

**In the District Court of _____ County,
State of Utah**

**Application for Order of
Involuntary Commitment**

In the Matter of:

Case No: _____

County of: _____

_____, being first duly sworn upon oath, deposes and says:
Affiant

1. That _____ Date of Birth _____, now at: _____
Proposed Patient
is to the best knowledge and belief of the affiant, mentally ill and should be involuntarily
committed to: _____, pursuant to the provisions of Utah
Local Mental Health Authority

Code Annotated 62A-15-631 (2003).

Such belief is based upon the following facts, to wit: _____

2a.* That the said _____, has been examined by a licensed
Proposed patient
physician or examiner which is attached hereto and by this reference made a part hereof, or
2b.* That the said _____, has been requested to but has
Proposed patient
refused to submit to an examination of mental condition by a licensed physician or person
qualified as a designated examiner.

(*Strike either paragraph 2a or 2b)

Affiant

Relationship to Proposed Patient

Address

Subscribed and sworn to before me this _____ day of _____, 20_____.

Officer Authorized to Administer Oath

Names and addresses of those to be notified:

Parent(s) or Legal Guardian: _____

Address

Phone

Adult Family Member(s) _____

Relationship to proposed patient

Address

Phone

Legal Counsel _____

Address

Phone

Other Person(s) _____

Relationship to proposed Patient

Address

Phone

CERTIFICATE

Upon the application of _____, I, _____

Affiant

a duly licensed physician in the State of Utah, a medical officer of the United States Government in the performance of my official duties, or a designated examiner duly appointed by the Division of Substance Abuse and Mental Health pursuant to UCA 62A-15-602 (2002), examined: _____, on the ____ day of _____, 20____,

Proposed Patient

which is within a seven day period immediately preceding this certificate, and certify that in my opinion the said proposed patient is mentally ill and should be involuntarily committed to _____.

Local Mental Health Authority

Dated this ____ day of _____, 20____.

Signature

Title

Address

Instructions: "Proceedings for involuntary commitment of an individual who is 18 years of age or older may be commenced by filing a written application with the district court of the county in which the proposed patient resides or is found, by a responsible person who has reason to know of the condition of the proposed patient which lead to the belief that the individual is mentally ill and should be involuntarily committed. That application shall be accompanied by: (a) a certificate of a licensed physician or a designated examiner stating that within a seven-day period immediately preceding the certification the physician or designated examiner has examined the individual, and that he is of the opinion that the individual is mentally ill and should be involuntarily committed; or (b) a written statement by the applicant that the individual has been requested to but has refused to submit to an examination of mental condition by a licensed physician or designated examiner. The application shall be sworn to under oath and shall state the facts upon which the application is based." UCA 62A-15-631(1) (2002)

REPORT OF LOCAL MENTAL HEALTH AUTHORITY/DESIGNEE OF EXAMINATION UPON ADMISSION

To the District Court of _____ County, State of Utah:

_____, has been placed in the custody of _____
Proposed Patient Local Mental Health Authority

under the provisions of Utah Code Annotated 62A-15-631 (2003). I have examined
the above-named proposed patient and in my opinion, _____;
Proposed Patient

(Cross out phrases not applicable)

- (a) is mentally ill;
- (b) is not mentally ill;
- (c) has agreed to become a voluntary patient pursuant to UC 62A-15-625 (2002);
- (d) has not agreed to become a voluntary patient;
- (e) treatment programs are available and acceptable to the patient without court proceedings;
- (f) treatment programs are not available and acceptable without court proceedings.

Dated this _____ day of _____, 20_____.

