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## CRISIS SERVICES

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CARE CONNECTIONS CRISIS LINE  
844-345-4569

SIOUX RIVERS CRISIS LINES  
PLAINS AREA: 1-888-546-0730 (PLYMOUTH)  
CREATIVE LIVING CENTER: 1-800-345-9724  
(SIOUX)

NATIONAL SUICIDE PREVENTION  
LIFELINE

1-800-273-TALK (8255)

SEASONS CENTER

1-800-242-5101 (PRESS 8)

VETERAN'S CRISIS LINE

1-800-273 TALK (8255)

IOWA HELPLINE

1-855-800-1239

IOWA CRISIS COUNSELING HELPLINE

1-800-332-4224

IOWA DOMESTIC VIOLENCE HOTLINE

1-800-942-0333

IOWA DRUG AND ALCOHOL HELPLINE

1-866-242-4111

IOWA PROBLEM GAMBLING HELPLINE

1-800-BETS-OFF

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## Judicial Mental Health Advocate

Serving Clay, Dickinson, Lyon, O'Brien,  
Osceola, Palo Alto, Plymouth, Sioux  
and Emmet Counties

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## Abby Wallin, MS

Judicial Mental Health Advocate

155 S. Hayes

PO Box 380

Primghar, Iowa 51245

712-344-2000

[awallin@obriencounty.iowa.gov](mailto:awallin@obriencounty.iowa.gov)

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## ROLE OF THE ADVOCATE

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Iowa's mental health commitment process requires the appointment of an advocate to assist people, as needed, with the following:

- Understanding and following the court's commitment order
- Providing information regarding the rights of a committed person
- Giving support, answering questions, investigating concerns, and making needed referrals
- Informing the court if the services of an attorney are necessary

### DEFINING "SERIOUSLY MENTALLY IMPAIRED"

According to Iowa Code Chapter 229, an individual determined by the court to be seriously mentally impaired can be committed (court-ordered) for treatment purposes. Three criteria determine if an individual is 'seriously mentally impaired':

- The individual has a recognizable mental illness; excluding mental retardation
- Due to mental illness, the individual lacks sufficient judgement to make responsible decisions about their hospitalization or treatment **and**
- **Is likely to physically injure** themselves or others without treatment **or**
- **Inflict serious emotional injury** on family or others who lack reasonable opportunity to avoid contact with them if they remain at liberty without treatment **or**

- **The individual is unable to satisfy their own needs** for medical care, nourishment, clothing or shelter and will be likely to suffer injury, debilitation or death **or**
- Has a history of lack of compliance with treatment.

### Seriously mentally impaired does **NOT** mean incompetency and:

- You can vote (unless a felon)
- You can marry
- You can manage your finances, unless you have a payee or conservator
- You can be informed of your diagnosis and treatment plan
- You can receive correspondence and visitors (subject to reasonable facility rules)
- You can operate a motor vehicle if you have a valid driver's license and insurance
- You can maintain your parental rights (unless restricted by a custody or juvenile court order)

**PURSUANT TO FEDERAL LAW, YOU DO LOSE THE RIGHT TO POSSESS FIREARMS OR AMMUNITION. SEE IOWA CODE SECTION 724.31 OR CONTACT AN ATTORNEY REGARDING HOW TO APPLY FOR RESTORATION OF THESE RIGHTS.**

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## LENGTH OF COMMITMENT

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A mental health commitment is for an **indefinite** amount of time. It is in effect until your doctor reports to the court that your condition has improved and you no longer require court-ordered mental health care or treatment. **You will have an advocate for as long as the committal lasts; feel free to contact your advocate.**

You have the right to appeal your commitment to the district court within ten days of your hearing if a magistrate or judicial hospitalization referee presided.

You have the right to request a placement review hearing within seven days of an order for placement outside of your home or transferring you to a different placement.

You have the right to have your advocate contact you within five days of your hearing and visit with you in person within fifteen days of your hearing.

You have the right to writ of habeas corpus if your liberty is restrained without a prior court proceeding.

### HOSPITAL DISCHARGE OPTIONS:

When you are no longer in need of hospital level of treatment, **your doctor will make one** of the following recommendations to the court:

- **If you no longer meet the criteria** of seriously mentally impaired, then a recommendation will be made for termination of your commitment
- **If the physician determines that you still meet the criteria** for seriously mentally impaired one of the following recommendations will be made:
- **Continued commitment in a hospital or a less structured setting** such as a residential care facility (RCF) or a nursing home **or**
- **Continued commitment with discharge home on an outpatient commitment status.** The court can order you to attend psychiatric appointments and follow any recommended treatment.

### GRIEVANCE PROCEDURE

- Clients may file a grievance about the actions or behavior of their mental health advocate associated with their current mental health commitment. **The grievance will have no effect on the current committal order.** The grievance procedure is included with this brochure. You may also access the grievance procedure at: [www.obriencounty.org](http://www.obriencounty.org) (Department: MH Advocate).