

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

600.1094 Admission to mental health court of individual charged in criminal case; conditions; mental health services before entry of plea; withdrawal of plea; additional rights of victim under William Van Regenmorter crime victim's rights act.

Sec. 1094. (1) If the individual is charged in a criminal case his or her admission to mental health court is subject to all of the following conditions:

(a) The individual pleads guilty, no contest, or be convicted of any criminal charge on the record.

(b) The individual waives, in writing, the right to a speedy trial and, with the agreement of the prosecutor, the right to a preliminary examination.

(c) The individual signs a written agreement to participate in the mental health court. If the individual is an individual who has been assigned a guardian, the legal guardian is required to sign all documents for the individual's admission in the mental health court.

(2) Nothing in this chapter shall be construed to preclude a court from providing mental health services to an individual before he or she enters a plea and is accepted into the mental health court.

(3) An individual who has waived his or her right to a preliminary examination, who has pled guilty or no contest and who is subsequently not admitted to a mental health court may withdraw his or her plea and is entitled to a preliminary examination.

(4) In addition to rights accorded a victim under the William Van Regenmorter crime victim's rights act, 1985 PA 87, MCL 780.751 to 780.834, the mental health court shall permit any victim of the offense or offenses of which the individual is charged as well as any victim of a prior offense of which that individual was convicted to submit a written statement to the court regarding the advisability of admitting the individual into the mental health court.

History: Add. 2013, Act 276, Imd. Eff. Dec. 30, 2013;—Am. 2018, Act 591, Eff. Mar. 28, 2019.