

Baker Acts / Marchman Acts

1. What is my first step in doing a Baker Act / Marchman Act on a family member?

You can call (850)437-8900 or go to the Avalon Center 6024 Spike Way, Milton, FL 32583 behind the County Auditorium and speak to a counselor. (Forms can also be located on our website www.santarosaclerk.com if Avalon Center is closed or unavailable to assist)

www.santarosaclerk.com -click on **Links**- click on **Online Forms and Services** – Click on **Mental Health**

2. What if I am not related to the person, I want to file a Baker Act / Marchman Act on?

The petition can be filed by the person's spouse or guardian, any relative, a private practitioner, a licensed service provider or designee or a person with personal knowledge of the person and the situation that are willing to do the paperwork and will be willing to appear in court if a court date is set.

3. What is the fee for filing a Baker Act / Marchman Act?

The Avalon Center or the clerk in the probate division will give you the paperwork at no charge. Once you're finish completing the paperwork bring it to the Clerk of Court Probate Department with your ID and \$3.50 oath fee.

4. Do I get to speak to a Judge when I turn in the Baker Act / Marchman Act paperwork, so they know what is going on?

No, we will process the paperwork and get it to a Judge in between their hearings so the earlier in the day the better, when you're filling out the paperwork be specific to the details to the situation and if you need to write additional information just use a blank piece of paper. Remember you will not be there to explain things to the Judge so if there is something you think the Judge needs to know, it needs to be written in the paperwork.

5. Do I need to come back to get the signed paperwork from the Judge so I can get the Sheriff's Department to serve them with the Order to have them committed?

No, you need to call our Probate Division (850)981-5584 in about an hour and we will let you know if the Order was signed and if it was, we will process the paperwork and get it to the Sheriff's Office, and they will process it from there.

6. What if the person isn't home when the police department comes to serve the Baker Act / Marchman Act paperwork?

The Deputy will try to serve the Respondent more than once.

7. My spouse is an alcoholic. If the court agrees they need help, how long will they be detained?

A person can be court ordered for Involuntary Assessment and Stabilization for up to 5 days at a licensed substance abuse provider. If the provider can't complete the assessment within the 5 days, it can file a written request for an extension of time to complete its assessment and the court may grant additional time, not to exceed 7 days after the date of the renewal order, for the completion of the involuntary assessment and stabilization of the client. If, depending on the outcome of the assessment, the court finds the person meets the criteria for involuntary treatment, he/she can be ordered to treatment for a period of up to 60 days.