**Summary**

1. A party may file a Petition for Initial Detention if a Designated Crisis Responder (DCR) has declined to detain a person for evaluation or treatment under RCW 71.05.201, or if 48 hours has passed after the DCR received the request for investigation.
2. Upon filing the Petition, the Superior Court, within 1 judicial day, shall determine if there is sufficient evidence to support the petition. If there is insufficient evidence, the petition is dismissed. (Enter: *Order to DCR Agency indicating Dismissal*)
3. If the Court finds there is sufficient evidence, the court shall issue an order requiring the DCR to provide a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information supporting the DCR’s decision. The Court Clerk shall forward a copy of the *Order to DCR Agency* and the *Petition* to the DCR. (Enter: *Order to DCR Agency*):

Skamania County Community Health

(509-427-3850) office Monday – Thursday 7:30am – 5:30pm

(800-626-8137) Afterhours Regional Crisis Contact for DCR services

1. The Superior Court shall issue a final ruling on the detention *Petition* within 5 days of the filing of the petition.
2. To issue an *Order for Initial Detention*, the court must find:
3. There is probable cause to support a petition for detention, and
4. The person has refused, or failed to accept evaluation and treatment voluntarily.
5. If the court denies the *Petition*, the matter is closed.
6. If the court grants the *Petition*, the *Order for Initial Detention* and *Joel’s Law Notice of Rights* shall be forwarded to the DCR for execution without delay. The *Order for Initial Detention* will be effective for 180 days but will expire within 72 hours of its execution.

**Procedure**

1. *Petitions for Initial Detention by Family, Guardian, or Conservator* filed in Skamania County, shall be filed with the Clerk of the Superior Court at 240 NW Vancouver Avenue, Stevenson, WA 98648.
2. Clerk’s office will accept the filing of such a Petition without a filing fee.
3. Clerk’s office will immediately bring the petition to the Judge for review in chambers or to Court Administrator.
4. The Judge will review and determine if there is probable cause. This may be done ex parte in chambers or ex parte in the courtroom.
5. If no PC, Judge signs an Order to Designated Crisis Responder (DCR) Agency indicating Dismissal. The order will be provided to the petitioner. The case is complete.
6. If PC is found, Judge signs an Order to DCR Agency: Directing Response from Designated Crisis Responder Re: Involuntary Treatment to DCR. This order sets a return ex parte review hearing within 1 judicial day.
	* 1. Clerk will forward the *Petition* and *Order to DCR Agency* to the BHO at Skamania County Community Health:
			1. **Call 509-427-3850 to find out who is on duty to obtain email address**;
		2. Court may take ex parte testimony on these petitions ex parte if the Judge requests.
		3. A copy of the order will be provided to the petitioner by Court Clerk if requested.
7. Within 5 days of filing of the Petition, the Judge will review the paperwork and enter an *Order for Initial Detention* granting or denying the request to detain.

1. The *Order for Initial Detention* will be effective for 180 days but will expire within 72 hours of its execution. Once the 72 hours is complete the MHPs at the facilities will follow the Involuntary Treatment Act Procedures
2. The Court Clerk shall be responsible for forwarding copies of the Orders DCR:

Skamania County Community Health;