

“Legal 2000s” aka 72 Hour Hold & What Happens Next

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“Legal 2000”

- Department of Public & Behavioral Health Form based on NRS
- Becomes exhibit attached to the petition for involuntary admission



“Person with Mental Illness” defined in NRS 433A.115

- Mental Illness means:
 - Capacity to exercise self-control, judgment and discretion in the conduct of the person’s affairs and social relations or to care for personal needs is diminished so to be a clear and present danger of harm to self or others



“Person with Mental Illness” defined in NRS 433A.115

- Does not include (unless a mental illness contributes to diminished capacity of the person):
 - Epilepsy
 - Intellectual disability
 - Dementia
 - Delirium
 - Alcohol/drugs (either brief intoxication or dependence/addiction)

No mental illness → no hold.



Danger to self

A person presents a clear and present danger of harm to himself or herself if:

1. within the immediately preceding 30 days,
2. as a result of a mental illness
 1. unable to satisfy his or her need for nourishment, personal or medical care, shelter, self-protection or safety, **and** exists a reasonable probability that the person's death, serious bodily injury or physical debilitation will occur within the next following 30 days
 2. Attempted or threatened to commit suicide
 3. Self-mutilation



Danger to Others

A person presents a clear and present danger of harm to others if:

1. within the immediately preceding 30 days,
2. as a result of a mental illness,
3. inflicted or attempted to inflict serious bodily harm on any other person,
4. or made threats to inflict harm and committed acts in furtherance of those threats,
5. and if there exists a reasonable probability that he or she will do so again



72 Hours

- Starts from the date/time on page 1 of the form
- Includes weekends and holidays
- Becomes exhibit attached to the petition for involuntary admission



It's been 72 hours. Now What?

- Before the close of the business day on which the 72 hours (including weekend & holidays) expires hospital either:
 - Releases patient (or patient chooses to stay voluntarily)
OR
 - Petitions court for involuntary admission to a mental health facility (legal 2000 attached as an exhibit) NRS 433A.150
 - Petition must be filed on or before the close of the business day next (if expiration falls on holiday/weekend)
 - Petition begins a court case

Court Process

- Sealed & confidential
- Hearing date must be within 5 judicial days of petition NRS 433A.220
- Patient has right to counsel (PD). NRS 433A.270(1)
- PD team interviews every patient
 - By local practice judge allows continuances up to 40 days



The Court Doctors

- Court shall cause 2 physicians or licensed psychologists, one of whom must always be a physician, to examine the person alleged to be a person with mental illness (*aka “the court doctors”*). Interviews on **Wednesdays**. NRS 433A.240



Court Hearings

- Person alleged to be mentally ill has right to be present and testify
NRS 433A.290
 - Court is on Thursdays & usually held at Dini Townsend Hospital on the NNAMHS Campus
- DA represents the State & presents evidence in support of involuntary commitment NRS 433A.270(5)



Involuntary Court Admission

- Involuntary court-ordered admission if court finds clear and convincing evidence that the person with respect to whom the hearing was held has a mental illness and, because of that illness, is likely to harm himself or herself or others
- Involuntary admission automatically expires at the end of 6 months if not terminated previously by the medical director of the public or private mental health facility