

# Action Alert!

Time-sensitive facts regarding  
legislation affecting Michigan's  
children and families.

Voices for  
Michigan's  
Children

## for Child and Family Advocates

December 2020

### **Time is Running Out: Lame Duck Opportunities to Protect Vulnerable Youth and Families**

There are only a few days left of “lame duck” period of the current legislative session. Now is the time to finish what has been started over the past two years, or members of the newly seated legislature will have to begin again after the new year. As our lawmakers focus on many pieces of legislation, included a possible COVID supplemental budget, two sets of bills that would help position some of Michigan’s most vulnerable youth and families to thrive and contribute to our state’s recovery will be reintroduced if they are not passed by both the House and Senate and signed by the Governor by year’s end.

#### **Juvenile Record Confidentiality - [SB 681 and 682](#)**

Michigan is one of only nine states that allows complete public access for most juvenile records. The process for a juvenile record set-aside is arduous, and some traffic offenses are not even eligible, which disproportionately affect youth in foster care who struggle to access a driver’s license. These bills would make juvenile records no longer publicly available beginning in 2021, only accessible to “persons having a legitimate interest. The package would also eliminate fees for applying for a set-aside and speed up the timeline for application. The package would automatically set-aside certain juvenile records after a set period of time, excluding the most severe crimes including felonies that would have had life sentences.

*Current Status: Passed the Senate with a bi-partisan majority and await action in the House Judiciary Committee. [Call your State Rep](#) to urge passage of these bills, and urge swift committee action if your member sits on the [House Judiciary Committee](#).*

#### **Pretrial Incarceration and Jail Task Force Recommendations – Incl. [HB 5844, 5846](#)**

Michigan’s Children has heard from young people who have experienced foster care and their parents that aggressive pre-trial approaches to low-level offences and mandatory minimum jail sentences often create more problems for society than solutions because they create barriers to rehabilitation instead of breaking down whatever barriers caused the situation in the first place.

The package of bills stemming from the recommendations of the Michigan Jail and Pretrial Incarceration Task Force will prevent the incarceration and future criminalization of many struggling parents and young people while improving public safety and encouraging rehabilitation. HB 5846, HB 5844, and their associated bills would eliminate a requirement for the Secretary of State to revoke, suspend, deny, or refuse to renew the driver’s license of an individual for various reasons including low-level drug arrests, failure to pay child support, and failure to comply with parenting time requirements. The package would also eliminate mandatory jail minimums for many low-level offenses.

*Current Status: Passed the House with a bi-partisan majority, passed the Senate Judiciary Committee, and await action in the full Senate. [Urge your State Senator](#) to pass these bills.*