



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

August 4, 2016

MICHIGAN COURT FORMS COMMITTEE
Mental Health and Commitment Work Group
Minutes of December 3, 2015 Meeting

Present: James Bauer, Genesee County Probate Court
Mike McClory, Wayne County Probate Court
Rebecca Schnelz, Oakland County Probate Court
Hon. John D. Tomlinson, St. Clair County Probate Court
Tish Vincent, Lawyers & Judges Assistance Program
Hon. Curtis Bell, Kalamazoo County Probate Court (Kevin's Law Panel Member)
Betsy Hardwick, Professional Consulting Services (Kevin's Law Panel Member)
Jill Koney Daly, Oakland County Probate Court (Kevin's Law Panel Member)
Steven Mays, Mental Health Diversion Council (Kevin's Law Panel Member)
Robin Eagleson, State Court Administrative Office (staff)
Amy Garoushi, State Court Administrative Office (staff)
Matthew Walker, State Court Administrative Office (staff)

Absent: Steven Burnham, Kalamazoo County Probate Court
Hon. Michael Jaconette, Calhoun County Probate Court
April Maycock, Wayne County Probate Court
Angela Tripp, Michigan Poverty Law Program
Melissa Brand-Orweller, Judicial Information Systems

Meeting called to order, 9:45 a.m.

1. **PCM 201, Petition for Treatment**

The committee discussed the changes to this form to accommodate the proposed amendments to MCL 330.1401 and MCL 330.1434, and the repeal of MCL 330.1424 in 2015 HB 4674.

Members modified the language of items 3a, 3b, and 3c to track the most recent updated language of MCL 330.1401(1) in 2015 HB 4674. The committee changed the language as follows: (1) in item 3a, “as a result of this mental illness” was changed to “as a result of that mental illness,” (2) the words “as a result of that mental illness” were added to the beginning of item 3b, and (3) the phrase “understand the need for treatment” was changed to “understand his/her need for treatment” in item 3c.

The committee merged PCM 242, Petition for Assisted Outpatient Treatment into PCM 201. In accordance with the forms merger, an item 3d was added to accommodate assisted outpatient treatment. Members changed the phrase “this treatment” to “treatment” in the lead-in statement in the second paragraph to track the updated language of MCL 330.1401(1) in 2015 HB 4674.

Members also discussed the parenthetical instruction at the beginning of item 3 and concluded that it should be removed. Staff pointed out that it is on the form for the benefit of the petitioner, but the committee members did not think it was necessary and deleted the instruction.

The committee discussed the proposal to replace the writing space in items 4a and 4b with parenthetical notes to attach separate sheets. The committee stated that the writing space was preferred because handling separate sheets is cumbersome for both the user and the court. The item was restored to its original language in the 11/11 version except the committee decided that two lines of writing space were sufficient for these items. In addition, the committee removed one of the lines for a witness to help ease the lack of space caused by the addition of the assisted outpatient treatment language.

The committee removed the last row of blank writing spaces in item 5 because the additional space was seldom used and removing it will help improve spacing on the form.

The committee discussed proposed item 7 and agreed it could be restructured for clarity. The committee separated the proposed item 7 into items 7, 8, and 9. Item 7 contains three options to attach a clinical certificate, or petition, or affidavit for examination (form PCM 209a).

Item 8 contains the petitioner's request. The committee debated the proposed language for item 8 at length. The committee considered stating, "I request the court to determine the individual to be a person requiring treatment and order appropriate mental health treatment." However, committee members also discussed the petitioner's ability to request assisted outpatient treatment without hospitalization under MCL 330.1434(5) and the corresponding restriction that an individual who only meets the criteria of MCL 330.1401(1)(d) cannot request hospitalization. To make this clear, the committee decided to add the instructions similar to those deleted in item 3. Members also created two options for item 8 as follows: "8. I request the court to determine the individual to be a person requiring treatment and: a. (Check if item 3a, 3b, or 3c is checked.) order appropriate mental health treatment. b. (Check if item 3d is checked.) order that the individual participate in assisted outpatient treatment without hospitalization."

Item 9 contains the option to request the individual be hospitalized pending a hearing. In keeping with the new language in item 8b, the committee deleted the parenthetical instruction "(Cannot be checked if only item 3d is checked.)" Although the parenthetical instructions are for the benefit of the petitioner, the committee did not want to imply that this particular instruction prevented a judge from ordering an individual to be hospitalized pending a hearing if it appeared to the court from any attached certificates that this was necessary.

