

LPS HOLDS CHART

| LPS HOLDS   | CRITERIA                    |                           |                             | COURT PROCEEDINGS  |
|---|-----------------------------|---------------------------|-----------------------------|--|
|   | GRAVELY DISABLED            | DANGER TO SELF            | DANGER TO OTHERS            |  |
| 72-HOUR WIC 5150<br>EVALUATION AND TREATMENT                        | ONE OR ALL MAY APPLY        |                           |                             | <ol style="list-style-type: none"> <li>1. No probable cause Hearing</li> <li>2. May request Riese hearing (Decision regarding Riese carries through 14-day hold)</li> </ol>  |
| 14-DAY WIC 5250<br>3-DAY EXTENSION WHEN CONSERVATORSHIP APPLIED FOR | ONE OR ALL MAY APPLY        |                           |                             | <ol style="list-style-type: none"> <li>1. Probable cause hearing must be held during first 4 days of hold. Patient may request writ of habeas corpus, 48-hour postponement, signs voluntary or is discharged.</li> <li>2. Patient may request one writ of habeas corpus hearing at any time during 14-day hold.</li> <li>3. Riese hearing may be requested anytime during 14-day hold.</li> </ol>  |
| ADDITIONAL 14-DAY WIC 5260  |                             | "IMMINENT DANGER TO SELF" |                             | <ol style="list-style-type: none"> <li>1. No Probable cause hearing or court hearing required.</li> <li>2. Original additional 14-day certification form and 2 affidavits must be sent to superior court.</li> <li>3. Patient may request writ of habeas corpus any time during 14-day period.</li> <li>4. New Riese hearing may be requested anytime during 14-day period.</li> </ol>   |
| 30-DAY WIC 5270   | ONLY CRITERIA WHICH APPLIES |                           |                             | <ol style="list-style-type: none"> <li>1. Probable cause hearing must be held during first 4 days of hold. Patient may request writ of habeas corpus, 48-hour postponement, signs voluntary or is discharged.</li> <li>2. Patient may request writ of habeas corpus any time during 30-day period.</li> <li>3. New Riese hearing may be requested anytime during 30-day period.</li> </ol>   |
| 180-DAY WIC 5300<br>RENEWABLE                                       |                             |                           | "IMMINENT DANGER TO OTHERS" | <ol style="list-style-type: none"> <li>1. Requires contact with D.A. several days prior to expiration of 14-day hold.</li> <li>2. Requires the D.A. to file a petition with the court and an evidentiary hearing in court within 4 days or jury trial within 10 days.</li> <li>3. New Riese hearing may be requested anytime during 180-day period.</li> </ol>   |
| TEMPORARY CONSERVATORSHIP (T-CON)<br>30 DAYS TO 6 MONTHS            | ONLY CRITERIA WHICH APPLIES |                           |                             | <ol style="list-style-type: none"> <li>1. Requires application by the treating physician to the Public Guardian's Office.</li> <li>2. Judge reviews application and determines whether to grant or deny temporary conservatorship (T-Con);burden of proof: preponderance of evidence</li> <li>3. Patient may request writ of habeas corpus any time during T-Con period.</li> <li>4. New Capacity Petition may be filed with County Counsel by PG</li> </ol> |
| "PERMANENT" CONSERVATORSHIP<br>1 YEAR RENEWABLE                     | ONLY CRITERIA WHICH APPLIES |                           |                             | <ol style="list-style-type: none"> <li>1. Requires court hearing. Physician may be required to testify in court.</li> <li>2. Patient has the right to jury trial/standard of proof- beyond reasonable doubt</li> <li>3. Patient may request re-hearing on conservatorship re the rights denied, restrictiveness of placement, disabilities imposed once every six months</li> </ol>  |
| RE-APPOINTMENT OF "PERMANENT CONSERVATOR"                           | ONLY CRITERIA WHICH APPLIES |                           |                             | <ol style="list-style-type: none"> <li>1. Requires conservator petitioning for reappointment and a court Hearing</li> <li>2. Requires concurring opinions of two psychiatrist/psychologist that the person continues to be gravely disabled</li> <li>3. Conservatee has the right to evidentiary hearing/jury trial. Burden of proof: beyond reasonable doubt</li> </ol>   |