

MAR 10 2008

Clerk of the Trial Courts

Law Project for Psychiatric Rights
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Attorney for Respondent

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT, AT ANCHORAGE

In The Matter of the Necessity for the)
Hospitalization of William S. Bigley,)
Respondent,)

Case No. 3AN 08-00247 P/S

MOTION FOR LESS INTRUSIVE ALTERNATIVE

COMES NOW, Respondent William S. Bigley (Mr. Bigley), pursuant to *Myers v. Alaska Psychiatric Institute*,¹ and moves for an order requiring API to provide the following less intrusive alternative:²

1. Mr. Bigley be allowed to come and go from API as he wishes, including being given food, good sleeping conditions, laundry and toiletry items as reasonably requested by Mr. Bigley.
2. If involuntarily in a treatment facility in the future, Mr. Bigley be allowed out on passes at least once each day for four hours with escort by staff members who like him, or some other party willing and able to do so.
3. API shall procure and pay for a reasonably nice apartment that is available to Mr. Bigley should he choose it.³ API shall first attempt to negotiate an acceptable abode, and failing that procure it and make it available to Mr. Bigley.

¹ 138 P.3d 238 (Alaska 2006).

² In his Submission for Representation Hearing, Mr. Bigley pointed out that the AS 47.30.839 forced drugging petition is premature under *Myers*, 138 P.3d at 242-3, and *Wetherhorn v. Alaska Psychiatric Institute*, 156 P.3d 371, 382 (Alaska 2007). Thus, this motion is technically premature as well. However, this motion is being made in the event the Court disagrees the forced drugging petition is premature.

4. At API's expense, make sufficient staff available to be with Mr. Bigley to enable him to be successful in the community.

5. The foregoing may be contracted for from an outpatient provider.

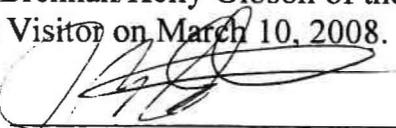
This motion is supported by Submission For Representation Hearing, Affidavit of Paul Cornils, Affidavit of Ronald Bassman, PhD., and Affidavit of Robert Whitaker, all filed March 6, 2008.

DATED: March 10, 2008.

Law Project for Psychiatric Rights

By: 
James B. Gottstein
ABA # 7811100

The foregoing and proposed form or order, was hand delivered to Timothy Twomley of the Attorney General's Office and Elizabeth Brennan/Kelly Gibson of the Alaska Public Defender Agency and faxed to the Court Visitor on March 10, 2008.


James B. Gottstein

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³ API may seek to obtain a housing subsidy from another source, but such source may not be his Social Security Disability income.