

Superior Court of Washington, County of _____
华盛顿州 县高等法院

In re Detention of:
拘留相关信息:

Respondent (person to be detained) DOB
被申请人 (拟拘留者) 出生日期

Petitioner
呈请人

Case No. _____
案件编号

Joel's Law Order for Initial Detention
(ORDTCOC)
《Joel法》初次拘留令(ORDTCOC)

Clerk's Action Required: 9, 10
书记员需要采取的行动: 9、10

Basis
依据

1. On (date) _____, a *Petition* for the involuntary detention of the respondent was filed by (choose one):
于 (日期) _____, 以下申请人 (选择其一) 提交了对被申请人实施非自愿拘留的申请书:
☐ Family member/s;
家庭成员;
☐ Guardian;
监护人;
☐ Conservator (*only applicable if Respondent is an adolescent*); or
保护人 (仅适用于被申请人为青少年的情形); 或者
☐ A tribe of which Respondent is a member.
被申请人所属的部落。
2. On (date) _____, the court found sufficient evidence to support the allegation and ordered the designated crisis responder (DCR) agency to provide a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information material to that decision within 1 judicial day.
于 (日期) _____, 法院认定有充分证据支持相关指控, 并命令指定危机应对人员(DCR)机构在1个司法日内提供一份书面宣誓陈述, 说明其决定不寻求初次拘留的依据, 并附上与该决定相关的所有材料副本。

Findings of Fact

事实认定

3. Jurisdiction: The court has jurisdiction over the person and subject matter of this action.
管辖权：法院对当事人及本案诉讼标的具有管辖权。

4. The court has reviewed the following:
法院已审查以下文件：

☐ *Petition for Initial Detention.*
初次拘留申请书。

☐ *Declaration/s of:* _____
以下声明：

☐ Written sworn statement of the designated crisis responder.
指定危机应对人员的书面宣誓陈述。

☐ Other: _____
其他：

5. A review of the *Petition* shows that there is sufficient evidence to conclude that Petitioner is an immediate family member, the guardian or conservator of the respondent, or a tribe of which the respondent is a member. A review of the *Petition* and all of the supporting documentation shows sufficient evidence to support the allegation/s as follows:

经审查申请书，有充分证据证明申请人系被申请人的直系亲属、监护人或保护人，或者被申请人所属的部落。经审查申请书及所有支持文件，有充分证据支持以下指控：

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6. The respondent has a behavioral health disorder history consisting of (*insert facts specific to this case*):

被申请人存在行为健康障碍史，包括（插入本案具体事实）：

7. An immediate family member, guardian or conservator of the respondent, or a tribe of which the respondent is member, filed a petition in accordance with RCW 71.05.201 or RCW 71.34.710.

被申请人的直系亲属、监护人或保护人或者被申请人所属的部落，已根据RCW 71.05.201或RCW 71.34.710提交申请书。

- ☐ There is probable cause to support an order to detain the respondent pursuant to the *Petition* because (*check all that apply*):

有合理理由支持根据申请书下达拘留被申请人的命令，理由如下（请勾选所有适用项）：

- ☐ The respondent presents a likelihood of serious harm. There is a substantial risk that the respondent, as a result of a ☐ mental disorder ☐ substance use disorder ☐ co-occurring disorder (*check all that apply*):

被申请人存在造成严重伤害的可能性。由于[--]精神障碍[--]物质使用障碍[--]伴随性障碍（请勾选所有适用项），被申请人存在重大风险：

- ☐ presents a likelihood of serious physical harm to themselves, as evidenced by threats or attempts to commit suicide or inflict physical harm on themselves;

存在对自身造成严重身体伤害的可能性，具体表现为威胁或企图自杀、或对自身实施身体伤害；

- ☐ presents a likelihood of serious physical harm to others, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm;

存在对他人造成严重身体伤害的可能性，具体表现为其行为已造成此类伤害，

或使他人有合理理由担心自身会遭受此类伤害；

- ☐ presents a likelihood of serious physical harm to the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others;

存在对他人财产造成严重损害的可能性，具体表现为其行为已对他人财产造成重大损失或损害；

- ☐ The respondent presents a likelihood of serious harm. The person has threatened the physical safety of another and has a history of 1 or more violent acts.