The committee discussed the proposed change to the use note for the hospital in those situations where a petition for mental health treatment has been received by the hospital pursuant to MCL 330.1423. Members agreed that the language should be changed and made further changes as follows: "This petition for mental health treatment was received by the hospital on _____ at _____."

Members remarked that the suggested title "Petition for Treatment" could be misleading and should describe the type of treatment. The committee changed the title to "Petition for Mental Health Treatment." Members also discussed item 2 and the caption for the address where the individual can presently be found. The committee pointed out that sometimes the individual will be in a known facility and not at local address. The committee changed the caption to "Address or name of facility."

The committee agreed with the removal of the reference to the circuit court family division in the masthead. The committee added MCL 330.1401, MCL 330.1423, MCL 330.1427, and MCR 5.125(C)(18) to the footer of the form and removed reference to MCL 330.1424.

The form was approved as revised.

STAFF NOTE: Item 3a was revised to state “the individual can reasonably be expected” instead of “can be reasonably expected” to track the language of the proposed MCL 330.1401. “Date” and “Time” captions were added to the writing spaces and “m.” was removed from the “For Hospital Use Only” section on page 2.

2. **PCM 208, Clinical Certificate**

The committee discussed the inquiry whether to replace references to alcoholism and drug dependence in item 4 with “substance use disorder” pursuant to 2014 PA 200. The committee concluded this change was inappropriate because substance use disorders are addressed by a different section of the mental health code, and the committee did not wish to expand the use of this form.

The committee also discussed the line for designating the title of the signator and who may sign the certificate. Under MCL 330.1423 and 330.1425, only a psychologist, physician, or a licensed psychologist can conduct the examination, so the term “etc.” is misleading. The committee suggested removing the “Title” line altogether and placing a new item 1 on the form with checkboxes to identify each of the examiner’s credentials. The committee approved the following: “1. I am a psychiatrist. physician. licensed psychologist.” Subsequent items were renumbered accordingly.

The committee removed the reference to the circuit court family division in the masthead. In accordance with standards, the committee also replaced the reference stating “PLEASE SEE OTHER SIDE,” on page 1 with “SEE SECOND PAGE”. The committee also deleted MCL 330.1435 from the foot of the form.

The form was approved as revised.

STAFF NOTE: In item 5, the checkbox beginning with “been hospitalized involuntarily” was removed because there is no reference to it in statute or court rule. To track the proposed language in 2015 HB 4674, the language in the last paragraph of item 7d was changed from “...and whose impaired judgment presents a substantial risk of harm to the individual or other in the near future,” to “...and his/her impaired judgment presents a substantial risk of harm to himself/herself or others in the near future.”

Staff also noted that reference to MCL 330.1425 was to be removed from the foot of the form instead of MCL 330.1435. This was corrected.

3. **PCM 208a, Supplement to Clinical Certificate on Appeal of Return to Hospital**

The committee reviewed the proposed changes to this form and added the word “assisted” to the option for “outpatient treatment” in item 3. The committee removed the reference to the circuit court family division in the masthead.

The form was approved as revised.

STAFF NOTE: In keeping with the committee’s discussion regarding the “Title” line at the end of page 2 on form PCM 208, and pursuant to MCL 330.1423 and 330.1425, only a psychologist, physician, or a licensed psychologist can conduct the examination, so the term “etc.” was replaced with the term “licensed psychologist.” Also, for accuracy, reference to “certificate (form PCM 208) in the lead-in statement has been changed to “clinical certificate (form PCM 208).”

4. **PCM 209, Supplemental Petition to Application for Hospitalization and Order for Examination**

The committee deleted this form because of the proposed repeal of MCL 330.1428.

5. **PCM 209a, Supplemental Petition for Treatment and Order**

The committee discussed the proposed changes to this form based on the anticipated statutory language of 2015 HB 4674. The committee expressed a preference for the layout of PCM 209 over PCM 209a because PCM 209 presents the request and facts in a clearer manner. The form layout was redesigned accordingly.

