



Emergency Evaluations

How to File for an Emergency Evaluation



Scan the above QR Code to find more information about emergency evaluations from the Judiciary's website.

For more information on Maryland courts and their procedures, please contact a clerk in any state or county courthouse.

For more information about the Maryland Judiciary, visit the website:

mdcourts.gov

It is the mission of the Maryland Judiciary to provide equal and exact justice for all who are involved in litigation before the court.

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WHAT IS AN EMERGENCY EVALUATION?

An emergency evaluation is a way to get a person who presents a danger to the life or safety of themselves or others to an emergency room to be examined. If the court orders an emergency evaluation, the person will be taken to the nearest emergency facility by a law enforcement officer. An emergency room physician will determine if the person qualifies for involuntary admission to a psychiatric facility. (Health-General § § 10-620 through 10-630).

WHEN CAN YOU FILE A PETITION FOR EMERGENCY EVALUATION?

You may file a petition for emergency evaluation only if you have reason to believe that the person you're filing for:

- has a mental disorder, which means their behavior or other symptoms indicate a clear disturbance in the person's mental functioning (mental disorder does not include intellectual disability) **and**
- presents a danger to the life or safety of the person or others.

WHO CAN FILE A PETITION FOR EMERGENCY EVALUATION?

A petition may be filed by:

- a physician, physician's assistant, psychologist, clinical social worker, licensed clinical professional counselor, clinical nurse specialist in psychiatric and mental health nursing, psychiatric nurse practitioner, licensed clinical marriage and family therapist, or health officer or designee of a health officer who has examined the person;
- a peace/law enforcement officer who personally has observed the individual or the individual's behavior; or
- any other interested person.

HOW TO APPLY FOR AN EMERGENCY EVALUATION

Step 1: Complete the petition

- Obtain a **Petition for Emergency Evaluation (CC-DC-013)** from the court clerk's office, or online at: mdcourts.gov/forms. Fill it out completely and accurately.
- If you leave out any of the required information, the court might not consider your petition or could make you fill it out again.

Step 2: File the petition

- File the Petition for Emergency Evaluation during court hours. Visit the Judiciary website at: mdcourts.gov/courtsdirectory for location and hours.

Step 3: Attend hearing the same day

- The judge can order an emergency evaluation if the judge finds probable cause to believe that the person you seek to have evaluated has shown the symptoms of a mental disorder and that they present a danger to the life or safety of themselves or of others.
- The individual you want to have evaluated does not need to be present for the hearing on the petition.
- There are criminal and civil penalties for making fraudulent statements in a petition.

WHAT HAPPENS WHEN A PETITION FOR EMERGENCY EVALUATION IS GRANTED?

Law enforcement attempts to find the person and bring them to the nearest emergency room for evaluation; if the person is not found and brought to the emergency room within five (5) days of the court order, the order expires. You may file again if the order expires and the person continues to show signs of a mental disorder and continues to present a danger to themselves or others.

If the situation presents an immediate danger to yourself or others, call 9-1-1 and leave the scene.

Involuntary Hospital Admission Certification Process

- A physician must evaluate the person (also called evaluatee) within six (6) hours after arriving at the emergency facility to determine if the person meets the requirements for involuntary admission.
- An evaluatee may not be kept in an emergency facility for more than 30 hours. If the examining physician is unable to have the person admitted to an appropriate mental health treatment facility, the physician will notify the Maryland Department of Health. The Department is required to provide for admission within six (6) hours of being notified.
- A person involuntarily admitted to a hospital will have a hearing before an administrative law judge, within ten (10) days of admission to determine if the person still meets the requirements for involuntary admission.
- The hospital must give the parent, guardian, or next of kin notice of the hearing time, date, and place, so that they may testify. An admitted person must be released when the person does not need inpatient care to protect the individual or another, would not endanger the individual or the person or property of another, and can care for themselves or will be cared for properly by a responsible person who is able and willing to care for the individual.
- If the person does not meet the standard for continued involuntary admission, they can leave immediately. A new petition may be submitted if there is a change in circumstances.

ARE COURT RECORDS RELATED TO THE PETITION FOR EMERGENCY EVALUATION AVAILABLE TO THE PUBLIC, INCLUDING CASESEARCH ONLINE?

Records relating to mental health evaluations are confidential, and the contents may not be divulged, by subpoena or otherwise, except by order of the court for good cause shown or as allowed by law. The law allows for certain agencies to review the court record, such as law enforcement. The person who was the subject of the petition may be asked in certain circumstances to disclose information about the case record.

These court records will not be available on the Judiciary's public CaseSearch website.



Maryland Crisis Hotlines Resource Guide

Statewide	9-1-1 988 988 1-800-273-8255, press 1	Garrett	988 301-662-2255
Allegany	988 301-662-2255 240-964-1399	Howard	988 410-531-6677 (24/7)
Anne Arundel	988 410-768-5522 410-222-7273 410-222-6800	Mid-Shore (Caroline, Dorchester, Kent, Queen Anne's and Talbot Cos.)	988 1-888-407-8018 1-800-310-7273 410-749-HELP (-4357) 1-800-927-HOPE (-4673)
Baltimore City	988 410-433-5175	Montgomery	988 240-777-4000 301-738-2255
Baltimore County	988 410-931-2214	Prince George's	988 301-864-7130 240-429-2185
Calvert	988 1-877-467-5628	Saint Mary's	988
Carroll	988 410-952-9552, 9:00am-12:00am	Somerset	988 410-749-HELP (-4357) 1-888-407-8018
Cecil	988 410-749-HELP (-4357) 888-407-8018 410-996-0333 443-245-3257	Washington	988 301-662-2255
Charles	988	Wicomico	988 410-749-HELP (-4357) 1-888-407-8018
Frederick	988 301-662-2255	Worcester	988 410-749-HELP (-4357) 1-888-407-8018