Signature of Director or Designee

Title

Instructions: "Within 24 hours of the issuance of the order for examination, a local mental health authority or its designee shall report to the court, orally or in writing, whether the patient is, in the opinion of the examiners, mentally ill, whether the patient has agreed to become a voluntary patient under Section 62A-15-624, and whether treatment programs are available and acceptable without court proceedings. Based on that information, the court may, without taking any further action, terminate the proceedings and dismiss the application. In any event, if the examiner reports orally, he shall immediately send the report in writing to the clerk of the court." UCA 62A-15-631(3) 2003

IN THE DISTRICT COURT OF _____ COUNTY,

STATE OF UTAH

IN THE MATTER OF

ORDER FOR COMMITMENT AND/OR
DETENTION PENDING HEARING
AND/OR EXAMINATION

Case No. _____

Proposed Patient

Proceedings for the involuntary commitment of the above-named proposed patient has been filed with this Court. It appears from said application and reported facts that there is a reasonable basis to believe that the proposed patient has a mental illness which poses a substantial danger to himself, others, or property requiring involuntary commitment pending examination and hearing, or that the proposed patient has refused to submit to an interview with a mental health professional as directed from the Court.

THEREFORE, IT IS HEREBY ORDERED, pursuant to the provisions of Utah Code Annotated 62A-15-631 (2003), that such proposed patient shall be placed in the custody of the Local Mental Health Authority or in a temporary emergency facility to be detained for the purpose of examination.

ORDERED this ____ day of _____, 20____

District Court Judge

**JUDICIAL ENDORSEMENT
FOR CUSTODY AND TRANSPORTATION**

I, the undersigned, hereby authorize a mental health officer or peace officer to immediately take _____ into custody and transport said

Proposed Patient

proposed patient to the local mental health authority or to a temporary emergency facility to be detained in accordance with the above order.

Dated this ____ day of _____, 20____

District Court Judge

IN THE DISTRICT COURT OF _____ COUNTY,

STATE OF UTAH

IN THE MATTER OF:

INITIAL FINDINGS AND
ORDER OF COMMITMENT

Case No: _____

Patient

This matter was duly heard on the _____ day of _____, 20_____,
and the Court, pursuant to UCA 62A-15-631(10), having found by clear and
convincing evidence that:

- a. the proposed patient has a mental illness;
- b. because of the proposed patient's mental illness he poses a substantial
danger of physical injury to himself, which may include the inability to
provide the basic necessities of life such as food, clothing, and shelter, if
allowed to remain at liberty;
- c. the patient lacks the ability to engage in a rational decision-making
process regarding the acceptance of mental treatment as demonstrated
by evidence of inability to with the possible risks of accepting or
rejecting treatment;
- d. there is no appropriate less-restrictive alternative to a court order of
commitment; and
- e. the local mental health authority can provide the individual with
treatment that is adequate and appropriate to his conditions and needs,

NOW THEREFORE, IT IS ORDERED that _____ shall be
committed to _____, for a temporary period of _____
Local Mental Health Authority

which does not exceed six months unless sooner discharged by proper authority.

Recommended this _____ day of _____, 20_____.

Mental Health Commissioner

ORDERED this _____ day of _____, 20_____.

District Court Judge

CIVIL COMMITMENT PROCESS

The Fourth District Court holds civil commitment hearings on the Utah State Hospital campus weekly. Court exams are usually held on Thursday mornings and court is held on Friday mornings. Days and times may change.

Process

1. The Fourth District Court Mental Health Clerk notifies USH Legal Services Department of individuals scheduled for court.
2. USH Legal Services notifies appropriate agencies (USH, Wasatch MHC, UVRMC, Provo Behavioral Hospital, etc) of individual patients scheduled for court.
3. Court Notes are submitted to Legal Services one working day prior to scheduled court examinations.
4. Patients scheduled for court are examined by designated examiners and meet with attorney on Thursday mornings.
5. Designated examiners complete required paperwork and submit to Legal Services.
6. Court hearings are held on Friday mornings in the Rampton II building of the Utah State Hospital. Patients and social workers/case managers are to be present.
7. Patient and agency is notified of court decision at hearing.
 - 7.1 Court determination is entered into e-chart and/or sent to appropriate agency.

