Involuntary Commitment (IVC) for Mental Health Issues – Necessary Details for Filing a Petition

When a loved one or friend is a danger to themselves or someone else, you can dial 911 and request a well being check. You may also have the option to help file a Petition for Involuntary Commitment for Mental Health Issues. Typically, the County Sheriff is a resource to help with starting this process. There are some pieces of information they will want to know:

Name of the person filing the petition:

- _____

Name of the individual petition is being filed on:

- _____

Specific reason of the danger

- _____

Summarize the reasons the danger is present (citing detailed information including specific behaviors/incidents you are aware of and their timeframe).

- _____

How and when did the person's situation come to your attention? Is there new information available (from you or someone else)?

- _____

What is your relationship to the person at risk? (ie. family member, friend, counselor, police officer, witness, or other)

- _____

Information about the person of concern:

- Address:
  - _____
- Current location (if different than address):
  - _____
- Phone number:
  - _____

- Age/DOB:
  - _____
- Marital Status:
  - _____
- Occupation:
  - _____
- Veteran Status:
  - _____

Name of closest relative or guardian:

- _____

Address of relative:

- _____

Phone number of relative:

- _____

Is the above person classified as having a chronic disability or a medical condition that they have been or are being treated for? If so, please provide that information.

- _____

Are there other people that have an interest and more knowledge that would be helpful for evaluation of this petition? Please provide their contact information.

- _____

*Keep in mind:

- The person must meet the 3 criteria talked about in the state statutes (SDCL 27A-1-1), (SDCL 27A-1-2) of 1) having a severe mental illness, **and** 2) due to severe mental illness, the individual presents a danger to self or others or has a chronic disability, **and** 3) the individual needs and is likely to benefit from treatment.
- A person not taking their prescribed medication does not automatically make them eligible for an involuntary mental health hold.
- Chronic Drug and/or alcohol use is not an involuntary *mental health* hold. There is a different process for that hold. (SDCL 34-20A-70)
- If you have information about the person's previous mental health holds, mental health treatments, mental health medications, mental health providers (dates and names of facilities the person has been treated) is helpful information to provide.
- When contacting law enforcement, they will want to know if the person at risk has any weapons or other items in the person's presence that may increase the danger to themselves and responding officers?
- Does this person have special needs that will have to be considered if placed on a hold? Or while waiting for evaluation or placement?

For more information, call 211 or visit our online database at:

- www.helplinecenter.org/211database
  - Use the following keywords:
    - Sheriff
    - Involuntary Mental Health Hold

Sources: *This information was adapted from the Petition for Involuntary Mental Health in Minnehaha County, SD.

Disclaimer: This HelpSheet is developed by the Helpline Center. HelpSheets provide a brief overview of the designated topic. For more information, call 211 or text your zip code to 898211.

Updated: August 2020