



Michigan Supreme Court
State Court Administrative Office
Trial Court Services Division
Michigan Hall of Justice
P.O. Box 30048
Lansing, MI 48909
Phone: (517) 373-4835

October 2, 2008

TO: Chief Circuit Court Judges
Circuit Court Administrators
Family Court Administrators
County Clerks
Case Management System Providers
CRS Authorized Users for Circuit Courts

FROM: Amy L. Byrd, Forms and Records Manager

RE: Juvenile Guardianship Cases; Case Processing and Caseload Reporting

Public Acts 200 and 203, effective July 11, 2008, create authority under the juvenile code for the family division of a circuit court to appoint a juvenile guardian for a child under the jurisdiction of the court pursuant to MCL 712A.2(b), and to subsequently terminate the court's jurisdiction over that child. Implementing these two acts will be accomplished, in part, by the adoption of new and amended court rules. However, until court rules are adopted and case management systems are reprogrammed accordingly, courts should adopt interim measures to accommodate the provision to appoint a juvenile guardian and terminate jurisdiction in the child protective case. Additionally, courts will be required to report relevant caseload data. This memo provides guidance on case file management, case processing, and caseload reporting.

Case File Management:

Until your case management system is programmed to allow for the entry of case data pertaining to the appointment of a juvenile guardian, the court should establish manual procedures for opening a juvenile guardianship case. Each child who is appointed a juvenile guardian should have a separate case file, even if more than one child from the same child protective case is appointed the same juvenile guardian. Upon entry of an order appointing a juvenile guardian for a single child, the court should:

- create a case folder for that child,
- assign a case number, and
- assign the case-type code JG to the case number

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Documents which should be issued and placed in the file at the time of appointment are the:

- order appointing the juvenile guardian,
- acceptance of trust by the juvenile guardian, and
- letters of authority issued by the judge.

All juvenile guardianship case folders should be maintained together for ease of processing until the cases are entered onto the case management system.

Case Processing:

If the judge appoints a juvenile guardian pursuant to MCL 712A.19a(7)(c) or MCL 712A.19c(2), the court should enter a separate order appointing a guardian. The juvenile guardian should be required to accept the appointment and place himself or herself under the jurisdiction of the court by filing a written acceptance of trust. Upon receipt of an acceptance of trust from a juvenile guardian, the judge should issue letters of authority. Each of these documents should be placed in the juvenile guardian case file. Until the case management system is programmed for entry of case data, the court should note on the file folder when to hold the first annual review of the juvenile guardianship.

At the conclusion of a permanency planning hearing or a post-termination hearing in which the court determined it was in the best interests to appoint a juvenile guardian, the court shall schedule, pursuant to MCL 712A.19a(10) or MCL 712A.19c(9), a final review hearing to be held within 91 days. If, at the final 91-day review hearing, the court determines that the juvenile guardianship should continue, the court shall terminate jurisdiction over the child under MCL 712A.2(b). No further child protective proceedings shall be held for this child. The court's jurisdiction over the juvenile guardianship continues until released by court order.

After court rules are adopted and case management systems are programmed, all relevant information regarding the juvenile guardianship cases that were established beginning July 11, 2008, should be entered as soon as possible.

Caseload Reporting:

Each circuit court shall report to the State Court Administrative Office the total number of orders appointing a juvenile guardian, the total number of orders revoking a juvenile guardianship, and the total number of orders terminating a juvenile guardian and appointing a successor as follows:

- For the remainder of 2008, manually track the caseload data using the form on page three of this memorandum and send the information to the attention of SCAO, Kelly Howard, Child Welfare Services, PO Box 30048, Lansing, MI 48909 by January 30, 2009.
- Starting in 2009, report the caseload data through CRS. The first required reporting of this data on the Caseload Reporting System (CRS) will be between January 1, 2010, and January 30, 2010.

Revised caseload instructions and a revised file format for reprogramming your case management systems are enclosed. We recognize that case management systems will not be reprogrammed until the court rules are adopted. However, we expect courts will be entering relevant case information into their case management systems at some point in 2009 after their systems have been reprogrammed. Therefore, courts should be able to generate the 2009 caseload data from their system in January of 2010. If, however, a court is concerned that 2009 data will not be available through the case management system, the court should manually track the information.

Specific changes to the caseload reporting documents include:

- Part 1, Section H of the collection instrument (form SCAO 31) - on pages 3 and 12, added lines 4 through 6 and on page 14, added case-type code JG;
- File Format - on page 4, included GC (guardianships created), GT (guardianships terminated), and GR (guardianships revoked) as Action Code Definitions and on page 10, included GCJG, GTJG, and GRJG for Combinations of Action Codes and Case-Type Codes

If you have any questions about case file management or case processing, please contact Jennifer Warner at 517-373-7454 or Leslie Sauerbrey at 517-373-2173. If you have any questions about caseload reporting, contact Amy Byrd at 517-373-4864 or Laura Hutzler at 517-373-5569.

Enclosures

cc: Child Welfare Services
Regional Offices
Trial Court Services

**Manual Reporting for 2008 Circuit Court Caseload:
Part 1, Section H, Juvenile Guardianships**

Return the following information, no later than January 30, 2009, to the State Court Administrative Office,
Attention: Kelly Howard, Child Welfare Services, PO Box 30048, Lansing, Michigan 48909.

_____ Circuit Court Reporting Year 2008
Court number and name (e.g. C01 – Hillsdale County)

1. Total Number of Juvenile Guardianships Created _____
2. Total Number of Juvenile Guardian Appointments Terminated _____
3. Total Number of Juvenile Guardianships Revoked _____