

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

***** 600.1066.amended THIS AMENDED SECTION IS EFFECTIVE AUGUST 20, 2024 *****

600.1066.amended Placement of findings or statement in court file.

Sec. 1066. Before an individual is admitted into a drug treatment court, the court shall find on the record, or place a statement in the court file pertaining to, all of the following:

(a) The individual is dependent upon or abusing drugs or alcohol and is an appropriate candidate for participation in the drug treatment court.

(b) The individual understands the consequences of entering the drug treatment court and agrees to comply with all court orders and requirements of the court's program and treatment providers.

(c) The individual is not an unwarranted or substantial risk to the safety of the public or any individual, based upon the screening and assessment or other information presented to the court.

(d) Either the individual is not a violent offender or, subject to subdivisions (e) and (f), the drug treatment court judge and the prosecuting attorney, in consultation with any known victim in the instant case, consent to the violent offender being admitted to the drug treatment court.

(e) The individual is not currently charged with or, if the individual is a juvenile, is not currently alleged to have committed first degree murder, criminal sexual conduct in the first, second, or third degree, or child sexually abusive activity.

(f) The individual has never been convicted of or, if the individual is a juvenile, has never been found responsible for first degree murder or criminal sexual conduct in the first degree.

(g) The individual has completed a preadmission screening and evaluation assessment under section 1064(3) and has agreed to cooperate with any future evaluation assessment as directed by the drug treatment court.

(h) The individual meets the requirements, if applicable, under section 7411 of the public health code, 1978 PA 368, MCL 333.7411, section 11 of chapter II of the code of criminal procedure, 1927 PA 175, MCL 762.11, section 4a of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.4a, section 1 of chapter XI of the code of criminal procedure, 1927 PA 175, MCL 771.1, section 350a of the Michigan penal code, 1931 PA 328, MCL 750.350a, or section 430 of the Michigan penal code, 1931 PA 328, MCL 750.430.

(i) The terms, conditions, and the duration of the agreement between the parties, especially as to the outcome for the participant of the drug treatment court upon successful completion by the participant or termination of participation.

History: Add. 2004, Act 224, Eff. Jan. 1, 2005;—Am. 2024, Act 45, Eff. Aug. 20, 2024.

Compiler's note: Former MCL 600.1066, which pertained to appointment of bailiffs by circuit court commissioners, was repealed by Act 194 of 1972, Eff. July 1, 1975.