

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR \_\_\_\_\_ COUNTY JUVENILE DEPARTMENT

IN THE MATTER OF )

\_\_\_\_\_ )

A Youth. )

CASE NO. \_\_\_\_\_

JUDGMENT OF RESPONSIBLE EXCEPT FOR INSANITY AND ORDER OF COMMITMENT OF A YOUNG PERSON TO A SECURE HOSPITAL/FACILITY

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 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 \_\_\_\_\_, 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:

That the youth, \_\_\_\_\_, committed the act(s) alleged in the petition which acts, if committed by an adult, 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 the young person is affected by a serious mental condition or a qualifying mental disorder which, when active, renders him a substantial danger to others and the young person is not a proper subject for conditional release pursuant to ORS 419C.529(2)(a);

That the commitment to a secure hospital or similar facility designated by the Department of Human Services ordered by the court is in the best interests of the young person and justice;

**(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 petitions; 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.

**(if able and willing)**

IT IS FURTHER ORDERED AND ADJUDGED that the young person shall be placed  
under the responsibility and care of DHS for the purpose of obtaining necessary mental health or  
developmental disabilities services; **OR**

**(if unable or unwilling)**

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

IT IS FURTHER ORDERED AND ADJUDGED that the young person shall be  
committed to a secure hospital designated by the Oregon Health Authority (if mentally ill) or a  
secure intensive community inpatient facility designated by Department of Human Services (if  
client is Developmentally Disabled) for custody, supervision and treatment, pending a hearing  
before the JPSRB in accordance with ORS 419C529(2)(a) and that the \_\_\_\_\_  
County Sheriff shall transport said defendant to said hospital forthwith.

IT IS SO ORDERED this \_\_\_ day of \_\_\_\_\_, 20\_\_\_.

\_\_\_\_\_  
(Judge Name)

\_\_\_\_\_  
Court Judge

cc:

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

Revised 12/27/17