

**Michigan Supreme Court
State Court Administrative Office**

Michigan Hall of Justice
P.O. Box 30048
Lansing, Michigan 48909
Phone (517) 373-2222
Facsimile (517) 373-2112
Ferryj@courts.mi.gov

John D. Ferry, Jr.
State Court Administrator

DATE: December 13, 2002

TO: Chief Circuit Judges
cc: Presiding Family Division Judges
Family Division Administrators
Circuit Court Administrators

FROM: John D. Ferry, Jr., State Court Administrator

SUBJ: SCAO Administrative Memorandum 2002-12
Guidelines for Development of Plans Involving
Children who are Absent Without Legal Permission

On November 19, 2002, the Supreme Court issued Administrative Order 2002-4, regarding cases involving children who absent without legal permission (AWOLP) from a court ordered placement. The administrative order requires all circuit courts to develop plans for reviewing cases of children who are AWOLP.

The administrative order specifies the elements that are to be addressed in the plans. The following guidelines provide additional information for each required element that circuit courts should consider in developing plans.

1. **Establishment of Special Docket/Expedited Review Process**

Plans must indicate that a special docket or other expedited review process has been established by the court.

2. **Responsibility for Ensuring Compliance**

Plans must identify the judge who has responsibility for ensuring compliance with Administrative Order 2002-4 and the trial courts' local administrative order. The judge with responsibility may be the chief circuit judge, the presiding family division judge, or another judge of the family division.

3. **Coordination of Efforts with Family Independence Agency**

Plans must address how the court will coordinate efforts to locate AWOLP children with the local Family Independence Agency (FIA) office. Plans should identify:

- the designated FIA liaison responsible for FIA efforts to locate AWOLP children,
- procedures for collaboration with FIA to investigate where a child may be located,
- procedures for evaluating the legal status of a child and making appropriate decisions regarding the case, and
- steps the court will take to assist FIA in locating and returning AWOLP children.

4. **Process for Review of Cases**

Plans must address the process for conducting an expedited review of the cases of AWOLP children. Plans should include:

- a description of the the special docket or other expedited review process that has been established,
- timelines for conducting expedited hearings or reviews, including initial reviews and subsequent status reviews, and
- a description of the process for conducting an initial review of newly identified cases of AWOLP children upon notification by FIA, the State Court Administrative Office, or other information that a child is AWOLP.

The initial review process should address information on the status or whereabouts of AWOLP children that will be reviewed, including information such as:

- FIA reports,
- reports from law enforcement, and
- information received or maintained by the court.

5. **Identified Special Problems**

Plans must describe any special problems the court has identified in its efforts to implement the procedures required by Administrative Order 2002-4, and how those specific problems will be addressed.

Plans should also include the procedure which will be employed to resolve special problems encountered after implementation of the local administrative order.

If no special problems have been identified, that should be indicated.

6. **Obtaining Information and Scheduling Hearings**

Plans must describe the information that will be required by the court on specific cases, and procedures that will be used to obtain information that will assist in efforts to locate AWOLP children. Plans should:

- identify the information which will be obtained by the court regarding the child, the child's family, and others who may have information about the child,
- describe the process for obtaining information, and
- indicate time lines for obtaining information to ensure timely hearings and reviews for the duration of time the child is AWOLP.

7. **Priority to Cases of Children Ages 15 and Younger**

Plans must demonstrate that priority will be given to children ages 15 and younger, particularly where there is information that children may have been abducted. Plans should indicate how that priority will be given.

8. **Local Administrative Order**

Plans should be submitted to the State Court Administrative Office in the form of a local administrative order no later than February 1, 2003.