

2010

State Law Report Card



Michigan

Access to Protection Orders

In Michigan, minors can obtain Protection Orders (POs),¹ and courts can issue POs against minor abusers age ten and above.² Michigan also allows people in dating relationships to seek POs against their abusers.³

Procedure

State law does not allow minors to petition for a PO on their own behalf. A court-appointed guardian must petition for the order on the minor's behalf.⁴ Michigan law does not specify whether the parent or guardian of the minor will be notified about the PO. A petition for a PO against a minor respondent must be filed in juvenile court.⁵

Definition of Abuse

A judge may issue a PO when the respondent has physically abused, sexually abused, threatened to physically abuse, stalked or harassed the petitioner.⁶ The statute may recognize other forms of abuse not specifically listed here.

Relief Available

The court may order⁷ the respondent to:

- stay away from the petitioner (including petitioner's school);
- vacate the petitioner's residence;
- comply with a custody/visitation schedule; and/or
- not possess a gun.

The statute may allow other forms of relief not specifically listed here and may cover individuals other than the petitioner. The Protection Order is modifiable.⁸

Minors' Access to Sensitive Services^{9,10}

All minors can consent to:

- HIV/STI testing and treatment*
- Prenatal care*
- Medical care for child(ren)

*A physician may inform a minor's parents.

Some minors may consent to contraceptive services. State law requires parental consent for adoption and abortion services

School Response to Dating Violence

Michigan law does not provide for a school response to dating violence.

Recommendations for Immediate Policy Change

In order to improve Michigan's response to teen dating violence, the following changes are recommended:

- Allow minors to petition for POs on their own behalf and explicitly describe the procedure for doing so.
- Allow all minors to access all sensitive services without parental involvement.
- Expand the types of relief available to petitioners.
- Mandate dating violence education in all middle schools and high schools.

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References

¹ MCR § 3.703(F) (2009).

² MICH. COMP. LAWS § 600.2950(27)(c).

³ *Id.* § 600.2950(1).

⁴ MCR §§ 3.703(F); 3.707(C).

⁵ MICH. COMP. LAWS § 600.2950(28).

⁶ *Id.* §§ 600.2950(4)(b); 600.2950(1); 600.2950a(1).

⁷ *Id.* § 600.2950(1).

⁸ MCR § 3.707 (A)(1)(a).

⁹ Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf, accessed December 1, 2009.

¹⁰ Guttmacher Institute, Minors' Access to STI Services, *State Policies in Brief*, New York: Guttmacher Institute, 2009, http://www.guttmacher.org/statecenter/spibs/spib_MASS.pdf, accessed December 1, 2009.

Break the Cycle

Empowering Youth to End
Domestic Violence

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