

MENTAL HEALTH CODE (EXCERPT)
Act 258 of 1974

330.2060a Definitions; C to J.

Sec. 1060a. (1) "Competency evaluation" means a court-ordered examination of a juvenile directed to developing information relevant to a determination of his or her competency to proceed at a particular stage of a court proceeding involving a juvenile who is the subject of a delinquency petition.

(2) "Competency hearing" means a hearing to determine whether a juvenile is competent to proceed.

(3) "Incompetent to proceed" means that a juvenile, based on age-appropriate norms, lacks a reasonable degree of rational and factual understanding of the proceeding or is unable to do 1 or more of the following:

(a) Consult with and assist his or her attorney in preparing his or her defense in a meaningful manner.

(b) Sufficiently understand the charges against him or her.

(4) "Juvenile" means a person who is less than 18 years of age who is the subject of a delinquency petition.

History: Add. 2012, Act 540, Eff. Mar. 28, 2013;—Am. 2019, Act 99, Eff. Oct. 1, 2021.