

19 - Involuntary Commitment

What is Involuntary Commitment?

This is the process used in a Probate Division to help a person who may be mentally ill and harmful to self or others and refuses to seek treatment.

How do I know if a person is mentally ill?

First, watch the person's behavior carefully. If the strange behavior occurs only when the person has been taking drugs or using alcohol, the problem could be substance abuse, not mental illness.

However, if the strange behavior is frequent and if the person threatens or actually harms him/herself or others, you should seek professional help.

Who should I call?

You should call your local Community Mental Health Department.

If the emergency occurs after business hours, you can call the 24-hour Emergency Telephone service at 1-800-442-7315 or contact 911 and request a response from a law enforcement officer.

What will the Mental Health Division need to know?

A trained social worker will verify that you personally observed the abnormal behavior and that it happened recently. You will be asked to describe the behavior in detail.

The social worker will also want to know the individual's substance abuse habits. If the problem is determined to be substance abuse related, you will be referred to an agency in your area.

You will also need to know the age of the person.

You will also be asked whether every effort has been made to get the person to voluntarily seek help.

What if the social worker decides the person needs further evaluation?

The social worker will fill out a petition. You will need to describe in writing:

1. What specific symptoms and behaviors the person is displaying that made you seek help?
2. What harmful or threatening behavior to him/herself or others did the person demonstrate that concerns you and made you seek help?

What happens next?

The social worker who prepared a **Petition and Order for Examination** will send it to a Judge where the petition

will be reviewed. The judge signs the Order to authorize a psychiatric evaluation. The court will order a police officer to transport the person to a psychiatric unit for an evaluation.

What happens at the psychiatric unit?

The hospital will perform a psychiatric evaluation within 24 hours and will decide whether the person needs treatment.

What if the hospital determines that the person does not require hospitalization?

If the person does not require hospitalization, or is diagnosed as having a substance abuse problem, the hospital will release the person. Sometimes the hospital will recommend outpatient treatment.

And if the person is diagnosed as requiring treatment?

Then the person will be sent to a designated hospital for necessary care.

Who makes the decision to hospitalize the person for psychiatric treatment?

The hospital director and the Court are authorized to recommend hospitalization or release.

How long will the person be kept in the treatment facility?

The Court may order up to 60 days of treatment on the initial admission order, but the hospital makes the final decision.

Could it be longer?

Yes. The hospital may petition the Court for continued treatment. The Court will then hold a hearing to decide whether to honor the petition or discharge the patient.

IMPORTANT: The person who originally filed the petition must attend the hearing.

Is there any kind of follow-up after the person is admitted?

Yes. If the person is hospitalized for an extended period, the Court closely monitors the progress with a periodic review which is sent to the Court by the hospital.