被申请人存在造成严重伤害的可能性。该人曾威胁他人人身安全，且有1次或多次暴力行为史。

- ☐ The respondent is gravely disabled, and as a result of a ☐ mental disorder ☐ substance use disorder ☐ co-occurring disorders (*check all that apply*):

被申请人属于重度残障，且由于[--] 精神障碍 [--] 物质使用障碍 [--] 伴随性障碍（请勾选所有适用项）：

- ☐ is in danger of serious physical harm resulting from a failure to provide for their essential human needs of health or safety.

因无法满足自身健康或安全等基本生活需求，面临严重身体伤害的危险。

- ☐ manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over their actions and is not receiving such care as is essential for their health or safety.

表现出日常功能严重退化，具体表现为对自身行为的认知或意志控制能力出现反复且不断加剧的丧失，且未获得维持其健康或安全所必需的照料。

- ☐ The respondent has refused or failed to accept appropriate evaluation and treatment voluntarily.

被申请人已拒绝或未能自愿接受适当的评估和治疗。

- ☐ A DCR has not filed a *Petition for Initial Detention* of the respondent under RCW 71.05.150, RCW 71.05.153, or RCW 71.34.700.

DCR尚未根据

RCW 71.05.150、RCW 71.05.153或RCW 71.34.700的规定提交对被申请人的初次拘留申请书。

Conclusions of Law

法律裁定

8. On the basis of the foregoing Findings of Fact, the court makes the following Conclusions of Law:

基于上述事实认定，法院作出以下法律裁定：

- The court has jurisdiction over the respondent and subject matter of this action;
法院对被申请人及本案诉讼标的具有管辖权；
- Probable cause exists to order:
有合理理由下令：

- ☐ the respondent be detained to an ☐ evaluation and treatment facility ☐ secure

withdrawal management and stabilization facility [] approved substance use disorder treatment program for no more than 120 hours (excluding Saturdays, Sundays, and legal holidays) of evaluation and treatment pursuant to ch. 71.05 or 71.34 RCW;

根据RCW第71.05章或第71.34章的规定，将被申请人拘留至[--] 评估和治疗机构 [--] 安全戒断管理与稳定机构 [--] 经批准的物质使用障碍治疗计划，进行不超过120小时（不含周六、周日和法定节假日）的评估和治疗；

- Respondent has refused or failed to accept evaluation and treatment voluntarily.
被申请人已拒绝或未能自愿接受评估和治疗。

Order 命令

9. The court orders the following:
法院命令如下：

[] For Initial Detention of a Person 18 Years or Older: **(ORDTCOC)**
针对18岁及以上人员的初次拘留: **(ORDTCOC)**

- The respondent shall be detained for initial detention by a DCR and delivered to a facility or emergency room determined by the DCR pursuant to ch. 71.05 RCW.
被申请人应由DCR实施初次拘留，并移送至DCR根据RCW第71.05章指定的机构或急诊室。
- The **clerk of the court** is directed to transmit a copy of this Order to the DCR Agency. Law enforcement shall apprehend and deliver the respondent to a facility or emergency room determined by the DCR. This Order expires 180 days from the date of issuance.
法院书记员须将本命令副本送达DCR机构。执法部门须逮捕被申请人并将其移送至DCR指定的机构或急诊室。本命令自签发之日起180天内有效。
- Unless further evaluation and treatment is sought, the respondent shall be released from the evaluation and treatment facility not more than 120 hours from the time of detention. The 120 hours shall exclude Saturdays, Sundays, and legal holidays.
除非申请进一步评估和治疗，否则被申请人应在拘留后120小时内从评估和治疗机构释放。120小时的计算不包含周六、周日及法定节假日。
- At the time the respondent is taken into custody, the respondent shall be served with a copy of the following original documents:
当被申请人被拘留时，须向其送达以下文件的原件副本：
 - *Petition for Initial Detention* and any *Declarations* filed with the Petition,
初次拘留申请书及随附的任何声明，
 - *Declaration of the DCR* and any materials filed with the *Declaration/s*,
DCR的声明及随附的任何材料，
 - This *Order*, and the Order directing action and today's hearing, and
本命令、指示行动的命令及今日庭审通知，以及
 - *Notice of Rights*.