Contacts

Kathy Ferreira	USH Legal Services	(801) 344-4277
Danette Faretta-Brady	USH Legal Services	(801) 344-4217
Robyn Baxter	4 th District Court MH Clerk	(801) 429-1177

Substance Abuse
and Mental
Health Act
Section 628

Involuntary commitment -- Procedures.

62A-15-628. Involuntary commitment -- Procedures.

(1) An adult may not be involuntarily committed to the custody of a local mental health authority except under the following provisions:

(a) emergency procedures for temporary commitment upon medical or designated examiner certification, as provided in Subsection **62A-15-629(1)**;

(b) emergency procedures for temporary commitment without endorsement of medical or designated examiner certification, as provided in Subsection **62A-15-629(2)**; or

(c) commitment on court order, as provided in Section **62A-15-631**.

(2) A person under 18 years of age may be committed to the physical custody of a local mental health authority only after a court commitment proceeding in accordance with the provisions of Part 7, Commitment of Persons Under Age 18 to Division of Substance Abuse and Mental Health.

Amended by Chapter 195, 2003 General Session

Temporary commitment -- Requirements and procedures.

62A-15-629. Temporary commitment -- Requirements and procedures.

(1) (a) An adult may be temporarily, involuntarily committed to a local mental health authority upon:

(i) written application by a responsible person who has reason to know, stating a belief that the individual is likely to cause serious injury to self or others if not immediately restrained, and stating the personal knowledge of the individual's condition or circumstances which lead to that belief; and

(ii) a certification by a licensed physician or designated examiner stating that the physician or designated examiner has examined the individual within a three-day period immediately preceding that certification, and that the physician or designated examiner is of the opinion that the individual has a mental illness and, because of the individual's mental illness, is likely to injure self or others if not immediately restrained.

(b) Application and certification as described in Subsection (1)(a) authorizes any peace officer to take the individual into the custody of a local mental health authority and transport the individual to that authority's designated facility.

(2) If a duly authorized peace officer observes a person involved in conduct that gives the officer probable cause to believe that the person has a mental illness, as defined in Section **62A-15-602**, and because of that apparent mental illness and conduct, there is a substantial likelihood of serious harm to that person or others, pending proceedings for examination and certification under this part, the officer may take that person into protective custody. The peace officer shall transport the person to be transported to the designated facility of the appropriate local mental health authority pursuant to this section, either on the basis of the peace officer's own observation or on the basis of a mental health officer's observation that has been reported to the peace officer by that mental health officer. Immediately thereafter, the officer shall place the person in the custody of the local mental health authority and make application for commitment of that person to the local mental health authority. The application shall be on a prescribed form and shall include the following:

(a) a statement by the officer that the officer believes, on the basis of personal observation or on the basis of a mental health officer's observation reported to the officer by the mental health officer, that the person is, as a result of a mental illness, a substantial and immediate danger to self or others;

(b) the specific nature of the danger;

(c) a summary of the observations upon which the statement of danger is based; and

(d) a statement of facts which called the person to the attention of the officer.

(3) A person committed under this section may be held for a maximum of 24 hours, excluding Saturdays, Sundays, and legal holidays. At the expiration of that time period, the person shall be released unless application for involuntary commitment has been commenced pursuant to Section **62A-15-631**. If that application has been made, an order of detention may be entered under Subsection **62A-15-631(3)**. If no order of detention is issued, the patient shall be released unless he has made voluntary application for admission.

(4) Transportation of persons with a mental illness pursuant to Subsections (1) and (2) shall be conducted by the appropriate municipal, or city or town, law enforcement authority or, under the appropriate law enforcement's authority, by ambulance to the extent that Subsection (5) applies. However, if the designated facility is outside of that

authority's jurisdiction, the appropriate county sheriff shall transport the person or cause the person to be transported by

ambulance to the extent that Subsection (5) applies.

