

# Overview - Information for the Petitioner About Involuntary Emergency Admissions

## General Information:

### **The Start of the IEA Process**

The IEA process starts with the Petitionee's admission to an Emergency Department at any hospital in the State. Please note that throughout the IEA process, the Petitionee is also referred to as the "person to be admitted," the "patient," or sometimes they are called the "respondent." Their admission at the Emergency Department will happen in one of two ways.

- The Petitionee may have voluntarily gone to the Emergency Department for assistance. In that situation, you (the Petitioner) will either complete an IEA Petition before going to the hospital with the Petitionee, or you might complete the IEA Petition while you are at the hospital.
- In other circumstances, the Petitionee was transported to the hospital by law enforcement because they were not willing or able to go voluntarily. For that to have happened, you completed an IEA Petition **and** either you or a law enforcement officer completed a Complaint for Compulsory Mental Examination which was signed by a judge or justice of the peace.

### **At the Hospital Emergency Department**

Each hospital emergency department is a little different and, of course, the timing of when you are at the emergency department will factor into your experience, but generally you can expect:

- To hand the entire IEA Petition (including the additional pages that will not yet be filled in) to the hospital staff for the medical professionals to complete their parts of the process.
- The Petitionee to be physically examined (usually) and to be seen by a mental health professional. If the medical professionals determine that the Petitionee meets the criteria to be held for treatment at a mental health facility (called a designated receiving facility or DRF) they will sign the IEA Certificate of Admission, which is part of the Petition you provided.
- Hospital personnel will send the fully completed Petition to the Department of Health and Human Services and the DRF. Those entities **may file** the IEA Petition with the court. The reason for the use of the words **may file** is because along the way other things might happen. For example, the Petitionee could have voluntarily checked themselves into the hospital. Or, another physician may have determined that the Petitionee does not meet the eligibility requirements for admission. In either of those scenarios, the IEA Petition will not get filed with the court.

### **If IEA Petition is Filed with the Court**

- If the Petition is filed with the court, the court will first appoint an attorney for the Petitionee.
- Court staff will select a hearing date that will be within three (3) days, not including Sundays and Holidays, from the date that the IEA Certificate of Admission was signed by the hospital professional.

- You will receive an email with the Notice of Hearing and information necessary for you to participate in the hearing process. Be sure to provide a valid email address as this is how the court will communicate important information to you. The email will come from ConcordCircuitIEA@courts.state.nh.us. It is also essential to provide a phone number where you can be reached by the court for the hearing. For the hearing, you should be in a location where it is quiet and the confidentiality of the process can be protected.
- At the hearing, you will be sworn in and asked to verify the information that you completed on the Petition. The Petitioner's attorney will be allowed to ask you questions (cross examine) and the judge may also ask you questions to assist in determining whether the Petitioner presented a danger to self or others when you signed the IEA Petition.
- If you included any witness statement(s) in the IEA Petition, you will need to make arrangements to have the witness(es) available by telephone on the date and time of the hearing.
- When the hearing has concluded, the judge will take the case under advisement and issue a written decision that you will receive by email later that day, or the next day. If the petition is granted, the Petitioner may be held for treatment for up to 10 days from the date the certificate was signed (not including weekends - so up to approximately 14+/- days).

**Other Helpful Resources:**

RSA:

RSA 135-C NH Mental Health Services System

See specifically -- RSA 135-C:27-33 Involuntary Emergency Admissions

NH DHHS Mental Health Information Page

NAMI New Hampshire Website

Resources for Adults Waiting in Emergency Departments

Resources for Kids Waiting in Emergency Departments

**For Further Information:**

If you have questions, please contact the court at 1-855-212-1234.