

March 30, 2018  
Revised April 6, 2018

**TO:** Judicial Community and Legal Community

**FROM:** Merrie Gough, Sr. Legal Analyst

**RE:** **Updates to RCW 10.77 Evaluation and Treatment Orders**

The Washington Pattern Forms Committee adopted updates to the RCW 10.77 evaluation and treatment orders. The changes are based upon Ricky Garcia’s act, Laws of 2016, 1st Spec. Sess., ch. 29 (E3SHB 1713), §§ 404 – 411 *[pages 129 – 141]* which amended RCW 10.77.010, 10.77.025, 10.77.027, 10.77.060, 10.77.065, 10.77.084, and 10.77.088.

The amendments go into effect on April 1, 2018.

The only form changes for the six 10.77 RCW orders listed below are changes in terminology:

“Designated mental health professional” and “DMHP” are changed to

“Designated crisis responder” and “DCR.”

The below table contains descriptions of the draft changes:

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| No. | Form No. | Form title and description of changes |
| 1. | **MP 201** | **Order for Competency Evaluation Under RCW 10.77.060**  In section 5, in the first paragraph, change “Designated Mental Health Professional (DMHP)” to “designated crisis responder (DCR).”  Also in section 5, in the fifth bullet, change the heading from “DMHP Evaluation” to “DCR Evaluation.” In the text change “designated mental health professional” to “designated crisis responder.”  On the last page, below the signature lines, in the Contact and Distribution List, change “DMHP” to “DCR.” |
| 2. | **MP 240** | **Order for Competency Restoration Treatment (Felony)**  In section 7, Evaluation and Report, in the paragraph beginning with “**Copies of Report**,” change “designated mental health professional (DMHP)” to “designated crisis responder (DCR).”  On the last page, below the signature lines, in the Contact and Distribution List, change “DMHP” to “DCR.” |
| 3. | **MP 250** | **Order for Competency Restoration Treatment (Misdemeanor)**  In section 8, Evaluation and Report, in the paragraph beginning with “**Copies of Report**,” change “designated mental health professional (DMHP)” to “designated crisis responder (DCR).”  In paragraph 5, Competency Restoration Treatment, below the check box for “Inpatient Treatment,” in the second sub-paragraph, change “RCW 10.77.050” to “RCW 10.77.060.”  On the last page, below the signature lines, in the Contact and Distribution List, change “DMHP” to “DCR.” |
| 4. | **MP 270** | **Order Dismissing “Serious Nonfelony” Charge and Directing Referral or Release**  In paragraph 5, Referral of Defendant for Evaluation Pursuant to RCW Ch. 71.05, in the check box option for “**Defendant on Conditional Release**,” change “designated mental health professional (DMHP)” to “designated crisis responder (DCR)” in the second sentence. Also, change “DMHP” to “DCR” in the third sentence. |
| 5. | **MP 275** | **Order Dismissing Nonfelony Charges – Order to Release or Detain**  In section 4, Civil Commitment Evaluation, in the first sentence change “designated mental health professional (DMHP)” to “designated crisis responder (DCR).”  In section 6, Custodian Status, in the check box option for “Detain,” change “DMHP” to “DCR” in the first and second paragraphs. |
| 6. | **MP 282** | **Order Striking Nonfelony Revocation Proceedings Due to Defendant’s Lack of Competency and Immediately Releasing or Detaining Defendant (RCW 10.77.088(2))**  Below “**Orders**,” in section 1, **Strike Hearing**, in the check box beginning with “**Strike and Immediately Release**,” change “Designated Mental Health Professional (DMHP)” to “designated crisis responder (DCR).”  In the same section, in the check box beginning with “**Strike and Temporarily Detain**,” wherever it appears, change “DMHP” to “DCR” |