

STATE OF MICHIGAN [transferring court number and type]	PSC Memorandum of Understanding ¹ Transfer of Jurisdiction under MCL 600.1088	CASE NO. [transferring case]
The people of: <input type="checkbox"/> The State of Michigan <input type="checkbox"/>	V	Defendant's name, and DOB

Offense:	
Transferring Court:	
Receiving Court:	

Under MCL 600.1088, a case may be transferred totally from one court to another for the defendant's participation in a state-certified treatment court. A total transfer may occur before or after adjudication, but it must not be consummated until the completion and execution of a memorandum of understanding that must include, but need not be limited to, the following items.

(1) *Accounting for Funds Assessed to the Defendant*

All funds assessed to the defendant under MCL 600.1088 are subject to priority of payment under MCL 775.22 and MCL 712A.29. For additional information, please refer to the [resources](#) regarding priority of payment in a felony case, statute misdemeanor case, and ordinance misdemeanor case.

(2) *Providing Information to State Police and Forwarding Abstract to the Secretary of State*

The [transferring/receiving] court is responsible for providing information to the department of state police, as required under section 3 of 1925 PA 289, MCL 28.243.

The [transferring/receiving] court is responsible for forwarding an abstract to the secretary of state for inclusion on the defendant's driving record.

(3) *Where Jail Sanctions and Incarceration Sentences Will Be Served*

Jail sanctions or incarceration sentences shall be served as follows:

- All jail sentences will be served at the [transferring/receiving] court.
- Any jail sentence of less than [enter number] days will be served at the [transferring/receiving] court, and any jail sentence of more than [enter number] days will be served at the [transferring/receiving] court.
- Any jail sentence for a program violation will be served at the [transferring/receiving] court.
- Any jail sentence ordered as part of program termination will be served at the [transferring/receiving] court.
- Other: _____

(4) *The defendant has been determined eligible by and will be accepted into the state-certified treatment court upon transfer.*

¹ This model document is provided by SCAO as a resource and for informational purposes only to facilitate the operation of problem solving courts by local units of government and courts in compliance with statutory requirements. SCAO's sharing this model agreement is not intended (and cannot be construed) as legal advice.

Signatures

Transfer is hereby ordered and effective immediately upon signature of the following persons and receipt by the receiving court, as required by MCL 600.1088.

_____ Defendant	_____ Date	_____ Defense attorney	_____ Date
_____ Chief Judge (transferring court)	_____ Date	_____ Chief Judge (receiving court)	_____ Date
_____ Assigned Judge (transferring court)	_____ Date	_____ Assigned Judge (receiving court)	_____ Date
_____ Prosecuting Attorney (transferring court)	_____ Date	_____ Prosecuting Attorney (receiving court)	_____ Date