

ADMINISTRATIVE ORDER 2003-2
LAPEER COUNTY 40TH CIRCUIT COURT

This Administrative Order is issued pursuant to the directive of the Michigan Supreme Court Administrative Order 2002-4 requiring a procedure for review of cases involving children absent from a court ordered placement.

1. The Presiding Family Court Judge will be responsible for monitoring compliance of the plan regarding this Administrative Order.
2. The Family Independence Agency (FIA), or agency to which the child is placed if not through FIA, will notify the Family Court within 24 hours of the child being absent from placement. A JC 05 (Order to Take into Custody) will be submitted to local law enforcement agencies for LEIN entry.
3. A Motion will be filed with the court to review the child's absence from placement and a hearing scheduled within 48 hours of the absence. At the hearing, testimony will be taken from FIA caseworker, Placement Agency Caseworker and parent(s) as to the reasons for the child's absence from placement and information regarding locating the child. The court will modify the JC 05 (Order to Take Into Custody) should new information surface regarding the location of the child.
4. At the first hearing after the child's absence from placement, a plan will be filed with the Court by the identified lead agency describing the person(s) responsible for relocation procedures and efforts and any other interested parties for locating the child whereabouts.
5. The Court will review the case at least every 30 days and make a record of the efforts made to relocate the child and the status of the absence from placement. All parties, parent(s) attorneys or interested identified persons will be ordered to attend.
6. FIA or the agency caseworker will communicate at least bi-weekly with the parents and interested parties as to efforts made to relocate the child.
7. If the parent or responsible party is known to be involved in the child's absence from the placement, a show cause or contempt hearing will be scheduled to determine the consequence for violation of the Court orders, parent agency agreements or placement plans.
8. Due to the court belief that all children are important under the age of 18, and docket availability, the court will give priority to all youth under the age of 18 that may be absent from the legal placement. Reviews will continue until the child is located or reaches age 18 at which time the Court and agency will make a determination whether jurisdiction shall continue. When the child is located, the Court will review placement to adequately protect the child.

Date

2/14/03

Nick O. Holowka, Chief Judge



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

February 20, 2003

Hon. Nick O. Holowka
Chief Judge
40th Circuit Court
Lapeer County Complex
255 Clay Street
Lapeer MI 48446

Re: Administrative Order 2003-01
Cases Involving Children Absent From Court-Ordered
Placement Without Legal Permission

Dear Judge Holowka:

This is to advise that we have reviewed the above referenced administrative order and find that it conforms with the requirements of MCR 8.112(B). This order is being accepted and filed until advised by your court of any change.

Sincerely,

Nial Raaen
Director, Trial Court Services

NR/dmm

cc: J. Bruce Kilmer, Region 3
Ms. Ann Marie Snoblen

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