the amount specified in
2 the order of restitution. The lien may be recorded as provided
3 by law. An order of restitution may be enforced by the prosecut-
4 ing attorney, a victim, a victim's estate, or any other person or
5 entity named in the order to receive the restitution in the same
6 manner as a judgment in a civil action or a lien.

7 (14) Notwithstanding any other provision of this section, a
8 juvenile shall not be detained OR IMPRISONED for a violation of
9 probation ~~—~~ or PAROLE OR otherwise ~~—~~ for failure to pay res-
10 titution as ordered under this section unless the court deter-
11 mines that the juvenile has the resources to pay the ordered res-
12 titution and has not made a good faith effort to do so.

13 (15) If the court determines that the juvenile is or will be
14 unable to pay all of the restitution ordered, after notice to the
15 juvenile's parent and an opportunity for the parent to be heard,
16 the court may order the parent or parents having supervisory
17 responsibility for the juvenile at the time of the acts upon
18 which an order of restitution is based to pay any portion of the
19 restitution ordered that is outstanding. An order under this
20 subsection does not relieve the juvenile of his or her obligation
21 to pay restitution, but the amount owed by the juvenile shall be
22 offset by any amount paid by his or her parent. As used in this
23 subsection: ~~—, "parent"—~~

24 (A) "JUVENILE" INCLUDES A PERSON WITHIN THE COURT'S JURIS-
25 DICTION UNDER SECTION 2D OR 4 OF THIS CHAPTER.

26 (B) "PARENT" does not include a foster parent.

1 (16) If the court orders a parent to pay restitution under
2 subsection (15), the court shall take into account the PARENT'S
3 financial resources ~~of the parent~~ and the burden that the pay-
4 ment of restitution will impose, with due regard to any other
5 moral or legal financial obligations ~~that~~ the parent may have.
6 If a parent is required to pay restitution under subsection (15),
7 the court shall provide for payment to be made in specified
8 installments and within a specified period of time.

9 (17) A parent who has been ordered to pay restitution under
10 subsection (15) may petition the court for a modification of the
11 amount of restitution owed by the parent or for a cancellation of
12 any unpaid portion of the parent's obligation. The court shall
13 cancel all or part of the parent's obligation due if the court
14 determines that payment of the amount due will impose a manifest
15 hardship on the parent AND IF THE COURT ALSO DETERMINES THAT MOD-
16 IFYING THE METHOD OF PAYMENT WILL NOT IMPOSE A MANIFEST HARDSHIP
17 ON THE VICTIM.

18 (18) In each case in which payment of restitution is ordered
19 as a condition of probation, the COURT MAY ORDER ANY EMPLOYED
20 JUVENILE TO EXECUTE A WAGE ASSIGNMENT TO PAY THE RESTITUTION.
21 THE juvenile caseworker or probation officer assigned to the case
22 shall review the case not less than twice yearly to ensure that
23 restitution is being paid as ordered. IF THE RESTITUTION WAS
24 ORDERED TO BE MADE WITHIN A SPECIFIC PERIOD OF TIME, THE PROBA-
25 TION OFFICER ASSIGNED TO THE CASE SHALL REVIEW THE CASE AT THE
26 END OF THE SPECIFIC PERIOD OF TIME TO DETERMINE IF THE
27 RESTITUTION HAS BEEN PAID IN FULL. The final review shall be

1 conducted not less than 60 days before ~~the expiration of~~ the
2 probationary period EXPIRES. If the juvenile caseworker or pro-
3 bation officer determines AT ANY REVIEW the restitution is not
4 being paid as ordered, the juvenile caseworker or probation offi-
5 cer shall file a written report of the violation with the court
6 on a form prescribed by the state court administrative office OR
7 SHALL PETITION THE COURT FOR A PROBATION VIOLATION. The report
8 shall include a statement of the amount of the arrearage and any
9 reasons for the arrearage ~~that are~~ known by the juvenile case-
10 worker or probation officer. The juvenile caseworker or proba-
11 tion officer shall immediately provide a copy of the report OR
12 PETITION to the prosecuting attorney. If a PETITION OR motion is
13 filed or other proceedings are initiated to enforce payment of
14 restitution and the court determines that restitution is not
15 being paid or has not been paid as ordered by the court, the
16 court shall promptly take action necessary to compel compliance.

17 (19) If the court determines that an individual who is
18 ordered to pay restitution under this section is remanded to the
19 jurisdiction of the department of corrections, the court shall
20 provide a copy of the order of restitution to the department of
21 corrections when the court determines that the individual is
22 remanded to the department's jurisdiction.

23 (20) THE COURT SHALL NOT IMPOSE A FEE ON A VICTIM, VICTIM'S
24 ESTATE, OR PROSECUTING ATTORNEY FOR ENFORCING AN ORDER OF
25 RESTITUTION.

26 (21) IF A PERSON OR ENTITY ENTITLED TO RESTITUTION CANNOT BE
27 LOCATED OR REFUSES TO CLAIM THAT RESTITUTION WITHIN 2 YEARS AFTER

1 THE DATE ON WHICH HE OR SHE COULD HAVE CLAIMED THE RESTITUTION,
2 THE RESTITUTION PAID TO THAT PERSON OR ENTITY SHALL BE DEPOSITED
3 IN THE CRIME VICTIM'S RIGHTS FUND CREATED UNDER SECTION 4 OF 1989
4 PA 196, MCL 780.904, OR ITS SUCCESSOR FUND. HOWEVER, A PERSON OR
5 ENTITY ENTITLED TO THAT RESTITUTION MAY CLAIM THAT RESTITUTION AT
6 ANY TIME BY APPLYING TO THE COURT THAT ORIGINALLY ORDERED AND
7 COLLECTED IT. THE COURT SHALL NOTIFY THE CRIME VICTIM SERVICES
8 COMMISSION OF THE APPLICATION AND THE COMMISSION SHALL APPROVE A
9 REDUCTION IN THE COURT'S REVENUE TRANSMITTAL TO THE CRIME VICTIM
10 RIGHTS FUND EQUAL TO THE RESTITUTION OWED TO THE PERSON OR
11 ENTITY. THE COURT SHALL USE THE REDUCTION TO REIMBURSE THAT RES-
12 TITUTION TO THE PERSON OR ENTITY.