权利通知书。

[] For Initial Detention of an Adolescent (age 13-17): **(ORDTCOC)**
针对青少年（13-17岁）的初次拘留: **(ORDTCOC)**

- The respondent shall be detained for initial detention by a DCR and delivered to a facility determined by the DCR under ch. 71.34 RCW.
被申请人应由DCR实施初次拘留，并移送至DCR根据RCW第71.34章指定的机构。
- The **clerk of the court** is directed to transmit a copy of this Order to the DCR Agency. Law enforcement shall apprehend and deliver the respondent to a facility determined by the DCR. This Order expires 180 days from the date of issuance.
法院书记员须将本命令副本送达DCR机构。执法部门须逮捕被申请人并将其移送至DCR指定的机构。本命令自签发之日起180天内有效。
- Unless further evaluation and treatment is sought, the respondent shall be released from the evaluation and treatment facility not more than 120 hours from the time of detention. The 120 hours shall exclude Saturdays, Sundays, and legal holidays.
除非申请进一步评估和治疗，否则被申请人应在拘留后120小时内从评估和治疗机构释放。120小时的计算不包含周六、周日及法定节假日。
- At the time the respondent is taken into custody, the respondent shall be served with a copy of the following original documents:
当被申请人被拘留时，须向其送达以下文件的原件副本：
 - *Petition for Initial Detention* and any *Declarations* filed with the Petition, 初次拘留申请书及随附的任何声明，
 - *Declaration of the DCR* and any materials filed with the *Declaration/s*, DCR的声明及随附的任何材料，
 - This *Order*, and the Order directing action and today's hearing, and 本命令、指示行动的命令及今日庭审通知，以及
 - *Notice of Rights*. 权利通知书。

10. 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*):
法院书记员须根据 RCW 第 71.05 章的规定，向服务于该上级法院所在辖区的当地行为健康管理服务组织共享强制收治听证会结果，包括被收治人所在机构的名称。即使指定危机应对人员的调查发生在辖区外，本条款仍适用。RCW 71.05.740。（机构名称）：

Notice of Rights
权利通知书

11. The respondent is given notice of the following rights:

被申请人被告知享有以下权利:

- You have the right to communicate with an attorney immediately and the right to have an attorney represent you before and during any court hearing, and to have such attorney appointed if you cannot afford one, and the right to know the name and address of said attorney. You are entitled to contact an attorney of your choosing, or in place thereof, an attorney will be appointed to represent you.
您有权立即联系律师，并有权在任何法院听证会前及听证期间由律师代理，若无力支付律师费，您有权申请指定律师，并有权知晓该律师的姓名和地址。您有权自行选择联系律师，若无法自行选择，将为您指定一名律师作为代理人。
- You have the right to remain silent, as any statement you make may be used against you.
您有权保持沉默，因为您所作的任何陈述可能被用作对您不利的证据。
- You have the right to present evidence and to cross-examine witnesses who may testify about you at any probable cause hearing.
您有权提交证据，并有权对在任何合理理由听证会上可能就您作证的证人进行盘问。
- You have the right to a judicial hearing in a court of law within the next 120 hours (excludes Saturday, Sunday, and legal holidays) to determine whether there is probable cause to commit you for further mental health treatment for up to 14 days of inpatient or 90 days of outpatient treatment, as you are a person whose behavioral health disorder presents a likelihood of serious harm to yourself or others, or that you are gravely disabled.
您有权在未来120个小时内（不含周六、周日和法定节假日）向法院申请司法听证会，以裁定是否存在合理理由将您强制收治，接受最长14天的住院治疗或90天的门诊治疗（若您的行为健康障碍存在对自身或他人造成严重伤害的可能性，或您属于重度残障）。

