

Mental Health Basics

Part I

*by Lisa Langton
Family Division Administrator -
Probate/Juvenile Register*



The Oakland County Mental Health Division provides numerous services for our citizens. Services are available to those who are suffering a mental illness and who require treatment.

By law, mental illness is defined as “a substantial disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life” (MCL 330.1400(g)). For services to be rendered to a mentally ill person by the Oakland County Probate Court, the Mental Health Code requires that a mentally ill person must also be considered an adult “person requiring treatment.”

A “person requiring treatment” must have a mental illness and any of the following:

- Can reasonably be expected within the near future to intentionally or unintentionally seriously harm himself/herself or another person, and who has already done so or threatened to do so, OR
- Is unable to attend to his/her basic physical needs, such as food, clothing or shelter, OR
- Is unable to understand his/her need for treatment, which may result in significant physical harm to himself/herself or to others (MCL 330.1401).

Commonly, people come to our Mental Health counter seeking assistance for an adult who has been affected by age, epilepsy, alcoholism, or drug dependence. These are not necessarily people “requiring treatment.” At least one of the three above requirements must also be met.

An adult may consent to voluntary treatment of his or her choice without the involvement of the court. The

patient would be permitted to leave the facility unless the facility determines that the patient needs to remain. If the facility determines that the patient needs to remain, then a petition will be filed and a hearing held. Voluntary treatment of an adult can be attained through a private or public facility willing to accept the patient. The Oakland County Probate Court Mental Health Division would only be involved if voluntary treatment is not possible. A list of facilities that offer voluntary and involuntary treatment for adults and minors can be obtained through the Community Mental Health.

The alleged mentally ill person must be a resident of or found in Oakland County before any type of petition can be accepted. The petitioner must also be 18 years of age or older. No filing fee is required.

The Mental Health Division of the Oakland County Probate Court is located at 1200 N. Telegraph Road and is on the first floor, east wing, near the Probate Estates counter. All court forms are available at that office and the office hours are Monday through Friday, 8:30 a.m. until 5:00 p.m.

The Mental Health Probate Court staff makes every effort to assist family members and/or attorneys through this oftentimes very difficult process.

As a side note, please join me in welcoming Suzanne Hollyer to Oakland County as our new Friend of the Court. Suzanne started her new position on June 30th. She was selected to fill the retiring Joe Salamone’s position as Friend of the Court. She comes to Oakland County from Wayne County Friend of the Court and has also worked for the State Court Administrative Office. Welcome Suzanne! Stay tuned.