

CASEY'S LAW

What It Is *and* How It Works

What Is Casey's Law:

Casey's Law is an intervention tool that provides parents, relatives, and/or friends a way to intervene on a loved one who has a substance use disorder, regardless of substance, age (over age 18), and without any criminal charges. Casey's Law offers hope for a life in recovery.

Casey's Law is a legal proceeding, which results in a court order for involuntary treatment. This is a civil case, not a criminal case.

Do Not Be Discouraged!

With Medicaid and free treatment options, Casey's Law is affordable!

Steps:

Casey's Law works. It does require multiple steps to move forward in getting your loved one the help they need and deserve. Do not be discouraged, there is help and resources available. The basic steps required are as follows:

1. Prepare petition, Form 700A., providing careful attention to questions # 3, 4, and 5.
 - For question #5, only check one box.
 - For question #3, provide as much history and evidence as possible, attaching extra pages as needed. **Provide concise statements of the facts, preferably in chronological order.**
 - For question #4 provide examples of behavior or driving under the influence, but always include that each time they use they are a danger to themselves.
2. Petitioner is required to schedule appointments with two Qualified Health Professionals (QHP), one must be a physician. **Generally, the second is a licensed counselor but a** list of who qualifies as a QHP is included with the evaluation Form 703A. Appointment dates, times and provider information should be attached to the petition when filed. These should be filed several days out to allow time for the court to notify the respondent. Note, there is a possibility the QHP will be subpoenaed to court to testify to their findings.
3. File the Petition, Form 700A, with the Circuit Court Clerk. **DO NOT SIGN!** Signature must be witnessed and notarized by the Clerk. Check with the Clerk for any procedures specific to the county. Petitioner should retain a copy of the completed Form 700A, for their own reference and to provide a copy to each of the evaluators. There is no fee to file.

4. Upon review and approval from the Judge, the clerk will complete a summons containing the names and addresses of the Qualified Health Professionals (evaluators) along with the dates/times and scheduled appointments.
5. Sheriff will then serve the Respondent with the summons. Some counties do charge a fee for the summons to be served. Once the Respondent is served, their failure to cooperate and attend evaluations, court date, or treatment program could result in contempt of court. This is only intended to incentivize cooperation. **This is a private civil case.**
6. Petitioner must also attend the evaluation appointment and obtain the completed Certification/Evaluations. The completed Form 703A must remain in a sealed envelope until opened by the Clerk. The Petitioner is advised to give a copy of the completed Form 700A to the evaluator, providing all the same evidence presented to the court. **Note: Petitioner does not participate in the actual evaluation or have access to notes and records.**
7. Petitioner must return the completed Certifications/Evaluations to the County Clerk's office within 24 hours. This is REQUIRED by law. Failure to do so can result in the complete dismissal of the case. Once received by the Clerk, Petitioner is entitled to receive a copy of these evaluations.
8. It is the responsibility of the Petitioner (not the court), to secure a treatment program for the Respondent to attend, in the event treatment is ordered by the court. This could be outpatient or in-patient treatment, based on recommendations of the two evaluations. A placement should be available to provide the court at the final hearing. **Petitioner is responsible for transportation to inpatient treatment. Some treatment facilities will provide transportation and some sheriff departments will for a fee.**
9. Petitioner and Respondent will be required to attend court on a specified date.
10. Once treatment is ordered by the court for the Respondent, it is the Petitioner's duty to keep the court informed of any changes in the status of the Respondent.

Advocate Assistance:

CaseysLaw.org

Facebook.com/groups/caseyslaw/

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