

Mental Health Matter Starts – An example

Timeline

Each box represents a new matter start

Client is informal

Client asks for advice on whether they can be detained

The client is outside a 'period of eligibility', so each matter can be billed as it is concluded – non-MHRT fee

Client is unhappy with their psychiatrist and has been refused a new one – he asks for advice on his rights

Non-MHRT fee as above

s2 imposed

Client applies for a tribunal. He is not discharged

MHRT fee is claimable. The file must be kept open until the section 2 has ended

s3 imposed

Client asks for advice on compulsory treatment.
Client applies for a Managers' Hearing and appeals to the MHRT.
Client asks for assistance with a CPA.

This starts as a non-MHRT matter. All these matters are 'rolled up' into one matter, and an MHRT fee is claimable. The file must be kept open until the section has ended. In this example, the matter is ongoing into the next period, and so cannot be billed until all these issues are disposed of. This may mean there are two matters ongoing at the same time.

s3 renewed

Both the MHRT and Managers decide not to discharge.

By the time these issues are concluded, the client has entered the next period of eligibility.

Client applies to the MHRT again.

Client applies to the Managers again.

The tribunal gives a delayed discharge and will reconvene if client is not discharged by a certain date.

There are problems with accommodation and client is not discharged. The tribunal reconvenes.

Client is discharged from section and remains as informal patient.

Accommodation is resolved, and client leaves hospital.

Client wishes to pursue a complaint against his RMO regarding an incident when he was under section 2.

This issue is not related to the current period of eligibility, and is a separate and distinct legal issue. A separate matter can be opened, and a non-MHRT fee is claimable when this matter is concluded.

Section ends

Where there is a delayed discharge, the file should be kept open until discharge is effected, or until the tribunal have otherwise disposed of the matter.

Client asks for advice on changing their nearest relative

A new non-MHRT matter can be opened, and billed as soon as it is concluded