

Understanding the Process

WHAT IS INVOLUNTARY MENTAL HEALTH COMMITMENT?

It is a process that the Probate Court uses to order individuals with mental illness to undergo mental health treatment. There are two types of adult mental health commitment.

- 1) Emergency Commitment
- 2) Judicial Commitment

WHAT HAPPENS IF AN ADULT NEEDS MENTAL HEALTH TREATMENT RIGHT NOW?

- ⇒ To start the Emergency Commitment process you must contact the local mental health center that covers the zip code of the person needing treatment located in this brochure.

Note: The Probate Court can only assist after the Mental Health Center has done an initial screening so please **DO NOT COME TO THE PROBATE COURT FIRST**

- ⇒ After initial screening your local mental health center will have you fill out a written "affidavit," or writing under oath, stating the following:

- 1) The person has mental illness requiring immediate treatment for the welfare of the person or the community.
- 2) There is a likelihood of serious harm, as defined by §44-23-10(13), to self or others if not immediately hospitalized
- 3) The type of serious harm thought probable if person is not immediately hospitalized.

- ⇒ A Doctor must also examine the person & certify in writing the person is mentally ill and likely to cause harm to self or others if not immediately hospitalized. If the person is not already at the hospital or mental health center, he/she may be detained by Court Order for the Doctor's exam.

- ⇒ If the Doctor decides hospitalization is required, the Probate Court will schedule a hearing within 15 calendar days of admission.



WHAT HAPPENS IF A CHILD NEEDS TREATMENT RIGHT NOW?

A child under the age of sixteen can receive treatment upon the consent of the legal custodian. If a child will not cooperate with the parent in obtaining treatment, the same procedures outlined in the ADULT section must be followed.

WHAT IF TREATMENT IS NEEDED ON EVENINGS, WEEKENDS, & HOLIDAYS?

If you have an emergency situation that occurs outside normal working hours, you need to call **CRISILINE** at 271-8888. A person will talk with you and advise you of the procedures in order to get help for the person in need of assistance.



WHAT IF THE PATIENT IS IN JAIL?

The Probate Court CANNOT arrange to have anyone examined who is in the custody of the Greenville County Detention Center. Please contact the Detention Center at 467-2422 for assistance.



WHAT ABOUT PATIENTS OF PRIVATE PSYCHIATRISTS?

You must contact the person's private psychiatrist. The psychiatrist will determine if an examination is needed and will complete the necessary forms and send you to Probate Court with the forms. In an **after-hours** situation, private psychiatrist should call **CRISILINE** for assistance.

WHAT HAPPENS AT THE PROBATE COURT HEARING?



- ⇒ The Court will appoint an attorney to represent the patient at the hearing or private counsel may be retained. The attorney will meet with the patient before the hearing to explain rights and answer questions.
- ⇒ The Court must give 5 days notice of the date, time and location of the hearing.
- ⇒ The patient has a right to be present at the hearing and question witnesses. At the hearing, the Probate Court will determine whether he/she needs further inpatient treatment and/or outpatient treatment.

WHAT HAPPENS IN JUDICIAL COMMITMENT?

- ⇒ This is the process the Probate Court uses when there is no likelihood of serious harm to the patient or others.
- ⇒ Only an "interested" person or superintendent of a mental institution can start the judicial commitment process.
- ⇒ An interested person is a spouse, parent, guardian, or next of kin.
- ⇒ The interested person must go to appropriate Mental Health Center before coming to the Probate Court to complete necessary paperwork. The Probate Court can only assist after the Mental Health Center has done an initial screening.
- ⇒ A doctor must examine the person and determine if the person is mentally ill and needs commitment. The Court can order the person taken into custody for the exam. If the Mental Health Center finds that Judicial Admission is required, a hearing is scheduled to decide whether or not the individual needs treatment in a hospital and/or outpatient treatment.



MENTAL HEALTH CENTERS LOCATORS

(Based on the zip-code of the person needing treatment)

- 29601 Greenville Mental Health Center
- 29611 Greenville Mental Health Center
- *29605 Greenville Mental Health Center
- *29607 Greenville Mental Health Center
- 29609 Greenville Mental Health Center
- 29690 Greenville Mental Health Center
- 29661 Greenville Mental Health Center
- 29613 Greenville Mental Health Center
- *29615 Greenville Mental Health Center
- 29617 Greenville Mental Health Center
- 29650 Greer Mental Health Center
- 29651 Greer Mental Health Center
- 29652 Greer Mental Health Center
- *29687 Greer Mental Health Center
- 29680 Piedmont Mental Health Center
- 29681 Piedmont Mental Health Center
- 29662 Piedmont Mental Health Center
- 29644 Piedmont Mental Health Center
- *29673 Piedmont Mental Health Center
- 29669 Piedmont Mental Health Center

**Call mental health center to ensure that this is the appropriate facility as this zip code is shared with another facility*



IMPORTANT PHONE NUMBERS

Greenville Mental Health Center
Phone: (864) 241-1040

Piedmont Center for Mental Health Services (Greer)
Phone: (864) 879-2111

Piedmont Center for Mental Health Services (Simpsonville)
Phone: (864) 963-3421

Greenville County Alcohol and Drug Abuse Commission (Phoenix Center) Phone: (864) 467-3913



AREA HOSPITALS:

- Carolina Center for Behavioral Health
- SpringBrook Behavioral Healthcare System
- Marshall I. Pickens, GHS
- Patrick B. Harris Psychiatric Hospital

Note: This brochure is intended to be a general guide to persons who need assistance in commitment proceedings. It is not intended to be a complete explanation of the law. If you need further assistance, you are advised to seek legal counsel of your choice.

Greenville County Probate Court
Greenville County Square
301 University Ridge, Suite 5600
Greenville, SC 29601
Fax: 864-467-7082
Website: www.greenvillecounty.org/probate



Need Staff Assistance?

Tammy Douglas
Phone: 864-467-7085
E-mail: tdouglas@greenvillecounty.org

Hope Barton
Phone: 864-467-7172
E-mail: hbarton@greenvillecounty.org



**Procedures for
Commitment of the
Mentally Ill or
Chemically Dependent
Person**

Debora A Faulkner,
Probate Judge

Carolina Horlbeck,
Associate
Probate Judge

Elizabeth Wiygul,
Associate
Probate Judge