



State of North Carolina  
General Court of Justice  
Defender District 26

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*A Way to Support Your Recovery and to Avoid Involuntary Commitment,  
Criminal Charges, Guardianship or Serious Hospitalization:*

**Psychiatric Advance Directives and Psychiatric Health Care Powers of  
Attorney**

I've been a lawyer since 1982 and an Assistant Public Defender since 1986. I've represented thousands of people over the years, worked on criminal justice reform, prison reform, drug and mental health treatment courts, and seen many preventable tragedies and some miraculous changes in people's lives. Recovery works. Here's just one example:

<https://www.mecknc.gov/criminaljusticeservices/pages/drugtreatment.aspx?redirect=charmeck>

It's a sad truth that people may have to have one or more painful events before turning their lives around. It's also a sad truth that many people were only able to get the help they needed through the criminal justice or civil commitment system. Meanwhile, other holistic support systems and best practices have been downsized or eliminated, putting greater pressure on individuals, families, health care and justice systems.

Recovery and self-determination doesn't have to go that way. The good news is that Psychiatric Advance Directives and Health Care Powers of Attorney are legal and medical documents that can help avoid a serious health and legal crisis.

They make it possible for someone with a mental health condition to save time, money, and better achieve and maintain overall health and welfare - even under challenging circumstances. They also make it possible to avoid pain, coercion, forced medications, solitary confinement, jail, prison, hurt or broken relationships, poorer health, and worse.

Dr. Marvin Swartz, a prominent Psychiatrist from the National Center for Psychiatric Advance Directives in Durham, says these tools are important because they:

- Allow families/proxies to speak directly with providers during crises.
- Allow families/proxies help make decisions during crises.

- Still support consumer autonomy and empowerment in mental health care.
- May reduce or stop the revolving door of hospitalization, involuntary treatment, arrest, conviction, incarceration or guardianship.
- May improve continuity of care.

Would you like to know more? There should be an opportunity to hear more about these instruments and people available to help with preparing them at Promise Resource Network at 1041 Hawthorne Lane, Charlotte, NC 28205, or elsewhere as more facilities find a way to offer similar opportunities.

I recommend contacting the following people to learn more about why and how to prepare your own Psychiatric Advance Directive and Health Care Power of Attorney:

Promise Resource Network  
Cherene Caraco 704-390-7709  
<https://www.promiseresourcenetwork.com/>

Crisis Navigation Project  
Bebe Smith  
<http://www.crisisnavigationproject.org/>

National Alliance on Mental Illness (NAMI, Charlotte)  
Judy Reiner  
<https://nami-charlotte.org/>

NAMI North Carolina has created some educational videos about PADs. You can access them here: <https://naminc.org/our-work-support/psychiatric-advance-directives/>

Jeff Swanson at Duke has also created a short educational video on PADs:  
<https://www.youtube.com/watch?v=eBSZ4ooRoZ8>

Feel free to contact me as well if you have any questions.

Sincerely,

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