

## **SETTING PROCEDURES: Mental Health Cases**

The following procedures are applicable to mental health settings in Denver:

- 1. Patients/Respondents requesting review of Certification are entitled to a hearing within 10 days after the request is filed with the Court. §27-10-107(6), C.R.S.**

Respondent's counsel who elect (instead of filing a separate, written request for review) to telephone the City Attorney for setting of certification review hearings are deemed to have agreed to the setting date/time and to have waived any objections based on the passage of time. This appears to be the most efficient way to get a timely hearing date/time.

- 2. Doctors petitioning for Involuntary Medications are entitled to a hearing on their request within 10 days after that request is filed with the Court. §27-10-111(4.5(a)), C.R.S.**

After the City Attorney has made 2 unsuccessful attempts over a 48-hour period to reach Respondent's counsel to set the hearing on the Petition within the requisite 10 days, the City Attorney must set the medications hearing with alternate counsel designated in that Respondent's counsel's contract on file with the court. Denver specifically requires every contract attorney to designate an alternate counsel before a contract is offered to insure that these 10 day deadlines are observed.

**Note:** Certification review hearings and hearings on involuntary medications may but NEED NOT BE HELD simultaneously. Respondent is entitled to reserve his/her right to a review hearing throughout the certification.

April 2008