

Magistrate's Expectations for Marchman Court Proceedings

Jeff Sirmons, Magistrate

8/17/2026

1. All persons must attend court in person, with the following exceptions:
 - a. Anyone who requested, and received, the court's consent to appear virtually.
 - b. Anyone currently in inpatient treatment
 - c. Anyone at the Mary Lyons Center at the time of the hearing.
2. The original Petitioner, the Respondent, and Tri-County shall each be fully prepared to proceed with an evidentiary hearing at the outset of the hearing, unless the hearing is merely a status hearing. If it is a status hearing, each litigant shall be prepared to proceed with the status hearing.
3. Tri-County shall finish all court-ordered assessments within 72 hours of receipt of the Respondent, as prescribed by law, unless otherwise ordered. A failure to do so may result in dismissal or other sanctions.
4. For Patients who were Involuntarily Ordered into any outpatient treatment subject to court's jurisdiction:
 - a. Affidavits of Non-Compliance due to positive drug screens (not presumptive positive no-shows): Should be submitted upon Tri-County's receipt of confirmation of the Respondent testing positive, along with any recommended action (or a request for no court action) by Tri-County.
 - b. Affidavits of Non-Compliance due to missing classes and/or screens without adequate explanation: Submit when patient's outpatient counselor/case manager believes patient needs a higher level of care.
5. For Patients enrolled in Inpatient Treatment subject to court's jurisdiction:
 - a. Affidavits of Non-Compliance due to positive drug screens: Should be submitted upon Tri-County's receipt of confirmation of the Respondent testing positive, along with any recommended action (or a request for no court action) by Tri-County.
 - b. Affidavits of Non-Compliance for leaving inpatient treatment prior to completion: COURT SHOULD BE NOTIFIED BY SWORN AFFIDAVIT AS SOON AS POSSIBLE.
6. Any Affidavit filed by Tri-County requesting a Modification of Treatment Plan should be submitted to the court as soon as the Patient's counselor determines a modification is warranted. A hearing will be set at the court's earliest convenience. Tri-County cannot use the court to enforce any treatment that was not court ordered.