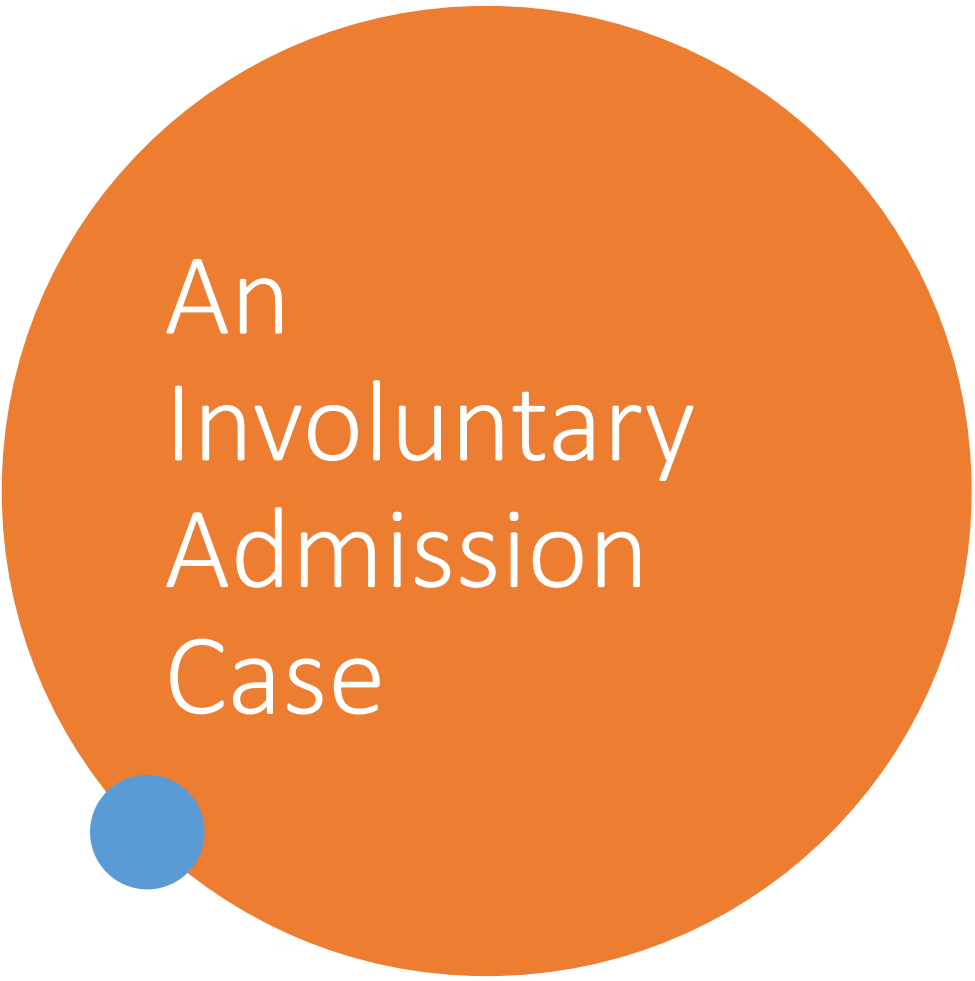



Involuntary Admissions Process

RSA 135-C



An
Involuntary
Admission
Case



involves the involuntary mental
health treatment
of patients in need, not on an
emergency basis

An Involuntary Admission Case



provides opportunity
for a longer-term
solution, is confidential,



and moves quickly

The Involuntary Admission Process

Every patient and situation is different

Medical professionals and attorneys are involved

Judge and staff are specially trained for these unique cases

The Involuntary Admission Process

Resources are available

This presentation focuses
on the mandatory court-
connected e-filing process

E-filing is Not Available for



When someone is found incompetent to stand trial and dangerous to themselves and/or the community (RSA 171-B)



When a guardian seeks to involuntarily admit a ward under their care (RSA 464-A:25)



Overarching Purpose of State Mental Health System

II. It is the policy of this state to provide to persons who are severely mentally disabled adequate and humane care which, to the extent possible while meeting the purposes of habilitation and treatment, is:


(a) Within each person's own community.

(b) Least restrictive of the person's freedom of movement and ability to function normally in society while being appropriate to the person's individual capacity.

(c) Directed toward eliminating the need for services and promoting the person's independence.

III. It is the policy of this state that mental illness in and of itself is insufficient to involuntarily admit any person into the mental health services system.


