

### Fiscal Estimate - 2013 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>13-3541/1</b>	<b>Introduction Number</b> <b>AB-0488</b>
<b>Description</b> Involuntary commitment proceedings and limited appearance by corporation counsel	
<b>Fiscal Effect</b>	
<b>State:</b>	
<input checked="" type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs	
<b>Local:</b>	
<input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs      3. <input type="checkbox"/> Increase Revenue <b>5. Types of Local Government Units Affected</b> <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs      4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
<b>Fund Sources Affected</b>	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
<b>Affected Ch. 20 Appropriations</b>	
<b>Agency/Prepared By</b>	<b>Authorized Signature</b>
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<b>Date</b>	
11/11/2013	

## Fiscal Estimate Narratives

DOC 11/11/2013

LRB Number	13-3541/1	Introduction Number	AB-0488	Estimate Type	Original
<b>Description</b> Involuntary commitment proceedings and limited appearance by corporation counsel					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person may petition for involuntary commitment of an individual if the three-person petition for examination is signed by three persons, and must allege that the individual is mentally ill, drug dependent, or developmentally disabled, is a proper subject for treatment and is dangerous. Upon filing the three-person petition, the court must review the petition to determine whether to issue an order of detention.

Under current law, if a person is detained based on the three-person petition or if the person had been detained on an emergency detention, the court must hold a hearing to determine whether there is probable cause to believe the allegations made in the three-person petition or in the petition originating from the emergency detention within 72 hours after the individual arrives at the facility. If the court finds there to be probable cause with the petition hearings, the court must schedule a final hearing on involuntary commitment within 14 days of detention. Under current law, the corporation counsel must represent the public in these hearings and mental health proceedings, including the drafting of papers related to action.

Under this bill, the procedure involving the corporation counsel's appearances are limited in certain involuntary commitment proceedings. If corporation counsel does not believe that involuntary commitment is appropriate, he or she shall inform the petition seeker that they may discontinue pursuing the involuntary commitment or request that corporation counsel file the petition under a limited appearance. If the petition seeker requests a limited appearance by corporation counsel, corporation counsel shall notify the person that they will provide limited appearance and file the three-person petition, except that corporation counsel may state the petition seeker believes the facts constitute probable cause instead of the corporation counsel affirming on their own. Under this bill, corporation counsel must also include with the petition a certification to the court that they are not in support of the petition but are making a limited appearance and that they notified the petition seeker of this.

Since this bill alters the procedures for corporation counsel's involvement in commitment proceedings, and does not involve any change in involuntary commitment terms, there will likely be no resulting fiscal impact on either state or local governments.

### Long-Range Fiscal Implications