

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR _____ COUNTY JUVENILE DEPARTMENT

IN THE MATTER OF)	
)	CASE NO. _____
_____)	
)	JUDGMENT OF RESPONSIBLE
)	EXCEPT FOR INSANITY AND ORDER
A Youth.)	PLACING A YOUNG PERSON ON
)	CONDITIONAL RELEASE

This matter having come for a hearing on _____, before the Honorable _____
_____. The State of Oregon appeared through _____, (Deputy) District
Attorney for _____ County, Oregon, and the youth appeared personally and through
his attorney, _____; and

IT APPEARING TO THE COURT that prior hereto, the youth entered a denial to the
charge(s) of _____; and

IT FURTHER APPEARING TO THE COURT that the youth has given notice of intent
to rely on evidence of qualifying mental disorder as an affirmative defense; and

IT FURTHER APPEARING TO THE COURT that based upon the report of _____
_____, the stipulation of counsel, and the records and files herein; and the court being
fully advised in the premises, finds the above named youth able to understand the nature of the
charge(s) against him/her and to assist and cooperate with counsel and participate in his/her
defense; and

IT FURTHER APPEARING TO THE COURT that on this date the matter came to trial
before the court, and the court having heard the evidence of the State and the youth by
stipulation, and being fully advised in the premises

THE COURT HEREBY FINDS:

1 – JUDGMENT OF RESPONSIBLE EXCEPT FOR INSANITY AND ORDER PLACING A
YOUNG PERSON ON CONDITIONAL RELEASE

That the youth, _____, committed the act(s) alleged in the petition which acts, if committed by an adult, would constitute the crime(s) of _____;

That, based on the report of Dr. _____, an Oregon Health Authority certified evaluator under ORS 161.309, dated _____, that the defendant is affected by a qualifying mental disorder, to wit _____;

That as a result of qualifying mental disorder at the time the youth committed the acts alleged in the petition, the youth lacked substantial capacity either to appreciate the nature and quality of the acts or to conform the youth's conduct to the requirements of the law;

That the youth would have been responsible for a felony, or a misdemeanor during a criminal episode in the course of which the youth caused injury or risk of physical injury to another;

That at the time of disposition, the young person had a serious mental condition, or has a qualifying mental disorder other than a serious mental condition and presents a substantial danger to others, requiring conditional release or commitment to a hospital or facility designated by the Department of Human Services (DHS);

That although the young person is affected by a serious mental condition or qualifying mental disorder which, when active, renders him a substantial danger to others, he can be adequately controlled with supervision and treatment if he were released, and such supervision and treatment are available;

That the conditions of release ordered by the court are in the best interests of the young person and justice;

That the court has notified the supervising treatment provider or agency pursuant to ORS 419C529(2)(b) and has given the staff of that agency an opportunity to be heard before the court;

(if able or willing)

That the young person's parent or legal guardian is able and willing to assist the young person in obtaining necessary mental health or developmental disabilities services and is willing to acquiesce in the decisions of the juvenile panel of the Psychiatric Security Review Board (JPSRB); **OR**

(if unable or unwilling)

That the young person's parent or legal guardian is unable or unwilling to assist the young person in obtaining necessary mental health or developmental disabilities services and is unwilling to acquiesce in the decisions of the juvenile panel of the Psychiatric Security Review Board (JPSRB);

That the victim(s) of the young person's acts, _____, at _____ does/does not desire notification of any JPSRB hearings, conditional release, discharge or escape of the young person.

[If applicable, add no contact of victims] That, the defendant shall not have direct, indirect or third party contact with [Names/Initials of Victims].

The following persons wish to be notified of any JPSRB hearing concerning the young person: _____,

NOW THEREFORE

IT IS HEREBY ORDERED AND ADJUDGED that the young person, _____, is responsible except for insanity, for the act(s) of _____ alleged in the petition(s); and

IT IS FURTHER ORDERED AND ADJUDGED that removal from the home is in the best interest of the young person and that the young person be placed under the jurisdiction of

the Psychiatric Security Review Board for care, custody and treatment for a maximum period of time not to exceed _____ year(s); and the young person shall receive _____ days of pre-trial detainment or hospitalization credit; and

(if able or willing)

IT IS FURTHER ORDERED AND ADJUDGED that the parent(s) or legal guardian(s) of the young person are ordered to sign an irrevocable consent form in which the parent or guardian agrees to any placement decision made by the JPSRB; **OR**

(if unable or unwilling)

IT IS FURTHER ORDERED AND ADJUDGED that the young person shall be placed in the legal custody of DHS for the purpose of obtaining necessary mental health or developmental disabilities services;

IT IS FURTHER ORDERED AND ADJUDGED that the _____, a qualified mental health or developmental disabilities treatment provider or agency, shall assume supervision over the young person for the duration of his conditional release subject to the direction of the JPSRB. _____ shall report in writing no less than once per month to the JPSRB concerning the supervised young person's compliance with the conditions of release;

IT IS FURTHER ORDERED AND ADJUDGED that _____ is conditionally released subject to the following conditions:

1. _____ shall participate in any mental health services recommended by the designated treatment provider or agency;
2. _____ shall reside at _____
_____. _____ shall not change his/her place of

residence without securing approval from his case manager and the Board's Executive Director;

3. _____ shall participate in the medication regimen as established by the treating physician or psychiatrist;
4. _____ shall submit and comply with the request for blood levels to assure compliance with the ingestion of medications;
5. _____ shall not possess any firearms, illegal knives or other weapons. Nor shall any other weapons be allowed on the property where he/she is living;
6. _____ shall refrain from knowingly associating with persons who use or possess controlled substances;
7. _____ shall attend school regularly and obey all school rules and or complete the young person's GED;
8. _____ shall consent to the search of his/her person, vehicle or premises upon a request from school officials, designated treatment provider or agency, or law enforcement officials;
9. _____ shall obey all laws; and
10. _____ shall have no contact with the victim of the crime for which he/she was placed under the jurisdiction of the Board.

IT IS SO ORDERED this ____ day of _____, 20____.

(Judge Name)
_____ Court Judge

cc:

Executive Director
Psychiatric Security Review Board
610 SW Alder St. 420
Portland, OR 97205

Revised 12/27/17