

Superior Court of Washington
County of _____

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| In re the Detention of: <hr style="width: 80%; margin-left: 0;"/> <p style="text-align: right; margin-right: 20px;">Respondent</p> | Case No. _____ Findings, Conclusions, and Order Committing Respondent for Involuntary Treatment Or Less Restrictive Treatment Clerk's Action Required: para. 12 (MI), [] 14 |
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| <input type="checkbox"/> Mental Disorder <input type="checkbox"/> 90-day involuntary inpatient treatment (ORDT90) <input type="checkbox"/> 180-day involuntary inpatient treatment (ORDT180) <input type="checkbox"/> 90-day LRA (ORDL90) <input type="checkbox"/> 180-day LRA (ORDL180) <input type="checkbox"/> One-year LRA (ORDL1Y) <input type="checkbox"/> 90-day AOT (AOTL90) <input type="checkbox"/> 180-day AOT (AOTL180) | <input type="checkbox"/> Substance Use Disorder <input type="checkbox"/> 90-day involuntary inpatient treatment (ORDT90S) <input type="checkbox"/> 180-day involuntary inpatient treatment (ORDT18S) <input type="checkbox"/> 90-day LRA (ORDL90S) <input type="checkbox"/> 180-day LRA (ORDL18S) <input type="checkbox"/> One-year LRA (ORDL1YS) <input type="checkbox"/> 90-day AOT (AOTL90S) <input type="checkbox"/> 180-day AOT (AOTL18S) |
| LRA/AOT Expires on _____. | |

Hearing

The court held a hearing on *(date)* _____ on the:

- Petition for **90 Days** **180 Days** **1 Year** of involuntary treatment.
- Petition for Assisted Outpatient Behavioral Health Treatment.

At the hearing:

- Respondent appeared in person by video
and was represented by _____
- Respondent waived their appearance through counsel.
 - 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 _____
- GAL appeared in person appeared by video waived appearance
- 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. Reason/s for Commitment. Petitioner has proven by clear, cogent, and convincing evidence that Respondent suffers from the following behavioral health disorder/s. *(Select all that apply):*

- Substance use disorder: _____
- Mental disorder: _____
- Felony charges dismissed.

- The Respondent was determined to be incompetent and felony charges were dismissed. Respondent committed the following acts _____
 _____,
 which constitute the felony of _____.

As a result of a behavioral health disorder, Respondent presents a substantial likelihood of repeating similar acts.

- The acts Respondent committed constitute a violent offense under RCW 9.94A.030.
- As a result of that behavioral health disorder *(check the boxes that apply and write facts in support, below):*
 - Respondent is in custody pursuant to RCW 71.05.280(3) and continues to present a substantial likelihood of repeating acts similar to the charged criminal behavior
 - Likelihood of Serious Harm.
 - After having been taken into custody for evaluation and treatment, Respondent has threatened, attempted, or inflicted physical harm upon the person of another or themselves or substantial damage upon the property of another.
 - Respondent was taken into custody because Respondent attempted or inflicted

physical harm on another person or themselves, or substantial damage on the property of others.

Facts in support: _____

Gravely Disabled. Respondent:

is in danger of serious physical harm resulting from the failure to provide for his/her essential needs of health or safety.

manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over actions, is not receiving such care as is essential for health and safety; harmful consequences will follow if involuntary treatment is not ordered and the Respondent, due to a severe deterioration of mental functioning is unable to make a rational decision regarding the need for treatment.

Facts in support: _____

In need of assisted outpatient behavioral health treatment. Respondent:

- has been committed by a court to detention for involuntary behavioral health treatment during the preceding thirty-six months (excluding confinement as a result of a criminal conviction);
- is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive alternative treatment, based on a history of nonadherence with treatment or in view of the Respondent's current behavior;
- is likely to benefit from less restrictive alternative treatment; and
- requires less restrictive alternative treatment to prevent a relapse, decompensation, or deterioration that is likely to result in the Respondent presenting a likelihood of serious harm or the Respondent becoming gravely disabled within a reasonably short period of time.

Facts in support: _____

An approved substance use disorder treatment program with adequate space for

Respondent [] is available [] is not available.

