



Michigan Supreme Court

State Court Administrative Office

Court Services Division

Michigan Hall of Justice

P.O. Box 30048

Lansing, Michigan 48909

Phone (517) 373-4835

MEMORANDUM

DATE: May 10, 2021

TO: Judges and Court Administrators

FROM: SCAO Forms Team

RE: JC 66, Application to Set Aside Adjudication(s)
JC 105, Order on Application to Set Aside Adjudication(s)

Forms JC 66 and JC 105 have been revised. A brief explanation of the changes and a copy of the forms with the changes highlighted are provided below.

If a form is used by the court through a JIS case management system, you will receive a separate notice from JIS regarding the release of the form. Until then, please use the current version posted to the One Court of Justice website.

For questions, comments, or suggestions about court forms, contact 517-373-5626 or CourtFormsInfo@courts.mi.gov.

[JC 66, Application to Set Aside Adjudication\(s\)](#)

Most recent update: (4/21)

Use of existing stock: Existing stock can be used until 7/3/2021.

- [Click here to see the highlighted changes.](#)

This form was revised pursuant to 2020 PA 361, which becomes effective 7/3/2021. Additional changes include removal of date of birth and general formatting changes.

May 10, 2021

Page 2

[JC 105, Order on Application to Set Aside Adjudication\(s\)](#)

Most recent update: (4/21)

Use of existing stock: Existing stock can be used until 7/3/2021.

- [Click here to see the highlighted changes.](#)

This form was revised pursuant to 2020 PA 361, which becomes effective 7/3/2021. Additional changes include general formatting changes.

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	APPLICATION TO SET ASIDE ADJUDICATION(S)	CASE NO. PETITION NO. JUDGE
--	--	--

ORI _____ Court address _____ Court telephone no. _____
 MI- _____
 Police Report No. _____

In the matter of _____ First and last name(s), alias(es)	CTN/TCN _____	SID _____	
---	---------------	-----------	--

1. On _____, a disposition hearing was held because I was adjudicated, as a juvenile delinquent, of the following offense(s): _____
 A certified record of the adjudication(s) is attached.
 I was not detained for the offense(s).
 I completed the term of detention for the offense(s) on _____.
2. No other application has been filed to set aside this/these or any other adjudication(s) in any court. **OR**
 One or more applications were filed to set aside adjudications and the applications are pending or were disposed. Copies of any applications and orders are attached.
3. At least one year has passed since **termination of jurisdiction**. No criminal charges are pending against me. I have not been adjudicated for more offenses than allowed under MCL 712A.18e(1). I do not have an adult felony conviction.
4. I am requesting that multiple adjudications be set aside as one offense. These adjudications arose out of a series of acts that were in a continuous time sequence of 12 hours or less and displayed a single intent and goal.
5. I have completed the Michigan Youth ChalleNGe Academy. My certificate of completion is attached to this application.
6. I **request** that the court issue an order to set aside the above adjudication(s) as provided by law. I consent to the use of the nonpublic record created by MCL 712A.18e(13) to the extent authorized by MCL 780.623.

Applicant signature _____ Address _____

 City, state, zip _____ Telephone no. _____

Subscribed and sworn to before me on _____
 Date _____

Deputy clerk/Notary public signature _____
 Name (type or print) _____

My commission expires on _____

Notary public, State of Michigan, County of _____ Acting in the County of _____

This notarial act was performed using an electronic notarization system or a remote electronic notarization platform.

NOTICE OF HEARING

The hearing cannot be held until the court receives the Michigan State Police report required under MCL 712A.18e(5).

TO: Michigan Attorney General and _____
Prosecuting official

A hearing will be held on the above application to set aside adjudication(s) on _____
Date and time

at _____ before _____
Location

PROOF OF SERVICE

I certify that copies of this application, certified record of adjudication(s), and notice of hearing were served on the

prosecuting official on _____ by first-class mail addressed to the last-known address.
Date

Attorney General on _____ by first-class mail addressed to the last-known address.
Date

I certify that copies of this application, certified record of adjudication(s), and biometric data were served on the Michigan State Police on _____ by first-class mail addressed to the last-known address.
Date

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Applicant signature

INSTRUCTIONS:

For additional instructions and an online interview that will help you create forms, go to michiganlegalhelp.org.

