**Mental Health Crisis Hold Instructions**

**Filing fee:** There is no fee to file these documents.

**These forms are for:**

* The spouse, parent, adult child, or legal guardian of a person alleged to be in a mental health crisis.
* Any other person who has a legitimate interest in a person alleged to be in a mental health crisis.

**What is a ‘mental health crisis?’** A person with a mental health crisis is a person who:

1. Has a mental illness; AND
2. Has diminished capacity to exercise self-control, judgment, and discretion in their affairs and social relations or to care for his/her personal needs due to the mental illness. The diminished capacity must be to the extent that the person has a substantial likelihood of causing serious harm to themselves or others.

A mental health crisis **is not** behavior caused by alcohol/drugs; epilepsy; intellectual disability; dementia; delirium; or homelessness.

**Things to know:**

* The person you are filing over must have a diagnosed or diagnosable mental illness.
* If an order is granted, law enforcement would be authorized to take the person to a hospital for evaluation, observation, and treatment. The order authorizing law enforcement to pick them up is only valid for **14 days,** and the person would stay in the facility up to **72 hours.**
* Law enforcement must have a physical address to pick up the the person. They cannot pick up someone who is homeless or who has an approximate address, such as “around XXX Avenue.”
* If an order is granted, you will need to assist law enforcement by providing as much information as possible to assist law enforcement in picking up the person. The person will be picked up by law enforcement only when they can be located and their identity confirmed.
* The court will not grant a mental health crisis hold for person in who is in jail, prison, or a hospital.

**1. Fill out the paperwork**: Use dark ink and write clearly.

* **Family Court Cover Sheet**

This form provides basic information about the parties so the Clerk can open your case. You are the “petitioner” and the person you are filing about is the “respondent.”

* **Petition for Mental Health Crisis Hold**

This form tells the judge about the person in crisis and why you believe a mental health crisis hold is needed. Include details about any prior mental illness diagnosis, treatment, and hospitalizations. The behavior that concerns you must be recent.

* **Order**

The judge will mark the appropriate boxes after reviewing your request. Fill out the top of the first page and sign the last page, the judge will complete the rest. Do not check any boxes yourself.

**2. File the paperwork:**

**In person:** Bring your forms to the Family Courthouse. File them at the Clerk’s Office on the 1st floor (you will need to get a ticket for filing when you arrive).

**Online:** You can upload your documents at <https://nevada.tylerhost.net/OfsWeb/>. There is a $3.50 fee to e-file your documents.

**3. Wait for the judge to review your request.**

The filing clerk will notify the judge when you file your papers so the judge can make a decision. The judge reviews the petition usually the same day. The judge may do one of three things:

1. **Deny the request**.
2. **Set the case for a hearing**. If so, plan to attend that hearing.
3. **Grant an order authorizing law enforcement to pick the person up**. If so, read through the information in Step 4 below to know what will happen next.

The court will contact you with a decision.

**4. What happens if the judge grants the order?**

**You must work with law enforcement to have the person picked up within 14 days.**

* Call Las Vegas Metropolitan Police Detention Field Services Section at (702) 671-3740 Mon-Fri between 8am-3pm to arrange for them to pick the person up. Have the case information available. You will need to provide an exact location for the person, and someone with authority to enter the home will need to be present if law enforcement needs to pick the person up inside a residence. This process can take 3-5 hours. You will need to make sure Law Enforcement has a copy of the Order and the Petition.

**NOTE:** Law enforcement will not use force to take someone against their will. Law enforcement also will not take someone who has weapons and presents as a danger.

Call 911 if you need emergency assistance, or call (702) 828-3111 if you need non-emergency assistance.

* Law enforcement will take the person to a local medical hospital for a medical evaluation. That hospital can hold the person for evaluation and treatment for up to 72 hours. During that time, if the hospital decides the person is no longer a danger to themselves or others, or that the person’s behavior is not due to a mental illness, the person will be discharged.
* If the hospital decides the person is still a danger to themselves or others due to a mental illness, the hospital will file a petition with the Court to allow them to continue to hold the person against their will. The hospital will also start the process of transferring the person to a behavioral health hospital.
	+ If the hospital files a petition, the Court will set a hearing date and two independent psychiatric professionals who don’t work for the hospital will examine the person. They will form an opinion about whether the person needs to stay in the hospital for continued treatment. The person may stay at the behavioral health hospital until the hearing date, or they may be released sooner if the doctors do not believe they need to stay.
	+ There will be a hearing. If the district attorney calls you as a witness, or if the proposed patient gives permission, you may be allowed to attend the hearing. The hearing will take place at: Regional Justice Center, Courtroom 5H (5th floor) 200 Lewis Avenue, Las Vegas, NV 89155. If you have questions, call (702) 671-0762.