

What is involved in starting the Court Ordered Mental Health Evaluation process?

Any responsible person may apply for a court ordered evaluation of a person who is unwilling or unable to undergo a voluntary mental health evaluation. Assistance with the application process is available:

If you are located in Pima County, contact the Community-Wide Crisis Line, which provides 24-hour/7 days a week mental health crisis services at:

(520) 622-6000 or 1-800-796-6762.

If you are located in Pinal, Graham, Greenlee, Santa Cruz, or Cochise Counties, contact Cenpatico Behavioral Health at:
(520) 868-1347.

In the event of a life-threatening or medical emergency, call 911.

An Application for Emergency Admission for Evaluation is the appropriate form when the person in need of evaluation is a danger to self and/or others and requires immediate hospitalization.

When the patient arrives at the Emergency Room, he/she is examined by a psychiatrist who determines whether emergency admission is necessary. If the patient is admitted on the Emergency Application, the patient will be further evaluated over the next 24 hours (excluding holidays and weekends). The evaluating psychiatrist will decide whether the patient requires further evaluation. If so, a Petition for an Order for Evaluation is filed in Superior Court and the patient remains in hospital. The patient will be further evaluated by two psychiatrists over a 72-hour period (excluding weekends and holidays). During that 72-hour evaluation period, a decision will be made by the evaluating psychiatrists whether the person needs court ordered treatment. If so, then a Petition for Treatment is filed in Superior Court and a hearing date is set within four to six business days. An attorney is appointed to represent the patient's interests during the process.

If the patient is not a danger to self or others, an Application for Involuntary Evaluation is completed and submitted to SAMHC.

SAMHC will send a team of psychiatric evaluators to evaluate the patient in the community. If the evaluators determine further evaluation is necessary, a Petition for an Order For Evaluation (usually as an inpatient) is filed with the Court. When the Order for Evaluation is signed, the Court notifies the appropriate law enforcement agency that the patient must be picked up and taken to the designated hospital or evaluation facility within 14 days. Once the patient is admitted by Court Order, two psychiatrists must evaluate the patient within 72 hours (excluding weekends and holidays) to determine whether a Petition for Treatment is necessary. If so, the Petition is filed and a hearing date is set (within four to six business days). An attorney is appointed to represent the patient's interests throughout the process.

What Happens at the Hearing?

Hearings are held at the hospital or mental health treatment facility where the patient is being evaluated. The patient will have a Court appointed attorney to represent him/her and will be present in the Courtroom. Evidence in support of the Petition for Treatment is presented to the Court by an assigned Deputy Pima County Attorney from the Civil Law Division. The two evaluating psychiatrists will testify and at least two additional witnesses, such as family members or other people who may be involved in the patient's life will testify. The attorney for the patient may present witnesses as well. The patient is not required to testify, but may choose to do so.

When the Judge Makes a Decision

At the hearing, one of three things will happen. The judge will decide:

1. Yes, court ordered treatment is necessary and the patient will remain in the hospital until the inpatient treatment team decides the patient is ready for discharge and the outpatient portion of the court order.
2. Yes, court ordered treatment is necessary, but the person is well enough to be discharged and begin the outpatient portion of the court order.
3. No, court ordered treatment is not necessary and the patient is discharged immediately.

FREQUENTLY ASKED QUESTIONS

If I signed the initial application that started the Court Ordered Evaluation process, can I withdraw the application and stop the process?

No, the applicant cannot change his/her mind and have the patient released.

If I am listed as a witness, do I have to appear in court?

Yes. Your appearance is important. As soon as the hearing is scheduled, a Paralegal from the Pima County Attorney's Office begins gathering information and contacting potential witnesses. You may testify only about what you have personally seen or heard. If there is a problem concerning your appearance, advise the Paralegal assigned to the case immediately. Please note, however, that you must appear if you have received a Subpoena.

How long will the person be on Court Order and will he/she have to stay in the hospital the entire time?

The Court Order lasts for one year (365 days). It is usually a combination of inpatient and outpatient treatment. The inpatient portion can be up to 90 days if the patient is a danger to self, 180 days if the patient is a danger to others or persistently and acutely disabled, or 365 days if the patient is gravely disabled. This does not mean the person has to stay in the hospital. As soon as the patient is well enough to be treated in a less restrictive setting, he/she will be discharged from the hospital and begin the outpatient portion of his/her treatment.

If the person is still on Court Order and living in the community and the need arises for another hospitalization, do we have to go through the evaluation process again and another hearing?

No. If the person still has inpatient days left on the court order and it is still within one year from the original court order date, the process does not have to be repeated. The assigned outpatient treatment agency may ask the Court to amend the Court Order to return the patient to the hospital. However, the outpatient treatment team may have some other solutions that are less restrictive.

CRISIS INTERVENTION

Southern Arizona Mental Health Corporation
(SAMHC)

Behavioral Health Services

No-Cost Help

24 Hours a Day / 7 Days a Week

Crisis Line: (520) 622-6000
or **1-800-796-6762**

Website: www.samhc.com

Address: 2502 N. Dodge Blvd. Ste. 190
Tucson, AZ 85716

Phone: (520) 740-5750

Fax: (520) 620-6556

Website: www.PCAO.Pima.Gov/Civil.htm

Address: Health Law Unit

Civil Division

Pima County Attorney's Office

32 N. Stone Ave., Ste. 2100

Tucson, AZ 85701-1412

COMMUNITY RESOURCES

Community Partnership
of Southern Arizona (CPSA)

Regional Behavioral Health Authority

(520) 318-6946 www.cpsa-rbha.org
1-800-771-9889

CODAC

Behavioral Health Services

(520) 327-4505 www.codac.org

COPE Community Services

Behavioral Health Services

(520) 205-4732 www.copebhs.com

La Frontera Arizona

Behavioral Health Services

(520) 884-9920 www.lafronteraarizona.com

Cenpatico Behavioral Health

(520) 868-1347 www.cenpatico.com

National Alliance on Mental Illness
of Southern Arizona (NAMISA)

No-Cost Advocacy, Education, & Support

(520) 622-5582 www.namisa.org

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Barbara Burstein, Deputy County Attorney
Grant Winston, Deputy County Attorney



Barbara LaWall
Pima County Attorney

WHAT IS THE COURT ORDERED MENTAL HEALTH EVALUATION PROCESS?

If you are involved in or thinking about beginning the Court Ordered Mental Health Evaluation process for someone you know or care about and whom you believe needs psychiatric care, but is unwilling or unable to obtain care voluntarily, the following information may help you better understand the process.

The Purpose of Court Ordered Mental Health Evaluation is to provide a safe place for people who may be in need of behavioral health care and psychiatric services where they can be fully assessed by mental health professionals. Psychiatrists, nurses, social workers, and other behavioral health professionals work together as a multi-disciplinary team collaborating with referring physicians, outpatient treatment teams from behavioral health agencies, and other health care professionals to ensure the best outcome for the patient.