

If you are concerned about the safety and well-being of a loved one, please make an appointment or walk-in to Polk County Community Services to discuss options.

715-485-8400

If there is an imminent concern for the safety of the individual or others, please call 9-1-1.



Polk County Behavioral Health Department
100 Polk County Plaza
Suite 50
Balsam Lake, WI 54810

Phone: 715-485-8400
Fax: 715-485-8450

Polk County Community Services



Three Party Petitions

Three Party Petition Process

A Three Party Petition is a petition signed by three adults who have knowledge of the individual's behavior and a belief that the individual suffers from a mental illness and presents a substantial probability of harm to self or others. The three adults signing the petition will need to be able to testify at all hearings for the commitment. All potential three party petitions are reviewed by the Department of Human Services and Corporation Counsel prior to being filed with the court.

This type of involuntary commitment is used when there is no emergency; rather there is a pattern of conduct over a period of time that will affect safety unless court intervention occurs.

*If there is immediate concern for safety of the individual or others, please call 9-1-1.

There are two major types of Three Party Petitions:

- A. Treatment of Mental Illness, Drug Dependency, or Developmental Disability.
- B. Treatment of Alcoholism

See next page for details.

When looking at the legal standards for A, the petition must include the following:

- There must be mental illness, drug dependency, and/or developmental disability.
- The individual is proper for treatment
- There is dangerousness to self or others as evidenced by: Physical Harm to Self, Physical Harm to Others, Impaired Judgement, and/or Inability to satisfy basic needs for nourishment, medical care, shelter, or safety without prompt treatment.

When looking at the legal standards for B, the petition must include the following:

- There must be a long-standing alcohol use problem
- The individual's health is substantially impaired by the use of alcohol
- Social or economic functioning is substantially disrupted by alcohol use
- There is a pattern of conduct during the 12-month period immediately preceding the time of petition which is dangerous to the subject or others.

All prospective petitioners should schedule an appointment with the Polk County Behavioral Health Department prior to scheduling with Corporation Counsel.

Once passed on to Corporation Counsel facts of the case will be discussed

If a petition is drafted, the petitioners are scheduled for a final review of petitions.

Petitions must be sworn, and signed in before a Notary public.

The sworn petition is first reviewed by the Corporation Counsel and then sent to the Judge for final approval.

Court approval for detention of the subject is sent to the Sheriff's Department for service.

Law Enforcement serves the detention like a warrant, takes the individual into protective custody and an inpatient hospital is located for treatment.

A probable cause hearing is held within 72 hours of detention, not including weekends or holidays.

If the Judge finds probable cause, final hearing will be ordered within 14 days of the detention. The individual will remain at the inpatient unit during this time. Two doctors will be appointed to examine the individual and send their reports to the court.

At final hearing, a determination will be made on whether the individual is to be committed to the county.