



**House
Legislative
Analysis
Section**

Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

**MENTAL HEALTH HEARINGS:
REVISE PARTICIPATION
REQUIREMENTS OF PROSECUTING
ATTORNEYS**

House Bill 5828

Sponsor: Rep. James McNutt

Committee: Mental Health

Complete to 5-3-96

A SUMMARY OF HOUSE BILL 5828 AS INTRODUCED 4-30-96

Under the Mental Health Code, a person, such as a relative, physician, or police officer, can petition a court to hold a hearing to determine another individual's need for mental health treatment or for a finding of incompetency. Unless the petitioner has retained private counsel who will appear in court and present the case, the prosecuting attorney of the county in which the court has its principal office (or his or her assistant) is required to participate in the hearings convened by the court in his or her county. House Bill 5828 would allow a prosecuting attorney or assistant from another county to take the place of the principal county prosecutor or his or her assistant.

MCL 330.1457

House Bill 5828 (5-3-96)

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.