



MISSISSIPPI UNIFORM CIVIL COMMITMENT GUIDE

Mississippi Department of Mental Health
Behavioral Health Program Admission Process

STEPS FOR CIVIL COMMITMENT

- 1 File an affidavit for civil commitment in the chancery clerk's office where the person resides or is currently located.

Pay a filing fee up to \$150, including all fees and assessments, to commence the proceeding.*

Under Mississippi state law, no attorney is required for this process.
- 2 A writ is issued for the sheriff to take into custody the person alleged to be in need of mental health treatment and take the person for a Pre-Evaluation Screening and treatment by staff at a local Community Mental Health Center.
- 3 If further examination is recommended, two doctors, or one doctor and one other healthcare professional, appointed by the court will examine the person within 48 hours.
If the appointed examiners find no need for treatment, the case will be dismissed without a need for a hearing.
- 4 A hearing must be within 7-10 days.

The judge will decide based on the examiners certificates' and other evidence presented whether treatment in a state behavioral health program or outpatient program is necessary.
- 5 DMH Behavioral Health Program: If the judge orders civil commitment, the chancery clerk will send a copy of the order to the state hospital's admission office. Admissions are scheduled when a bed is available.

A person can also be referred to a Crisis Stabilization Unit bed in his or her area.
- 6 Transportation to the DMH Behavioral Health Program or Crisis Stabilization Unit will be provided by local law enforcement. Admission involves medical record review, general information questions, and an inventory of the person's possessions.

- 7 When the person is admitted, he or she will be oriented to the environment by staff who review program schedules, activities, rights, and responsibilities.
- 8 A plan for discharge is created upon admission to help the person return to his or her community, and the facilitation to services in his or her community is started.
- 9 A treatment plan is developed that includes goals, activities, and other prescribed treatments.
- 10 The person will be discharged when he or she no longer meets commitment criteria and can return to live in the community with adequate support services.
- 11 Upon discharge, most people continue treatment at a local Community Mental Health Center or local programs with the goal of living independently in their communities.
- 12 The court will maintain jurisdiction over persons committed to both inpatient and outpatient programs for one year after their completion of the treatment program.

**The chancery clerk may charge a total filing fee for all services equal to the amount set out in Section 25-7-9(o), and the appropriate state and county assessments as required by law which include, but are not limited to, assessments for the Judicial Operation Fund (Section 25-7-9 (3)(b)); the Electronic Court System Fund (Section 25-7-9 (3)(a)); the Civil Legal Assistance Fund (Section 25-7-9 (1)(k)); the Court Education and Training Fund (Section 37-26-3); State Court Constituent's Fund (Section 37-26-9 (4)); and a reasonable court reporter's fee. Costs incidental to court proceedings as set forth in Section 41-21-79 may not be included as assessments.*

The chancery clerk's office can provide specific eligibility requirements and instructions to file a Pauper's Oath if you are unable to pay the filing fee.

A person with a serious mental health condition, through an outpatient commitment order, can be court-mandated to follow a specific treatment plan, usually requiring medication and sometimes directing where the person can live and what his or her daily activities must include.

HOW TO GET HELP

Before filing an affidavit for commitment to a DMH Behavioral Health Program with the chancery clerk's office, we strongly encourage you to contact your local Community Mental Health Center to learn about services, supports, and alternatives to the commitment process such as Mobile Crisis Response Teams, Crisis Stabilization Beds, and more.

FOR MORE INFORMATION OR TO LOCATE YOUR LOCAL COMMUNITY MENTAL HEALTH CENTER:

Mississippi Department of Mental Health

601.359.1288 | dmh.ms.gov | 24-Hour Helpline 1-877-210-8513

