

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER AFTER PRELIMINARY HEARING/INQUIRY (DELINQUENCY / PERSONAL PROTECTION) PAGE 1	CASE NO. PETITION NO.
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Court address _____ Court telephone no. _____

1. In the matter of
name(s), alias(es), DOB

2. Date of hearing: _____ Judge/Referee: _____ Bar no. _____

THE COURT FINDS:

3. The court has received a complaint or a petition alleging that the juvenile comes within the provisions of MCL 712A.2.

4. a. A preliminary inquiry has been made, and it is in the interests of the public and the juvenile that the petition
 not be authorized. be referred to alternate services. be placed on the consent calendar.
 be set for further inquiry. be placed on the formal calendar.

* b. A preliminary hearing was held. Notice of hearing was given as required by law.

5. There is is not _____ probable cause to believe the juvenile committed the offense(s).

6. The juvenile is being detained, is represented by an attorney, and waived the probable-cause determination.

7. The juvenile is charged with an offense that requires fingerprinting and has not been fingerprinted.

8. It is contrary to the welfare of the juvenile to remain in the home, or placement would be in the best interests of the juvenile, because:

9. a. The offense alleged is so serious that release would endanger public safety.

b. The juvenile is charged with a felony offense and will likely commit another offense pending trial if released, and
 another petition is pending against the juvenile. the juvenile is on probation.
 the juvenile has a prior adjudication but was not under the court's jurisdiction at the time of apprehension.

c. There is substantial likelihood that if the juvenile is released to the parent(s), guardian, or legal custodian (with or without conditions), the juvenile will fail to appear at the next court proceeding.

d. The home conditions of the juvenile make detention necessary.

e. The juvenile has run away from home.

f. The juvenile has failed to remain in a detention facility or nonsecure facility or placement (in violation of valid court order).

g. Pretrial detention is otherwise specifically authorized by law.

h. The juvenile is alleged to have violated a personal protection order and it appears there is a substantial likelihood of retaliation or continued violation.

10. The juvenile is an Indian child as defined in MCR 3.002(12). The petitioner has has not _____ given notice of the preliminary hearing as required by MCR 3.920(C)(1).

The preliminary hearing must be adjourned pending conclusion of a removal hearing required by MCR 3.967.

The removal hearing required by MCR 3.967 was conducted in conjunction with this hearing (see required findings in item 11).

A qualified expert, _____, testified as required by law.

NOTE: If a competency evaluation is ordered, the preliminary hearing must be conducted and this form completed.

*Do not check item 4.b. if disposition is based on preliminary inquiry or investigation only. Note that preliminary hearings are mandatory in matters where a juvenile is not released.

(SEE SECOND PAGE)

Do not write below this line - For court use only

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Court address

Court telephone no.

In the matter of

11. a. Reasonable efforts to prevent or eliminate removal of the juvenile from the home were not made. **OR**
 b. Consistent with the circumstances, reasonable efforts were made to prevent or eliminate removal of the juvenile from the home. Those efforts include: (Specify below.) **OR**
 c. The juvenile is an Indian child, and the court finds by clear and convincing evidence and the testimony of a qualified expert witness who has knowledge about the child-rearing practices of the Indian child's tribe, that active efforts
 have have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family. These efforts have proved unsuccessful, successful, the continued custody of the juvenile by the parent or Indian custodian is is not likely to result in serious emotional or physical damage to the juvenile, and the juvenile should should not be removed from the home.

(Specify below.)

The efforts for 11.b. or 11.c. are: (Specify the efforts from 11.b. or 11.c. here. If the juvenile is an Indian child, specify active efforts as defined by MCR 3.002[1] and MCL 712B.3[a].)

IT IS ORDERED:

12. The petition is not authorized and is dismissed. placed on the consent calendar. referred to alternate services.
 The parent(s), guardian, or legal custodian shall appear for further inquiry on _____
Date, time, and location
13. The petition is authorized and the juvenile is released to _____
under the terms and conditions in item 18.
14. The petition is authorized and the juvenile is temporarily placed with/detained at _____
_____ . Bond is set at \$ _____ .
15. Release/Placement continues pending resumption of the preliminary hearing pretrial trial disposition
on _____
Date and time
16. This matter is set for a continued preliminary/removal hearing on _____ pursuant to MCR 3.967.
Date and time
The petitioner shall give notice of these proceedings as required by MCR 3.920(C)(1) (use form JC 48).
17. The juvenile shall be fingerprinted in accordance with the Order for Fingerprints (form MC 233).
18. Other:

Recommended by: _____
Referee signature

Date

Judge