

PROGRAM OPERATIONS DIRECTIVE

59.0

SUBJECT: Mental Health Court Orders

ISSUED: 8/27/2026

PURPOSE:

To establish procedures for addressing non-compliance with Mental Health Court Orders, including the issuance and rescission of pick-up orders and the renewal of continuing Mental Health Court Orders.

POPULATION:

Individuals receiving walk-in crisis, or ongoing services at any CMH location.

PROCEDURE:

1. Non-compliance Mental Health Orders / Pick-ups

The Case Holder/Clinician shall complete the CMH Non-Compliance Form and the Notification of Non-Compliance Form, identifying the following:

- The individual's refusal to return to the hospital, consistent with the Psychiatrist's recommendation;
- The clinical rationale supporting the individual's return to the hospital; and
- The treating Psychiatrist's or Medical Director's recommendation that the individual be hospitalized.

The Case Holder/Clinician shall forward the completed documentation to the Probate Court Liaison, who will submit the documentation to the Court. If the Probate Court Liaison is unavailable, the documentation shall be forwarded to the Probate Court Liaison's Supervisor.

2. To Rescind a Pick-Up Order

If an individual comes into compliance with a court order following a period of non-compliance, the Case Holder/Clinician shall consult with the Psychiatrist to determine whether rescission of the pick-up order is appropriate. Examples of compliance may include presenting for a required injection, participating in treatment, attending scheduled sessions, or otherwise meeting the requirements of the court order. If the Psychiatrist determines that rescission is appropriate, the Case Holder/Clinician shall complete a contact note documenting the relevant information and direction provided. The documentation shall be submitted to the Probate Court Liaison, or to the Probate Court Liaison's Supervisor in their absence, within 24 hours. The Probate Court Liaison shall forward the necessary documentation to the assigned law enforcement agency to rescind the pick-up order.

3. Petitions for Continuing Orders

The Case Holder/Clinician shall complete the Certification Form in OASIS 7 to 45 days prior to the individual's six-month review and/or CERT appointment with the Psychiatrist.

Appointments with the psychiatrist for continuing an order should be made for not more than 45 days or less than 14 days in advance of the order's expiration. If the appointment is cancelled by the individual or the prescriber- every effort should be made by scheduling to re-schedule it within the 14 day timeframe.

The Case Holder/Clinician shall complete the petition and submit it to the Probate Court Liaison, or to the Probate Court Liaison's Supervisor in their absence, within 24 hours of the Psychiatrist completing the CERT.