

Proponent Testimony on House Bill 61
House Civil Justice Committee
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Good Afternoon, Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and members of the committee. Thank you for your time this afternoon and for the chance to provide proponent testimony on House Bill 61.

My name is Emily Holley. I am a licensed independent social worker and a Probate Prescreener at Netcare Access. I evaluate individuals in the community who are thought to be at imminent risk of harm to themselves or others, are unable to care for their basic needs, and/or are infringing on the rights of others due to their mental illness. Not all of our clients have a history of violence but some do. These are clients who have made attempts to or have succeeded in seriously harming community members or other mental health professionals, and some have even necessitated treatment to be restored to competency for their criminal charges. Some clients have co-occurring substance abuse disorders or personality disorders that can result in further impaired judgment and increased impulsivity. I take many steps to protect myself in the community when working with my clients but do not feel that this level of caution should have to extend to my home life.

When I entered the field of social work, I attempted to protect my information the best I knew how. I evaluated my social media accounts, even deleting some, and used a search engine to see what might come up if one searched my name. When I joined the Probate Department, I made a more concerted effort to know what clients may find via the internet. My full name and professional credentials appear on the affidavit I submit to the Probate Court and on the paperwork that is served to the client. A few months ago, my co-workers and I ran our names through several popular public data mining sites and many had at least my address, while a few had even more information like my personal phone number and the names and addresses of my family members who live locally. Some sites had a paywall before you could access more detailed information; however, the amount to pay for a single individual's report is usually not enough to be a deterrent to a determined individual. Even after I request that my information be removed from these sites, I have to check back periodically as the information repopulates.

When my colleagues and I make the decision to request a Probate Order of Detention for an individual with mental illness, we are asking the court to temporarily suspend this person's right to refuse an evaluation for their mental illness. The decision is never made lightly. I respect a client's right to disagree with my decision. When I meet with a client, I always make clear the agency I work for and often provide a business card with Netcare's 24/7 phone number. A client may call and ask for me, for my direct supervisor, or our agency's Client's Rights Officer, if they wish. A client may also contact my licensing board as my professional credentials are made available to them. I see no good reason for a client to have my home address or personal phone number if they want to contact me regarding a work matter. I do not want to have to weigh the risk of my safety or my family's safety against the fulfillment I receive from doing the work I do which I believe is important and necessary for the community. I ask the committee to please vote yes on this bill and take an additional step to protect those of us that work with a sometimes challenging population.

I would especially like to thank Representatives Lanese and Liston for their advocacy in this matter. I would be happy to answer any questions you may have and I thank you again for your time.