



Casey's Law provides a legal avenue for intervening on behalf of individuals who, due to their impairment, are unable to recognize their need for treatment.

Frequently Asked Questions (FAQs)

CASEY'S LAW

General Information

What is Casey's Law?

Casey's Law is a Kentucky statute that allows family members or friends to petition the court for involuntary treatment for a loved one struggling with substance use disorder when they are unable to recognize their need for help.

Who was Casey's Law named after?

The law is named after Matthew "Casey" Wethington, a young man who died from a heroin overdose in 2002. His parents advocated for this law so families could intervene before tragedy.

Why was Casey's Law created?

It was created to provide families with a legal process to get treatment for loved ones in the grip of addiction who are unable or unwilling to seek help voluntarily.

Which states have Casey's Law?

Currently, Kentucky and Ohio have laws modeled after Casey's Law. Other states may have similar involuntary treatment statutes under different names.

Eligibility & Requirements

Who can file a Casey's Law petition?

Any adult who has direct knowledge of the individual's substance use—such as a family member, friend, or concerned party—can file a petition.

Do you have to be biologically related to file a petition?

No. You do not have to be a biological relative. Any adult with firsthand knowledge of the person's substance use can file a petition, including friends, stepfamily, or other concerned individuals.

Does the person have to live in Kentucky?

Yes, the individual must be a Kentucky resident for the Kentucky courts to have jurisdiction.

What must be proven for a Casey's Law petition to succeed?

It must be shown that the individual: - Has a substance use disorder, - Is a danger to themselves or others, or cannot provide for their basic needs, and - Could reasonably benefit from treatment.

Can minors be filed on under Casey's Law?

No. Casey's Law applies only to adults (18 and older).

Filing Process

Where do I file a petition under Casey's Law?

You file at the District Court Clerk's office in the county where the person with the substance use disorder resides.

What county do I file the petition in?

The petition must be filed in the county of the individual's legal residence. This is typically the county listed on their driver's license, state ID, or official mailing address.

What if I have their official mailing address, but they have run away to another county?

You should still file the petition in the county of their legal residence (where their official address is located), even if they are temporarily staying in another county. The court of residence has jurisdiction.

Is there a cost to file a petition?

Filing the petition is generally free, but the petitioner is responsible for paying the cost of medical evaluations required by the court. There are often grants and assistance for these costs if the loved one does not have medical coverage or veterans benefits.

What happens after I file the petition?

The court will review the petition and order two evaluations—one by a physician and one by a mental health professional—to determine whether treatment is appropriate.

Who performs the evaluations?

A physician, psychiatrist, or advanced practice nurse performs the medical evaluation, and a mental health professional such as a psychologist, licensed counselor, or licensed clinical social worker (LCSW) performs the mental health evaluation.

How long does the process take?

Timelines vary, but once filed, the process generally moves quickly, often within 2–3 weeks, depending on scheduling and court availability.

Court Hearings & Decisions

What happens at the court hearing?

The judge reviews the evaluations, listens to testimony, and decides whether to order involuntary treatment.

Does the person with the substance use disorder have legal rights in this process?

Yes. They have the right to an attorney, the right to attend the hearing, and the right to appeal the decision.

Can the court force someone into treatment against their will?

Yes. If the judge determines the legal requirements are met, the individual can be ordered into treatment even if they refuse.

How long can someone be ordered into treatment under Casey's Law?

Treatment can be ordered for a period ranging from 60 days up to 360 days, depending on the recommendations and the court's decision.

Treatment & Costs

What types of treatment can be ordered?

Treatment can include detoxification, residential rehabilitation, outpatient therapy, or other medically appropriate options.

Who decides which treatment program is used?

The judge considers recommendations from evaluators and the availability of treatment providers when issuing the order.

Who pays for treatment under Casey's Law?

The petitioner is legally responsible for covering treatment costs, though insurance or other resources may help offset expenses.

Is financial assistance available for treatment costs?

Some treatment providers accept insurance, Medicaid, or sliding scale payments. Veteran programs are available for those who qualify and petitioner support programs and grants may be available in certain counties.

Outcomes & Concerns

What if the person refuses to go to treatment after being ordered?

Non-compliance is considered contempt of court, and the individual may face legal consequences.

Does Casey's Law guarantee recovery?

No. Recovery is a personal journey, and success varies, but the law ensures access to treatment opportunities that may save a life.

Can Casey's Law be filed more than once?

Yes. If relapse occurs or treatment is not successful, a new petition may be filed.

Where can I get help starting the Casey's Law process?

You can contact your local District Court Clerk, the county attorney's office, or local recovery organizations for step-by-step guidance. Additional resources include: - KY HELP Statewide Call Center: 1-877-318-1871 - Northern Kentucky Helpline: 859-415-9280 - Caseyslaw.org (information, forms, and resources) - Spark Ministries (Eastern KY support): 606-612-5125