



**Michigan Supreme Court
State Court Administrative Office
Trial Court Services Division
Michigan Hall of Justice
P.O. Box 30048
Lansing, MI 48909**

September 8, 2014

TO: Michigan Court Forms Committee, Mental Health/Commitment Work Group

FROM: Colin F. Boes, Forms and Manuals Analyst

RE: Agenda and Materials for **September 11, 2014 Meeting (CANCELLED)**

PLACE: **Proposals to be considered via email**

Below is the agenda for the September 11, 2014 meeting of the Michigan Court Forms Committee, Mental Health/Commitment Work Group. The meeting will not be held this year due to a lack of agenda items that need to be reviewed. Instead, we will be reviewing the items below by email response, after which we will determine if any changes should be made to the forms.

1. **PCM 214, Initial Order Following Hearing on Petition for Admission**
PCM 219, Second or Continuing Order for Treatment

A probate court administrator has suggested that the items on these forms (item 5 on PCM 214 and item 6 on PCM 219) that reference waiver of the testimony of a physician should also reference waiver of the testimony of a licensed psychologist. MCL 330.1461 provides, “[a]n individual may not be found to require treatment unless at least 1 physician or licensed psychologist who has personally examined that individual testifies in person or by written deposition at the hearing.” The individual may waive this testimony or deposition. To be consistent with the statute, it appears the forms should reference waiver of both the testimony of the physician and the testimony of a licensed

psychologist. Other forms to consider this modification on that use the same language include PCM 234, Order Following Hearing on Objection to Return to Hospital, item 5, and PCM 243, Initial Order Following Hearing on Petition for Assisted Outpatient Treatment, item 5. Should the forms be modified to also reference the waiver of the testimony of a licensed psychologist?

2. **PCM 240, Petition and Order to Transport Minor**

A probate court administrator has suggested that this form should have an option, under the order portion, for the court to deny the request. Should a new item be added to the order portion of the form that allows the court to deny the request?

Attachments