

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON COUNTY OF KING

<p>_____</p> <p style="text-align: center;">Respondent</p>	<p>Case No. _____</p> <p>FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER COMMITTING RESPONDENT FOR INVOLUNTARY TREATMENT</p> <p><input type="checkbox"/> 14-day commitment (ORDT14)</p> <p><input type="checkbox"/> 90-day commitment (ORDT90)</p> <p><input type="checkbox"/> 180-day commitment (ORDT180)</p> <p><input type="checkbox"/> 90-day LRA (ORDL90)</p> <p><input type="checkbox"/> 180-day LRA (ORDL180)</p> <p><input type="checkbox"/> _____ Amended</p> <p>LRO Expires: _____</p> <p>Clerks action required</p>
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I. HEARING

THIS MATTER came before the Court for a hearing on the petition for _____ days of involuntary treatment.

- Respondent present
- Respondent present via video link
- Respondent not present
- Respondent waived presence
 - Presence waiver signed below.
 - Respondent has orally waived his/her presence to defense counsel, and the Court accepts this waiver.
- G.A.L. present - _____

- G.A.L. waived presence
- G.A.L. waived Respondent's presence
- Interpreter present
- Deputy Prosecuting Attorney _____ present
- Respondent's Attorney _____ present
- Agreed order

II. FINDINGS OF FACT

- RCW 71.05.240 Probable Cause Hearing. Petitioner has proven the following by a preponderance of the evidence:
 - Likelihood of Serious Harm. The Respondent, as a result of a behavioral health disorder, presents a likelihood of serious harm
 - to others;
 - to himself/herself;
 - to the property of others.
 - Gravely Disabled. The Respondent, as a result of a behavioral health disorder, is gravely disabled under
 - Prong A; and/or
 - Prong B.
 - Less Restrictive Alternative Treatment. Treatment in a less restrictive alternative setting than detention
 - is in the best interest of the Respondent or others.
 - is not in the best interest of the Respondent or others.
 - Good Faith Voluntary Patient. Respondent raised this defense to commitment and the Court finds:
 - 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.
- RCW 71.05.280 Additional Confinement - Grounds for 90-Day Order of Commitment. Petitioner has proven the following by clear, cogent, and convincing evidence:
 - After having been taken into custody for evaluation and treatment, Respondent has threatened, attempted, or inflicted: (a) physical harm upon the person of another or himself/herself or substantial damage upon the property of another, and (b) as a result of a behavioral health disorder, presents a likelihood of serious harm.

- Respondent was taken into custody as a result of conduct in which he or she attempted or inflicted physical harm on the person of another or himself/herself, or substantial damage on the property of others, and continues to present a likelihood of serious harm as a result of a behavioral health disorder.
- Respondent is gravely disabled under
 - Prong A; and/or
 - Prong B.
- Less Restrictive Alternative Treatment. Treatment in a less restrictive alternative setting than detention
 - is in the best interest of the Respondent or others.
 - is not in the best interest of the Respondent or others.
- RCW 71.05.320 Additional Confinement - Grounds for 180-Day Order of Commitment. Petitioner has proven the following by clear, cogent, and convincing evidence:
 - During the current period of court ordered treatment, Respondent (a) has threatened, attempted, or inflicted physical harm upon the person of another or substantial damage upon the property of another, and (b) as a result of a behavioral health disorder, presents a likelihood of serious harm.
 - Respondent was taken into custody as a result of conduct in which he or she attempted or inflicted physical harm on the person of another, and continues to present, as a result of a behavioral health disorder, a likelihood of serious harm.
 - Respondent continues to be gravely disabled under
 - Prong A; and/or
 - Prong B.
 - Less Restrictive Alternative Treatment. Treatment in a less restrictive alternative setting than detention
 - is in the best interest of the Respondent and others.
 - is not in the best interest of the Respondent and others.
- RCW 71.05.320(4) - Grounds for Extension of Order for Less Restrictive Treatment. Petitioner has proven the following by clear, cogent, and convincing evidence:
 - Respondent was previously committed by the court to detention for involuntary behavioral health treatment during thirty-six (36) months that preceded the person's initial detention date during the current involuntary commitment cycle.
 - In view of the Respondent's treatment history or current behavior, the Respondent is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive treatment.
 - Outpatient treatment that would be provided under a less restrictive treatment order is necessary 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.

Does not present of serious harm and is not gravely disabled.

- Agreed Order.** The Respondent, after consultation with counsel, voluntarily submitted himself/herself to the jurisdiction of the Court and agreed to the entry of an order for
- more restrictive involuntary behavioral health treatment.
 - less restrictive involuntary behavioral health treatment.
- Other Findings of Fact: _____.

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

On the basis of the foregoing Findings of Fact and the records and files in this proceeding, the Court makes the following conclusions of law:

Jurisdiction. The Court has jurisdiction over the parties and subject matter of this proceeding; and

Involuntary Treatment. Respondent should

- be detained for a period not to exceed 14 days from:
 - the date of judgment.
 - _____.
 - be remanded to the custody of the Department of Social & Health Services or a certified facility for a further period of intensive treatment not to exceed _____ days from:
 - the date of judgment.
 - _____.
 - be remanded to a less restrictive alternative for a further period of less restrictive treatment not to exceed _____ days from:
 - the date of judgment.
 - _____.
- Other Conclusions of Law: _____.

