

# Joel's Law Petition for Initial Detention

This packet contains the:

- User Guide
- Petition
- Declaration
- Return of Service
- Orders

Mandatory Forms in Washington State Courts



WASHINGTON  
**COURTS**  
ADMINISTRATIVE OFFICE OF THE COURTS

Washington Pattern Forms Committee and the  
Administrative Office of the Courts  
Olympia, Washington

June 2022

## User Guide for the Joel's Law Petition for Initial Detention

### What is a Joel's Law Petition for Initial Detention?

If a person 13 years of age or older has a behavioral health disorder and is a danger to themselves, others, property, or is gravely disabled, and a designated crisis responder (DCR) does not act to detain that person for evaluation and treatment or secure withdrawal management and stabilization services, then this petition allows an immediate family member, guardian, or conservator of the person, or a federally recognized Indian tribe, if the person is a member of the tribe, to ask the superior court to review that DCR's decision and consider an order to detain that person for initial detention.

### Who Can File A Petition for Initial Detention?

An immediate family member, guardian, or conservator of a person, or a federally recognized Indian tribe, if the person is a member of the tribe, can file such a petition with the court. **A conservator can only apply on behalf of the respondent if they are an adolescent (ages 13-17).** The person filing the petition is called the "Petitioner", and the person for whom detention and treatment is sought is called the "Respondent".

### How Do I File a Petition for Initial Detention?

Follow these instructions. They will: (1) tell you what facts must exist in order for you to be able to file the petition; (2) tell you how to file the petition; and (3) explain what happens after you file the petition.

### Definitions

"Behavioral health disorder" means either a mental disorder, a substance use disorder, or a co-occurring mental disorder and substance use disorder.
"Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions.
"Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substance.
An immediate family member is the spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling of the person that is the subject of the <i>Joel's Law Petition for Initial Detention</i> .
A guardian is a person appointed by the court to make decisions with respect to the personal affairs of an individual.
A conservator is a person appointed by a court to make decisions with respect to the property or financial affairs of an individual subject to conservatorship.
"Designated crisis responder" (DCR) is a mental health professional appointed by the county, by an entity appointed by the county, or by the Washington State Health Care Authority in

consultation with a federally recognized Indian tribe or after meeting and conferring with an Indian health care provider, to perform the duties specified in chapter 71.05 RCW.

**1. You can file a Joel's Law petition if:**

- A. You are an immediate family member, guardian, or conservator of the person that you seek to have detained, or a federally recognized Indian tribe, if the person is a member of the tribe; and
- B. You or someone else asked for an investigation of the person that you seek to have detained; and
- C. Either:
  1. A DCR conducted the Involuntary Treatment Act (ITA) investigation and decided not to detain the person for evaluation and treatment; or
  2. 48 hours passed since the DCR received the request for investigation and the DCR has not taken action to have the person detained; and
- D. You file your petition within 10 calendar days following the:
  1. DCR ITA investigation, or
  2. Request for investigation, if the DCR has not taken any action to have the person detained.

*If it has been more than 10 calendar days, you cannot file a petition but you may request a new DCR investigation. How can you find out the date? If you ask the DCR or agency for the date of the investigation, they must give you the date to help you prepare the petition.*

**2. How to complete the petition:**

- A. Fill out the *Petition* (the form begins following the last page of this information sheet). Provide all of the information requested, including:
  1. A description of the relationship between you and the person; and
  2. The date on which an investigation was requested from the DCR; and
  3. The date of the DCR investigation, if there was one.
  4. Fill out the *Declaration* to describe why the person should be detained (this declaration will be part of the petition once complete). For each category, check yes, no, or don't know.
    - For each question that you answer yes, provide a description of the person's behavior in the space provided on the form. Be as detailed as you can.  
For example, you may describe a history of one or more violent acts, such as behavior that resulted in death, attempted suicide, nonfatal injuries, or substantial damage to property.
    - If you have any documents that support the petition, list the documents and attach copies.

