

NOTICE OF RIGHTS

A petition was filed with the court alleging that you are mentally ill. The court ordered that you be held for an evaluation of your mental and physical condition by a mental health professional and a medical doctor. The evaluation will take place within 72 hours of your arrival at the evaluation facility. (The 72-hour period does not include Saturdays, Sundays, or legal holidays.) If you are not transported to the evaluation facility right away, the court will receive a status report explaining where you are, why there is a delay in transporting you, and what steps are being taken to make sure that it is necessary to keep you detained and that no less restrictive alternatives are available. The purpose of this document is to explain your rights to you.

A LAWYER HAS BEEN APPOINTED FOR YOU

A lawyer from the Public Defender Agency has been appointed to represent you. Contact the Public Defender Agency at (800) 478-4404 or (907) 334-2580, or at one of the numbers below:

- Anchorage (855) 334-2580 or (907) 334-2580
- Fairbanks (800) 478-1621 or (907) 458-6800
- Juneau (800) 478-4910 or (907) 465-4911
- Ketchikan (800) 478-6189 or (907) 228-8950

You may also hire your own lawyer at your own expense.

COMMUNICATING WITH YOUR LAWYER AND YOUR GUARDIAN

You have the right to communicate immediately with your lawyer, your guardian (if you have one), and/or another adult of your choice at the government's expense. Your guardian will be advised of your rights. You can request that another adult of your choice be advised of your rights too.

RELEASE

You must be released after your examination and evaluation if the legal standard for holding you involuntarily for treatment is not met.

TREATMENT AND COURT HEARING

If the mental health professional or physician recommends that you stay in a hospital for treatment, you may voluntarily accept the recommended treatment.

If you do not voluntarily accept the recommended treatment, you have the right to a court hearing. You have the right to be represented by your lawyer at the hearing. You have the right to present evidence and cross-examine witnesses who testify against you at the hearing. The court will decide if there is clear and convincing evidence that you are mentally ill and likely to cause serious harm to yourself or others or that you are gravely disabled because of your mental condition. If the court decides that you meet this legal standard, you may be detained for up to 30 days for treatment.

The court hearing will be scheduled to take place no later than 72 hours after you arrive at the evaluation facility. If you are represented by a lawyer, you may waive the requirement that this hearing be held within the 72-hour time limit. However, the hearing must be set for no more than seven days after you arrive at the evaluation facility.

MEDICATION AND TREATMENT BEFORE YOUR HEARING

You have the right to be free of the effects of medication and other treatment, as much as possible, before your court hearing.¹

If you have any questions concerning these rights, you should call your attorney, your guardian, or an adult friend.

<input type="checkbox"/> Delivered to respondent verbally and in writing by _____ on _____
<input type="checkbox"/> Delivered to parent/guardian of respondent by _____ on _____

¹ AS 47.30.725(e); *Wetherhorn v. Alaska Psychiatric Institute*, 156 P.3d 371 (Alaska 2007).