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

IV. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

- Inpatient Treatment.** The Respondent is detained and remanded into the custody of:

- Auburn Multicare
- Cascade Behavioral Health
- Fairfax Hospital
- Harborview Hospital
- Navos Inpatient Services
- Swedish Ballard
- Telecare
- Northwest Hospital
- Valley Cities Behavioral Health
- Western State Hospital
- Other: _____

for a period of intensive treatment.

Escape and Recapture. Any Peace Officer shall, in case of the escape of the Respondent from the treatment facility named herein, apprehend, detain, and return the Respondent to said treatment facility or whichever evaluation and treatment facility a Designated Crisis Responder for King County may designate.

Less Restrictive Treatment. The Respondent shall:

- Reside at the following location and follow all house rules and regulations:

Address: _____

City: _____ ZIP Code: _____ Phone: _____

- Attend all appointments with and follow all treatment recommendations of:

Name: _____

Address: _____

City: _____ ZIP Code: _____ Phone: _____

1st appointment is: Day: _____, Date: _____, Time: _____

Respondent shall call behavioral health treatment provider within 24 hours of discharge from the hospital and accept first available appointment.

- Take all medications as prescribed, including medications prescribed while in or being discharged from the hospital, and comply with laboratory tests for medication monitoring if required.
- Refrain from use of alcohol, marijuana and non-prescribed drugs and comply with random urinalysis if requested.
- Refrain from acts, attempts, and threats of harm to self, others, and others' property.
- Possess no firearms.

Other: _____

Duration. The Respondent shall remain in treatment for the period specified above.

Violation and Hospitalization. Except as required by other applicable law, contracts, or licensing requirements, this order does not obligate any provider named above to provide additional services to or reports regarding the Respondent. Neither the Regional Support Network nor the Designated Crisis Responder are required under the law or the terms of this order to monitor compliance with this order. However, if a treatment facility refers the Respondent to a Designated Crisis Responder and it is thereby determined by the Designated Crisis Responder that the Respondent is not abiding by the terms of this order or that substantial deterioration or decompensation in Respondent's functioning has occurred; or he/she poses a likelihood of serious harm, the Respondent may be detained at an evaluation and treatment facility. If the Respondent is so detained, 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 treatment for:

14 90 180 days

from:

the revocation hearing.

entry of this order.

_____.

Remand to Custody of Ambulance Service. The Respondent is remanded into the custody of an ambulance service for transportation and delivery to said treatment facility.

Right to Full Hearing or Jury Trial. If involuntary treatment beyond the fourteen day period or beyond the ninety days of less restrictive treatment is to be sought, respondent will have the right to a full hearing or jury trial as required by RCW 71.05.310.

Respondent was advised on the record.

Respondent signed a presence waiver which provided notice of the right to full hearing or jury trial.

Pursuant to an oral presence waiver, defense counsel provided Respondent with notice of the right to full hearing or jury trial.

The jury trial set in this matter is stricken.

Firearms Possession Prohibited. Respondent shall immediately surrender any concealed pistol license and is prohibited from possessing, in any manner, a firearm as defined in RCW 9.41.010. The prohibition against your use or possession of a firearm remains in effect until a court restores your right to possess or use a firearm by court order under RCW 9.41.047.

Respondent was advised on the record.

Respondent signed a presence waiver which provided notice of the loss of the right to possess firearms.

Pursuant to an oral presence waiver, defense counsel provided Respondent with notice of the loss of the right to possess firearms.

Notice to Department of Corrections. The Respondent is hereby notified (in person or through his/her counsel) that if he/she is, or becomes, subject to supervision by the Department of Corrections, he/she must notify his/her treatment provider, and his/her behavioral health treatment information must be shared with the Department of Corrections for the duration of his/her incarceration and supervision, under RCW 71.05.445; PROVIDED this order does not supersede any applicable federal privacy statute. The Respondent may petition for a finding of good cause that public safety would not be enhanced by the sharing of this information.

Other: _____

Done in Open Court: _____

X

Judge / Commissioner

X

Deputy Prosecuting Attorney, Bar # _____

X

Attorney for Respondent, Bar # _____

This order is being digitally signed.

Bar # _____

RESPONDENT'S PRESENCE WAIVER

I am the Respondent in this matter. My lawyer has discussed this Order with me. I know I have the right to a hearing/trial and that if I elect a trial that I will remain in treatment until the trial is completed. I know I have the right to be present at the entry of this Order. I do not wish to be present in court. I consent to the entry of this Order. I understand that upon entry of this Order, I lose any right to possess, in any manner, a firearm as defined in RCW 9.41.010 and any concealed pistol license. I have been informed that if I am or become subject to the supervision of the Department of Corrections, the information from my behavioral health provider must be shared with the Department of Corrections unless I petition the court and the court finds that public safety would not be enhanced by sharing such information.

X

Respondent

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

X

Interpreter