

By John Barnes for the Associated Press via [Mlive.com](http://mlive.com)

The [U.S. Supreme Court's decision](#) to consider whether juveniles can be sentenced to life without chance of parole in homicide cases could have a major impact in Michigan, legal scholars say.

Michigan has more ["juvenile lifers" than almost any other state](#), 358 inmates who were ages 14 to 17 when they committed their crimes.

This week the court announced it would hear two cases involving 14-year-olds in Alabama and Arkansas. The review comes as MLive.com and affiliated Michigan newspapers have been running a [five-day series](#) on the issue in Michigan.

The lawsuits charge life without parole is cruel and unusual punishment for teens so young. But University of Michigan Law School professor Kimberly Thomas said it would be unusual if the court did not extend its deliberations to all juveniles.

"The court has has been consistent in this kind of case, drawing the line between 17 and 18, and it would be a departure if they did something less," said Thomas, who teaches in the law school's Juvenile Justice Clinic.

The head of a victims' group said the court's review would cause pain to countless families whose loved ones were killed.

“We have been worried this might happen,” said Jennifer Bishop-Jenkins, president of the National Organization of Victims of Juvenile Lifers.

She said the court has been “chipping away” at juvenile sentencing laws, and that victims' families would be “horrifically retraumatized by parole hearings.”

But the decision surprised reformers. Deborah LaBelle, the lead lawyer in [a federal lawsuit in Michigan making similar arguments](#), said the justices had considered the Arkansas and Alabama cases at as many as five “case conferences.”

When they are unable to reach agreement after the first few, that usually means the case is unlikely to be accepted, she said.

Monday's announcement, following Friday's case conference, was “really, really unusual,” LaBelle said. “They were fussing up there.”

RELATED: [Full coverage of the juvenile life series](#)

Of more than 7,000 cases the high court is asked to review each year, the court approves and hears arguments in about 70, according to its website. Arguments will be heard next year and a ruling is expected by summer.

It is unclear how the review will impact the case in Detroit. Attorney General Bill Schuette's office, aware of the potential for review, has asked that the lawsuit be put on hold. Calls for comment from his were not returned Tuesday.

LaBelle, who represents the American Civil Liberties Union of Michigan, is asking that it proceed, citing differences from the Supreme Court cases. U.S. District Judge John Corbett O'Meara has not yet ruled.

The cases before the Supreme Court involve different scenarios.

In the Alabama case, the 14-year-old and an older juvenile beat a 52-year-old man they were drinking and doing drugs with, then set fire to his house.

In the Arkansas case, the 14-year-old was present during an attempted robbery when another boy shot the clerk. In Michigan that's called felony murder. About one-third of the state's juvenile lifers fall in that category.

This is the first time the court has considered juvenile cases involving homicides relative to mandatory life sentences, but two recent decisions extended other relief to inmates 17 and younger.

In 2005, the court ruled minors could not be given the death penalty. In 2010, the court said a minor could not be sentenced to life without parole in non-homicide cases.

In both rulings, the slim 5-4 majority said juveniles' mental abilities are lesser developed than adults, and the sentences violated the Eighth Amendment protection against cruel and unusual punishment.

There are about 70 juvenile lifers 14 and younger nationwide, according to the Equal Justice Initiative, the nonprofit law firm in Alabama that represents the two inmates. Michigan has six cases.

[Veteran Supreme Court watcher Lyle Denniston](#) agrees the court "would not be likely to confine its ruling to that specific age, but to the entire category of youths who are under age 18.

"Its prior rulings limiting punishment for teenagers have used the 18th birthday as the

constitutional dividing line,” wrote Denniston, who has covered the court for five decades, on Bloomberg Law's SCOTUSblog, for Supreme Court of the United States.

A look at the cases

Here are details of the two cases the U.S. Supreme Court has agreed to review. Both teens were 14 when the crimes were committed:

- Kuntrell Jackson was sentenced to life in prison in Arkansas after the shooting death of a store clerk during an attempted robbery in 1999. Another boy shot the clerk, but because Jackson was present he was convicted of capital murder and aggravated robbery.
- Evan Miller was convicted of capital murder during the course of arson. A neighbor, while doing drugs and drinking with Miller and a 16-year-old boy, attacked Miller. Intoxicated, Miller and his friend beat the man and set fire to his home, killing the 52-year-old man.