RSA 135-C:1

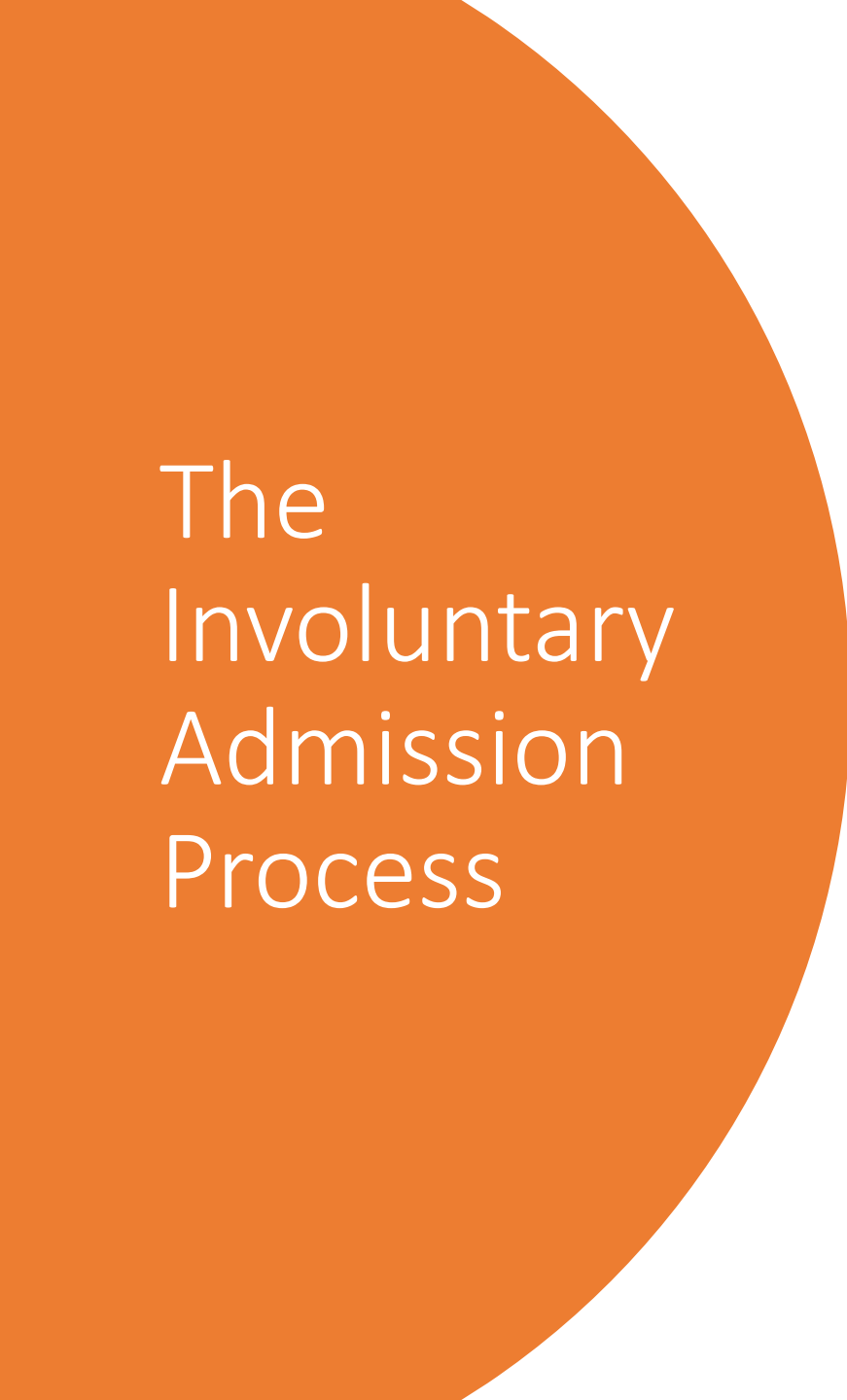
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The Involuntary Admission Process Starts with a Petition

- 1) Any “responsible” person may complete a petition in the e-filing system, seeking a hearing about whether involuntary admission of another person is appropriate. Often, this is a professional at the facility where the person is living.


This is different than an *involuntary emergency admission (IEA)*, where a family member may be most likely to submit a petition after an emergency event.

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The Involuntary Admission Process

The person for whom involuntary admission is being considered has a right to counsel, and the Court will appoint an attorney for the person who will represent them throughout the case.



The Involuntary Admission Process

2) An independent psychiatric evaluation will be performed, and the psychiatrist will submit a report through the e-filing system to the Court with recommendations.




