

## **INVOLUNTARY COURT-ORDERED ADMISSION BENCH CARD**

### **MENTAL HEALTH CRISIS HOLD DURATION (NRS 433A.150)**

Patient must be released within 72 hours after being placed on a mental health crisis hold, unless a petition for involuntary court-ordered admission is filed in the district court where the patient resides or is to be treated.

### **PETITION FILED (NRS 433A.200)**

- May be filed by any physician, physician's assistant, psychologist, social worker, registered nurse, or by any officer authorized to make arrests in the State of Nevada
- Must be accompanied by certificate or sworn statement
- If patient is on a mental health crisis hold, petition must also include results of the medical examination and a copy of the hold form (NRS 433A.210)
- Right to counsel – appoint counsel (NRS 433A.270)
- Evaluation by 2 or more authorized medical professionals (NRS 433A.240) (best practice: independent and at least 1 psychiatrist)
- Hearing must be held within 6 judicial days of the petition being filed, unless parties stipulate to continue (NRS 433A.220)

### **HEARING (NRS 433A.270)**

- Patient shall be present and may testify (NRS 433A.290)
- District Attorney represents the State and presents evidence in support of petition
- Patient's attorney
- Hear from any witnesses, including the two evaluators (NRS 433A.280)
- Best practice: hear from any legal guardian or advanced directive power of attorney

### **COURT FINDINGS (NRS 433A.310)**

- Clear and convincing evidence
- Patient has a mental illness **and**
- Because of that mental illness, their capacity to exercise self-control, judgment and discretion in the conduct of their affairs and social relations or to care for their personal needs is diminished to the extent that they
- Present a substantial likelihood of serious harm to themselves or others
- Without care or treatment, he/she is at risk of, any or all:
  1. Attempting suicide or homicide
  2. Causing bodily injury to themselves or others
  3. Incurring a serious injury, illness or death resulting from complete neglect of basic needs for food, clothing, shelter or personal safety
- Recommended treatment is...
- If grant, then order involuntary admission to specific hospital
- If deny, then dismiss petition and patient must be released within 24 hours

**PETITION FOR A MINOR**

If petition is for a minor and parent/legal guardian is consenting to treatment, petition should be dismissed if the parent has not provided a signed statement that they are “not objecting” to the filing of the petition