

This brochure gives general information only and is not legal advice. While the Office of Corporation Counsel helps members of the public with Three-Party Petitions, petitioners are **not** clients of the Office of Corporation Counsel. Any information petitioners give to the Office of Corporation Counsel is **not** confidential.

Due to the process and number of cases, we are unable to take Three-Party Petitions without an appointment.

**NO WALK-INS
ACCEPTED**

A THREE-PARTY PETITION DOES NOT GUARANTEE THAT A PERSON WILL BE COMMITTED FOR INVOLUNTARY MENTAL HEALTH TREATMENT. IT SHOULD NOT REPLACE 911 IN AN EMERGENCY.

**IF YOU HAVE
AN EMERGENCY**

CALL 911

MILWAUKEE COUNTY COMMUNITY RESOURCES

Resources for Adults

**Milwaukee County Mobile
Crisis Team**
Dial 414-257-7222

Impact 2-1-1
Dial 2-1-1
Text TXT-211 to 898-211

Disability Resource Center
(Ages 18 – 59)
Dial 414-289-6660 or 711

Aging Resource Center
(Ages 60+)
Dial 414-289-6874

Resources for Juveniles

Children's Mobile Crisis Team
Dial 414-257-7621

Wraparound Resource & Referral
Dial 414-257-7607

Disclaimer: The information contained in this brochure is for general information purposes only, and it is not intended to be construed as legal advice. If you have questions regarding the Chapter 51 commitment process, please consult an attorney.



Milwaukee County Office of Corporation Counsel

Chapter 51 Involuntary Commitments



Community. Integrity. Service.

WHAT IS A CIVIL COMMITMENT?

A civil commitment is a court order for up to six (6) months of involuntary inpatient or outpatient mental health treatment. The individual must be

- 1) mentally ill, drug dependent, or alcohol dependent;
- 2) able to be treated for it; and
- 3) a danger to himself/herself or others.

STARTING A CIVIL COMMITMENT

Law enforcement officers can initiate a civil commitment case for a person who is an active danger to himself/herself or others by taking them to the Milwaukee County Behavioral Health Division on an Emergency Detention.

Hospital treatment directors may also initiate an Emergency Detention of their patients when appropriate.

In non-emergencies, three adult members of the public can start a civil commitment case through a Three-Party Petition.

THE PETITION PROCESS

Three-Party Petitions are a way for three adults who know the person to ask the Court to start a civil commitment case. The law requires that **every** petitioner **must** have seen the person doing things that were dangerous or violent in the past 60 days.

All three adults must be willing to

- 1) fill out a screening form to check if there is enough information for a petition;
- 2) meet with Corporation Counsel in person for 2-4 hours to draft the petition; and
- 3) testify in court up to two times within twenty-one (21) days.

GENERAL PROCEDURE

Once the petition is drafted, an attorney in our office will review it to make sure it meets the legal standards in Chapter 51 of the Wisconsin Statutes. If approved, the petition will be filed with the Probate Division of the Milwaukee County Circuit Court. A Judge or Court Commissioner will review the petition.

If the Judge or Commissioner approves the petition, they will sign an Order giving the Milwaukee County Sheriff's Office the right to detain the person. The person will be given a copy of the petition paperwork and will then be taken to the Milwaukee County Behavioral Health Division, located at 9455 Watertown Plank Road in Wauwatosa, WI.

Please note that the person will know the identity of each petitioner and what each petitioner has said about them.



This process usually takes around ten (10) working days (*please note: this is only an estimate*). Our office has no authority over the Probate Division of Milwaukee County Circuit Court or the Milwaukee County Sheriff's Office in processing these cases. Both departments have other duties to perform and cannot guarantee an immediate response.

NEXT STEPS

A probable cause hearing will be scheduled within seventy-two (72) hours from the time the person arrives at the Milwaukee County Behavioral Health Division. Some or all of the petitioners may have to testify. An attorney will contact the petitioners who need to come to the hearing less than 24 hours before the hearing.

The hearing on the petition will be held at:

**Milwaukee County Behavioral
Health Division
9455 Watertown Plank Road, Room 1032
Wauwatosa, WI 53226
414-257-4889 (courtroom)**

If the Court finds probable cause (reason) to believe the petition, the person may be held until a final hearing. The final hearing will be scheduled within fourteen (14) days of the person's detention unless the person asks the court for extra time. At the final hearing, some or all of the petitioners may have to testify.

Contact Us:

Office of Corporation Counsel
Milwaukee County Courthouse
901 N. 9th Street, Room 303
Milwaukee, WI 53233

(414) 278-4300

Visit us on the Web:

<https://county.milwaukee.gov/EN/Corporation-Counsel/Three-Party-Petitions>