

THREE PARTY PETITION

What is a Three-Party Petition

A Three-Party Petition is a legal document claiming that a person meets all three criteria for civil commitment (person is mentally ill or drug dependent, illness is treatable, and person is dangerous to self or others). The petition must include notarized statements from three adults that describe the person's dangerous or violent behavior. All three petitioner statements must include events that they witnessed or have personal knowledge of dangerousness.

Information could be reported to them by the individual if they have not personally observed behavior. Reported statement would have to occur within 60 days leading up to the petition.

*There are three (3) people, with at least one (1) person with first-hand knowledge of the person's situation

*All three persons are willing to sign a petition

*All three persons are willing to testify in court



General Procedure

Once the petition is drafted, Corporation Counsel will review it to make sure it meets the legal standards of Wisconsin Statute - Chapter 51. If approved, the petition will be filed with the Probate Division of the Winnebago County Circuit Court. A Judge or Court Commissioner will review the petition. If the Judge or Court Commissioner approves the petition, they will sign an Order giving the Winnebago County Sheriff's Office the right to detain the person. Once the person is detained, they will be provided a copy of the petition. Next step, the person will be taken to the hospital for medical clearance and a Behavioral Health Unit placement will be facilitated by Crisis. Note that the person will know the identity of each petitioner and what each petitioner has said about them. This process can take up to 10 business days.

A probable cause hearing will be scheduled within seventy-two (72) hours from the time the person arrives at a Behavioral Health placement. All of the petitioners will have to testify. If the Court finds probable cause (reason) to believe the petition, the person may be held until a final hearing. The final hearing will be scheduled within fourteen (14) days of the person's detention unless the person asks the court for extra time. At the final hearing, some or all of the petitioners may have to testify.

All three adults must be willing to 1) fill out a screening form to check if there is enough information for a petition; 2) meet with Corporation Counsel/Crisis in person for 2-4 hours to draft the petition; and 3) testify in court up to two times within twenty-one (21) days.

WINNEBAGO COUNTY



Three Party Petition for Mental Health

Human Services:

**220 Washington Ave, Oshkosh, WI
54903**

Or

**211 Commercial Street, Neenah, WI
54956**

Contact Human Services to obtain Three Party Screening tool to start the process.

Once paperwork is received it will be reviewed by a crisis worker and petitioners will be contacted.

THREE PARTY PETITION

Community Resources:

Crisis Intervention: 920-233-7707
211 Resources Hotline: 211
Suicide Prevention Hotline: 988
Veterans Crisis Line: 1-800-273-8255



A THREE-PARTY PETITION is an investigated process, and does not quickly address IMMEDIATE danger, 911 should be utilized in those situations. A Three-Party petition is a request to have the individual ASSESSED by a Psychiatrist at a Behavioral Health Unit- does not guarantee a legal commitment will be ordered.

Criteria to initiate a Three-Party Petition

This is a joint collaboration with Crisis and Corporation Counsel

MENTALLY ILL OR DRUG DEPENDENT

A substantial disorder of thought, mood, perception, orientation, or memory, which grossly impairs judgment, behaviors, capacity to recognize reality, or ability to meet the demands of life, but does not include alcoholism.

A PROPER SUBJECT FOR TREATMENT (TREATABLE)

The psychological, educational, social, chemical, medical, or somatic techniques designed to bring about the rehabilitation of an individual. An individual is a proper subject for treatment if the administration of treatment techniques may control, improve, or cure his/her mental illness, developmental disability, drug dependency, or alcoholism.

DANGEROUS

- danger to self due to recent attempts or threats of suicide or serious bodily harm
- danger to others as shown by recent homicidal or other violent behavior, or by placing others in reasonable fear of violent behavior and serious physical harm due to a recent overt act, attempt, or threat.
- impaired judgment as shown by a pattern of recent acts or omissions such that there is a substantial probability of physical impairment or injury to self.
- inability to meet basic needs for food, shelter, medical care, or safety such that without prompt and adequate treatment, there is a substantial probability that death, serious physical injury, serious physical debilitation, or serious physical disease will imminently ensue unless the individual receives prompt and adequate treatment for this mental illness.

Disclaimer: The information contained in this brochure is for general information purposes only, and it is not intended to be construed as legal advice. If you have questions regarding the Chapter 51 commitment process, please consult an attorney