

645.110 Recertification procedure.

- (1) If the petitioner or other interested person desires to continue a child's hospitalization beyond the initial sixty (60) days, he shall file a petition for recertification before the original sixty (60) days expire. The procedures and rights specified in KRS 645.050 to 645.100 apply to recertification petitions and hearings except as otherwise specified in this section.
- (2) The court may deny the petition or may authorize a continuation of the child's hospitalization for a period of no more than one hundred eighty (180) days.
- (3) If the child has been represented previously, the same attorney shall continue to represent him at the recertification hearing unless the court determines otherwise for good cause.
- (4) The child shall be brought to the court for the initial and subsequent recertification hearings unless the court determines the child's presence at all or part of the hearing is likely to have a harmful effect on the child's physical or mental health.
- (5) In evaluating the criteria specified in KRS 645.090 at a recertification hearing, the court shall consider the child's prior treatment, the ability of the hospital to provide appropriate treatment, and the likelihood of future improvement through treatment.

Effective: April 10, 1988

History: Amended 1988 Ky. Acts ch. 350, sec. 117, effective April 10, 1988. -- Created 1986 Ky. Acts ch. 423, sec. 156, effective July 1, 1987.