

## Chapter 14. Civil Protective Custody

### Legislative History.

This new chapter to the Fort McDermitt Law & Order Code was originally enacted on September 13, 1988 by the Tribal Council. Section 2 was added on February 25, 1989.

### Sec. 1. Civil Protective Custody; Method; Purpose; Duration.

By the filing of a petition with the Fort McDermitt Tribal Court, a petitioner may seek to have any individual who is incapable of caring for himself or other due to alcoholism or other mental unsoundness at an institution of appropriate nature, e.g., State Hospital, etc.

The purpose of such confinement shall be to obtain the needed medical services for the care and rehabilitation of the person to whom the petition is directed.

A commitment order of the court signed by the judge of the Tribal Court, the maximum duration of any commitment by a police officer of the Tribe or the Bureau of Indian Affairs shall be thirty-six (36) hours.

### Sec. 2. Severability.

Should any sections of this chapter be disapproved by the Secretary of the Interior, in accordance with the Constitution, or be found unconstitutional or in violation of tribal or federal law by any court of competent jurisdiction, such declaration shall not affect the remaining terms or sentences of any section or the remaining sections of this chapter.