The Involuntary Admission Process

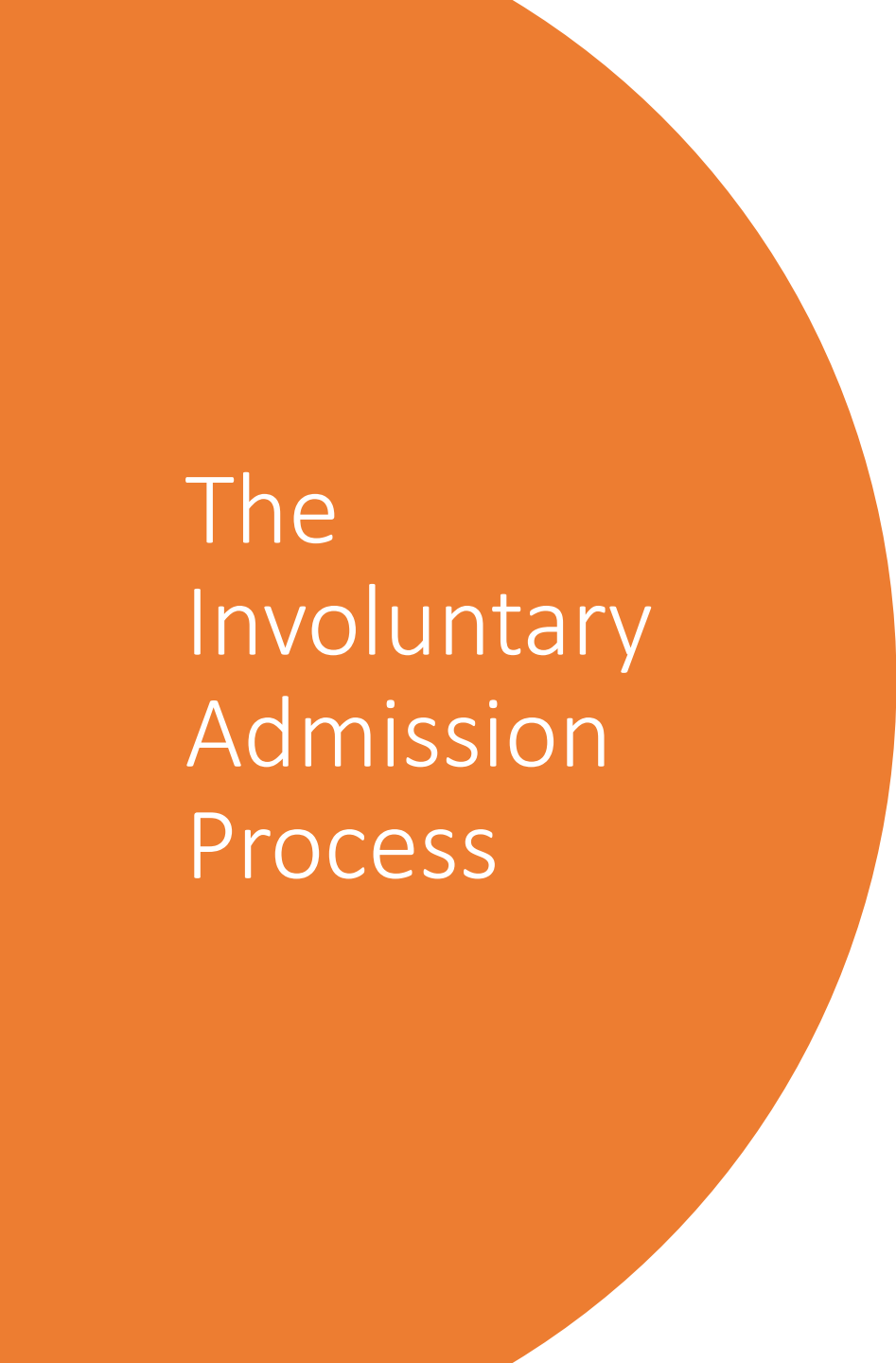
3) The judge will review the evaluation, hear other testimony, and decide whether to accept the recommendation of the psychiatrist. If the judge orders something other than what was recommended, the judge has to say why the treatment order is best for the individual and the community.



The Involuntary Admission Process

4) If the judge determines the person should be admitted, the judge will include a timeframe for the admission. Someone may be “conditionally admitted,” which means that if they comply with certain conditions (e.g., taking medication, attending treatment weekly, etc.), they do not need to stay in the hospital.



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The Involuntary Admission Process

The attorney for the person whose admission was being considered will provide a copy of a final order to the person.

Court staff can assist with e-filing, if a participant in the case is experiencing challenges with it.

All filings will be handled centrally in Concord Probate, even though a person may be living in another jurisdiction.

Ask about technology that may be available to assist participation in the hearing.

The Involuntary Admission Process



Parties can keep track of their documents, if you log in to the e-filing system.



The court process is often fairly quick, so pay attention to your email for updates, which is where you'll receive all documents in the case



The person's attorney will share the final order with the person in paper.

Additional Information

- Court Information Center: 1-855-212-1234
- Department of Health and Human Services Resources:
<https://www.dhhs.nh.gov/sites/g/files/ehbemt476/files/documents2/bmhs-reosurces.pdf>
- New Hampshire chapter of the National Alliance on Mental Illness: 1-800-242-6264