

GUARDIANSHIP & ADVOCACY COMMISSION

Dr. Mary L. Milano, Director

HUMAN RIGHTS AUTHORITY
LEGAL ADVOCACY SERVICE
OFFICE OF STATE GUARDIAN



LEGAL ADVOCACY SERVICE

RESPONDENT'S RIGHTS

-MEDICATION HEARING

A petition for involuntary treatment has been filed by the hospital in the circuit court. A hearing on the petition is currently scheduled for:

At the hearing(s), you will have the following rights:

1. To be represented by an **attorney**. I have been appointed by the court to represent you;
2. To **postpone** the hearing to allow you and your attorney time to prepare your defense. Please note that the State or the court may also postpone your hearing, but the hearing cannot be postponed for more than 15 days except at your request;
3. To be examined by an **independent expert** for an additional opinion;
4. To present **evidence**, including your own testimony or the testimony of other witnesses;
5. To **cross-examine** all witnesses through your attorney;
6. To be **present at the hearing** unless you are excused by the court. If you refuse to come to court, the hearing may be held in your absence, and you may be found subject to involuntary treatment even though you did not attend the hearing;
7. To have the hearing **closed** to the public.

If you agree to take the medications voluntarily, the hearing on the issue of treatment may be cancelled.

If you are found subject to involuntary treatment by the court, (i.e. forced to take medication), the order is for a period of up to 90 days and you will have the following rights:

1. To receive a copy of the court order;
2. To receive the least restrictive treatment.
3. To appeal the final order of the court and receive a free transcript of the hearing;