The suggested modifications for the form proposed removing the affidavit because it was believed unnecessary under MCL 330.1435(2) and could be incorporated into item 2b. Some members agreed that the affidavit was unnecessary and only made the form more confusing. However, MCL 330.1434(3) requires that an affidavit accompany a request to secure examination (see also item 7 of PCM 201). After further discussion, members deleted item 2b from the form. Instead, item 1 was revised to state “I executed the attached petition for mental health treatment (form PCM 201). I have been unable to have the individual examined by a physician, psychiatrist, or licensed psychologist although I have made the following efforts: _____.”

The affidavit was retained on the form but linked more clearly to item 1 by replacing the parenthetical “(Specify reasons.)” with “are specified in item 1.” The use note was

changed as follows: “Use Note: Complete this affidavit only if no clinical certificate is attached.” Even though the language in MCL 330.1434(3) states that the affidavit should set “forth the reasons the examination could not be secured,” the committee thought it clearer to link the affidavit to item 1 and that the efforts to secure an examination are essentially the same as the reasons the examination could not be secured. The committee removed the reference number “5” from the affidavit and renumbered the items in the order accordingly. The committee added another blank line to item 1 for explaining the efforts to secure examination of the individual.

Former items 1 and 3 were redesigned into new items 2a and 2b. Former item 2a was renumbered item 3. The option for transport was removed from former item 4 because it is a duplicate of new item 2b.

On page 2, item 7 and the checkbox option in item 8 were combined and redesigned into item 7.

Former item 10 was renumbered item 9. The committee modified the language to state, “the individual be examined by a psychiatrist psychiatrist and a physician or licensed psychologist at _____” instead of “...at the site named in item 1.”
Prescreening unit or hospital

The checkbox option in new item 10 for a peace officer was revised to state, “transport the individual by _____” instead of “transport the individual to the site named in item 1.”
Date

This language allows the court to specify a timeframe for transporting the individual, based on the court’s inherent authority to make orders.

The committee changed the title to “Supplement to Petition for Mental Health Treatment and Order.” The committee removed the reference to the circuit court family division in the masthead. The committee added MCL 330.1438 to the foot of the form.

The form was approved as revised.

STAFF NOTE: Additional changes were made during typesetting to apply forms design standards. The affidavit was again numbered 5 and the order renumbered as it was originally. The phrase “I request the court order” was bolded and the phrase “[t]he court order...” was removed from the beginning of items 2b, 3 and 4. The last sentence in the affidavit was revised to mirror item 1 as follows: “The efforts I have made to secure an examination are specified in item 1.”

6. **PCM 211, Notice of Hospitalization and Certificate of Service**

The committee discussed the proposed changes to this form and replaced the term “application” with “petition” in the notice and removed the term “application” from items 3a and 4 because the proposals in 2015 HB 4674 would remove the requirement to file an application with the court.

The committee also modified item 5 to allow documentation of service on additional designated people. The current item 5 allows for service on more than one designated person, but the form does not accommodate documenting service on more than one person.

The committee removed the reference to the circuit court family division in the masthead.

The form was approved as revised.

7. **PCM 212, Notice of Hearing on Petition for Treatment/Judicial Admission**

The committee discussed the proposed changes to this form based on the anticipated statutory language of 2015 HB 4674. The committee discussed ways to make the language in item 1 more understandable to the individual and changed item 1 to “1. This court is requested to

confine you in a center/hospital for treatment or order outpatient treatment based on the petition and other documents you received.

order assisted outpatient treatment for you based on the petition and other documents that you received.”

Members pointed out that the right to a jury trial in item 5 should be a separate item to make it clear to the individual that he/she has the right to a jury trial. The committee moved the last sentence in item 5 to a new item 6 and renumbered subsequent items accordingly.

The committee added the words “mental health” to the title based on the discussion in PCM 201.

The form was approved as revised.

STAFF NOTE: During typesetting, further revisions were made to the language of item 1 for clarity. The phrase “based on the petition and other documents you received” was

broken out and item 1 was rephrased to say “Based on the petition and other documents you received, this court is requested to...”

Revisions were also made to item 7 by changing the word “consultation” to “consulting”.

