Case No	o.
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Court				С	irc	cui	t

Commonwealth of Kentucky Court of Justice www.kycourts.gov

KRS 202C.050; 202C.060

AOC-708.6 Rev. 7-24

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IN THE INTEREST OF:

RESPONDENT

\* \* \* \* \* \* \* \* \* \* \*

**REVIEW HEARING ORDER** 

(INVOLUNTARY COMMITMENT)

)

The initial Judgment and Order of Involuntary Commitment of Respondent having been entered by this Court in the abovestyled action on \_\_\_\_\_\_, 2\_\_\_\_, and in accordance with KRS 202C.060, THE COURT HAVING CONVENED for a review hearing (*check one*)  $\Box$  with a jury OR  $\Box$  without a jury to determine whether Respondent should remain in a forensic psychiatric facility for continued care and treatment, the Court finds as follows:

1. This review hearing was: (check either A. or B.)

□ A. a regularly scheduled *(check one)* □ **STANDARD** OR □ **HEIGHTENED** hearing pursuant to the schedule set out in KRS 202C.060(2).

OR

□ B. in response to a request by Respondent or Respondent's guardian ad litem for a review hearing, pursuant to KRS 202C.060(1)(b), on the basis that there has been a material change in circumstances or there is new evidence to present to the Court establishing that Respondent no longer meets the criteria for involuntary commitment.

2. Respondent (*check one*)  $\Box$  was present in person (*required in HEIGHTENED review hearings*) OR  $\Box$  was present remotely OR  $\Box$  waived presence through counsel.

3. (Check one or both if applicable) Respondent's 🗖 guardian ad litem 🗖 counsel was present.

4. Respondent, if present, and Respondent's guardian ad litem were afforded an opportunity to present evidence and cross-examine witnesses.

5. The Court received the examination certifications of two Qualified Mental Health Professionals, one of whom is a Kentucky Licensed Physician.

(*Check if applicable*) The Qualified Mental Health Professionals gave live testimony and were otherwise available to answer questions before the Court. (*Required in HEIGHTENED review hearings.*)

6. AND FURTHER, the review having been heard before: (check either A. or B.)

□ A. THE COURT. The Court hereby FINDS the evidence established BEYOND A REASONABLE DOUBT that the criteria for involuntary commitment (*check one*) □ does not continue to be satisfied. OR □ does continue to be satisfied, as follows: (*check all that apply*)

County \_\_\_\_\_ Division □ Respondent presents a danger to self or others as a result of his or her mental condition;

Respondent needs care, training, or treatment in order to mitigate or prevent substantial physical harm to self or others;

□ Respondent has a demonstrated history or recent manifestation of criminal behavior that has endangered or caused injury to others, or has a substantial history of involuntary hospitalizations under KRS Chapters 202A or 202B prior to the commission of the qualifying offenses with which Respondent was charged; or,

A less restrictive alternative mode of treatment would endanger the safety of Respondent or others.

Additional findings:

OR

■ B. THE JURY. The Jury having found the evidence established BEYOND A REASONABLE DOUBT that the criteria for involuntary commitment (*check one*) ■ does not continue to be satisfied. OR ■ does continue to be satisfied, as follows: (*check all that apply*)

□ Respondent presents a danger to self or others as a result of his or her mental condition;

Respondent needs care, training, or treatment in order to mitigate or prevent substantial physical harm to self or others;

□ Respondent has a demonstrated history or recent manifestation of criminal behavior that has endangered or caused injury to others, or has a substantial history of involuntary hospitalizations under KRS Chapters 202A or 202B prior to the commission of the qualifying offenses with which Respondent was charged; or,

A less restrictive alternative mode of treatment would endanger the safety of Respondent or others.

7. THEREFORE, IT IS HEREBY ORDERED: (check one)

□ These proceedings are HEREBY DISMISSED and Respondent shall be IMMEDIATELY RELEASED from commitment and transported in accordance with KRS 202C.120. (Doc Code: ODAR)

OR

THIS IS A FINAL ORDER AND THERE IS NO JUST REASON FOR DELAY.

\_\_\_\_\_, 2\_\_\_\_\_

Judge

Please print or type name of Judge here:

Copy Distribution:

Commonwealth's Attorney Respondent / Respondent's Attorney Guardian ad Litem Forensic Psychiatric Facility