

**Superior Court of Washington**  
**County of \_\_\_\_\_**

State of Washington \_\_\_\_\_,  
Plaintiff

vs.

\_\_\_\_\_  
Defendant  
DOB: \_\_\_\_\_

No.

**Order Dismissing Felony Charges and  
Directing Civil Commitment Evaluation  
(ORDDCCE)**

Clerk's Action Required: 4,  
[ ] 7

The court considered the following:

- The evaluation report, dated \_\_\_\_\_.
- The agreement of the parties.
- Other: \_\_\_\_\_.

The court (or with respect to section 1, the court or jury) makes the following findings of fact and conclusions of law:

**Findings of Fact**

**1. Incompetency.**

- The court  The jury finds that as a result of mental disease or defect, the defendant lacks the capacity to:
  - understand the nature of the proceedings against him/herself; and/or
  - assist in his/her own defense.

The defendant is incompetent pursuant to RCW 10.77.010 and 10.77.050.

**2. Restorability.**

The defendant  did  did not undergo competency restoration.

The defendant is unlikely to regain competency in a reasonable period of time.

The defendant is statutorily ineligible for further competency restoration.

Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3. Felony Charge.**

The defendant is charged with the felony offense(s) of: \_\_\_\_\_  
\_\_\_\_\_.

**The Court Orders:**

**4. Dismissal Without Prejudice.**

This case is dismissed without prejudice.

**5. Commitment for Civil Commitment Evaluation.**

The defendant is committed to the state hospital for up to 72 hours for evaluation for the purpose of filing a civil commitment petition under 71.05 RCW. The 72 hours starts from admission to the facility, but excludes Saturdays, Sundays, and holidays.

**6. Admission to State Hospital.**

The defendant shall be held in the jail/detention facility for a maximum of 14 days pending admission to the state hospital for civil commitment evaluation. The defendant shall be released if the state hospital has not offered admission within 14 days. The defendant shall be transported to the state hospital as agreed by the state hospital and the jail/detention facility. The time period shall begin on the date on which the state hospital receives the court referral and the documents cited in RCW 10.77.068(1)(b).

The defendant is currently in the state hospital and no further transport is needed.

Other: \_\_\_\_\_  
\_\_\_\_\_

**7. A copy of this order shall be emailed to DSHS within 24 hours by the**

moving party  county clerk.

**Dated** \_\_\_\_\_

**Judge** \_\_\_\_\_

Print Name: \_\_\_\_\_

Approved as to form

Approved as to form

\_\_\_\_\_  
Deputy Prosecuting Attorney

\_\_\_\_\_  
Attorney for the Defendant

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

WSBA No. \_\_\_\_\_

WSBA No. \_\_\_\_\_

Contact and distribution list (contact information including email address, phone, and/or fax number, should be included to receive scheduling communications and/or reports).

1. State Hospital/DSHS
  - Eastern State [eshfsuadmin@dshs.wa.gov](mailto:eshfsuadmin@dshs.wa.gov)
  - Western State [ofmhscourtorders@dshs.wa.gov](mailto:ofmhscourtorders@dshs.wa.gov)
  - DSHS/Child Study and Treatment Center \_\_\_\_\_
2. Ordering Court \_\_\_\_\_
3. Jail/Detention Facility \_\_\_\_\_
4. DCR \_\_\_\_\_
5. Prosecuting Attorney \_\_\_\_\_
6. Defense Attorney \_\_\_\_\_
7. Alternate contact for defense \_\_\_\_\_
8. Other \_\_\_\_\_