



State of Utah

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Governor

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Lieutenant Governor

DEPARTMENT OF HUMAN SERVICES

TRACY GRUBER  
Interim Executive Director

Division of Substance Abuse and Mental Health  
DOUG THOMAS  
Director

January 5, 2021

Dear Community Partners,

In this letter we want to inform you of changes to the process of submitting Form 36-1 Application for Order of Involuntary Commitment (white sheet) and clarify some additional processes related to civil commitment.

First, there has traditionally been a notary requirement for submitting the white sheet to the courts; however, we recently had an opportunity to talk to legal counsel for the Administrative Office of the Courts (AOC). We specifically asked if white sheet applications could make use of The Uniform Unsworn Declarations Act, found in Utah Code Ann. Sect. 78B-18a-104 and 106, which allows the application form to be sworn by the petitioner “under penalty of perjury” rather than before a Notary Public. The courts agreed this form of verification is appropriate for use in involuntary civil commitment cases, and so this language and a revised signature line has been added to Form 36-1 in place of the previous notary requirement.

In addition, we would like to take this opportunity to remind you that in order for Form 36-1 to be processed effectively and for legal notices to be sent out, the courts need the application filled out completely including, names, dates of birth, addresses, etc. The section for “Names and addresses of those to be notified” is not a courtesy notification for family, rather, it satisfies a statutory requirement that the applicant list all those who are entitled to legal notice. Please do your best to obtain this statutorily required information on the application.

Second, the AOC has indicated that applicants are able to file white sheet applications electronically by email. Thus, digital Forms 36-1 (white sheet), 34-1 (blue sheet), and 34-2 (pink sheet) are valid and accepted ways of submitting the documentation to either the designated facility or the courts. **In fact, the expectation going forward is that the white sheet will be filed by email.** Attached please find the list of email addresses for filing by judicial district and county. We propose that you begin filing these forms via email with the Court **beginning March 1<sup>st</sup>, 2021.**

**It is important to note that to assist in timely processing, please start the subject line of the emails with the term “IC Application” so the clerks know to treat them as time sensitive priorities.** For your convenience, we have attached the updated court email list, and the updated application Form 36-1. This form can also be found on the State Division of Substance Abuse and Mental Health website <https://dsamh.utah.gov/providers/civil-commitment>

Lastly, please note that telehealth has been recognized as a legitimate means to conduct behavioral health sessions, and gaining “personal knowledge” and “observing” through this means is a legitimate basis for meeting the statutory criteria for both temporary commitment and involuntary commitment orders. Telephone sessions that don’t include observing, or telehealth sessions relayed secondhand to a mental health officer or peace officer, are insufficient for a pink or blue sheet. Please refer to UCA 62A-15-629 for further clarification.

Please direct any comments or questions regarding any of this information to LeAnne Huff at [lhuff@utah.gov](mailto:lhuff@utah.gov) or 801-656-5630. We appreciate your time, expertise and consideration to help us improve the processes surrounding civil commitment. We hope these clarifications and new processes will make it easier for you and our various partners to complete this work more efficiently and effectively.

Sincerely,

A handwritten signature in blue ink that reads "Doug Thomas". The signature is written in a cursive style and is positioned above the typed name and title.

Doug Thomas  
Director