8. **PCM 214, Initial Order After Hearing on Petition for Treatment**

The committee discussed the proposed changes to this form based on the anticipated statutory language of 2015 HB 4674. The committee changed the mental illness findings in items 7a, 7b, 7c to track the updated statutory language. The committee also agreed that a new item 7d should be added for assisted outpatient treatment to track the modification of MCL 330.1401(1)(d). The committee made slight modifications to the proposed language of items 7c and 7d. In item 7c, the committee changed the language from “...understand the need for treatment” to “...understand his/her need for treatment” to track the statutory language. In item 7d, the committee changed the language from “noncompliance with this treatment” to “noncompliance with treatment” to track the statutory language.

The committee adopted the suggestion to make items 8 and 9 checkbox options because they are not relevant if item 19 is checked. The committee also removed item 11 because there is no reference to it in statute or court rule. The committee changed the language of item 12 from “...hospitalized in the previously mentioned hospital” to “...hospitalized in the hospital stated in item 9.” The reference to item 9 will make the sentence easier to understand. The committee disagreed with the proposal to change “is” to “be” in item 14. The committee added a citation to MCL 330.1468(2)(e) in the parenthetical of item 15 because it will allow users to clearly understand where provisions come from. The committee also added the phrase “the individual” to item 19 to more accurately track the statute and make the item easier to understand.

The committee changed the title of the form to “Initial Order After Hearing on Petition for Treatment,” but modified the title to include “mental health” for the same reasoning outlined in PCM 201. The committee deleted MCL 330.1475 from the footer of the form because it is no longer relevant.

Though not on the agenda, the committee added “psychiatrist” to item 5 because of the language in MCL 330.1461(2). The committee also discussed the phrase “Case management services” and the writing space in item 15 at length. The committee pointed out that the phrase “case management services” is a term of art used by community mental health services and could be misinterpreted. The committee removed the line in

favor of the court using the writing space for “[] Additionally, one or more of the following is ordered.”

The committee also addressed the Saginaw County Community Mental Health Authority’s comments. The committee did not agree that item 12 should contain a statement explaining that no alternative treatment is required.

The form was approved as revised.

STAFF NOTE: During typesetting, item 4 was revised to state, “The individual [] was present in court. [] was not present for reasons stated on the record.” Item 7a was revised to state “substantially support of this expectation” to mirror the language of PCM 201. In item 9, a comma was added after the word “treatment.” Item 10 was moved to page 1 so that all findings are on the first page. Additionally, item 17 was revised to state that orders for assisted outpatient treatment only should not be entered on LEIN under MCL 330.1464a.

9. **PCM 216, Order for Report on Alternative Treatment and Report**

The committee discussed the proposed changes to this form based on the anticipated statutory language of 2015 HB 4674. The committee removed item 4 from the form because there is no statutory reference to it in the mental health code. Subsequent items were renumbered. The committee added an option for assisted outpatient treatment to item 5 (formerly item 6) and reorganized the checkboxes.

Though not on the agenda, the committee added “mental health” to the title of the form for the same reasoning stated in PCM 201.

The form was approved as revised.

STAFF NOTE: During typesetting, the words “an alleged mentally ill person” were removed from the masthead. At this point in the mental health process, the person in question would have been determined to be mentally ill. So, the phrase was removed for style and consistency with the other forms.

Item 5 was revised to state, “I recommend a course of treatment of [] hospitalization [] hospitalization for _____ days, followed by [] an alternative program [] assisted outpatient treatment as follows: _____.” In addition, the reference to CMH in item 10c was replaced with DHHS.

10. **PCM 217a, Order to Modify Order for Alternative Treatment or Combined Hospitalization and Alternative Treatment**

The committee discussed the proposed changes to this form based on the anticipated statutory language of 2015 HB 4674. The committee changed the language in item 3 to state “alternative treatment has not been or will not be sufficient to prevent harm to the individual or others,” pursuant to MCL 330.1475(2).

On page 2, the committee changed the language in the Notice of Right to Object to Hospitalization to better track the restrictions in MCR 5.744, and the addition of a reference to MCR 5.744 in the Objection to Hospitalization. The committee also discussed whether item 8 should be modified as well to reflect that hospitalization isn’t necessarily due to a “return.” The committee modified the language to state “for hospitalization” instead of “to return to the hospital.”

In accordance with design standards, the committee replaced the reference stating, “PLEASE SEE OTHER SIDE” on page 1 with “SEE SECOND PAGE.” The committee added a use note stating, “**USE NOTE:** Use form PCM 244 to modify an order for assisted outpatient treatment or an order for combined hospitalization and assisted outpatient treatment.” The committee added citations to MCL 330.1469a, MCL 330.1474, and MCL 330.1475(1)-(2) in the form footer. The committee also modified the title of the form to include the words “mental health” for the reasoning stated in PCM 201.

