

# WHAT IS A COMMITMENT?

**A civil commitment** is a court order for up to six months for either inpatient or outpatient mental health treatment. The treatment must take place in the least restrictive setting consistent with the person's needs.

**DOES AN INPATIENT COMMITMENT EVER BECOME OUTPATIENT?** Terms and conditions may be imposed by the county (of residence) human services department before the transition from inpatient to outpatient. If a person is being treated on an outpatient basis and they violate a term or condition imposed by the county, they may be transferred back to an inpatient setting. If that inpatient stay lasts for more than 5 days, the patient has a right to a hearing to challenge the transfer.

**CAN A COMMITMENT BE RENEWED?** Before a civil commitment has expired, it can be extended for up to one year. To begin the extension, the county department must file a request for a hearing with the committing court. In order for the court to extend the commitment, the judge must find "a substantial likelihood, based on the person's treatment record, that the person would be a proper subject for commitment if court-ordered treatment was withdrawn." At the end of a full-year recommitment, the court can again recommit the person for an additional year. This can happen every year in some cases.

## WHAT DOES "CHAPTER 51" MEAN?

Chapter 51 refers to the Wisconsin legal statute that provides mental health and substance abuse policy, law and procedures for both voluntary and involuntary mental health services.

## HOW DOES A COMMITMENT BEGIN?

- 1) Emergency detention by law enforcement
- 2) Emergency detention by treatment director, sometimes called a "treatment director's hold"
- 3) 3-party petition

THESE 3 PROCESSES WILL BE DISCUSSED IN GREATER DETAIL IN THE FOLLOWING PAGES, DENOTED BY THE ARROW SYMBOL:



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**OUTPATIENT CARE:** Care received in the community or another setting where an overnight stay in the hospital is not necessary.

**INPATIENT CARE:** Care received in a hospital where the person stays at least one night in the facility (24 hour care).

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