5. You must sign the petition and declaration under penalty of perjury under the laws of the State of Washington, and you must include the date when signed and place (city and state) where you signed it.

*Complete the petition with as much information as you can to describe why you think the respondent should be detained.*

- B. In support of the petition, other family members, landlords, neighbors, teachers, school personnel, or anyone else with significant contact and a history of involvement with the person may also provide a declaration. They must sign their declaration under penalty of perjury under the laws of the State of Washington, and they must include the date when signed and place (city and state) where they signed it.

### 3. Where Do You File Your Petition?

File your petition and any witness declarations with the clerk of the superior court in the county where the DCR ITA investigation:

- occurred; or
- was requested to occur.

Go to this web page for a list of county courts and clerks' offices:  
[http://www.courts.wa.gov/court\\_dir/?fa=court\\_dir.county](http://www.courts.wa.gov/court_dir/?fa=court_dir.county)

**Note:** If at any time a DCR files a petition for the initial detention of the same person you are seeking to have detained, the court will dismiss your petition and the petition filed by the DCR will move forward.

### 4. What Happens After You File the Petition?

- A. Within 1 judicial day, a judicial officer (either a judge or commissioner) will review your petition and any other declarations. That judicial officer will decide whether the documents raise sufficient evidence to support your request for the detention of the person.
1. If there is not sufficient evidence, the judicial officer will dismiss your petition. You will receive a copy of the court's dismissal order.
  2. If there is sufficient evidence, the judicial officer will provide a copy of the petition to the DCR agency. The court will order the agency, within 1 judicial day, to file a written sworn statement describing the basis for the decision not to seek the initial detention. The agency must provide documents supporting its decision.
- B. After you file your petition and before the judicial officer makes a decision, anyone may file a written sworn declaration in support of, or in opposition to, your petition.
- C. The judicial officer will review all information provided to the court.
- D. No later than 5 judicial days after the date you file the petition, the judicial officer will issue a final decision.
1. If there is insufficient probable cause to support the petition, the court will deny the petition. You will receive a copy of the court's dismissal order.
  2. If there is probable cause to support the petition, and the person refuses or does not accept voluntary evaluation and treatment, the court will grant the petition.

3. If the person is 18 or older, the court may issue an order for initial detention for evaluation and treatment for not more than 120 hours, and a warrant for law enforcement to apprehend and deliver the person to the facility or emergency room determined by the DCR.
4. If the person is an adolescent, the court must issue an order for initial detention for evaluation and treatment for not more than 120 hours, and a warrant for law enforcement to apprehend and deliver the person to the facility as determined by the DCR.
5. The initial detention order remains valid for up to 180 days.
6. You will receive a copy of the court's order/s.

Superior Court of Washington, County of \_\_\_\_\_

In re the detention of

\_\_\_\_\_  
Respondent (person to be detained)    DOB

\_\_\_\_\_  
Petitioner

Case No.

**Joel's Law Petition for Initial  
Detention**  
(PMIR, PMINE, paragraph 3)  
(Cause code - MIF)

To ask the court to detain the respondent, complete and file with the clerk of the court:

- this petition and
- the Declaration in Support of Joel's Law Petition for Initial Detention.

You may also file signed declarations from family members, landlords, neighbors, teachers, school personnel, or anyone else with significant contact and a history of involvement with Respondent.

I, (name of Petitioner) \_\_\_\_\_, am filing this Petition for Initial Detention to ask the court to detain Respondent for behavioral health disorder evaluation and treatment.

**1. Petitioner's Relationship to the Respondent**

I am Respondent's:

spouse  domestic partner  child  stepchild

parent  sibling  stepparent  grandparent

guardian  conservator (only applicable if Respondent is an adolescent, age 13-17)

\*The Guardianship or Conservatorship case number is

\_\_\_\_\_ and it is filed in (county name)  
\_\_\_\_\_ County Superior Court.

I am an authorized representative of a federally recognized Indian tribe, of which Respondent is a member.

