

NOTICE OF HEARING RIGHTS

Respondent's Name: _____ Case No. _____

The court has scheduled a hearing to decide whether you have to remain involuntarily at the evaluation or treatment facility for a longer period of time. The facility may decide to release you, or you may voluntarily choose to remain at the facility, before the court hearing. If either of those things happens, the hearing will be cancelled.

If neither of those things happens, the evaluation facility must file with the court a petition to involuntarily hold you. The scheduled hearing will help the court decide whether to grant or deny that petition. You have the following rights before and during the hearing:

1. To be represented by a lawyer.
2. To communicate immediately with your guardian (if you have one), your parent (if you are a minor), another adult of your choice, and your lawyer.
3. To have an interpreter if you do not understand or speak English.
4. To see and get a copy of all petitions and reports in the court file on your case.
5. To attend the hearing.
6. To be free of the effects of medications and other treatment to the maximum extent possible—both before and while you attend the hearing—unless the facility can show specific exceptions under the law.
7. To choose whether your hearing is open to the public or not.
8. To have the rules of evidence and civil procedure applied informally and efficiently.
9. To present your own evidence.
10. To remain silent.
11. To ask questions of witnesses.
12. To have your own experts and witnesses attend the hearing and testify for you.
13. To appeal to a higher court if you are involuntarily committed by the trial court.

If the petition is for a period longer than 30 days, you also have these additional rights:

1. To choose to have a jury of six people (instead of a judge) decide whether or not you will be involuntarily committed.
2. To have an independent doctor or other mental health professional evaluate you and testify for you. If you can't afford to hire your own doctor or other professional, you may request that the court appoint one for you at public expense.
3. To have a decision on the petition no more than 20 days after it is filed.

Before the court can order you involuntarily committed, the court (or jury) must find by clear and convincing evidence that you are mentally ill, and because of that illness, you are gravely disabled or you are likely to cause harm to yourself or others.

Notice to Parents or Guardians of Minor Respondents: You have the right to attend all commitment proceedings as a party to the case. You have the right to your own attorney to represent you at these proceedings. If you cannot afford an attorney, you may request that the court appoint you one at public expense.

<input type="checkbox"/> I, _____, notified respondent orally of these rights and gave a copy of this notice to respondent on _____
<input type="checkbox"/> I, _____, gave respondent's parent/guardian a copy of this notice on _____