[] Respondent is being discharged from the hospital. Respondent's previous commitment term was for intensive inpatient treatment in a state hospital.

2. Less Restrictive Alternative Treatment.

[] Less restrictive alternative treatment is in the best interest of the Respondent or others.

OR

[] Less restrictive alternative treatment is not in the best interest of the Respondent or others. (*Explain:*)

3. [] Agreed Order. The respondent, after consultation with counsel, agrees to the entry of this order.

4. Other: _____

Conclusions of Law

5. Jurisdiction. The court has jurisdiction over the parties and subject matter of this behavioral health disorder proceeding.

6. Criteria. The Petitioner established by clear, cogent, and convincing evidence that the Respondent:

[] presents/continues to present a likelihood of serious harm.

[] presents/continues to present a substantial likelihood of repeating acts similar to the charged criminal behavior.

[] is/continues to be gravely disabled.

[] is in need of assisted outpatient behavioral health treatment.

7. Other: _____

The Court Orders

8. Involuntary Treatment as follows:

[] **Inpatient Treatment.** The court orders [] **90 Days** [] **180 Days** of intensive inpatient treatment. Respondent is remanded into the custody of DSHS or to a facility certified by the Department of Health.

[] **Inpatient Mental Health Treatment at:** _____

Substance Use Disorder Treatment Program at: _____

Other: _____

Escape and Recapture. If the Respondent escapes from the treatment facility, any Peace Officer shall apprehend, detain, and return the respondent to this treatment facility or to a facility designated by a Designated Crisis Responder.

Less Restrictive Treatment as follows:

Less Restrictive Alternative Treatment. The Respondent is released to less restrictive alternative treatment (LRA) for:

90 Days **180 Days** **1 Year**

Assisted Outpatient Behavioral Health Treatment. The Respondent is released for assisted outpatient treatment on a less restrictive alternative (AOT) for:

90 Days **180 Days**

LRA/AOT services and conditions:

(name) _____ is the mental health service provider responsible for identifying the services the Respondent will receive in accordance with RCW 71.05.585.

(name) _____ is the approved substance use disorder treatment program that will provide treatment.

Respondent must cooperate with the treatment planned by the behavioral health service provider.

Violation and Hospitalization. If a treatment agency or facility, or a Designated Crisis Responder determines that Respondent is not following the terms and conditions of this order, or that substantial deterioration in Respondent's functioning has occurred, or that 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 five days to address the allegations and determine whether this order should be modified or whether the Respondent should be returned to an evaluation and treatment facility for intensive inpatient treatment for the remainder of the treatment period or for fourteen days from the revocation hearing under RCW 71.05.590

(If the current less restrictive alternative is solely based on the respondent being in need of assisted outpatient behavioral health treatment then revocation proceedings are under 71.05.590).

9. **Transportation.** The respondent is remanded into the custody of _____ for transportation and delivery to the treatment facility.
10. For Revocation Hearings, **Concurrent Jurisdiction:** The respondent will be placed in _____ 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.
11. **Right to Full Hearing or Jury Trial.** If a subsequent petition is filed seeking involuntary treatment beyond the 90 day / 180 day / 1 Year period, Respondent will have the right to a full hearing or jury trial as required by RCW 71.05.310.
12. **Firearms Possession Prohibited.** (Not applicable for substance use disorder treatment.) Respondent shall immediately surrender any concealed pistol license 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.
13. **Notice to Department of Corrections.** If Respondent is, or becomes, subject to supervision by the department of corrections, Respondent must notify the treatment provider and Respondent's mental health treatment information and substance use disorder treatment information must be shared with the department of corrections for the duration of the Respondent's incarceration and supervision, under RCW 71.05.445. Upon a petition by a person who does not have a history of one or more violent acts, the court may, for good cause, find that public safety would not be enhanced by the sharing of this information.
14. **The jury trial** set in this matter is stricken.
15. **Other.** _____.

Dated _____

Judge / Commissioner

Approved for entry

Approved for entry

 Attorney for Petitioner DPA/AAG
 WSBA No. _____

 Attorney for Respondent
 WSBA No. _____

 Respondent

Interpreter certifies that he/she has reviewed this order with Respondent

 Interpreter