

# **Practice Standards**

September 26, 2018

## **Section XIV, Representation of a Respondent in Involuntary Commitment – Mental Disorder**

### **XIV. REPRESENTATION OF A RESPONDENT IN A PROCEEDING FOR INVOLUNTARY COMMITMENT – MENTAL DISORDER**

#### **GOALS:**

- A. To actively and professionally serve as a competent advocate for the respondent who is the subject to a commitment proceeding for a mental disorder under §53-21-116, MCA.**
- B. To abide by specific mandatory standards of representation for Public Defenders as attorney for the respondent in an involuntary commitment proceeding.**
- C. To serve the stated interests of the respondent, to be independent from the court and other participants in the litigation, including the respondent's guardian, if any, and to be unprejudiced and uncompromised in representing the respondent.**
- D. To exercise independent and professional judgment in carrying out the duties assigned by the Court and to participate fully in the case on behalf of the respondent.**
- E. The term “involuntary commitment” in the following standards includes involuntary commitment and proceedings to extend the involuntary commitment period.**