The form was approved as revised.

STAFF NOTE: During typesetting, the title of the form was further revised to “Order Modifying Prior Combined Hospitalization And/Or Alternative Mental Health Treatment Order,” to reflect the form’s usage.

11. **PCM 218, Petition for Second or Continuing Treatment Order**

The committee discussed the proposed changes to this form based on the anticipated statutory language of 2015 HB 4674. The committee added “assisted outpatient treatment” to item 1, making the language read “...the individual’s alternative or assisted outpatient treatment program.” Assisted outpatient treatment was also added to item 13 (formerly item 14). The committee removed item 3 as it is not required by statute. All subsequent items and internal references were renumbered accordingly.

The committee changed the proposal for item 6 (formerly item 7). The committee thought the language in the (9/13) version of the form, stating “The basis for this allegation is that I believe the individual has a mental illness and (Check all that apply)” should be retained. However, the checkbox options were updated to track the updated statutory language in 2015 HB 4674 for MCL 330.1401(1), as in PCM 201. The committee removed former item 8 because the updated checkboxes would provide the information needed.

On page 2, the committee agreed that MCL 330.1473 requires a clinical certificate and retained the checkbox in item 12. The committee also added assisted outpatient treatment to item 13 (formerly item 14), stating “alternative/assisted outpatient treatment...”

Though not on the agenda, the committee modified item 2 to include checkbox options to indicate whether a person is residing or hospitalized at the address stated in the petition. The committee thought this would allow the petitioner to be clear as to whether the individual was hospitalized.

The committee also added the words “mental health” to the title for the reasoning provided in PCM 201. The committee also added a citation to MCL 330.1472a(5) to the form footer.

The committee discussed the comments from the Saginaw County Community Mental Health Authority. The committee agreed with adding “Telephone no.” to the caption line in item 2. The committee disagreed with the comment to omit former item 7 in favor of the actions listed above.

The form was approved as revised.

STAFF NOTE: During typesetting, the checkboxes for item 3 (formerly item 4) were placed in line with the rest of the text.

Staff also revised the form to include former item 8 because it is the petitioner’s basis for the statement in former item 7. The revision to former item 8 mirrors the language and structure of PCM 201 to allow the petitioner to indicate observations they or witnesses have made.

Former item 11 was also modified to place the checkboxes in line with the other text.

12. **PCM 219, Second or Continuing Order for Treatment**

The committee discussed the proposed changes to this form based on the anticipated statutory language of 2015 HB 4674. The committee removed item 3 because of the repeal of MCL 330.1433. All subsequent items were renumbered. The committee moved “The Court finds” in between items 2 and 3 (formerly 3 and 4) and modified the language of item 3 (formerly item 4) to state “Notice of hearing has been given according to law.”

Item 7 (formerly item 8) was changed to mirror PCM 214. The committee changed items 7a, 7b, 7c to track the updated statutory language found in 2015 HB 4674. The committee also added a new item 7d to track the modification of MCL 330.1401(1)(d). The committee made slight modifications to the language of items 7c and 7d. In item 7c, the committee changed the language from “...understand the need for treatment” to “...understand his/her need for treatment” to track the statutory language. In item 7d, the committee changed the language from “noncompliance with this treatment” to “noncompliance with treatment” to track the statutory language.

Items 8 and 9 (formerly 9 and 10) were changed into checkbox options because they are not relevant if item 17 (formerly item 18) is checked.

On page 2, the committee removed item 11 because there is no reference to it in statute or court rule. All subsequent items were renumbered accordingly. The committee changed the order portion to state “It is ordered” instead of “It is ordered that the individual.” In combination with this change, the words “The individual” were added to the beginning of new items 11, 12, 13, 14, and 15.

The committee changed the language of new items 11, 12, and 14 from “...hospitalized in the previously mentioned hospital” to “...hospitalized in the hospital stated in item 9.” The reference to item 9 will make the form easier to understand.

The committee added a new item 13 to the form for second or continuing orders of alternative treatment or assisted outpatient treatment only. The language for the new item is structured similarly to item 14 of PCM 214 and states “The individual receive alternative treatment or assisted outpatient treatment under a second or continuing order through _____ for a period not to exceed one year.