Name of federally recognized Indian tribe: \_\_\_\_\_

**2. Petitioner's Contact Information**

My contact information is:

Telephone: \_\_\_\_\_

Email address: \_\_\_\_\_

Mailing address: \_\_\_\_\_

**3. Information about the Designated Crisis Responder (DCR) Investigation**

An investigation by a DCR was requested on (date) \_\_\_\_\_ in  
(county name) \_\_\_\_\_ County.

Name of DCR and agency: \_\_\_\_\_

Telephone number: \_\_\_\_\_

What happened?

(PMIR) [ ] The DCR investigated Respondent on (date) \_\_\_\_\_ and  
decided not to detain Respondent for evaluation and treatment.

or

(PMINE) [ ] 48 hours or more have passed since the DCR received a request for investigation  
and the DCR has not taken any action to detain Respondent.

**4. Time for Filing the Petition**

I am filing this petition within 10 calendar days following the DCR investigation, or  
following the request for DCR investigation if the DCR has not taken any action.

**5. Correct County**

I am filing the petition in this county because this is where the DCR investigation occurred  
or where the investigation was requested to occur.

**Petitioner signs here:**

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is  
true and correct.

Signed at \_\_\_\_\_ Date: \_\_\_\_\_  
City State

▶ \_\_\_\_\_  
Petitioner signs here Print name Date

**Petitioner's lawyer (if any) fills out below:**

▶ \_\_\_\_\_  
Petitioner's lawyer signs here Print name and WSBA No. Date

Name: \_\_\_\_\_ Case #: \_\_\_\_\_

## Firearm Identification Worksheet

1. Does the respondent own or have access to firearm(s)? Yes No Unknown
2. Has the respondent used the firearm to threaten or intimidate you? Yes No
  - When did they last threaten you with it? \_\_\_\_\_
  - Did you report the incident to the police? Yes No
  - Which Law Enforcement Agency? \_\_\_\_\_
3. When was the last time you saw the firearm(s)? \_\_\_\_\_
4. Where does the respondent keeps the firearm(s)?  
On His/Her Person In their Car In their Home Storage Unit In a Safe
5. What does the respondent generally use the firearm for? (Circle all that apply)  
Hunting Collecting Target Shooting Protection Other: \_\_\_\_\_
6. Does the respondent possess explosives? Yes No Unknown

If you recognize any of the guns below as similar to the one(s) the respondent has, please circle it and write in the circle how many you think they have.

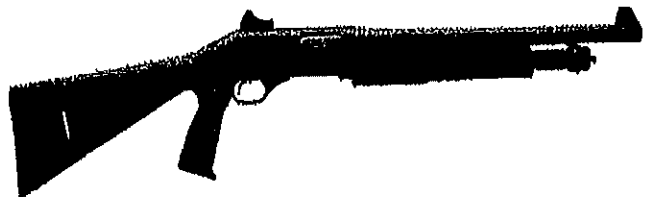
Semi-automatic Handgun



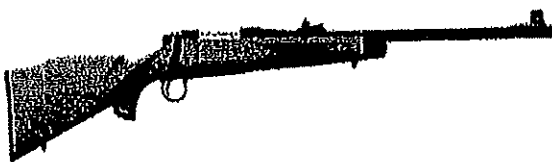
Revolver



Shotgun



Rifle



Semi-automatic Rifle



Signed: \_\_\_\_\_ Dated: \_\_\_\_\_



Superior Court of Washington, County of \_\_\_\_\_

In re the detention of

Case No.

Respondent (person to be detained) **DOB** \_\_\_\_\_

**Declaration in Support of Joel's Law  
Petition for Initial Detention  
(DCLR)**

My name is: \_\_\_\_\_

My relationship to Respondent is (for example: spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, sibling, guardian, landlord, neighbor, teacher, school personnel, or friend): \_\_\_\_\_

My contact information is:

Telephone: \_\_\_\_\_

Email address: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Read carefully and answer each question below:

**Recent Behaviors**

As a result of a behavioral health disorder:

**Harm to self:** Is there a substantial risk that physical harm will be inflicted by a person upon themselves, as evidenced by threats or attempts to commit suicide or inflict physical harm on themselves (for example, has Respondent recently threatened or attempted to kill, or badly and physically hurt themselves)?  yes  no  don't know.