1. Determine whether you are eligible to apply to have your adjudication set aside according to MCL 712A.18e. You must complete a separate application for each adjudication if you are applying to have more than one adjudication set aside.
2. Find out the exact date of adjudication and the charge from the court. Get a certified copy of the adjudication and attach it to your application.
3. Swear to the truth of the statements in this application and then sign it in the presence of the court clerk or a notary public.
4. Make four copies of all attachments and this application. Take all copies to the court clerk.
5. Depending on local practice, the clerk of the court may set a hearing date at the time of filing. If a hearing date is set at the time of filing, the clerk of the court will complete the Notice of Hearing.
6. Go to the local law enforcement agency for biometric data collection. There may be a fee for this.
7. Mail a copy of the application packet and your biometric data to the Michigan State Police by first-class mail to Michigan State Police, Criminal Justice Information Center - Criminal History, PO Box 30266, Lansing, Michigan 48909.
8. Mail a copy of the application packet to the Attorney General of the State of Michigan by first-class mail to Office of the Attorney General, Criminal Appellate Division, PO Box 30217, Lansing, Michigan 48909.
9. Mail a copy of the application packet to the correct prosecuting official where the conviction occurred (county, city, or township) by first-class mail. See www.michiganprosecutor.org/about-us-menu/prosecutor-directory for the addresses of county prosecutors.
10. On the remaining copies of the application, fill in the Proof of Service on page 2 of the form. After you fill out and sign the Proof of Service, mail or take one of the remaining application packets with the completed Proof of Service to the court. Keep the other copy of the application packet for your records.

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER ON APPLICATION TO SET ASIDE ADJUDICATION(S)	CASE NO. PETITION NO. JUDGE
--	---	--

ORI _____ Court address _____ Court telephone no. _____
 MI- _____

Police Report No. _____

CTN/TCN	SID	DOB
Date of Offense(s)	Charge(s)	

In the matter of _____
 First and last name of juvenile

Instructions: An order may not be entered until receipt of the report of the Michigan State Police. Copies of the order must be sent to the Michigan State Police and the prosecuting official.

THE COURT FINDS:

- 1. The Michigan State Police has reported to the court required information from the department's records.
- 2. The applicant has not been adjudicated for more offenses than allowed under MCL 712A.18e(1) and does not have an adult felony conviction.
 - The adjudications arose out of a series of acts that were in a continuous time sequence of 12 hours or less and displayed a single intent and goal.
- 3. The adjudication(s) is/are not for a felony for which the maximum punishment is life imprisonment.
- 4. It has been at least one year since termination of jurisdiction.
- 5. An opportunity has been given to the Attorney General and prosecuting official to contest the application.
- 6. Circumstances and behavior of the applicant justify setting aside the adjudication(s), and it is consistent with the public welfare.

IT IS ORDERED: (If any item from 1 through 6 is not checked, then item 7 must be checked.)

- 7. The application is denied.
- 8. The following adjudication(s) in this case is/are set aside: _____

Under MCL 712A.18e(13), the Michigan State Police shall maintain a **nonpublic record** of the order setting aside one or more adjudications and of the arrest, biometric data, adjudication(s), and disposition in this case. If an adjudication is for a nontraffic offense that was reportable to the Secretary of State in accordance with MCL 257.732(22), the driving record shall not be expunged. If the court or arresting agency maintains a record of the arrest, biometric data, adjudication, or disposition, that record shall be nonpublic and not used for any purpose unless authorized by law.

Judge signature and date

Under MCL 769.16a the clerk of the court shall advise the Michigan State Police Criminal Justice Information Center of a disposition.