



OFFICE OF THE STATE PUBLIC DEFENDER

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ADULT INITIAL CLIENT INTERVIEW FORM (Mental Health)

PART I: Preparation for Interview of Adult Client facing involuntary commitment

Have you?

Set aside enough time to conduct a thorough interview

Obtained and carefully reviewed:

Petition and other court documents?

Professional person report or other documents pertaining to the clients behavioral health concerns?

Familiarized yourself with the basic facts and persons involved?

The statutory elements of involuntary commitment?

When you conduct the interview do you have with you?

All relevant forms

Form OPD-MH1 (ROI)

Title 53, M.C.A. (Social Services)

Give the client your business card with telephone number

Reminder: During the initial interview, be sure to gather as much information as possible about the client's current or past mental health services, and current or past medical care.

PART II: Conducting an initial meeting with the Mental Health Client

NOTE: The client may be scared and confused. Use your calmest tone of voice and facial expressions while treating the client with dignity and respect. For further information, refer to Dr. Laura Wendlandt's presentation on overcoming obstacles in communication, located at www.publicdefender.mt.gov/training/

- Introduce yourself to the client by name
- Explain your role as the client's attorney

If the initial meeting takes place at a hospital or detention facility or at some other institutional setting

- Explain that you are not a member of the facility staff

Explain that your conversation is confidential and that the client should not reveal the matters you will discuss with him/her to facility staff or others

Ask the client:

- Client's age Date of Birth
- Client's residential address
- Client's phone number(s)
- Name and contact information of his/her close family or friends

- Whether the client wants you to contact family/friends
- Why are you here today?
- Identify all potential witnesses (with contact information)

- Identify "friend" of respondent
- Ensure that the client does not waive appointment of counsel.
- Explain the commitment court process, timelines, and the role of all the parties involved, such as judge, county attorney, court appointed Mental Health Professional, treating professionals, the "friend of the respondent", hospital staff, and the mental health expert to be employed by the respondent

Reminder: Remember to review the Montana Public Defender Standards pertaining to Representation of a Respondent in a Proceeding for Involuntary Commitment – Mental Illness. Those standards can be found at

http://www.publicdefender.mt.gov/docs/policy/StandardsCounsel_RevisedFinal.pdf Beginning at page 57.

Note: Be sure to inform the client that (s)he has the right to choose a mental health expert to evaluate her/him.

PART III: Post Interview Considerations

- Attempt to interview all persons who have knowledge of the circumstances surrounding the involuntary commitment petition or emergency detention, including
 - The petitioner and the police officers who detained the client;
 - The mental health providers, social workers, and other persons who have examined or treated the respondent during the current involuntary commitment or emergency detention proceedings;
 - Previous mental health treatment providers, if any;
 - The respondent's family, guardian or acquaintances;
 - Any other persons who may provide relevant information.

- Facilitate the exercise of the respondent's rights to be examined by a professional person of the respondent's choice

- If you decide to retain a mental health expert, make sure that person discusses with the client the various medications that the respondent has been prescribed to address the respondent's mental illness including:
 - The effectiveness of the medication
 - The longterm effects
 - Side effects of each