**Harm to others:** Is there a substantial risk that physical harm will be inflicted by this person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm (for example, has Respondent recently physically hurt someone, and/or threatened or attempted to physically hurt someone)?  yes  no  don't know.

**Harm to others' property:** Is there a substantial risk that physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others (for example, has Respondent recently physically

damaged someone's property, and/or threatened or attempted to physically damage someone's property)?  yes  no  don't know.

**Gravely disabled (a):** Is the Respondent in danger of serious physical harm resulting from a failure to provide for their essential human needs of health or safety (for example, is Respondent unable to provide for their basic needs of food, clothing, shelter, and/or medical care)?  yes  no  don't know.

Is there a high probability of serious physical harm within the near future without adequate treatment?  yes  no  don't know.

**Gravely disabled (b):** Does the Respondent manifest severe deterioration in routine functioning, evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions, and is the Respondent not receiving such care as is essential for their health or safety (for example, is Respondent's mental control or decision-making ability getting worse and preventing the Respondent from receiving care for the basic needs of food, clothing, shelter, and/or medical care)?  yes  no  don't know.

Will harmful consequences occur to Respondent without treatment?  
 yes  no  don't know.

**Refused evaluation and treatment:** Has Respondent refused or failed to accept evaluation and treatment voluntarily?  yes  no  don't know.

**Statement**

For each question you answered yes, describe the behavior, starting with the most recent, that caused you to answer yes. Be as detailed in your descriptions as possible and include dates for each event or an example, if you can, and explain how you know the information (for example, Respondent told you the information, or you saw the Respondent do the things you are describing):

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Respondent previously acted when: (a) Respondent was detained or committed, (b) had a major worsening of symptoms and/or behavior, or (c) killed or hurt someone, attempted to kill themselves, or caused substantial damage to property)?  yes  no  don't know.

Do the symptoms and behaviors you described above represent a marked and concerning change in the baseline behavior of Respondent (for example, is Respondent's behavior or symptoms worse compared to how Respondent usually acts or behaves)?  yes  no  don't know.

Without treatment for the symptoms and behaviors you described above, is the continued deterioration of Respondent probable (for example, will Respondent continue to get worse without help)?  yes  no  don't know.

For each question you answered with yes, give recent examples below of the symptoms or behavior that supports the risk, harm, or deterioration that caused you to answer yes. Be as specific in your descriptions as possible. Include dates for each event or example, if possible.

Also, please explain how you know the information you are providing in this declaration (for example, Respondent told you the information, or you saw Respondent do the things you are describing). Attach additional paper (preferably lined paper) if you need more space:

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Is there any other past behavior, including violent acts, Respondent committed that you want the court to know about? If yes, please give recent examples below of that behavior. Be as specific in your descriptions as possible. Include dates for each event or example, if possible.

Also, please explain how you know the information you are providing in this declaration (for example, Respondent told you the information, or you saw Respondent do the things you are describing). Attach additional paper (preferably lined paper) if you need more space:

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**Prior Court Actions**

Has Respondent previously been found to be incompetent or insane by a court?  
 yes  no  don't know

If yes, provide as much information as you can, including the name of the court, case number, and date:

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Has Respondent previously been committed by a court to detention for behavioral health disorder treatment during the preceding 36 months?  yes  no  don't know.

Was Respondent involuntarily committed for behavioral health disorder treatment more than 36 months ago?  yes  no  don't know.

If yes, provide as much information as you can, include the name of the court, case number and date:

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Has Respondent been judicially required or administratively ordered to take antipsychotic medication while in confinement?  yes  no  don't know.

