PROBATE CODE OF 1939 (EXCERPT)
Act 288 of 1939

712A.14a Immediate removal of child without court order; conditions; placement order pending preliminary hearing; issuance of placement order by designated judge or referee; "officer" defined.

Sec. 14a. (1) If there is reasonable cause to believe that a child is at substantial risk of harm or is in surroundings that present an imminent risk of harm and the child's immediate removal from those surroundings is necessary to protect the child's health and safety, an officer may, without a court order, immediately take that child into protective custody. An officer who takes a child into protective custody under this section shall immediately notify the department of human services. While awaiting the arrival of the department of human services, the child shall not be held in a detention facility.

(2) If a child taken into protective custody under this section is not released, the officer or the department of human services shall immediately contact the designated judge or referee, as provided in subsection (3), to seek a court order for placement of the child pending a preliminary hearing.

(3) A judge or referee shall be designated as the contact when a placement order is sought for a child in protective custody under this section. In accordance with the provisions of section 14b of this chapter, if the court is closed, the designated judge or referee may, upon receipt electronically or otherwise of a petition or affidavit of facts, order placement if the placement order is communicated in writing, electronically or otherwise, to the appropriate county department office and filed with the court the next business day. When a placement order is issued by a designated referee, the order shall take effect as an interim order pending a preliminary hearing.

(4) As used in this section, "officer" means a local police officer, sheriff or deputy sheriff, state police officer, or county agent or probation officer of a court of record.

History: Add. 2012, Act 163, Imd. Eff. June 12, 2012.

Popular name: Probate Code

Popular name: Juvenile Code