[] Additionally, one or more of the following is ordered: (See MCL 330.1468[2][e] for specific provisions that may be ordered.) _____.”

The committee added a citation to MCL 330.1468(2)(e) in item 15 to clarify additional specific provisions that may be ordered in relation to assisted outpatient treatment.

Item 16 (formerly item 17) was modified to state “for hospitalization” instead of “to return to the hospital” for the same reasoning as stated in PCM 217a.

The committee also modified item 17 (formerly item 18) to mirror item 18 of PCM 214. The committee also agreed that the word “is” should remain in the place of “be” for this item.

The committee agreed also to modify the title of the form to “Second or Continuing Order for Mental Health Treatment” for the reasoning stated in PCM 201. The committee added citations to MCL 330.1468, MCL 330.1470, and MCL 330.1472a(2)-(4) in the form footer.

The form was approved as revised.

STAFF NOTE: During typesetting, item 4 was revised to state “The individual [] was present in court. [] was not present for reasons states on the record.” In item 5, “psychiatrist” was added to comply with MCL 330.1461 and for purposes of consistency. Item 7a was revised to state “substantially supportive of this expectation” to mirror PCM 201. Item 10 was moved to page 1 so that all findings are on the first page.

13. **PCM 220, Petition for Discharge from Continuing Treatment**

The committee discussed the proposed changes to this form based on the anticipated statutory language of 2015 HB 4674. The committee added a reference to assisted outpatient treatment in item 1 stating “under a one-year alternative/assisted outpatient or a...”

The committee also modified the title to include the words “mental health” for the reasoning stated in PCM 201. The committee added a citation to MCL 330.1483 in the form footer.

The committee removed the reference to the circuit court family division in the masthead. Additionally, a use note was added to the form to clarify usage in the circuit court family division.

The form was approved as revised.

14. **PCM 222, Order After Hearing on Petition for Discharge from Continuing Treatment**

The committee discussed the proposed changes to this form based on the anticipated statutory language of 2015 HB 4674. The committee added a reference to assisted outpatient treatment in item 11. The committee also removed the statement in item 11 requiring the agency or practitioner to submit a written report to the court three days before an individual's discharge. The committee agreed that there is no known statutory or court rule authority for this requirement.

The committee also modified item 12 to state "The individual is" instead of "The individual be." The committee added a reference to assisted outpatient treatment in item 12 as well and included a checkbox option for additional orders to mirror item 14 of PCM 214. The checkbox option states, "[] Additionally, one or more of the following is ordered: (See MCL 330.1468[2][e] for specific provisions that may be ordered.)."

The committee also modified the title of the form by replacing "following" with "after" and adding the words "mental health" for the reasoning provided in PCM 201.

The form was approved as revised.

STAFF NOTE: In item 10, the word "be" was changed to "is" for purposes of consistency.

15. **PCM 226, Six-Month Review Report**

The committee discussed the proposed changes to this form based on the anticipated statutory language of 2015 HB 4674. The committee considered removing item 4 and debated whether it was necessary for a physician or licensed psychologist to include in the six-month review the same criteria claimed on PCM 201. The committee kept item 4 and modified it to mirror the language in PCM 201 because the information is required for the review.

Item 10 was moved to page 1, item 5 and the lettering was removed. Items 6 and 7 were combined into items 6a and 6b and moved to the second page to accommodate the space taken by item 4. The committee added writing spaces to item 6. However, the committee thought only two lines of writing space were needed for item 6a and 6b, mirroring PCM 201.

The committee modified items 7 and 8 to include assisted outpatient treatment. The parenthetical in item 8 was modified to state, “(Write “none” if no modifications are expected).”

The committee removed the reference to the circuit court family division in the masthead. The committee deleted a reference to MCL 330.1401 and added a reference to MCL 330.1483.

The form was approved as revised.

STAFF NOTE: During typesetting, item 4a was revised to state “the individual can reasonably be expected” instead of “can be reasonably expected” to track the language of the proposed MCL 330.1401. Staff also recognized that item 5 for judicial admission was unintentionally removed from the publication; the item was added back to the form. Subsequent items were renumbered accordingly. A checkbox option was mistakenly added to item 7 and was removed. The number for item 8 was unintentionally removed from the drafts provided to the committee. Item 8 is located on the second page and begins with the words “[t]his treatment.” The numbering was added. Lastly, item 5 was moved back to page 2, item 9 because item 4 was retained.

