

Washtenaw County Trial Court Juvenile Division

Instructions for filling out the Truancy Petition

General Guidelines:

1. The parent/child/school meeting:
The purpose of the meeting is to discuss the problem, explore, and offer alternative help in attempt to resolve the problem. While warning the family that the school may file a truancy petition if attendance is not immediately improved may occur at the meeting, it is not the purpose of the meeting. Allow at least two days following the meeting with the parent and child to elapse prior to submitting the truancy petition. This will show that, after the meeting, the youth had the resources and opportunity to improve his/her attendance, but failed to do so.
2. What to do if a parent will not meet?
The truancy statute requires that a meeting between the parent, child, and school official occur to try to resolve the problem prior to involving the court. If you have made significant attempts to contact the parent/legal guardian to discuss and resolve their youth's attendance, but have been unable to engage them, you may wish to file an educational-neglect petition. Phone calls, letters, certified mail, at least one home or work visit should be attempted (and documented) in order to meet the court's standard of significant/reasonable efforts. Educational-neglect is a child protection proceeding, handled by court staff instead of the Department of Human Services. It is, pending casework evaluation, eligible for informal court treatment.
3. Documentation:
Truancy – you must attach documentation of unexcused absences. A computerized attendance report is sufficient if dates are legible.
Misconduct – you must attach documentation listing the school rules and regulations and how and when the child broke them. The statute requires “repeated” violations before a petition is submitted. If the misconduct is a violation of criminal law (i.e. assault, property damage, arson, sexual harassment), it is appropriate to report the violations to the police agency responsible for your school building to pursue delinquency charges.

Instructions:

- Item 1: List the full name of the child, along with any aliases.
- Item 2: Check either count I or count II (or both, if appropriate). List the name and full address of the school. Attach either an attendance report (count I) or incident reports (count II).
- Item 3: This item documents that the school has fulfilled its statutory requirements prior to filing the petition:
 - A. List the name and position of the school official that met with the parent and child to discuss and resolve the educational problems, the name of the parent that attended the meeting, and the date that the meeting was held.

- B. List what “educational counseling” and “alternative agency help” was offered to help the parent and child resolve the educational problem. List the agencies/ programs/persons that the family was referred to and the dates that the referrals were made.
- Item 4: A. If the youth denies the petition (or is already on probation for another offense), the Court and the Prosecutor’s office will need to contact witnesses in order to prepare for trial. Witnesses are people who can testify with first hand knowledge of the youth’s non-attendance, or were eyewitnesses to school misconduct, as well as the school official who attended the meeting with the family. Please list the full name, addresses, and home and work telephone numbers for all witnesses.
- B. In order to comply with the Indian Child Welfare Act, it is imperative that the Court knows if a child is a member, or eligible for membership, in an American Indian Tribe or Band.
- Item 5: If you have knowledge that the child is or has been the subject of a delinquency, neglect/abuse, or divorce/custody case, to the best of your ability, list the county court, case number, assigned Judge, and status of the case.
- Item 6: List the county in which the child resides and the name and relationship of the person with whom the child resides.
- Item 7: List the full names, complete address, home and work telephone numbers for all parents, guardians, or custodians of the child regardless of with whom the child resides. The Court is required, when possible, to notify both parents of a pending petition. If you have difficulty contacting the parent at home or work, but have the name and telephone number of a relative, neighbor, or friend with whom you leave messages for the parent, please include that information here.
- Item 8: Check box “a.”

Sign and date the petition and print your name, the name of your school, the full address of the school, and your telephone number.

Complete the information requested in the “Juvenile Identification Information” box located at the bottom of the petition.

Please submit completed petitions, including all supporting documentation to:

Probation Supervisor
Washtenaw County Trial Court – Family Division
101 E. Huron,
PO Box 8645
Ann Arbor, MI 48107-8645

The assigned Probation Supervisor is available to provide consultation or answer any questions you may have regarding the process of filing a truancy/misconduct or educational-neglect petition. The Probation Supervisor may be reached at (734) 222-6900.