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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 6. ADMISSIONS AND JUDICIAL COMMITMENTS [6000 - 6825] (*Division 6 repealed and added by Stats. 1967, Ch. 1667.*)

PART 2. JUDICIAL COMMITMENTS [6250 - 6825] (*Part 2 added by Stats. 1967, Ch. 1667.*)

CHAPTER 2. Commitment Classification [6331 - 6609.3] (*Chapter 2 added by Stats. 1967, Ch. 1667.*)

ARTICLE 3. Juvenile Court Wards [6550 - 6552] (*Heading of Article 3 renumbered from Article 6 by Stats. 1980, Ch. 676, Sec. 342.*)

6550. If the juvenile court, after finding that the minor is a person described by Section 300, 601, or 602, is in doubt concerning the state of mental health or the mental condition of the person, the court may continue the hearing and proceed pursuant to this article. (*Amended by Stats. 1989, Ch. 1360, Sec. 163.*)

6551. (a) If the court is in doubt as to whether the person has a mental health disorder or an intellectual disability, the court shall order the person to be taken to a facility designated by the county and approved by the State Department of Health Care Services as a facility for 72-hour treatment and evaluation. Thereupon, Article 1 (commencing with Section 5150) of Chapter 2 of Part 1 of Division 5 applies, except that the professional person in charge of the facility shall make a written report to the court concerning the results of the evaluation of the person's mental condition. If the professional person in charge of the facility finds the person is, as a result of a mental health disorder, in need of intensive treatment, the person may be certified for not more than 14 days of involuntary intensive treatment if the conditions set forth in subdivision (c) of Section 5250 and subdivision (b) of Section 5260 are complied with. Thereupon, Article 4 (commencing with Section 5250) of Chapter 2 of Part 1 of Division 5 shall apply to the person. The person may be detained pursuant to Article 4.5 (commencing with Section 5260), or Article 4.7 (commencing with Section 5270.10), or Article 6 (commencing with Section 5300) of Part 1 of Division 5 if that article applies.

(b) If the professional person in charge of the facility finds that the person has an intellectual disability, the juvenile court may direct the filing in any other court of a petition for the commitment of a minor as an intellectually disabled person to the State Department of Developmental Services for placement in a state hospital. In that case, the juvenile court shall transmit to the court in which the petition is filed a copy of the report of the professional person in charge of the facility in which the minor was placed for observation. The court in which the petition for commitment is filed may accept the report of the professional person in lieu of the appointment, or subpoenaing, and testimony of other expert witnesses appointed by the court, if the laws applicable to the commitment proceedings provide for the appointment by court of medical or other expert witnesses or may consider the report as evidence in addition to the testimony of medical or other expert witnesses.

(c) If the professional person in charge of the facility for 72-hour evaluation and treatment reports to the juvenile court that the minor is not affected with a mental health disorder requiring intensive treatment or an intellectual disability, the professional person in charge of the facility shall return the minor to the juvenile court on or before the expiration of the 72-hour period and the court shall proceed with the case in accordance with the Juvenile Court Law.

(d) Expenditure for the evaluation or intensive treatment of a minor under this section shall be considered an expenditure made under Part 2 (commencing with Section 5600) of Division 5 and shall be reimbursed by the state as are other local expenditures pursuant to that part.

(e) The jurisdiction of the juvenile court over the minor shall be suspended during the time that the minor is subject to the jurisdiction of the court in which the petition for postcertification treatment of an imminently dangerous person or the petition for commitment of an intellectually disabled person is filed or under remand for 90 days for intensive treatment or commitment ordered by the court.

(*Amended by Stats. 2014, Ch. 144, Sec. 111. (AB 1847) Effective January 1, 2015.*)

6552. A minor who has been declared to be within the jurisdiction of the juvenile court may, with the advice of counsel, make voluntary application for inpatient or outpatient mental health services in accordance with Section 5003. Notwithstanding subdivision (b) of Section 6000, Section 6002, or Section 6004, the juvenile court may authorize the minor to make the application if it is satisfied

from the evidence before it that the minor is experiencing a mental disorder that may reasonably be expected to be cured or ameliorated by a course of treatment offered by the hospital, facility, or program in which the minor wishes to be placed, and that there is no other available hospital, program, or facility that might better serve the minor's medical needs and best interest. The superintendent or person in charge of any state, county, or other hospital facility or program may then receive the minor as a voluntary patient. Applications and placements under this section shall be subject to the provisions and requirements of the Short-Doyle Act (Part 2 (commencing with Section 5600) of Division 5), which are generally applicable to voluntary admissions. The juvenile court shall review the application for judicial authorization of the voluntary application for admission to a psychiatric residential treatment facility pursuant to Section 361.23 or 727.13, as applicable.

If the minor is accepted as a voluntary patient, the juvenile court may issue an order to the minor and to the person in charge of the hospital, facility, or program in which the minor is to be placed that should the minor leave or demand to leave the care or custody thereof prior to the time they are discharged by the superintendent or person in charge, they shall be returned forthwith to the juvenile court for a further dispositional hearing pursuant to the juvenile court law.

The provisions of this section shall continue to apply to the minor until the termination or expiration of the jurisdiction of the juvenile court.

(Amended by Stats. 2024, Ch. 948, Sec. 61. (AB 2119) Effective January 1, 2025.)