

STATE OF MICHIGAN
PROBATE COURT
COUNTY OF _____

SECOND CONTINUING ORDER
FOR MENTAL HEALTH TREATMENT

FILE NO.



In the matter of _____

1. Date of hearing: _____ Judge: _____
Date Bar no.

2. A petition has been filed by _____ asserting that the individual named
Petitioner name (type or print)
above is a person requiring treatment. _____

THE COURT FINDS:

3. Notice of hearing has been given according to law.

4. The individual _____ was present in court. was not present for reasons stated on the record.
The hearing was with without a jury.

Present were: _____, attorney for the individual, and

_____, attorney for the petitioner.

5. Testimony of a physician, psychiatrist, or licensed psychologist was waived by the individual and the individual's attorney.

6. Testimony was given by _____.

Testimony was not given because the parties stipulated to entry of the order.

7. By clear and convincing evidence, the individual continues to be a person requiring treatment because the individual has a mental illness, _____

a. and as a result of that mental illness can reasonably be expected within the near future to intentionally or unintentionally seriously physically injure self or others, and has engaged in an act or acts or made significant threats that are substantially supportive of this expectation.

b. and as a result of that mental illness is unable to attend to those basic physical needs that must be attended to in order to avoid serious harm in the near future, and has demonstrated that inability by failing to attend to those basic physical needs.

c. whose judgment is so impaired by that mental illness that s/he is unable to understand the need for treatment, and whose impaired judgment, on the basis of competent clinical opinion, presents a substantial risk of harm to the individual or others in the near future.

d. and as a result of that mental illness, the individual's understanding of his/her need for treatment is impaired to the point that s/he is unlikely to voluntarily participate in or to adhere to recommended treatment that has been determined necessary to prevent a relapse or harmful deterioration of his or her condition, and the individual's noncompliance with treatment has been a factor in the individual's placement in a psychiatric hospital, jail, and/or prison at least two times within the last 48 months and/or in committing one or more acts, attempts, or threats of serious violent behavior within the last 48 months.

8. There is is not an available treatment program that is an alternative to hospitalization or that follows an initial period of hospitalization adequate to meet the individual's treatment needs and is sufficient to prevent harm that the individual may inflict upon self or others within the near future.

9. _____ hospital can provide treatment that is adequate and appropriate to the individual's condition.

10. The individual is not a person requiring treatment.

(SEE SECOND PAGE)

Do not write below this line - For court use only

IT IS ORDERED: _____

- 11. The individual undergo a second order of treatment and be hospitalized in the hospital stated in item 9 for a period not to exceed 90 days.
- 12. The individual undergo a continuing order of treatment and be hospitalized in the hospital stated in item 9 for a period not to exceed one year.
- 13. The individual receive alternative treatment or assisted outpatient treatment under a second or continuing order through

_____ for a period not to exceed one year.
Community mental health services or other publicly-funded entity

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

- 14. The individual undergo a second or continuing order of combined hospitalization and alternative/assisted outpatient treatment for a period not to exceed one year. Hospitalization in the hospital stated in item 9 shall not exceed 90 days. Alternative assisted outpatient treatment shall be under the supervision of

- a community mental health services program
- a mental health agency or professional

as follows: _____

An initial hospitalization period shall not exceed _____ days.

- 15. The individual is discharged from the hospital and shall undergo an alternative/assisted outpatient program under the supervision of _____ a community mental health services program a mental health agency or professional

for a period not to exceed one year as follows: _____

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

- 16. If the individual refuses to comply with a psychiatrist's order for hospitalization, a peace officer shall take the individual into protective custody and transport the individual to the hospital designated by the psychiatrist.

- 17. The individual is discharged from the hospital and the petition is denied on the merits. dismissed/withdrawn.

- 18. If felony charges have been previously dismissed under MCL 330.2044(1)(b) and the time for petitioning to refile charges has not elapsed:

a. not less than 30 days before the scheduled release or discharge, the director of the treating facility shall notify the prosecutor's office in the county in which charges against the person were originally brought that the patient's release or discharge is pending.

b. not less than 30 days before the scheduled release or discharge, the patient to be released or discharged shall undergo a competency examination as described in MCL 330.2026. A copy of the written report of the examination along with the notice required in item 20.a. above shall be submitted to the prosecutor's office in the county in which the charges against the patient were originally brought. The written report is admissible as provided in MCL 330.2030(3).

_____ Date

_____ Judge