

IN THE IOWA DISTRICT COURT FOR THE THIRD JUDICIAL DISTRICT

ORDER AS TO FUNCTIONS AND COMPENSATION OF MENTAL HEALTH ADVOCATES

ADMINISTRATIVE ORDER

2014 #18

This order replaces all previous administrative orders related to the function and compensation of mental health advocates.

Compensation and expense reimbursement for mental health advocates must be limited to time spent and mileage expenses incurred in the performance of statutory duties. Any requests for additional expenses must receive prior approval by the judicial officer handling hospitalization cases for each particular county.

Pursuant to Iowa Code Sections 229.19 and 602.121(1), it is ordered that:

1. A mental health advocate shall be permitted to attend an involuntary hospitalization hearing if: (a) the hearing is conducted in the advocate's county(s), and (b) the patient's legal settlement is in the advocate's county(s). An advocate, however, shall not be required to attend any hearing.

2. The judge, judicial magistrate or judicial hospitalization referee who is to conduct an involuntary hospitalization hearing shall make a reasonable effort to give the mental health advocate notice by telephone as to the time and place of each hearing which the advocate is entitled to attend under Paragraph 1 of this order, unless the advocate informs the court that he or she does not wish to receive such notice. The court's inability to contact the advocate, however, shall not be permitted to delay the hearing.

3. Effective September 1, 2014, the rate of compensation for his or her services is increased from the rate of \$15.00 per hour to \$17.93 per hour.

4. The rate of compensation stated in Paragraph 3 of this order shall not apply to services performed as the attorney for a patient by a mental health advocate who is an attorney admitted to practice law in this state.

5. For necessary use of an automobile in the course of his or her duties, a mental health advocate shall receive reimbursement at the rate approved by the Iowa Supreme Court for judicial branch employees.

6. Reimbursement of mental health advocates for meal expenses is terminated until such time as it is reinstated by order of the chief judge.

7. Compensation of mental health advocates for time spent and reimbursement of mental health advocates for mileage and meal expenses incurred in attending conferences of the northwest quadrant advocates and in attending state conferences of advocates is permitted provided the advocate obtains prior authorization by the judge presiding over hospitalization cases for their particular county(s). Mental health advocates are encouraged to participate in collaborative meetings of the mental health region and may be compensated for time spent and mileage expenses incurred attending no more than two such collaborative meetings.

8. Before a mental health advocate's request for compensation and mileage reimbursement is submitted to the county for payment, it shall be submitted to, and approved in writing by, a judge or judicial magistrate who has the primary responsibility for hospitalization cases in the county. No approval of such a request by any other judge shall be required.

9. A mental health advocate's compensation and mileage reimbursement shall be limited to time spent and mileage expense incurred in the performance of the duties specified by Iowa Code Sections 229.12(2) and 229.19, including attendance at involuntary hospitalization hearings pursuant to Paragraph 1 of this order. A mental health advocate shall not be entitled to compensation or mileage reimbursement with respect to general care-taking functions not authorized by Sections 229.12(2) and 229.19.

10. A mental health advocate's request for compensation shall state the dates when services were performed, the nature of the services and the amount of time spent on each day. A request for reimbursement for mileage shall state the dates when the mileage was incurred and the places to and from which the travel occurred.

11. The clerk of court for each county shall mail or deliver copies of this order to the county auditor, the central point coordinator for the county and the mental health advocate for the county. In counties other than Woodbury, the clerk of court shall also mail or deliver copies of this order to the judge(s) or judicial magistrate(s) who have primary responsibility for hospitalization cases in the county. The court administrator shall provide copies of this order to all 3B district judges and all Woodbury County district associate judges and judicial magistrates.

Dated this 2nd day of July, 2014



Duane E. Hoffmeyer, Chief Judge
Third Judicial District of Iowa