

Juvenile Plea of Admission or No Contest Checklist

- Verify that the juvenile and his/her parent/guardian/custodian have been served with a summons as required by [MCL 712A.12](#). **Note:** Any interested party who voluntarily appears in the proceedings may waive service of process or notice of hearing in writing. [MCL 712A.12](#).
- Ensure that a plea of admission or no contest is recorded, including any agreement with or objection to the plea. [MCR 3.925\(B\)](#).
- Determine whether to consent to the juvenile's offer of the plea. [MCR 3.941\(A\)](#).
- Determine whether to accept the plea conditioned on preservation of an issue for appellate review. [MCR 3.941\(B\)](#).
- Ensure that the plea is understanding, voluntary, and accurate before accepting it. [MCR 3.941\(A\)](#). Accomplish this by personally addressing the juvenile and complying with [MCR 3.941\(C\)\(1\)-\(4\)](#) as follows:
 - Understanding plea***—tell the juvenile:
 - the name of the offense(s) charged. [MCR 3.941\(C\)\(1\)\(a\)](#).
 - the possible dispositions. [MCR 3.941\(C\)\(1\)\(b\)](#).
 - that if the plea is accepted, the juvenile will not have a trial of any kind, so the juvenile gives up the rights that would be present at trial, including the right:
 - to trial by jury. [MCR 3.941\(C\)\(1\)\(c\)\(i\)](#).
 - to trial by the judge if the juvenile does not want trial by jury. [MCR 3.941\(C\)\(1\)\(c\)\(ii\)](#).

- to be presumed innocent until proven guilty. [MCR 3.941\(C\)\(1\)\(c\)\(iii\)](#).
- to have the petitioner or prosecutor prove guilt beyond a reasonable doubt. [MCR 3.941\(C\)\(1\)\(c\)\(iv\)](#).
- to have witnesses against the juvenile appear at the trial. [MCR 3.941\(C\)\(1\)\(c\)\(v\)](#).
- to question the witnesses against the juvenile. [MCR 3.941\(C\)\(1\)\(c\)\(vi\)](#).
- to have the court order any witnesses for the juvenile's defense to appear at the trial. [MCR 3.941\(C\)\(1\)\(c\)\(vii\)](#).
- to remain silent and not have that silence used against the juvenile. [MCR 3.941\(C\)\(1\)\(c\)\(viii\)](#).
- to testify at trial, if the juvenile wants to testify. [MCR 3.941\(C\)\(1\)\(c\)\(ix\)](#).
- Voluntary plea**
 - Confirm any plea agreement on the record. [MCR 3.941\(C\)\(2\)\(a\)](#).
 - Inquire if any promises have been made beyond those in a plea agreement or whether anyone has threatened the juvenile. [MCR 3.941\(C\)\(2\)\(b\)](#).
- Accurate plea**—do not accept the plea without establishing support for a finding that the juvenile committed the offense, either:
 - by questioning the juvenile or by other means when the plea is a plea of admission, [MCR 3.941\(C\)\(3\)\(a\)](#), or
 - by means other than questioning the juvenile when the juvenile pleads no contest. [MCR 3.941\(C\)\(3\)\(b\)](#).
 - State why a plea of no contest is appropriate. [MCR 3.941\(C\)\(3\)\(b\)](#).
- Inquire of the parent, guardian, legal custodian, or guardian ad litem, if present, whether there is any reason why the plea tendered by the juvenile should not be accepted. [MCR 3.941\(C\)\(4\)](#).
- Determine whether to take the plea under advisement. [MCR 3.941\(D\)](#).

- Before accepting the plea, permit the juvenile to withdraw the plea offer by right. [MCR 3.941\(D\)](#).
- After accepting the plea, determine whether to allow the juvenile to withdraw the plea in the court's discretion. [MCR 3.941\(D\)](#).
- If the juvenile is detained, schedule dispositional hearing within 35 days, unless good cause exists to increase the interval; otherwise, the scheduling of the dispositional hearing is within the court's discretion. [MCR 3.943\(B\)](#).
- If the juvenile is removed from the home, make *contrary to the welfare* and *reasonable efforts* findings to ensure compliance with Title IV-E. See [MCL 712A.13a\(9\)\(d\)](#).
- Advise the juvenile of their appellate rights set forth in [MCR 3.937](#) if ordering that the juvenile be removed from a parent's care and custody. [MCR 3.937\(A\)](#)

For court forms related to juvenile actions, see the [One Court of Justice website](#).

