

**MENTAL HEALTH CODE (EXCERPT)**  
**Act 258 of 1974**

**330.1457 Participation of prosecuting attorney; exception.**

Sec. 457.

The prosecuting attorney of the county in which a court has its principal office shall participate, in person or by assistant, in hearings convened by the court of his or her county under this chapter, or he or she may permit the prosecuting attorney or assistant prosecuting attorney from another county to participate on his or her behalf, except that a prosecutor need not participate in or be present at a hearing whenever a petitioner or some other appropriate person has retained private counsel who will be present in court and will present to the court the case for requiring treatment or for a finding of incompetence.

**History:** 1974, Act 258, Eff. Nov. 6, 1974 ;-- Am. 1996, Act 395, Imd. Eff. Oct. 8, 1996