

## MISSION STATEMENT

The Diversion Program through Marquette County's 25<sup>th</sup> Circuit Court, Family Division (Juvenile Court) is available to first-time offenders. The primary objective of the Diversion Program is to redirect youths away from the formal processing in the juvenile justice system, while holding them accountable for their actions.

## DIVERSION PROGRAM

The Juvenile Diversion Program is an early intervention program designed to keep adolescents ages 8 to 16 from entering or re-entering the juvenile justice system. Many juveniles referred are first-time offenders who have been charged with a status offense, such as Runaway, Incurability or Truancy. Misdemeanor charges for first-time offenses such as shoplifting or possession/consumption of alcohol may also be eligible for the Diversion Program.

Diversion is a way of working with youth who are charged with an offense where the youth does not go to court and there is no trial. Instead of having the case tried in a formal courtroom setting before a judge or referee, the youth and his or her family meet with the Marquette County's Juvenile Court's Diversion Specialist.

The Diversion Program is a voluntary program where an agreement is prepared and signed by the Diversion Specialist, youth and parent(s). By participating in the Diversion Program, the youth is able to take responsibility for his or her actions without having a public juvenile record. Diversion files are confidential. After successfully completing the Diversion Program, the court may destroy the diversion case file of a juvenile after the juvenile becomes 17 years of age. A youth may truthfully say that they have not been convicted of a crime.

### The Diversion Agreement may include any or all of the following:

- *Community Service Work*
- *Written Assignment/Essay*
- *Letter of Apology*
- *Meetings with the Diversion Specialist*
- *Restitution*
- *Drug and Alcohol Education Classes*
- *Drug and Alcohol Assessment*
- *Random Drug and Alcohol Screening*
- *Victim Impact/Empathy Programs*
- *Restorative Justice*
- *Anger Management*
- *Life Skills Training*
- *Curfews*
- *Restriction of Association*
- *Educational Requirements*

## What are the differences between Diversion and Formal Juvenile Court?

### DIVERSION

- Proceedings are confidential and private
- No lawyer is appointed
- The juvenile remains in the custody of parent(s)
- Juvenile records are destroyed following the youth's 17<sup>th</sup> birthday if the program is successfully completed

### FORMAL JUVENILE COURT

- Hearings are open to the public
- Youth may hire an attorney or have the court appoint an attorney to represent them
- Youth appears in the courtroom before a judge or referee
- Youth may be placed out-of-home, such as foster care or a secure detention facility
- Court fines assessed
- If the youth is found responsible for the charge(s), the conviction is a public record

## REFERRAL PROCESS

A juvenile form called "Complaint Request for Action, Delinquency Proceedings" is available to parents, police and schools for Status Offenses. The form can be found under the Court section on the Marquette County Web Page under Juvenile Court.

[http://www.co.marquette.mi.us/departments/courts/juvenile\\_court](http://www.co.marquette.mi.us/departments/courts/juvenile_court)

The completed form must first be submitted to the Marquette County Prosecuting Attorney's Office for review. If the Prosecuting Attorney authorized a charge, they may prepare a petition or authorize the Complaint Form to proceed with action in Juvenile Court.

Once a petition or complaint is received from the Prosecuting Attorney's Office, the Juvenile Court will send a notice to the youth and parent(s) to attend a diversion conference or a preliminary inquiry.

Part of the Diversion Agreement may require screenings to assist the Diversion Specialist in evaluating certain needs or services, and assess risk factors and placement needs.

One screening tool is called MAYSI-2 (Massachusetts Youth Screening Instrument 2) and another resource screening tool used by the Juvenile Court is MJJAS (Michigan Juvenile Justice Assessment Survey).

## LEGAL TERMS

**STATUS OFFENSE:** An offense where a juvenile repeatedly disobeys his or her parent(s), fails to attend school, curfews, or runs away from home. Status offense violations can only be committed by a juvenile, not an adult.

**INCORRIGIBILITY:** When the juvenile is repeatedly disobedient to the reasonable and lawful commands of his or her parents, guardian, or custodian.

**TRUANCY:** When a juvenile is repeatedly absent from school without good cause and willfully absents himself or herself from school or other learning program or repeatedly violates rules and regulations of the school or other learning program.

**RUNAWAY:** When the juvenile has deserted his or her home without sufficient cause



MARQUETTE COUNTY  
JUVENILE  
DIVERSION PROGRAM



The Juvenile Diversion Program operates under the jurisdiction of the 25<sup>th</sup> Circuit Court, Family Division (Juvenile Court)

**For information regarding the Diversion Program, please contact:**

**Laura Koen-Apple,  
Diversion Specialist  
(906) 225-8291**

The complex block is a vertical rectangular area with a black border. At the top, there are two rows of four silhouettes of people of various ethnicities and ages, each against a different colored background. Below this is the text 'MARQUETTE COUNTY JUVENILE DIVERSION PROGRAM' in green and black. In the center is the official seal of Marquette County, Michigan, featuring a shield with a sun, a plow, and a sheaf of wheat, flanked by two figures, with the motto 'EUREKA' and 'CIRCUMSPICE'. Below the seal is the text 'The Juvenile Diversion Program operates under the jurisdiction of the 25<sup>th</sup> Circuit Court, Family Division (Juvenile Court)'. At the bottom, it says 'For information regarding the Diversion Program, please contact: Laura Koen-Apple, Diversion Specialist (906) 225-8291'.