

House Judiciary Committee Meeting
Thursday, February 11, 1965

The House Judiciary Committee met Thursday, February 11, 1965, in Room 523 at 8:30 A.M. with Chairman Jack Euler presiding. Thirteen members were present. Members Amrein, Bell, Davis, Fatzer, Hill, Roberts, Tillotson and Van Cleave were absent.

Chairman Euler called the meeting to order. The committee continued its consideration of the proposed mental health act, an Act for Obtaining "Care or Treatment" for a "Mentally Ill Person."

Section 11. It was suggested that the district court handle these matters when the probate court isn't available.

Section 12. The committee agreed that the application by the peace officer should state the basis for belief, name complainents, etc. It was suggested that the Bill of Particulars procedure could possibly be used. And, that perhaps the patient should be given a chance to go in voluntarily.

Section 13. The committee wanted it to be certain that the witnesses complaining leave their names on the application.

Section 14. (B) This should be amended to protect the patient's right to appear. (C) It was suggested that the local bar association furnish a list of attorneys to the judges and that the judges refer to this list for the indigent. (D) This should be amended to make all hospital records available to the attorney and to allow the attorney visitation rights. (F) It was agreed by the committee that "physician" be deleted. The examiner's report must be made by a qualified person.

It was pointed out that the 3 day provision only allows one day for the decision to call a jury trial because of the 48 hour notice requirement for jury trial.

Section 15. This should require the report to list all names of those who participate in the evaluation. (C) It was agreed that the words "or his counsel" be added. The patient should also have absolute right to continuance.

Section 16. (C) It should be made clear that the attorney is not limited to only one consultation.

Section 17. The committee agreed that this should be amended in line 6 by adding "or any continuance thereof" after the word "hearing" and before the word "request." The attorney should be able to get a continuance prior to the time of the actual hearing. There was some discussion by the members in regard to the reports being allowed as evidence.

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A question was raised in regard to the last paragraph on page 2. Some of the members wanted to know why the county attorney should represent the applicant.

The meeting adjourned at 9:50 A.M. The committee will resume its consideration of the Act for Obtaining "Care or Treatment" for a "Mentally Ill Person" Monday, February 15, 1965, at 8:30 A.M. in Room 523.

Respectfully submitted
Jack R. Euler, Chairman

Minutes approved:

A handwritten signature in cursive script, appearing to read "Jack R. Euler". The signature is written in dark ink and is positioned to the right of the printed text "Minutes approved:". The signature is written over a large, faint, circular watermark or stamp that is mostly illegible.