

# Alternatives to Filing a Commitment

The following are alternatives to filing a Mental Health commitment...

## Services Coordination

### Heart Of Iowa Community Services

dccs@dallascountyiowa.gov

#### **Audubon County**

Audubon County Courthouse  
318 Leroy Street  
Audubon, IA 50025

**(515) 468-9725**

#### **Dallas County**

Dallas County North Campus  
25747 N Avenue, Suite D  
Adel, IA 50003

**(515) 993-5869**  
**(877) 286-3227**

#### **Guthrie County**

Guthrie County Courthouse  
200 N. 5th Street  
Guthrie Center, IA 50115

**(641) 332-2647**

If your friend, relative or loved one is mentally ill, but not in immediate danger to him/herself or others, this office can assist in helping you navigate services and pointing you in the right direction.

This office can assist in setting up therapy and psychiatric services, as well as other supports to assist the individual to maintain. In order to access services, a service application will need to be filled out. If you are not able to bring the individual in to meet with us, please call anyway. We have various outreach services available and can meet with you and the individual at a different location.

Based on financial need, this office can assist with funding mental health services. If the applicant has no insurance and meets income eligibility, most or all their mental health funding can be taken care of.

We assist with issues ranging in occasional mental health appointments to residential treatment services.

Services can be accessed by phone, e-mail, mail, or walk-in. Someone should be available within the office to assist and answer any questions you may have.

## Safe Harbor Mobile Crisis Response

***If you have a mental health crisis in your family and are in need of emergency assistance, call 911.***

Be clear with the dispatcher that the situation is a mental health crisis and you need the Mobile Response Crisis Team to assist. The goal is to keep everyone safe and to seek the appropriate level of assistance for your ill family member or friend.

In response to your phone call, the first people to arrive will be law enforcement officers. Officers will determine if it is a mental health related issue and maintain safety at the scene. Officers make a request through dispatch if the Mobile Crisis Unit is needed. Mobile Crisis only takes referrals from law enforcement.

When Mobile Crisis staff arrives, a mental health assessment will be done, on-site counseling and problem-solving, crisis plan development, coordination with hospitals or the crisis unit if transport to a medical facility is necessary.

Typical referrals to Mobile Crisis:

- Suicidal thoughts, with or without attempt
- Strange or bizarre behavior
- Persons with known mental illness, disconnected from services and causing concern in the community

The officer will have the final say at the scene. If a crime has been committed, the officer may or may not decide to take the person to jail.

If the person needs to be transported, the MCRT worker may transport if there are no safety concerns.

# INVOLUNTARY COMMITMENT

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*There are times when a person becomes so ill that they are at risk of hurting themselves or others and hospitalization becomes necessary even though the individual does not wish to enter a hospital. While seeking help voluntarily is always preferable, if that is at all possible, the decision to hospitalize involuntarily can be more caring than it seems if that is the only way your family member or friend can get the care they need, especially if there is a risk of suicide or harm to others.*

In Iowa, when people are “seriously mentally impaired” (likely to cause serious physical injury or serious emotional injury to themselves or others, have a diagnosable mental illness, and lack judgmental capacity to make their own decisions about hospitalization or treatment), a district court judge can order them taken into custody and placed in treatment until the likelihood of injury has passed. The order, said to be “involuntary” because the person doesn’t choose it, is commonly called “commitment.”

## Application filed with Clerk of Court

Any interested person can file an application to commit another person with the clerk of district court in the county of the respondent’s residence or where the respondent is presently located. The clerk will file the application, schedule the case for the court, and notify a judge (or judicial referee, depending on the county) to review the application. If the respondent is under age 18, the commitment process must be handled by juvenile court.

## The application must include:

- A statement from the applicant describing the behavior that suggests the respondent is seriously mentally impaired.

*Immediate custody: The applicant can ask to have the respondent taken into immediate custody.*

- The applicant must state the facts to support the belief that the respondent is currently a danger to him or herself or others.

- A written statement by a licensed physician that supports the application;

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- One or more sworn witness statements that support the application.

If the physician's statement or witness statements are not available, and cannot be readily obtained, other information that proves the need for commitment may be approved as a substitute by the clerk of court.

## Hearing

At the hearing, the respondent has the right to be present and to testify. Only people necessary to the hearing may attend.

## Order:

- If the respondent has "serious mental impairment," the judge will "commit" the respondent by ordering that the respondent be placed in a hospital, residential care facility, or to an outpatient service and that the respondent receives a complete psychiatric evaluation and treatment.
- After admission, the facility must give a progress report and recommendation to the court and attorneys within 15 days. The judge will use the report to decide whether to dismiss the commitment order, change the order, or hold another hearing.
- If the respondent is placed in a hospital or a residential care facility, he or she must stay until discharge by the facility or the court. The hospital will report to the court within 30 days of placement, and then at least every 60 days if the placement lasts longer than 30 days. The judge may change the reporting requirement to every 90 days. If the respondent is placed somewhere other than a hospital, the report to the court must be made at least every 6 months. The court uses the report to decide whether to dismiss the commitment order, change the order, or continue the order.

If the individual has no insurance and cannot pay for hospital costs, the County of Residence is responsible for committal costs.