



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 5806 (Substitute S-1 as reported)
House Bills 5807 and 5808 (as reported without amendment)
Sponsor: Representative Julie Calley
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

House Bill 5806 (S-1) would add Chapter 10C to the Revised Judicature to do the following:

- Allow the family division of a circuit court to adopt or institute a juvenile mental health court (JMHC).
- Require the family division of a circuit court to enter into a memorandum of understanding (MOU) with certain entities, if it adopted or instituted a JMHC.
- Require a court that adopted a JMHC to comply with the seven common characteristics of a JMHC published by Policy Research Associates.
- Require a JMHC to be certified by the State Court Administrative Office (SCAO), beginning January 1, 2019, and require the SCAO to establish a procedure for certification.
- Allow a JMHC discretion to determine whether a juvenile could be admitted.
- Require a juvenile to cooperate with and complete a preadmission screening and assessment, which would have to include certain information.
- Require JMHC to provide a participant with certain services.
- Require an exit evaluation to be completed to assess a juvenile's continuing need for mental health, developmental disability, or substance abuse services, after a juvenile's completion of a required JMHC program.
- Allow a judge discretion to terminate a juvenile's participation in a JMHC program if the juvenile were accused of a new offense.
- Require a court to find on the record or place a written statement in the court file indicating whether a participant completed the program successfully, or whether his or her participation in the program was terminated and, if it were terminated, the reasons for the termination, upon the participant's complete or termination of a JMHC program.
- Require the SCAO, as directed by the Michigan Supreme Court to provide standards for JMHCS in the State.
- Allow the SCAO to establish a JMHC advisory committee.
- Require the SCAO, in conjunction with the Department of Health and Human Services, to assure that training and technical assistance were available and provided to all JMHCS.
- Specify that all records of proceedings regarding the participation of a juvenile in the JMHC would have to remain closed to public inspection, and would be exempt from public disclosure.

House Bill 5807 would amend Chapter 10B (Mental Health Court) of the Revised Judicature Act to do the following:

- Delete all references and provisions pertaining to juveniles and JMHCS.
- Include in the definition of "State-certified treatment court" a JMHC certified by the SCAO as provided in proposed Chapter 10C.

House Bill 5808 would amend the Probate Code to grant the family division of circuit court jurisdiction, as provided in proposed Chapter 10C, to make orders affecting adults as in the opinion of the court were necessary for the physical mental, or moral well-being of a particular juvenile or juveniles under its jurisdiction.

House Bills 5806 (S-1) and 5807 are tie-barred. House Bill 5808 is tie-barred to House Bill 5806.

Proposed MCL 600.1099b et al. (H.B 5806)
MCL 600.1088 et al. (H.B. 5807)
MCL 712A.6 (H.B. 5808)

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

House Bill 5806 (S-1) would have no fiscal impact on the State or local government. The bill would establish a separate chapter of the Revised Judicature Act, Chapter 10C, specifically dedicated to juvenile mental health courts, the provisions of which already exist under Chapter 10B.

House Bills 5807 and 5808 would have no fiscal impact on State or local government.

Date Completed: 12-13-18

Fiscal Analyst: Abbey Frazier

SAS\Floor\hb5806

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.