

## Involuntary Treatment Civil Commitment Overview

**5150** – detained to 72 hours (WIC section 5151 may be detained for a period not to exceed 72 hours) for assessment, evaluation, and crisis intervention, or placement for evaluation and treatment in a county designated; 72 hours **starts** when hold initiated, NOT when individual arrives at designated facility

5150 criteria:

- danger to others = threats or actual attempts to harm others
- grave disability = no longer able to provide for their own food, clothing, or shelter because of a mental health disorder; excludes being homeless by itself

At end of 72 hours, one of the following must happen:

1. individual is released;
2. individual signs in voluntarily;
3. individual is put on a 14-day involuntary hold (5250 or certification for intensive treatment); OR
4. individual is referred for conservatorship. (WIC section 5152(b))

**5250** – certified for not more than 14 days of intensive treatment

5250 criteria:

- danger to self
- danger to others
- grave disability

Individual has the right to a Certification Review Hearing held within 4 days of 14-day hold, unless individual requests postponement.

Individual also has the right to request a Habeas Corpus hearing.

At end of the 14 days, one of the following must happen:

1. individual is released;
2. individual signs in voluntarily; OR
3. individual is placed on another involuntary hold.

The total period of involuntary detention may not exceed the total maximum period of time during which the person could have been detained, or 17 days. (WIC section 5258)

**What happens next:** at the expiration of the 14-day period:

**5260** – an individual remains a danger to self may be recertified for another 14-day of intensive treatment.

- anyone knowingly or willfully detaining an individual beyond the 14 days liable to that person in civil damages. (WIC section 5265)

At end of the 14 days, one of the following must happen:

1. individual is released;
2. individual signs in voluntarily;
3. individual who is gravely disabled is placed on a conservatorship (WIC §5350); OR
4. individual who is “imminently dangerous to others” is subject to a petition for post certification treatment if a danger to others (WIC §§5300 *et seq*). (WIC section 5264)

OR

**5270** – an individual who remains gravely disable may be certified for an additional 30 days of intensive treatment ONLY in counties in which the county board of supervisors has authorized such holds

At end of the 30 days, one of the following must happen:

5. individual is released;
6. individual signs in voluntarily; OR
7. individual is who is gravely disabled placed on a conservatorship (WIC section 5350);
8. individual who is “imminently dangerous to others” is subject to a petition for post certification treatment if a danger to others (WIC section 5300 *et seq*). (WIC section 5270.35)

- anyone knowingly or willfully responsible for detaining an individual beyond the 30 days liable to that person in civil damages. (WIC section 5270.40)

**5301** – if remain a danger to others, the court may order a 180-day post-certification renewable hold