

**IN THE CIRCUIT COURT OF THE
STATE OF OREGON**

FOR _____ COUNTY

In the Matter of _____)
)
) **DELIVERY WARRANT**
_____)
a mentally ill person)

**TO: Oregon Mental Health and Developmental Disability Services Division or the
Community Mental Health Program Director, Its Designee**

Having heard all of the evidence and reviewed the findings of the examining persons, the Court has found that _____ is mentally ill based upon clear and convincing evidence and is not willing and able to participate in treatment on a voluntary basis; and

Having ordered that the mentally ill person be committed to the Mental Health and Developmental Disability Services Division for a period of time not to exceed 180 days;

You are commanded to take into custody the above-named person and promptly and safely deliver the person to an assigned treatment facility or its representative and, until such delivery is made, to insure the person's safekeeping and proper care.

DATED this _____ day of _____, 20_____.

Judge

Original: Court
Copy: County Mental Health Program Director or Designee
Copy: Receiving Facility
Copy: Sheriff or Transporting Designee

**Note: OREGON REVISED STATUTES
Section 426.140 provides:**

(1) No person, not incarcerated upon a criminal charge, who has been adjudged a mentally ill person or one against whom commitment proceedings have been instituted shall be confined in any prison, jail or other enclosure where those charged with crime or violation of a municipal ordinance are incarcerated, unless the person represents an immediate and serious danger to staff or physical facilities of a hospital or other facility approved by the Division for the care, custody and treatment of the person.

(2) No allegedly mentally ill person who has been taken into custody shall be confined, either before or after the commitment hearing, without an attendant in direct charge of him; and, if not confined in a community hospital, the sheriff or community mental health program director having the person in his custody shall select some suitable person to act as attendant in quarters suitable for the comfortable, safe and humane confinement of the person and approved by the Division.

**OREGON REVISED STATUTES
Section 426.150 provides:**

(1) Upon receipt of the order of commitment, the Division or its designee shall take the mentally ill person into its custody, and insure the safekeeping and proper care of the person until delivery is made to an assigned treatment facility or its representative. The representative of the treating facility to which the person has been assigned, accompanied by any assistants the Division or its designee may deem necessary, shall proceed to the place where the person is to be delivered into his custody, and upon demand shall be given custody of the mentally ill person, together with the certified record required by ORS 426.170. The representative shall issue appropriate receipts therefore and immediately proceed to transport the committed mentally ill person safely to the facility to which the person has been assigned by the Division and there make delivery of him and the record to the director or a designated employee of the facility. In taking custody of the person, the Division, its designee, or the representative of the facility has all the powers provided by ORS 133.225 and 161.255 and may require the assistance of any peace officer or other person.