

Superior Court of Washington, County of _____

In re the Detention of: _____ Respondent	Case No. _____ Findings, Conclusions, and Order Committing Respondent for Assisted Outpatient Treatment Clerk Action Required: 15, [] 16
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Select only one:	Mental Disorder	Substance Use Disorder	Mental & Substance Use Disorders (Combined)
	[] ORAOTL	[] ORAOTLS	[] ORAOTLC
AOT Expires on _____.			

Hearing

The court held a hearing on *(date)* _____ on the petition for assisted outpatient treatment.

The following people appeared at the hearing:

- [] Respondent appeared [] in person [] by video **and** was represented by _____
- [] Respondent waived their appearance through counsel.
- [] A separate appearance waiver has been filed.
- [] Respondent orally waived their appearance through defense counsel, and the court accepts this waiver.
- [] Petitioner appeared [] in person [] by video **and** was represented by _____
- [] Guardian ad litem (GAL) [] appeared in person [] appeared by video [] waived appearance.
- [] Guardian ad litem (GAL) waived Respondent's appearance.
- [] Witness _____ appeared [] in person [] by video or

under CR 43 by telephone _____

Witness _____ appeared in person by video or
 under CR 43 by telephone _____

Agreed order.

In addition to the findings of fact and conclusions of law written below, the court incorporates by reference the oral findings of fact and conclusions of law.

Findings of Fact

The court makes the following findings of fact:

1. **Time of Hearing.** The hearing was held within the time period allowed in RCW 71.05.148 (for adults) or 71.34.815 (for adolescents).
2. **Firearm Notice.** (Not applicable for persons committed to substance use disorder treatment.)

Before this order was entered the court and/or the prosecutor notified Respondent, orally and in writing, that the failure to make a good faith effort to seek voluntary treatment will result in the loss of Respondent's firearm rights if Respondent is detained for involuntary treatment as the result of a mental disorder.

3. **Voluntary Treatment.**

Good faith voluntary: Respondent has alleged prior to the commencement of the hearing that the person has, in good faith, volunteered for treatment.

Petitioner has proven by a preponderance of the evidence that Respondent has not, in good faith, volunteered for appropriate treatment.

4. **Reasons for Commitment.** Court finds that petitioner proved by clear, cogent, and convincing evidence that:

Respondent has a behavioral health disorder;

Based on a clinical determination and in view of their treatment history and current behavior, Respondent:

is unlikely to survive safely in the community without supervision and their condition is substantially deteriorating; or

is in need of treatment to prevent relapse or deterioration that would likely result in grave disability or a likelihood of serious harm to the person or others;

Respondent has a history of lack of compliance with treatment for their behavioral health disorder that has:

at least twice within the 36 months prior to the filing of the petition necessitated hospitalization or receipt of services in a forensic or other mental health unit of a state correctional facility or local correctional facility; or

at least twice within the 36 months prior to the filing been a significant factor in necessitating emergency medical care or hospitalization for behavioral health-related medical conditions, or a significant factor in behavior which resulted in incarceration; or

- within the 48 months prior to the filing of the petition resulted in one or more violent acts, threats, or attempts to cause serious physical harm to themselves or another person;
- Participation in assisted outpatient treatment is the least restrictive alternative necessary to ensure the Respondent's recovery and stability; and
- Respondent is likely to benefit from assisted outpatient treatment;
- Respondent has a (*check applicable box*):
 - Mental disorder
 - Substance use disorder
 - Co-occurring disorders

Facts in support: _____

5. **Agreed Order.** Respondent, after consultation with counsel, agrees to the entry of this order.

6. **Other.** _____

Conclusions of Law

- 7. **Jurisdiction.** The court has jurisdiction over the parties and subject matter of this proceeding.
- 8. **Criteria.** Petitioner established by clear, cogent, and convincing evidence that Respondent is in need of assisted outpatient treatment.

The Court Orders:

9. **Involuntary Treatment** as follows:

(Name) _____ is the behavioral health service provider responsible for identifying the services Respondent will receive in accordance with RCW 71.05.585. The following treatment conditions or other conditions are in the best interest of Respondent and others: _____

 Respondent must cooperate with the services planned by the mental health service provider.

10. **Violation and Hospitalization.** If a treatment agency or facility, or a designated crisis responder (DCR) determines that Respondent is not following the terms and conditions of this order, that substantial deterioration or substantial decompensation in Respondent's functioning has occurred, or that Respondent poses a likelihood of serious harm, they may take action to enforce, modify, or revoke the less restrictive alternative. If revocation procedures are begun under RCW 71.05.590, a hearing shall be held within 5 days of the person being detained or of the person being served, if they are not detained, to address the allegations and determine whether this order should be revoked, modified, or retained. If the court orders detention for inpatient treatment, then Respondent should be returned to an evaluation and treatment facility for intensive inpatient treatment for 14 days from the revocation hearing.

11. **Concurrent Jurisdiction.** Respondent will receive treatment in *(name)* _____ County and that county shall have concurrent jurisdiction with this county to consider any Petition for Revocation of this Order without further order of this court.

12. **Right to Full Hearing or Jury Trial.** If involuntary treatment beyond the ordered treatment period, Respondent will have the right to a full hearing or jury trial as required by RCW 71.05.310.

13. **Firearms Possession Prohibited.** *(Applicable only for when a person is ordered to be committed for mental disorder treatment or for both mental and substance use disorder treatment.)*

Respondent shall immediately surrender any concealed pistol licenses, and Respondent may not possess a firearm unless Respondent's right to do so is restored by a court of record. The *Notice of Ineligibility to Possess a Firearm* is filed separately.

14. **Notice to the Department of Corrections.** If Respondent is, or becomes, subject to supervision by the Department of Corrections, Respondent must notify the treatment provider. The treatment provider must share Respondent's mental health treatment information and substance use disorder treatment information with the Department of Corrections for the duration of Respondent's incarceration and supervision, under RCW 71.05.445. Upon a petition by a person who does not have a history of 1 or more violent acts, the court may, for good cause, find that public safety would not be enhanced by the sharing of this information.

15. The **clerk of the court** must share commitment hearing outcomes under ch. 71.05 RCW, including the name of the facility where the person has been committed, with the local behavioral health administrative services organization that serves the region where the superior court is located. This includes cases where the designated crisis responder investigation occurred outside the region. RCW 71.05.740. **Name of Facility:**

16. **Review hearing scheduled for** *(purpose):* _____
On: *(date)* _____ at *(time)* _____ a.m./p.m.
At: _____ Court, Room/Department: _____
Address: _____

17. **Other.** _____

Dated: _____

Judge / Commissioner

Approved as to form

Approved as to form

Attorney for Petitioner DPA/AAG
WSBA No. _____

Attorney for Respondent
WSBA No. _____

Respondent

Interpreter certifies that they have reviewed this order with Respondent.

Interpreter