If yes, provide as much information as you can, including who ordered Respondent to take antipsychotic medication while in confinement, and when:

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**Document/s to Support Your Petition**

If you have any documents to support your petition, list them below and attach copies. These documents may include police reports, prior mental disorder or competency evaluations, prior substance use disorder evaluations, prior recommendations to have an evaluation for civil involuntary treatment commitment, prior civil or criminal involuntary treatment commitment orders, or photographs.

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I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at \_\_\_\_\_ Date: \_\_\_\_\_  
City State

▶ \_\_\_\_\_  
*Sign here* *Print name*

**SUPERIOR COURT OF WASHINGTON  
FOR COUNTY OF SPOKANE**

In re the detention of:

\_\_\_\_\_  
Respondent (person to be detained)

DOB \_\_\_\_\_

\_\_\_\_\_  
Petitioner

NO.

**RETURN OF SERVICE  
(RTS)**

1. My name is \_\_\_\_\_, I am  a peace officer  18 years of age or older and not the petitioner.
2.  I was unable to make personal service on the respondent.  I have notified the petitioner that respondent was not served.  
 Personal service was attempted on the following date(s) \_\_\_\_\_  
\_\_\_\_\_  
 No service was attempted because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3.  I served \_\_\_\_\_ with the following documents:  
(name of person served)  
\_\_\_ Joel's Law Petition for Initial Detention  
\_\_\_ Declaration in Support of Joel's Law Petition for Initial Detention  
\_\_\_ Firearm Identification Worksheet

4. I served these documents on \_\_\_\_\_ at \_\_\_\_\_ at this address:  
(date) (time)

\_\_\_\_\_

5. Other: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED \_\_\_\_\_ at \_\_\_\_\_, Washington.



**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SPOKANE**

**In re the Detention of:**

**Cause No.**

\_\_\_\_\_  
**Respondent:**

**ORDER:**

**DENYING INITIAL PETITION**

**Petitioner(s):**

**DIRECTING RESPONSE FROM  
DESIGNATED MENTAL HEALTH  
PROFESSIONAL AGENCY**

**BASIS:**

This matter comes before the court on the Petition made by an immediate family member for the involuntary detention of the above-named Respondent. The Court has been advised that a designated mental health professional has elected not to detain the Respondent for evaluation and treatment or that more than forty-eight (48) hours have elapsed since a designated mental health professional received a request for investigation and that the designated mental health professional has not taken action to have the person detained.

**Jurisdiction:** The Court has jurisdiction over the person and subject matter of this action.

**COURT HAS REVIEWED PETITION OF IMMEDIATE FAMILY MEMBERS:**

A review of the Petition shows there is sufficient evidence to require a response from the designated mental health agency.

The Petition does not raise sufficient evidence to support the request for detention of the Respondent.

Other:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ORDER:**

The Petition is denied.

The designated mental health professional agency **SHALL** provide to the court, within one judicial day of receiving this order, the following:

1. A written, sworn statement describing the basis for the decision not to seek the initial detention; and
2. A copy of all information material to the designated mental health professional's decision on detention; and
3. Any other sworn declarations that the designated mental health professional agency believes will assist the court and are either in support of or in opposition to an initial detention.

The Petitioner shall make their best efforts to have the Petition served on the Respondent.

Other:

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DATE PETITION RECEIVED BY COURT \_\_\_\_\_

DATE ORDER DIRECTING RESPONSE SENT TO AGENCY \_\_\_\_\_

The court will review the Petition and all other information submitted on \_\_\_\_\_  
\_\_\_\_\_ at \_\_\_\_\_ a.m./p.m

DONE IN OPEN COURT this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
JUDGE/COMMISSIONER

Superior Court of Washington, County of \_\_\_\_\_

In re the detention of

\_\_\_\_\_  
Respondent (person to be detained)    DOB

\_\_\_\_\_  
Petitioner

Case No.

