

# Thirty-Seventh Judicial Circuit of Michigan

ALLEN L. GARBRECHT, Chief Judge  
JAMES C. KINGSLEY  
STEPHEN B. MILLER  
GARY K. REED, by assignment  
CONRAD J. SINDT  
*Circuit Judges*



JEFFREY S. ALBAUGH  
*Circuit Court Administrator*  
269-969-6523

MICHAEL BOLTZ  
*Family Division Administrator*  
269-969-6812

## **37<sup>th</sup> Circuit Court (C37) Administrative Order 2011 - 02**

*Rescinds Administrative Order C37 2003 - 01*

### **ORDER REGARDING CASES INVOLVING CHILDREN ABSENT FROM COURT-ORDERED PLACEMENT WITHOUT LEGAL PERMISSION**

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#### **IT IS ORDERED:**

This administrative order is issued in accordance with Michigan Supreme Court Administrative Order 2002-4. The purpose of this order is to set forth the plan for locating, ensuring the safety of and reviewing cases of children who are absent from court-ordered placements without permission from the court. The previous Administrative Order C37 2003 - 01 is rescinded.

1. The chief judge of the 37<sup>th</sup> Circuit Court will be responsible for supervising and ensuring compliance with Administrative Order 2002-4 and this court's local administrative order for locating children absent from court-ordered placement without legal permission.
2. The scheduling and processing of cases of children absent from court-ordered placement without legal permission, especially children under the age of 16 and children who may have been abducted, shall have priority over other matters within the family division of this court.
3. The Program Services Director of the local office of the Department of Human Services (DHS) has been designated as the DHS liaison responsible for efforts to locate children absent from court-ordered placement without legal permission.
4. The DHS shall notify the court as soon as it becomes aware children are absent from court-ordered placement without legal permission and follow all policies and procedures set forth by the central office of the Department of Human Services for locating and returning children to an appropriate placement.
5. The court shall issue an Order to Take/Place into Temporary Custody and immediately schedule a dispositional review hearing or case status conference upon notification that a child is absent from court-ordered placement without legal permission.

Calhoun County Justice Center  
161 E. Michigan Ave.  
Battle Creek, MI 49014-4066

The Court is an affirmative-action, equal-opportunity employer.

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6. At the dispositional review hearing or case status conference, the court shall determine persons of interest who may have information to aid in locating the absent children; review the circumstances concerning the children's absence; review actions taken to date to locate the absent children; make decisions regarding additional actions that should be taken by the court, DHS and law enforcement agencies to locate the absent children; and determine appropriate actions to be taken once the children have been located. At the dispositional review hearing or case status conference, the court will review the following:
  - a. Information about parents, family members, friends, foster parents, case workers and other persons who may have information about the missing children;
  - b. Information contained in court records that may aid in locating the missing children;
  - c. Information available to the DHS caseworker; and
  - d. Information obtained by law enforcement agencies while investigating cases of missing children.

Available information will be provided to the court prior to the scheduled hearing or case status conference, and persons of interest may be required to attend scheduled dispositional review hearings or case status conferences to testify and/or provide relevant information.

7. Dispositional review hearings or case status conferences shall be scheduled every thirty (30) days to review the progress being made in locating the absent children.
8. The Family Division administrative team shall be responsible for verifying and maintaining the information on any children from Calhoun County who may be absent from court-ordered placement without legal permission.
9. The Family Division administrative team shall be responsible for monitoring and reporting on the status of children absent from court-ordered placement without legal permission. On-line reports will be updated as circumstances dictate and will be available on the Michigan Court Application Portal.
10. No special problems have been identified at this time. Special problems that may arise will be resolved by means of special conferences with the Chief Circuit Judge, the Family Division administrative team, the DHS Program Services Director and a Law Enforcement representative.

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**Effective Date:** This order shall have immediate effect upon acceptance and filing by the State Court Administrative Office.

APRIL 12, 2011  
Date

Allen L. Garbrecht  
Allen L. Garbrecht, Chief Circuit Judge