

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

600.1096 Services provided by mental health court; exit evaluation; confidentiality of information obtained from assessment, treatment, or testing.

Sec. 1096.

(1) A mental health court shall provide a mental health court participant with all of the following:

(a) Consistent and close monitoring of the participant and interaction among the court, treatment providers, probation, and the participant.

(b) If determined by the mental health court to be necessary or appropriate, periodic and random testing for the presence of any nonprescribed controlled substance or alcohol in a participant's blood, urine, or breath, using to the extent practicable the best available, accepted, and scientifically valid methods.

(c) Periodic evaluation assessments of the participant's circumstances and progress in the program.

(d) A regimen or strategy of appropriate and graduated but immediate rewards for compliance and sanctions for noncompliance, including, but not limited to, the possibility of incarceration or confinement.

(e) Mental health services, substance use disorder services, education, and vocational opportunities as appropriate and practicable.

(2) Upon an individual's completion of the required mental health court program participation, an exit evaluation should be conducted in order to assess the individual's continuing need for mental health, developmental disability, or substance abuse services.

(3) Any statement or other information obtained as a result of participating in assessment, treatment, or testing while in a mental health court is confidential and is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, and shall not be used in a criminal prosecution, unless it reveals criminal acts other than, or inconsistent with, personal controlled substance use.

History: Add. 2013, Act 276, Imd. Eff. Dec. 30, 2013