(5) Notwithstanding Subsections (2) and (4), a peace officer shall cause a person to be transported by ambulance if the person meets any of the criteria in Section **26-8a-305**. In addition, if the person requires physical medical attention, the peace officer shall direct that transportation be to an appropriate medical facility for treatment.

Amended by Chapter 366, 2011 General Session

**Involuntary commitment under court order -- Examination -- Hearing --
Power of court -- Findings required -- Costs.**

**62A-15-631. Involuntary commitment under court order -- Examination --
Hearing -- Power of court -- Findings required -- Costs.**

(1) Proceedings for involuntary commitment of an individual who is 18 years of age or older may be commenced by filing a written application with the district court of the county in which the proposed patient resides or is found, by a responsible person who has reason to know of the condition or circumstances of the proposed patient which lead to the belief that the individual has a mental illness and should be involuntarily committed. That application shall be accompanied by:

(a) a certificate of a licensed physician or a designated examiner stating that within a seven-day period immediately preceding the certification the physician or designated examiner has examined the individual, and that the physician or designated examiner is of the opinion that the individual is mentally ill and should be involuntarily committed; or

(b) a written statement by the applicant that:

(i) the individual has been requested to, but has refused to, submit to an examination of mental condition by a licensed physician or designated examiner;

(ii) is sworn to under oath; and

(iii) states the facts upon which the application is based.

(2) Before issuing a judicial order, the court may require the applicant to consult with the appropriate local mental health authority, or may direct a mental health professional from that local mental health authority to interview the applicant and the proposed patient to determine the existing facts and report them to the court.

(3) If the court finds from the application, from any other statements under oath, or from any reports from a mental health professional that there is a reasonable basis to believe that the proposed patient has a mental illness which poses a substantial danger, as defined in Section **62A-15-602**, to self or others requiring involuntary commitment pending examination and hearing; or, if the proposed patient has refused to submit to an interview with a mental health professional as directed by the court or to go to a treatment facility voluntarily, the court may issue an order, directed to a mental health officer or peace officer, to immediately place the proposed patient in the custody of a local mental health authority or in a temporary emergency facility as provided in Section **62A-15-634** to be detained for the purpose of examination. Within 24 hours of the issuance of the order for examination, a local mental health authority or its designee shall report to the court, orally or in writing, whether the patient is, in the opinion of the examiners, mentally ill, whether the patient has agreed to become a voluntary patient under Section **62A-15-625**, and whether treatment programs are available and acceptable without court proceedings. Based on that information, the court may, without taking any further action, terminate the proceedings and dismiss the application. In any event, if the examiner reports orally, the examiner shall immediately send the report in writing to the clerk of the court.

(4) Notice of commencement of proceedings for involuntary commitment, setting forth the allegations of the application and any reported facts, together with a copy of any official order of detention, shall be provided by the court to a proposed patient before, or upon, placement in the custody of a local mental health authority or, with respect to any individual presently in the custody of a local mental health authority whose status is being changed from voluntary to involuntary, upon the filing of an

application for that purpose with the court. A copy of that order of detention shall be maintained at the place of detention.

(5) Notice of commencement of those proceedings shall be provided by the court as soon

as practicable to the applicant, any legal guardian, any immediate adult family members, legal counsel for the parties involved, and any other persons whom the proposed patient or the court shall designate. That notice shall advise those persons that a hearing may be held within the time provided by law. If the patient has refused to permit release of information necessary for provisions of notice under this subsection, the extent of notice shall be determined by the court.

(6) Proceedings for commitment of an individual under the age of 18 years to the division may be commenced by filing a written application with the juvenile court in accordance with the provisions of Part 7, Commitment of Persons Under Age 18 to Division of Substance Abuse and Mental Health.

(7) The district court may, in its discretion, transfer the case to any other district court within this state, provided that the transfer will not be adverse to the interest of the proposed patient.