16. **PCM 230, Notification of Noncompliance and Request for Modified Order**

The committee removed the reference to the circuit court family division in the masthead. The parenthetical in item 4b was modified to capitalize the beginning of the sentence. The committee also added a use note indicating that PCM 244 should be used to modify an assisted outpatient treatment order.

The form was approved as revised.

STAFF NOTE: During typesetting, the checkboxes in item 1 were broken out into individual lines to improve spacing.

17. **PCM 231, Order for Report After Notification and Report**

The committee discussed the proposed modifications to this form and modified item 4 to state “report as to” instead of “report on” for purposes of clarity.

On page 2, the committee changed item 5b to state, “modify the order for...” instead of “modify the order on....”

The committee removed the reference to the circuit court family division in the masthead. In accordance with standards, the committee also replaced the reference stating “PLEASE SEE OTHER SIDE,” on page 1 with “SEE SECOND PAGE.” The committee added a citation to MCL 330.1475(2) in the footer.

The form was approved as revised.

18. **PCM 232, Order After Hearing on Appeal of Return to Hospital/Center From Authorized Leave**

The committee discussed the proposed modifications to this form and changed items 11 and 12 to include reference to assisted outpatient treatment to accommodate 2015 HB 4674.

The committee also discussed whether MCR 5.743(F)(2) should be amended to allow for assisted outpatient treatment. The committee agreed that the court rule should be modified and SCAO staff will pursue the change when appropriate.

The committee removed the reference to the circuit court family division in the masthead. The committee also modified the title to state “Order After Hearing...” instead of “Order Following Hearing...”

The form was approved as revised.

STAFF NOTE: A comma was added in item 4 before the words “attorney for individual.”

19. **PCM 234, Order After Hearing on Objection to Hospitalization**

The committee discussed the proposed modifications for this form and changed item 2 to state “After placement in an alternative treatment program _____ was

Name

hospitalized without a hearing, and the individual has filed an objection to that hospitalization,” instead of “An objection to return to the hospital was filed by _____.” The updated language clarifies the purpose of the order and reflects

Name

that hospitalization may not necessarily be due to a return.

The checkboxes in item 4 were placed in line with the text. The committee also modified item 8 to state “clear and convincing evidence” as required by MCL 330.1465.

The form was approved as revised.

STAFF NOTE: During typesetting, item 4 was revised to state “The individual [] was present in court. [] was not present for reasons states on the record.”

20. **PCM 235, Request to Defer Hearing on Commitment**

The committee removed the reference to the circuit court family division in the masthead. The committee also revised the citation to MCL 330.1455 to MCL 330.1455(6).

The committee discussed the comment from the Saginaw County Community Mental Health Authority to add the following to a new item 5: “I understand that if I refuse the prescribed treatment provided by a hospital or assigned alternative treatment provider at any time during the deferral period, treatment shall cease and the court shall be notified to have a hearing convened.” The committee decided against adding this item because members did not think it was needed.

The form was approved as revised.

21. **PCM 236, Demand for Hearing**

The committee corrected the citation at the form footer to state MCL 330.1455(6), (8)-(11).

The form was approved as revised.

22. **PCM 241, Notice of Right to Object to Hospitalization and Objection and Demand for Hearing**

The committee removed the reference to the circuit court family division in the masthead.

The form was approved as revised.

23. **PCM 242, Petition for Assisted Outpatient Treatment**

The committee deleted this form because it was merged into PCM 201.

24. **PCM 243, Initial Order Following Hearing on Petition for Assisted Outpatient Treatment**

The committee deleted this form because it was merged into PCM 214.

25. **PCM 244, Order After Notice of Noncompliance with Assisted Outpatient Treatment or Combined Hospitalization and Assisted Outpatient Treatment**

The committee discussed the proposed changes to this form and modified the language of this form to better track the restrictions in MCR 5.744. The committee added the language “If the court ordered, without a hearing,” to the beginning of the notice and “within 7 days of receiving this notice,” to the end to add clarity to the notice. The committee also added the language “in accordance with MCR 5.744” to the objection to appropriately reference the court rule for objections.

The committee removed the reference to the circuit court family division in the masthead.

The form was approved as revised.