**Joel's Law Order for Initial Detention  
(ORDTCOC)**

Clerk's Action Required: 9, 10

**Basis**

1. On (date) \_\_\_\_\_, a Petition for the involuntary detention of the respondent was filed by (choose one):
  - Family member/s;
  - Guardian;
  - Conservator (only applicable if Respondent is an adolescent); or
  - A federally recognized Indian tribe of which Respondent is a member.
2. On (date) \_\_\_\_\_, the Court found sufficient evidence to support the allegation and ordered the designated crisis responder (DCR) agency to provide a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information material to that decision within 1 judicial day.

**Findings of Fact**

3. Jurisdiction: The Court has jurisdiction over the person and subject matter of this action.
4. The Court has reviewed the following:
  - Petition for Initial Detention.
  - Declaration/s of: \_\_\_\_\_
  - \_\_\_\_\_
  - \_\_\_\_\_
  - \_\_\_\_\_



7. An immediate family member, guardian or conservator of the respondent, or a federally recognized Indian tribe of which Respondent is member, filed a Petition in accordance with RCW 71.05.201 or 71.34.710.
- There is probable cause to support an order to detain Respondent pursuant to the petition because *(check all that apply)*:
- Respondent presents a likelihood of serious harm. There is a substantial risk that Respondent, as a result of a  mental disorder  substance use disorder  co-occurring disorder *(check all that apply)*:
    - presents a likelihood of serious physical harm to themselves, as evidenced by threats or attempts to commit suicide or inflict physical harm on themselves;
    - presents a likelihood of serious physical harm to others, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm;
    - presents a likelihood of serious physical harm to the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others;
  - Respondent presents a likelihood of serious harm. The person has threatened the physical safety of another and has a history of 1 or more violent acts.
  - Respondent is gravely disabled, and as a result of a
    - mental disorder  substance use disorder  co-occurring disorders *(check all that apply)*:
      - is in danger of serious physical harm resulting from a failure to provide for their essential human needs of health or safety.
      - manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over their actions and is not receiving such care as is essential for their health or safety.
  - Respondent has refused or failed to accept appropriate evaluation and treatment voluntarily.
  - A DCR has not filed a petition for initial detention of the respondent under RCW 71.05.150, 71.05.153, or 71.34.700.

### Conclusions of Law

8. On the basis of the foregoing Findings of Fact, the Court makes the following Conclusions of Law:
- The Court has jurisdiction over Respondent and subject matter of this action;
  - Probable cause exists to order:
    - Respondent be detained to an  evaluation and treatment facility  secure withdrawal management and stabilization facility  approved substance use disorder treatment program for no more than 120 hours (excluding Saturdays, Sundays, and legal holidays) of evaluation and treatment pursuant to ch. 71.05 or 71.34 RCW;
  - Respondent has refused or failed to accept evaluation and treatment voluntarily.

**Order**

9. The court orders the following:

For Initial Detention of a Person 18 Years or Older: **(ORDTCOC)**

- Respondent shall be detained for initial detention by a DCR and delivered to a facility or emergency room determined by the DCR pursuant to ch. 71.05 RCW.
- The **clerk of the court** is directed to transmit a copy of this Order to the DCR Agency. Law Enforcement shall apprehend and deliver the Respondent to a facility or emergency room determined by the DCR. This Order expires 180 days from the date of issuance.
- Unless further evaluation and treatment is sought, Respondent shall be released from the evaluation and treatment facility not more than 120 hours from the time of detention. The 120 hours shall exclude Saturdays, Sundays, and legal holidays.
- At the time Respondent is taken into custody, they shall be served with a copy of the following original documents:
  - Petition for Initial Detention and any Declarations filed with the Petition,
  - Declaration of the DCR and any materials filed with the Declaration/s,
  - This Order, and the Order directing action and today's hearing, and
  - Notice of Rights.

