

YOUTH REHABILITATION SERVICES ACT (EXCERPT)
Act 150 of 1974

803.303 Youth agency; powers and duties.

Sec. 3.

(1) A youth agency may receive and accept youths as public wards for purposes of care and rehabilitation. A youth agency shall accept a youth properly committed to it in accordance with law. Only 1 youth agency has responsibility for a youth at any time. The department shall not receive or accept youths as public wards for a county if that county is a county juvenile agency that assumed responsibility for public wards committed by the juvenile division of probate court, family division of circuit court, or court of general criminal jurisdiction for that county.

(2) Custody of a public ward under this act is as follows:

(a) If the department accepts the youth or responsibility for the youth is transferred to the department as provided in section 2a, the state, represented by the department director or his or her designate, has custody from the time of acceptance until the youth is discharged from wardship under section 7 or responsibility for the youth is transferred to a county juvenile agency under section 2a.

(b) If a county juvenile agency accepts the youth or responsibility for the youth is transferred to the county juvenile agency under section 2a, the county has custody from the time of acceptance or transfer until the youth is discharged from wardship under section 7 or responsibility for the youth is transferred to the department under section 2a. For custody purposes, the county is represented by the county department director designated by the following:

(i) For a county that has adopted a charter under 1966 PA 293, MCL 45.501 to 45.521, the county executive or chief administrative officer.

(ii) For a county that has adopted an optional unified form of county government under 1973 PA 139, MCL 45.551 to 45.573, the county executive or county manager.

(iii) For a county not described in subparagraph (i) or (ii), the county board of commissioners.

(3) If a public ward is placed in a residential facility other than his or her own home, the youth agency shall provide the youth's food, clothing, housing, educational, medical, and treatment needs. The youth agency may consent to routine nonsurgical medical care or to emergency medical treatment of the youth, but consent for nonemergency elective surgery shall be given by the youth's parent or legal guardian. If a public ward is placed in his or her own home, the youth agency shall provide counseling services and may establish reasonable conditions under which the youth will be permitted to remain in the home, but the youth's parents retain all other parental rights and duties.

History: 1974, Act 150, Imd. Eff. June 12, 1974 ;-- Am. 1998, Act 517, Imd. Eff. Jan. 12, 1999