(8) (a) Within 24 hours, excluding Saturdays, Sundays, and legal holidays, of the issuance of a judicial order, or after commitment of a proposed patient to a local mental health authority under court order for detention or examination, the court shall appoint two designated examiners to examine the proposed patient. If requested by the proposed patient's counsel, the court shall appoint, as one of the examiners, a reasonably available qualified person designated by counsel. The examinations, to be conducted separately, shall be held at the home of the proposed patient, a hospital or other medical facility, or at any other suitable place that is not likely to have a harmful effect on the patient's health.

(b) The examiner shall inform the patient if not represented by an attorney that, if desired, the patient does not have to say anything, the nature and reasons for the examination, that it was ordered by the court, that any information volunteered could form part of the basis for his or her involuntary commitment, and that findings resulting from the examination will be made available to the court.

(c) A time shall be set for a hearing to be held within 10 calendar days of the appointment of the designated examiners, unless those examiners or a local mental health authority or its designee informs the court prior to that hearing date that the patient is not mentally ill, that the patient has agreed to become a voluntary patient under Section **62A-15-625**, or that treatment programs are available and acceptable without court proceedings, in which event the court may, without taking any further action, terminate the proceedings and dismiss the application.

(9) (a) Before the hearing, an opportunity to be represented by counsel shall be afforded to every proposed patient, and if neither the patient nor others provide counsel, the court shall appoint counsel and allow counsel sufficient time to consult with the patient before the hearing. In the case of an indigent patient, the payment of reasonable attorney fees for counsel, as determined by the court, shall be made by the county in which the patient resides or was found.

(b) The proposed patient, the applicant, and all other persons to whom notice is required to be given shall be afforded an opportunity to appear at the hearing, to testify, and to present and cross-examine witnesses. The court may, in its discretion, receive the testimony of any other person. The court may allow a waiver of the patient's right to appear only for good cause shown, and that cause shall be made a matter of court record.

(c) The court is authorized to exclude all persons not necessary for the conduct of the proceedings and may, upon motion of counsel, require the testimony of each examiner to

be given out of the presence of any other examiners.

(d) The hearing shall be conducted in as informal a manner as may be consistent with orderly procedure, and in a physical setting that is not likely to have a harmful effect on the mental health of the proposed patient.

(e) The court shall consider all relevant historical and material information which is offered, subject to the rules of evidence, including reliable hearsay under Rule 1102, Utah Rules of Evidence.

(f) (i) A local mental health authority or its designee, or the physician in charge of the patient's care shall, at the time of the hearing, provide the court with the following information:

- (A) the detention order;
- (B) admission notes;
- (C) the diagnosis;
- (D) any doctors' orders;
- (E) progress notes;
- (F) nursing notes; and
- (G) medication records pertaining to the current commitment.

(ii) That information shall also be supplied to the patient's counsel at the time of the hearing, and at any time prior to the hearing upon request.

(10) The court shall order commitment of an individual who is 18 years of age or older to a local mental health authority if, upon completion of the hearing and consideration of the information presented in accordance with Subsection (9)(e), the court finds by clear and convincing evidence that:

- (a) the proposed patient has a mental illness;
- (b) because of the proposed patient's mental illness the proposed patient poses a substantial danger, as defined in Section **62A-15-602**, to self or others, which may include the inability to provide the basic necessities of life such as food, clothing, and shelter, if allowed to remain at liberty;
- (c) the patient lacks the ability to engage in a rational decision-making process regarding the acceptance of mental treatment as demonstrated by evidence of inability to weigh the possible risks of accepting or rejecting treatment;
- (d) there is no appropriate less-restrictive alternative to a court order of commitment; and
- (e) the local mental health authority can provide the individual with treatment that is adequate and appropriate to the individual's conditions and needs. In the absence of the required findings of the court after the hearing, the court shall forthwith dismiss the proceedings.

(11) (a) The order of commitment shall designate the period for which the individual shall be treated. When the individual is not under an order of commitment at the time of the hearing, that period may not exceed six months without benefit of a review hearing. Upon such a review hearing, to be commenced prior to the expiration of the previous order, an order for commitment may be for an indeterminate period, if the court finds by clear and convincing evidence that the required conditions in Subsection (10) will last for an indeterminate period.