For Initial Detention of an Adolescent (age 13-17): **(ORDTCOC)**

- Respondent shall be detained for initial detention by a DCR and delivered to a facility determined by the DCR under ch. 71.34 RCW.
- The **clerk of the court** is directed to transmit a copy of this Order to the DCR Agency. Law Enforcement shall apprehend and deliver Respondent to a facility determined by the DCR. This Order expires 180 days from the date of issuance.
- Unless further evaluation and treatment is sought, Respondent shall be released from the evaluation and treatment facility not more than 120 hours from the time of detention. The 120 hours shall exclude Saturdays, Sundays, and legal holidays.
- At the time Respondent is taken into custody, they shall be served with a copy of the following original documents:
  - Petition for Initial Detention and any Declarations filed with the Petition,
  - Declaration of the DCR and any materials filed with the Declaration/s,
  - This Order, and the Order directing action and today's hearing, and
  - Notice of Rights.

10. The **clerk of the court** must share commitment hearing outcomes under ch. 71.05 RCW, including the name of the facility where the person has been committed, with the local behavioral health administrative services organization that serves the region where

the superior court is located. This includes cases where the DCR investigation occurred outside the region. RCW 71.05.740. **Name of Facility:**

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### Notice of Rights

11. The respondent is given notice of the following rights:

- You have the right to communicate with an attorney immediately and the right to have an attorney represent you before and during any court hearing, and to have such attorney appointed if you cannot afford one, and the right to know the name and address of said attorney. You are entitled to contact an attorney of your choosing, or in place thereof, an attorney will be appointed to represent you.
- You have the right to remain silent, as any statement you make may be used against you.
- You have the right to present evidence and to cross-examine witnesses who may testify about you at any probable cause hearing.
- You have the right to a judicial hearing in a court of law within the next 120 hours (excludes Saturday, Sunday, and legal holidays) to determine whether there is probable cause to commit you for further mental health treatment for up to 14 days of inpatient or 90 days of outpatient treatment, as you are a person whose behavioral health disorder presents a likelihood of serious harm to yourself or others, or that you are gravely disabled.

(Commitment for 90 days of outpatient treatment is not an option for adolescents detained under RCW 71.34.)

- You have the right to apply for voluntary admission for treatment of a behavioral health disorder.
- You have the right, within 24 hours of admission, to be examined and evaluated by a physician, physician assistant, or advanced registered nurse practitioner, and a mental health or substance use disorder professional and you shall receive such treatment and care as your condition requires for the period that you are detained.
- You have the right to have reasonable precautions taken when your personal property is taken for inventory and safeguarding at the time you are involuntarily admitted to an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. A copy of the inventory, signed by the staff member making it, will be given to you and will also be open to inspection by any responsible relative, subject to any limitations you may impose. "Responsible relative" includes the guardian, conservator, attorney, spouse, parent, adult child, or adult brother or sister of the person. The facility will not disclose the contents of the inventory to any other person without your consent or an order of the court.
- If you are age 18 or older, you have the right to dispose of property and to sign contracts unless you have been adjudicated incompetent in a court proceeding directed to that particular issue.
- You have the right to refuse psychiatric medication, including antipsychotic

medication, beginning 24 hours prior to the probable cause hearing, except for adolescents detained under ch. 71.34 RCW. You also have the right to refuse the performance of electroconvulsive therapy or surgery, except emergency lifesaving surgery, unless ordered by a court of competent jurisdiction under the appropriate legal standards and procedures.

- If antipsychotic medications are administered in an emergency, you have the right to a review of that decision within 24 hours.
- You have the right not to have psychosurgery performed on yourself under any circumstances.
- You have the right to receive the necessary papers pursuant to the law.
- Except when deprivation is essential to protect your safety or the safety of others, you have the right to:
  - Wear your own clothes, and to keep and use your own personal possessions.
  - Keep and be allowed to spend a reasonable sum of your own money for canteen expenses and small purchases.
  - Have access to individual storage space for your private use.
  - Have visitors at reasonable times.
  - Have reasonable access to a telephone, to both make and receive confidential calls.
  - Have ready access to letter writing materials, including stamps, and to send and receive uncensored correspondence through the mail.

Dated: \_\_\_\_\_

\_\_\_\_\_  
**Judge / Court Commissioner**