

## Title 36 - Involuntary Petitioning Process

Where can a person file an involuntary petition?

Phoenix (Central)	Mesa (East)	Peoria (West)
Connections AZ (UPC) 1201 S 7 <sup>th</sup> Ave Phoenix, AZ 85007  602-416-7600	Community Bridges (CPEC) 358 E Javelina Ave Mesa, AZ 85210  602-273-9999	RI International (RRC) 11361 N 99 <sup>th</sup> Ave Peoria, AZ 85345  602-636-4605

When can a person be petitioned?

When a person is in immediate danger of hurting themselves or others due to a mental disorder and is unwilling or unable to seek treatment.

Who is the applicant on the petition?

Any person 18+ who has witnessed the behaviors of the person being petitioned. One witness is needed to file a petition. If the provider decides that the person is in need of court-ordered treatment, a second witness is needed.

What happens after the petition is completed?

1. The petition is reviewed within three (3) days by a provider who determines if an evaluation is needed.
2. If the petition is accepted by the provider, a pick up order is sent to police.
3. The police will go to the location of the person and take them to the provider.
4. The person will be involuntarily admitted for an evaluation.
5. The provider has 24 hours to evaluate if the person will continue with the court-ordered evaluation.
6. If the person needs court-ordered treatment, the witness(es) on the petition will need to testify in court.
7. If the petition was dropped it means the person was not determined to need court-ordered treatment, either because of their presenting symptoms or because they became voluntary for treatment.
8. In order for the petitioner to gain any information about the patient's treatment, the patient must agree to sign a release of information.

## How long is the petition good for?

There is no expiration date for a petition.

## When can a person be ordered by the court to undergo mental health treatment?

- A Danger to Self
- A Danger to Others
- Gravely Disabled (GD) - unable to take care of basic physical needs
- Persistently or Acutely Disabled (PAD) - likely to suffer severe mental or physical harm that impairs their judgment

## How long does a court order last?

A maximum of one year unless:

- A person agrees to voluntary treatment.
- A new petition for court-ordered treatment is started before the discharge date.
- A person is court-ordered as gravely disabled or persistently and acutely disabled.

## Legal rights of a person surrounding court-ordered evaluation and treatment include:

- The right to stop the legal process by agreeing to a voluntary evaluation and/or treatment.
- The right to effective legal counsel that the court will appoint if a person cannot afford it.
- The right to go to the hearing and speak at the hearing.
- The right to an evaluation by an independent physician who will be appointed by the state if the person cannot afford it.