

CRIME VICTIM'S RIGHTS ACT (EXCERPT)
Act 87 of 1985

***** 780.797.amended THIS AMENDED SECTION IS EFFECTIVE JANUARY 1, 2006 *****

780.797.amended Profit from sale of recollections of thoughts and feelings with regard to offense; juvenile offense; forfeiture; escrow; distribution of proceeds.

Sec. 47. (1) A juvenile adjudicated for an offense shall not derive any profit from the sale of any of the following until the victim receives any restitution or compensation ordered for him or her against the juvenile, expenses of detention are paid under subsection (3), and any balance in the escrow account created under subsection (2) is paid under subsection (4):

- (a) The juvenile's recollections of or thoughts or feelings about the offense committed by the juvenile.
- (b) Memorabilia related to the offense committed by the juvenile.
- (c) The juvenile's property if its value has been enhanced or increased by the juvenile's notoriety.

(2) Upon the disposition of a juvenile offense involving a victim, and after notice to all interested parties, an attorney for the county in which the disposition occurred or the attorney general may petition the court in which the disposition occurred to order that the juvenile forfeit all or any part of proceeds received or to be received by the juvenile or the juvenile's representatives or assignees from any of the following:

(a) Contracts relating to the depiction of the offense or the juvenile's recollections, thoughts, or feelings about the offense, in books, magazines, media entertainment, or live entertainment.

(b) The sale of memorabilia relating to the offense.

(c) The sale of property of the juvenile, the value of which has been enhanced or increased by the juvenile's notoriety arising from the crime.

(3) Proceeds ordered forfeited under subsection (2) shall be held in an escrow account for a period of not more than 5 years.

(4) During the existence of an escrow account created under subsection (3), proceeds in the account shall be distributed in the following priority to satisfy the following:

- (a) An order of restitution entered under section 44.
- (b) Any civil judgment in favor of the victim against the juvenile.

(c) Any reimbursement for detention ordered under section 18 of chapter XIII A of the probate code of 1939, 1939 PA 288, MCL 712A.18.

(d) Fines, costs, and other assessments ordered against the juvenile.

(5) A balance remaining in an escrow account created under subsection (3) at the end of the escrow period shall be paid to the crime victim's rights fund created under section 4 of 1989 PA 196, MCL 780.904.

History: Add. 1988, Act 22, Eff. June 1, 1988;—Am. 1996, Act 562, Eff. June 1, 1997;—Am. 2005, Act 184, Eff. Jan. 1, 2006.