

## LPS HOLDS CHART

LPS HOLDS	CRITERIA			COURT PROCEEDINGS
	GRAVELY DISABLED	DANGER TO SELF	DANGER TO OTHERS	
<b>72-HOUR WIC 5150</b> EVALUATION AND TREATMENT	ONE OR ALL MAY APPLY			<ol style="list-style-type: none"> <li>1. No probable cause hearing</li> <li>2. May request Riese hearing (Decision regarding Riese carries through 14-day hold)</li> </ol>
<b>14-DAY WIC 5250</b> 3-DAY EXTENSION WHEN CONSERVATORSHIP APPLIED FOR	ONE OR ALL MAY APPLY			<ol style="list-style-type: none"> <li>1. Probable cause hearing must be held during first 4 days of hold unless patient requests by-pass writ of habeas corpus, 48-hour postponement, signs voluntary or is discharged.</li> <li>2. Patient may request one writ of habeas corpus hearing at any time during 14-day hold.</li> <li>3. Riese hearing maybe requested anytime during 14-day hold.</li> </ol>
<b>ADDITIONAL 14-DAY WIC 5260</b>		"IMMINENT DANGER TO SELF"		<ol style="list-style-type: none"> <li>1. No probable cause or court hearing required.</li> <li>2. Original additional 14-day certification form and 2 affidavits must be sent to superior court.</li> <li>3. Patient may request writ of habeas corpus any time during 14-day period</li> <li>4. New Riese hearing may be requested anytime during 14-day period.</li> </ol>
<b>30-DAY WIC 5270</b> <b>*Currently not offered in Santa Clara County</b>	ONLY CRITERIA WHICH APPLIES			<ol style="list-style-type: none"> <li>1. Probable cause hearing must be held during first 4 days of hold unless patient requests by-pass writ of habeas corpus, 48-hour postponement, signs voluntary or is discharged.</li> <li>2. Patient may request writ of habeas corpus any time during 30-day period</li> <li>3. New Riese hearing may be requested anytime during 30-day period.</li> </ol>
<b>180-DAY WIC 5300</b> RENEWABLE			"IMMINENT DANGER TO OTHERS"	<ol style="list-style-type: none"> <li>1. Requires contact with D.A. several days prior to expiration of 14-day hold.</li> <li>2. Requires the D.A. to file a petition with the court and an evidentiary hearing in court within 4 days or jury trial within 10 days</li> <li>3. New Riese hearing may be requested anytime during 180-day period.</li> </ol>
<b>TEMPORARY CONSERVATORSHIP (T-CON)</b> 30 DAYS TO 6 MONTHS	ONLY CRITERIA WHICH APPLIES			<ol style="list-style-type: none"> <li>1. Requires application by the treating physician to the Public Guardian's Office</li> <li>2. Judge reviews application and determines whether to grant or deny temporary conservatorship (T-Con)</li> <li>3. Patient may request writ of habeas corpus any time during T-Con period</li> <li>4. New Riese Petition may be filed with County Counsel if no prior Riese hearing</li> </ol>
<b>"PERMANENT" CONSERVATORSHIP</b> 1 YEAR RENEWABLE	ONLY CRITERIA WHICH APPLIES			<ol style="list-style-type: none"> <li>1. Requires court hearing. Physician may be required to testify in court.</li> <li>2. Patient has the right to jury trial/standard of proof=beyond reasonable doubt</li> <li>3. Patient may request re-hearing on conservatorship, rights denied, restrictiveness of placement, disabilities imposed once every six months</li> </ol>
RE-APPOINTMENT OF "PERMANENT" CONSERVATOR	ONLY CRITERIA WHICH APPLIES			<ol style="list-style-type: none"> <li>1. Requires conservator petitioning for reappointment and a court hearing</li> <li>2. Requires concurring opinions of two psychiatrists/psychologists that the person continues to be gravely disabled</li> <li>3. Conservatee has the right to evidentiary hearing/jury trial. Proof-beyond reasonable doubt</li> </ol>