

RESOURCES

Magistrate's Office:

1610 Avon Street Ext,
Charlottesville, VA 22902
Ph: 434-977-0220

Region Ten Emergency Services:

500 Old Lynchburg Rd,
Charlottesville, VA 22903
Ph: (434) 972-1800

LINKS TO ADDITIONAL RESOURCES

Link to ECO Petition



Link to Region Ten
Crisis Services Website



EMERGENCY CUSTODY ORDERS

A guide for understanding
how to obtain an Emergency
Custody Order (E.C.O.)

regionten
community services board

Petitioning for an ECO

To petition for an Emergency Custody Order for a friend or loved one, you must visit the Magistrate's office in person and speak with the Magistrate.

The Magistrate will hand you a form to complete where you will need to explain why you believe the person should be placed in Emergency Custody.

When filling out the form, provide only the facts related to the individual's recent behaviors. Describe how the individual's current behaviors differ from their normal behavior and put the individual or others at harm.

Once completed the Magistrate will ask you to provide a sworn testimony based on what you've reported on the form.

The Magistrate will make the final decision on whether to grant the ECO based on the petition and your testimony.

What are the Criteria for an ECO?

An individual may be placed under an ECO if they are experiencing a mental health crisis and:

- There is a risk that in the near future they may cause harm to themselves or others,
- They are unable to protect themselves from serious harm or provide for basic human needs,
- They are in need of hospitalization or treatment, and/or they are unwilling or unable to volunteer for such services.

See Virginia Code § 37.2-808 for more information.

*** An Emergency Custody Order will not be granted if the individual voluntarily agrees to a behavioral health evaluation.**

What is an ECO?

An Emergency Custody Order (ECO): is an order **issued by a magistrate or initiated by a police officer** authorizing a person to be taken into custody and transported to a secured facility for an evaluation to assess the need for treatment and/or hospitalization.

When issued by a Magistrate, the order has to be served on the individual within 8 hours or it becomes void.

A law enforcement officer may initiate an ECO without needing to go through the Magistrate when they determine an individual meets criteria.

***A magistrate is civil officer who administers the law, especially one who conducts a court that deals with minor offences and holds preliminary hearings for more serious ones.**