

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.1099c Juvenile mental health court; adoption by family division of circuit court; eligible participants; certification by state court administrative office.

Sec. 1099c.

(1) A family division of circuit court in any judicial circuit may adopt or institute a juvenile mental health court pursuant to statute or court rules. The creation or existence of a juvenile mental health court does not alter or affect the law or court rules concerning discharge or dismissal of an offense, or adjudication. A family division of circuit court adopting or instituting a juvenile mental health court shall enter into a memorandum of understanding with all participating prosecuting authorities in the circuit, a representative or representatives of the community mental health services program, a representative of the bar specializing in juvenile law, and a representative or representatives of community treatment providers that describes the roles and responsibilities of each party to the memorandum of understanding. The memorandum of understanding also may include other parties considered necessary, including, but not limited to, a representative or representatives of the local court funding unit or a domestic violence service provider program that receives funding from the Michigan domestic and sexual violence prevention and treatment board.

(2) A court that has adopted a juvenile mental health court under this section may accept participants from any other jurisdiction in this state based upon the residence of the participant in the receiving jurisdiction. A juvenile mental health court may refuse to accept participants from other jurisdictions.

(3) A court that has adopted a juvenile mental health court under this section shall comply with the 7 common characteristics of a juvenile mental health court published by Policy Research Associates, including all of the following:

- (a) Regularly scheduled special docket.
- (b) Less formal style of interaction among court officials and participants.
- (c) Age-appropriate screening and assessment for trauma, substance use, and mental disorder.
- (d) Team management of a participant's treatment and supervision.
- (e) System-wide accountability enforced by the juvenile mental health court.
- (f) Use of graduated incentives and sanctions.
- (g) Defined criteria for program success.

(4) Beginning January 1, 2019, a juvenile mental health court operating in this state, or a circuit court in any judicial circuit or the district court in any judicial district seeking to adopt or institute a juvenile mental health court, must be certified by the state court administrative office. The state court administrative office shall establish the procedure for certification. Approval and certification under this subsection of a juvenile mental health court is required to begin or to continue the operation of a juvenile mental health court under this chapter. The state court administrative office shall not recognize and include a juvenile mental health court that is not certified under this subsection on the statewide official list of juvenile mental health courts. The state court administrative office shall include a juvenile mental health court certified under this subsection on the statewide official list of juvenile mental health courts. A juvenile mental health court that is not certified under this subsection shall not perform any of the functions of a juvenile mental health court, including, but not limited to, any of the following functions:

- (a) Charging a fee under section 1099h.
- (b) Discharging and dismissing a case as provided in section 1099k.
- (c) Receiving funding under section 1099m.

History: Add. 2018, Act 590, Eff. Mar. 28, 2019