(b) The court shall maintain a current list of all patients under its order of commitment. That list shall be reviewed to determine those patients who have been under an order of commitment for the designated period. At least two weeks prior to the expiration of the designated period of any order of commitment still in effect, the court that entered the original order shall inform the appropriate local mental health authority or its designee. The local mental health authority or its designee shall immediately reexamine the reasons upon which the order of

commitment was based. If the local mental health authority or its designee determines that the conditions justifying that commitment no longer exist, it shall discharge the patient from involuntary commitment and immediately report that to the court. Otherwise, the court shall immediately appoint two designated examiners and proceed under Subsections (8) through (10).

(c) The local mental health authority or its designee responsible for the care of a patient under an order of commitment for an indeterminate period, shall at six-month intervals reexamine the reasons upon which the order of indeterminate commitment was based. If the local mental health authority or its designee determines that the conditions justifying that commitment no longer exist, that local mental health authority or its designee shall discharge the patient from its custody and immediately report the discharge to the court. If the local mental health authority or its designee determines that the conditions justifying that commitment continue to exist, the local mental health authority or its designee shall send a written report of those findings to the court. The patient and his counsel of record shall be notified in writing that the involuntary commitment will be continued, the reasons for that decision, and that the patient has the right to a review hearing by making a request to the court. Upon receiving the request, the court shall immediately appoint two designated examiners and proceed under Subsections (8) through (10).

(12) In the event that the designated examiners are unable, because a proposed patient refuses to submit to an examination, to complete that examination on the first attempt, the court shall fix a reasonable compensation to be paid to those designated examiners for their services.

(13) Any person committed as a result of an original hearing or a person's legally designated representative who is aggrieved by the findings, conclusions, and order of the court entered in the original hearing has the right to a new hearing upon a petition filed with the court within 30 days of the entry of the court order. The petition must allege error or mistake in the findings, in which case the court shall appoint three impartial designated examiners previously unrelated to the case to conduct an additional examination of the patient. The new hearing shall, in all other respects, be conducted in the manner otherwise permitted.

(14) Costs of all proceedings under this section shall be paid by the county in which the proposed patient resides or is found.

Circumstances under which conditions justifying initial involuntary commitment shall be considered to continue to exist.

62A-15-632. Circumstances under which conditions justifying initial involuntary commitment shall be considered to continue to exist.

(1) After a person has been involuntarily committed to the custody of a local mental health authority under Subsection **62A-15-631**(10), the conditions justifying commitment under that subsection shall be considered to continue to exist, for purposes of continued treatment under Subsection **62A-15-631**(11) or conditional release under Section **62A-15-637**, if the court finds that the patient is still mentally ill, and that absent an order of involuntary commitment and without continued treatment the patient will suffer severe and abnormal mental and emotional distress as indicated by recent past history, and will experience deterioration in the patient's ability to function in the least restrictive environment, thereby making the patient a substantial danger to self or others.

(2) A patient whose treatment is continued or who is conditionally released under the terms of this section, shall be maintained in the least restrictive environment available that can provide the patient with the treatment that is adequate and appropriate.

Substance Abuse
and Mental
Health Act
Section 636

Periodic review -- Discharge.

62A-15-636. Periodic review -- Discharge.

Each local mental health authority or its designee shall, as frequently as practicable, examine or cause to be examined every person who has been committed to it. Whenever the local mental health authority or its designee determines that the conditions justifying involuntary commitment no longer exist, it shall discharge the patient. If the patient has been committed through judicial proceedings, a report describing that determination shall be sent to the clerk of the court where the proceedings were held.

Renumbered and Amended by Chapter 8, 2002 Special Session 5

**EMERGENCY APPLICATION FOR INVOLUNTARY
COMMITMENT WITH CERTIFICATION
TO**

Local Mental Health Authority

_____, 20____

To The Director:

I, _____ residing at _____,
State of _____, hereby request the temporary, involuntary commitment of

Proposed Patient to _____
Local Mental Health Authority.