(Commitment for 90 days of outpatient treatment is not an option for adolescents detained under Ch. RCW 71.34.)
(根据RCW第71.34章被拘留的青少年，不适用90天门诊治疗的强制收治选项。)
- You have the right to apply for voluntary admission for treatment of a behavioral health disorder.
您有权申请自愿入院接受行为健康障碍治疗。
- You have the right, within 24 hours of admission, to be examined and evaluated by a physician, physician assistant, or advanced registered nurse practitioner, and a mental health or substance use disorder professional and you shall receive such treatment and care as your condition requires for the period that you are detained.
有权在入院后24小时内，接受医师、医师助理、高级注册执业护士以及精神健康或物质使用障碍专业人员的检查和评估，并在拘留期间接受您的病情要求的治疗和护理。
- You have the right to have reasonable precautions taken when your personal property is taken for inventory and safeguarding at the time you are involuntarily admitted to an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. A copy of the inventory, signed by the staff member making it, will be given to you and will

also be open to inspection by any responsible relative, subject to any limitations you may impose. "Responsible relative" includes the guardian, conservator, attorney, spouse, parent, adult child, or adult sibling of the person. The facility will not disclose the contents of the inventory to any other person without your consent or an order of the court.

当您被非自愿收治至评估与治疗机构、安全戒断管理与稳定机构或经批准的物质使用障碍治疗计划时，有权要求对个人财产采取合理的保管措施（如登记造册和妥善保管）。由制作清单的工作人员签字的财产清单副本将提供给您，并可供任何责任亲属查阅，但需遵守您设定的任何限制。“责任亲属”包括该人的监护人、保护人、律师、配偶、父母、成年子女或成年兄弟姐妹。未经您的同意或法院的命令，机构不得向任何其他人士披露清单内容。

- If you are age 18 or older, you have the right to dispose of property and to sign contracts unless you have been adjudicated incompetent in a court proceeding directed to that particular issue.

如果您年满 18 周岁，则有权处置财产并签署合同，除非法院已针对特定事项裁定您无行为能力。

- You have the right to refuse psychiatric medication, including antipsychotic medication, beginning 24 hours prior to the probable cause hearing, except for adolescents detained under ch. 71.34 RCW. You also have the right to refuse the performance of electroconvulsive therapy or surgery, except emergency lifesaving surgery, unless ordered by a court of competent jurisdiction under the appropriate legal standards and procedures.

您有权拒绝服用精神类处方药物（包括抗精神病药物），该权利自合理理由听证会前 24 小时起生效，但根据 RCW 第 71.34 章被拘留的青少年除外。您还有权拒绝接受电休克治疗或手术（紧急救生手术除外），除非有管辖权的法院依据适当法律标准和程序作出命令。

- If antipsychotic medications are administered in an emergency, you have the right to a review of that decision within 24 hours.

若在紧急情况下服用抗精神病药物，您有权在 24 小时内要求对该决定进行复核。

- You have the right not to have psychosurgery performed on yourself under any circumstances.

您有权在任何情况下拒绝接受精神外科手术。

- You have the right to receive the necessary papers pursuant to the law.

您有权依法获取必要的法律文件。

- Except when deprivation is essential to protect your safety or the safety of others, you have the right to:

除非剥夺相关权利是保护您或他人安全所必需，否则您有权：

- Wear your own clothes, and to keep and use your own personal possessions.
穿着自己的衣物，保留并使用个人物品。
- Keep and be allowed to spend a reasonable sum of your own money for canteen expenses and small purchases.

保留并可使用合理数额的个人资金，用于小卖部消费及小额购买。

- Have access to individual storage space for your private use.
使用个人储物空间存放私人物品。
- Have visitors at reasonable times.
在合理时间接待访客。
- Have reasonable access to a telephone, to both make and receive confidential calls.
合理使用电话，拨打和接听保密电话。
- Have ready access to letter writing materials, including stamps, and to send and receive uncensored correspondence through the mail.
随时获取写信材料（包括邮票），通过邮件收发未经审查的信件。

Dated: _____
日期: _____

Judge/Court Commissioner
法官/助理法官