

FAQ's

Q: Are there any special rules that govern the operation of MHLS?

A: Yes. MHLS is governed by 22 NYCRR Part 694. A copy of those rules is posted on this website.

Q: How does MHLS know that someone has been admitted to an inpatient mental health facility?

A: The law provides that everyone admitted to an inpatient facility must be admitted on legal forms specific to his/her legal status on admission. Every inpatient facility is required by law to send copies of those forms to MHLS when a patient is admitted. MHLS has specific attorneys assigned to each facility whose job it is to visit each new patient to advise him/her of the legal rights associated with that legal status and to inquire into whether there are any legal problems in connection with the admission or treatment of the patient.

Q: Does MHLS ever see a patient after the first time he or she is admitted to the hospital and how would MHLS know that the someone needed to see an attorney?

A: Yes. We have long standing relationships with most of our clients. When legal issues arise, for example, a change in legal status, a petition for continued retention, an Assisted Outpatient Treatment order, a petition for guardianship or a petition for treatment over objection, MHLS is served with the petition and will go to see our client. Also, clients call our offices regularly to request that we visit them and sometimes hospital staff will call us and ask us to come see a particular patient.

Q: If I am confined in a facility, how can I reach MHLS?

A: By law, patients in facilities are supposed to be given reasonable access to telephones and mail service. The phone number and address of the MHLS office that serves your facility should be listed on the papers given to you upon your admission. Also, there should be "Patient's Rights" posters displayed in a conspicuous place on every ward. Those posters will bear our telephone number and address. If you do not have money to use the telephone, you can ask a staff member to contact us for you.

Q: Does MHLS ever see clients in the community?

A: MHLS not only sees patients in institutions and hospitals, but also, in some instances, depending on the type of case, we see clients living in group homes, supportive community residences, nursing homes, assisted living facilities, adult homes, private residences and even jails and prisons.

Q: Does MHLS charge a fee to provide legal services?

A: MHLS services are free of charge, even if you have funds, *except in the case of Article 81 guardianship proceedings*, in which the court may award us a fee if it deems it appropriate.