

PROBATE CODE OF 1939 (EXCERPT)
Act 288 of 1939

712A.3 Criminal charge against person under age 17 for offense occurring before October 1, 2021 or age 18 for offense occurring on or after October 1, 2021; transfer of case to family division of circuit court.

Sec. 3. (1) For an offense occurring before October 1, 2021, if during the pendency of a criminal charge against an individual in any other court it is ascertained that the individual was under the age of 17 at the time of the commission of the offense, the other court shall transfer the case without delay, together with all the papers, documents, and testimony connected with that case, to the family division of the circuit court of the county in which the other court is situated or in which the individual resides. For an offense occurring on or after October 1, 2021, if during the pendency of a criminal charge against an individual in any other court it is ascertained that the individual was under the age of 18 at the time of the commission of the offense, the other court shall transfer the case without delay, together with all the papers, documents, and testimony connected with that case, to the family division of the circuit court of the county in which the other court is situated or in which the individual resides.

(2) The court making the transfer shall order the individual to be taken promptly to the place of detention designated by the family division of the circuit court or to that court itself or release the juvenile in the custody of some suitable person to appear before the court at a time designated. The court shall then hear and dispose of the case in the same manner as if it had been originally instituted in that court.

History: Add. 1944, 1st Ex. Sess., Act 54, Imd. Eff. Mar. 6, 1944;—Am. 1946, 1st Ex. Sess., Act 22, Imd. Eff. Feb. 26, 1946;—CL 1948, 712A.3;—Am. 1961, Act 54, Eff. Sept. 8, 1961;—Am. 1972, Act 175, Imd. Eff. June 16, 1972;—Am. 1972, Act 235, Imd. Eff. July 27, 1972;—Am. 1996, Act 409, Eff. Jan. 1, 1998;—Am. 2019, Act 109, Eff. Oct. 1, 2021;—Am. 2021, Act 118, Imd. Eff. Nov. 30, 2021.

Former law: See section 26 of Ch. XII of Act 288 of 1939, and CL 1929, § 12839.

Popular name: Probate Code

Popular name: Juvenile Code