

RIGHTS OF INDIVIDUALS ON A 24-HOUR HOLD

1. The **right** to immediately contact someone of your choosing;
2. The **right** to immediately contact and be represented by an attorney;
3. The **right** to be examined by a “qualified mental health professional” whom the Chair of the County Board of Mental Illness designates. This examination must be completed within 24-hours after you are taken into custody and is to determine whether you are to remain in the custody of the facility or not;
4. The **right**, if custody should continue, to an independent examination and to a hearing within 5 days after being taken into custody, within 6 days if there is a Saturday, Sunday, or holiday within the time period, or, within 7 days if there is a Saturday, Sunday, and holiday within the time period; and
5. The **right** to be notified that the following costs are your responsibility and a lien may be filed on your real/personal property to ensure payment: costs of any post-commitment treatment, medication, compensation for the attorney appointed to represent you in any appeals proceedings, and additional examination requested by you (unless you are indigent), and a certified transcript or tape of a hearing or review hearing before the County Board of Mental Illness.

(This information is provided to you by:
Disability Rights South Dakota (DRSD) – PAIMI Program,
1-800-658-4782 (South Dakota - only))

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