I believe that the said proposed patient is likely to cause serious injury to himself or others if not immediately restrained and that the individual's condition or circumstances which lead to this belief are as follows: _____

Names and addresses of persons to be notified of placement into custody of local mental health authority:

Guardian: _____
Address Phone

Adult Family: _____
Address Phone

Other: _____
Address Phone

Applicant Signature

Relationship to proposed patient

CERTIFICATE FOR EMERGENCY COMMITMENT TO

Local Mental Health Authority

I, _____, do hereby certify that I am a physician licensed under the laws of the State of Utah to practice medicine, or a medical officer of the United States Government in the State of Utah in the performance of my official duties, or a designated examiner appointed by the Division of Substance Abuse and Mental Health* and that I have examined _____, within a three-day period preceding this certification and am of the opinion that the proposed patient is mentally ill and, because of his mental illness, is likely to injure himself or others if not immediately restrained.

Proposed Patient

The pertinent data that I have obtained is as follows: _____

Dated this _____ day of _____, 20_____.

*Cross out terms not applicable

Signature

Title

Instructions: An adult may be temporarily, involuntarily committed to a local mental health authority upon (i) written application by a responsible person who has reason to know, stating a belief that the individual is likely to cause serious injury to himself or others if not immediately restrained, and stating the personal knowledge of the individual's condition or circumstances which lead to that belief; and (ii) a certification by a licensed physician or designated examiner stating that the physician or designated examiner has examined the individual within a three-day period preceding that certification, and that he is of the opinion that the individual is mentally ill and, because of his mental illness, is likely to injure himself or others if not immediately restrained. A person committed under this section may be held for a maximum of 24 hours, excluding Saturdays, Sundays, and legal holidays. At the expiration of that time period the person shall be released unless application for involuntary commitment has been commenced pursuant to Section 62A-15-631. UCA 62A-15-629

**EMERGENCY APPLICATION
FOR INVOLUNTARY COMMITMENT WITHOUT CERTIFICATION
TO**

Local Mental Health Authority

_____, 20____

To The Director:

I, _____, a duly authorized mental health or peace officer have
observed _____, in conduct which leads me to believe that there is
probable cause that _____, is mentally ill and that there is substantial
likelihood of serious harm to self or others unless taken into protective custody pending
proceedings for examination and certification. I hereby make application for commitment of
the said proposed patient to: _____.

Proposed Patient

Proposed Patient

Local Mental Health Authority

I took the proposed patient into protective custody under the following circumstance(s):

- (a) Statement of facts which called proposed patient to attend of officer: _____

- (b) Specific nature of danger: _____

- (c) Summary of observation upon which the statement of danger is based: _____

Names and addresses of persons to be notified of placement in custody of local mental health authority:

Guardian: _____
Address Phone

Adult Family: _____
Address Phone

Other: _____
Address Phone

Signature of Mental Health Officer or Peace Officer

INSTRUCTIONS

If a duly authorized peace officer observes a person involved in conduct that gives the officer probable cause to believe that the person is mentally ill, as defined in Section 62A-15-602, and because of that apparent mental illness and conduct, there is a substantial likelihood of serious harm to that person or others, pending proceedings for examination and certification under this part, the officer may take that person into custody. The peace officer shall transport the person to be transported to the designated facility of the appropriate local mental health authority pursuant to this section, either on the basis of his own observation or on the basis of a mental health officer's observation that has been reported to him by that mental health officer. Immediately thereafter, the officer shall place the person in the custody of a local mental health authority and make application for commitment of that person to the local mental health authority. A person committed under this section may be held for a maximum of 24 hours, excluding Saturdays, Sundays, and legal holidays. At the expiration of that time period, said person shall be released unless application for involuntary commitment has been commenced pursuant to Section 62A-15-631.