



Advisement to Patient under Emergency Detention

(To be completed by a peace officer. **The peace officer should return one copy to the court.**)

To: _____

(List the Patient's name.)

You are being temporarily detained at a facility to determine if you are suffering from mental illness and if you need mental health services for the protection of yourself and others.

“Detained” means held.

You should know the following information:

1. You are being temporarily detained at _____ (“Facility”).
(List the facility's name.)

2. The reasons for your temporary detention are: _____

_____.

3. A doctor must examine you in the first 12 hours of your temporary detention. The Facility will then decide whether to officially admit you for temporary detention. “Temporary detention” is sometimes called “emergency detention” and usually lasts for less than 48 hours unless a court orders a longer period.

4. Your temporary detention could result in a longer period of involuntary commitment to a mental health facility. “Involuntary commitment” means checking you in to a mental health facility without your consent.

5. You have the right to hire a lawyer of your own choosing. If you cannot afford to hire a lawyer, a lawyer will be appointed to represent you. You must be given a reasonable opportunity to communicate with your lawyer.
6. You also have the right to a reasonable opportunity to communicate with a member of your family or another person who has an interest in your health and safety.
7. If you communicate with a mental health professional, those communications may be used to determine if a longer period of detention is necessary.
8. You will be released from temporary detention if, after the doctor's examination, the Facility decides not to officially admit you.
9. Even if the Facility decides to officially admit you, you have the right to be released from temporary detention if the Facility administrator determines at any time that:
 - a. you no longer have a mental illness;
 - b. there is no longer a substantial risk of serious harm to yourself or others;
 - c. the risk of harm to yourself or to others is no longer imminent; or
 - d. temporary detention is no longer the least restrictive means of restraint necessary.
10. If you are released, you have the right to be taken back to the location where you were found, to your Texas home, if any, or to another suitable location, unless you are arrested or object to the return.

Signature of Patient

Date

Signature of Peace Officer

Date