

**CHECKLIST FOR 3 PARTY PETITION
FOR INVOLUNTARY COMMITMENT FOR TREATMENT
OF DEVELOPMENTAL DISABILITY**

NOTE: EFFECTIVE MAY 18, 2012, THE WISCONSIN SUPREME COURT DETERMINED THAT INDIVIDUALS WHO SUFFER FROM CERTAIN DEVELOPMENTAL DISABILITIES THAT ARE NOT TREATABLE (I.E., DEMENTIA, ALZHEIMER'S) ARE NOT PROPER SUBJECTS FOR INVOLUNTARY COMMITMENT UNLESS THERE EXISTS AN UNDERLYING TREATABLE MENTAL ILLNESS. THEREFORE, A PETITION FOR INVOLUNTARY TREATMENT REQUIRES THE SIGNATORY OF A PHYSICIAN (M.D.).

___ SUBJECT INDIVIDUAL IS PHYSICALLY PRESENT IN LANGLADE COUNTY. IF THE SUBJECT INDIVIDUAL IS A RESIDENT OF ANOTHER COUNTY, THEN PETITIONERS ARE ADVISED TO FILE THE PETITION IN THE COUNTY OF RESIDENCE.

___ AT LEAST ONE PETITIONER HAS PROBABLE CAUSE TO BELIEVE, BASED UPON FIRST HAND KNOWLEDGE, THAT THE INDIVIDUAL IS DEVELOPMENTALLY DISABLED.

___ AT LEAST ONE PETITIONER HAS PROBABLE CAUSE TO BELIEVE THAT THE INDIVIDUAL IS DANGEROUS TO SELF OR OTHERS BASED UPON FIRST HAND KNOWLEDGE OF THE INDIVIDUAL'S BEHAVIOR WITHIN THE PAST 30 DAYS.

DANGEROUS BEHAVIOR REQUIRES EVIDENCE OF ONE OF THE FOLLOWING:

- 1) RECENT THREAT OR ATTEMPT AT SUICIDE OR SERIOUS BODILY HARM.
- 2) RECENT THREAT TO DO SERIOUS PHYSICAL HARM TO OTHERS.
- *3) SUBSTANTIAL PROBABILITY OF PHYSICAL IMPAIRMENT OR INJURY TO SELF BASED UPON THE INDIVIDUAL'S IMPAIRED JUDGMENT.
- *4) SUBSTANTIAL PROBABILITY OF DEATH OR SERIOUS PHYSICAL INJURY DUE TO INDIVIDUAL'S INABILITY TO SATISFY BASIC NEEDS FOR NOURISHMENT, MEDICAL CARE, SHELTER OR SAFETY.

*NOTE: ITEMS 3 AND 4 ALSO REQUIRE SHOWING THAT NO OTHER SERVICES ARE AVAILABLE IN THE COMMUNITY WHICH CAN ASSIST IN THE TREATMENT AND PROTECTION OF THE SUBJECT INDIVIDUAL.

IF THE PETITION FAILS TO SATISFY THE ABOVE CRITERIA, THEN IT WILL BE RETURNED TO THE PETITIONERS WITH INSTRUCTIONS.

THE 3 PARTY PETITION PROCESS SHOULD NOT BE USED IN CASES WHERE TIME IS OF THE ESSENCE. THE PETITIONERS ARE ADVISED TO CONTACT LAW ENFORCEMENT IF THEY BELIEVE THAT AN "EMERGENCY DETENTION" OF THE SUBJECT INDIVIDUAL IS NECESSARY IN RESPONSE TO THE SUBJECT INDIVIDUAL'S RECENT DANGEROUS BEHAVIOR.