

# Washtenaw County Trial Court Juvenile Division

## Filing a Truancy Petition

The purpose of filing a Truancy Petition is:

- To increase at-risk youths' school attendance.
- To increase parents' participation in children's educational programs.
- To effectively divert status offending youth from formal court intervention.
- To prevent the removal of children from their home due solely to status offenses.
- To prevent delinquency.
- To improve family functioning.

As a general policy of the Washtenaw County Trial Court – Family Division, the Court will not detain, place in foster care, or institutionalize a child due solely to a status offense. Only on rare occasions, with the direct approval of the assigned Judge, will exceptions be made.

1. If a youth is adjudicated for a delinquency charge during the term of diversion, the status offense case will be dismissed. The youth's school attendance will become a condition of probation and will be monitored by the probation officer.
2. It is assumed that a school petitioning the court for intervention regarding a school attendance or behavior issue is seeking to partner with the court in getting the child to school regularly. It is expected that schools will petition at a point in the school year during which a school program is available for the youth. Unless the pattern of absence is a new occurrence, petitions filed after April 1 will not be accepted for court intervention unless the school has provided a summer school program to the child.
3. It is expected that a petitioning school will not assign a truant youth out-of-school suspensions as a consequence for unexcused absences, tardiness, or minor rule infractions.
4. Truancy only applies to youth under the age of 16. Therefore, the following rules will apply to petitions on youth approaching the age limit:
  - a. Petition is received within 30 days of youth's 16<sup>th</sup> birthday – a letter will be sent to the youth and parents; the petition will be denied.
  - b. Petitions received between 30 and 60 days of youth's 16<sup>th</sup> birthday – a diversion conference will be held, the youth and parent will be counseled, referrals to community-based resources given, but no contract will be offered and the case will be closed.
  - c. Generally, truancy cases will be closed upon youth's 16<sup>th</sup> birthday. However, the caseworker has discretion to extend diversion past the

birthday if the youth is clearly demonstrating some gain from the relationship or court-sponsored services.

5. Educational-neglect cases may be filed up to the child's 18<sup>th</sup> birthday.
6. Truancy intervention is most successful if filed early in the absence pattern. It is hoped that schools will file petitions as soon as the truancy or educational-neglect becomes apparent. The Court's general guidelines are: five absences within the first 30 days of school or 10 absences within a three-month period. The parent/child/school meeting may occur before the youth reaches the five or ten absences, as soon as the problem becomes apparent.

For more information about Truancy Petitions, contact the Trial Court Juvenile Division at 734-222-6900.