



NOTICE OF PROCEDURES AND RIGHTS
 NORTH DAKOTA SUPREME COURT
 SFN 17262 (GN-3) (Rev. 07-2022)

STATE OF NORTH DAKOTA

County of _____

CASE NO. _____

TO:

Name of Respondent:			
Address:	City:	State:	Zip Code:

1. NOTICE IS GIVEN that

A Petition for Involuntary Commitment has been filed in the above listed county alleging that you are

A Petition for Continuing Treatment has been filed in the above listed county alleging that you are

mentally ill and as a result require treatment.

mentally ill and as a result require **emergency treatment.**

an individual with a substance use disorder and as a result require treatment.

an individual with a substance use disorder and as a result require **emergency treatment.**

An Application for Emergency Evaluation and Treatment has been filed with this facility alleging that you are

mentally ill and as a result require treatment.

mentally ill and as a result require **emergency treatment.**

an individual with a substance use disorder and as a result require treatment.

an individual with a substance use disorder and as a result require **emergency treatment.**

2. A copy of the petition and a copy of any supporting documentation are attached to this notice. will be given to you when completed.

3. Under North Dakota law, civil commitment procedure begins when the Petition for Involuntary Commitment is filed, or when you are detained for emergency treatment. After the Petition for Involuntary Commitment is reviewed by the judge to see whether certain qualification are met or immediately after you are detained for emergency treatment, this notice is given to you.

4. **IF YOU ARE IN CUSTODY FOR EMERGENCY EVALUATION AND TREATMENT**, you will be examined by a physician, physician assistant, psychiatrist, psychologist trained in a clinical program, advanced practice registered nurse, or licensed addiction counselor within 24 hours after you are admitted to the facility, excluding holidays. After the examination, a preliminary or treatment hearing will be held within four (4) days, exclusive of weekends and holidays, of your detention. If probable cause that you are a person requiring treatment is shown at the preliminary hearing, a treatment hearing will be held within 14 days. If you are alleged only to be an individual with a substance use disorder, only a treatment hearing will be held. If it is found at the treatment hearing that you are a person requiring treatment, you may be hospitalized for a period of up to 90 days. If you continue to require treatment beyond the 90 days, further orders for treatment may be issued for a period of up to one year upon petition and hearing.

5. The law also guarantees you certain other rights and privileges:

- (a) YOU HAVE THE RIGHT to a hearing;
- (b) YOU HAVE THE RIGHT to be present at the hearing;
- (c) YOU HAVE THE RIGHT to have an attorney prior to the hearing and any court-ordered examination and at every stage of the proceedings;
- (d) YOU HAVE THE RIGHT to an additional independent expert examiner;
- (e) YOU HAVE THE RIGHT to select the independent expert examiner if one is to be appointed;
- (e) YOU HAVE THE RIGHT, if you are indigent, to have an attorney and an independent examiner each appointed at the expense of the county which is your place of residence; and
- (f) YOU HAVE THE RIGHT to receive a copy of any examination conducted in connection with these proceedings.

6. If you have any questions about these procedures please contact your attorney or the attorney appointed for you by the court, if any.

 Facility Representative

 Judge/Magistrate

 County