

STATE OF MAINE

DISTRICT COURT

Location: \_\_\_\_\_

APPLICATION FOR INVOLUNTARY COMMITMENT TO A MENTAL HOSPITAL AND REQUEST FOR INVOLUNTARY TREATMENT

1. Application is made

pursuant to 34-B M.R.S.A. §3863 (5) (B) and 3864 (initial hearing)

pursuant to 34-B M.R.S.A. §3864 (8) (continuation hearing)

for a hearing to be held in accordance with 34-B M.R.S.A. §3864 to determine whether

\_\_\_\_\_, d/o/b \_\_\_\_\_, who was admitted to \_\_\_\_\_

Patient

Hospital with inpatient psychiatric service

on \_\_\_\_\_, shall continue to be involuntarily hospitalized there.

Date

2. The basis for seeking the involuntary hospitalization is that the applicant's belief that the criteria for involuntary commitment under 34-B M.R.S.A. §3864(6)(A)(1), (1-A) and (2) are satisfied.

3. The applicant further requests pursuant to 34-B M.R.S.A. §3864(1-A) an order authorizing involuntary treatment of the patient. The applicant makes this request on the belief that the criteria for involuntary treatment under 34-B M.R.S.A. §3864(7-A) are satisfied.

4. The applicant therefore requests that the District Court:

A. Within two days of filing of this application, cause written notice of this application to be mailed to the patient at \_\_\_\_\_;

Hospital name and mailing address

B. Cause written notice of this application to be mailed to the patient's guardian

\_\_\_\_\_  
Patient's guardian, if any, or "N/A" if no guardian

at \_\_\_\_\_;

Address of guardian, or N/A if no guardian

C. Cause written notice of this application to be mailed to

\_\_\_\_\_  
Patient's spouse, parent, adult child, next of kin, or friend

at \_\_\_\_\_;

Address of spouse, parent, adult child, next of kin, or friend

D. At least three days after this application is filed, appoint legal counsel for the patient, if the patient is not represented by counsel;

E. At least three days after this application is filed, cause the patient to be examined by an independent medical practitioner who is qualified to prescribe medication relevant to the patient's care; and

F. Schedule a hearing to be held within fourteen days from the date of this application.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name and title,  
Commissioner's Designee

\_\_\_\_\_  
Signature

## INSTRUCTIONS

1. In the caption, “location” is the town or city of the District Court in which the application is filed.
2. Date of birth must be included so that the District Court can fulfill its statutory obligation to report under 34-B M.R.S. § 3864(12).
3. Hospital with inpatient psychiatric service is (i) a hospital licensed in Maine as a General Hospital with a Psychiatric Unit (Chapter XXIII of the hospital licensing regulations), (ii) a hospital licensed in Maine as Psychiatric Hospital (Chapter XXV of the hospital licensing regulations), or (iii) the Togus VA Medical Center. It is the hospital from which the District Court application for involuntary commitment originates.
4. By statute, the District Court is required to mail notice of the application and the date of hearing to the guardian, if any. The District Court is also required to mail the same information to the spouse, parent, adult child, or if none of those exists or can be located, to the patient’s next of kin or friend. The District Court cannot fulfill this statutory obligation unless the hospital provides accurate information in Parts 3(B) and (C). If the hospital believes that notice to the spouse, parent, adult child, next of kin or friend would pose a risk of harm to the patient, the hospital should not name that individual to the court as the person to notify.

## DOCUMENTS THAT MUST ACCOMPANY THE APPLICATION TO COURT FOR FILING

1. Attach the completed Application for Emergency Involuntary Admission to a Mental Hospital (Form MH-100, the “blue paper”).
2. Attach the certification of a post-admission examination by a staff physician or licensed clinical psychologist conducted within 24 hours after hospital admission (34-B M.R.S.A. § 3864(7)).
3. Attach any previous order of hospitalization that remains in effect.
4. Attach the certification of notice by the Chief Administrative Officer (34-B M.R.S.A. § 3864(1)(D)) and a copy of the notice and instructions about the hearing given to the patient (34-B M.R.S.A. § 3864(1)(E)).