IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| IN THE MATTER OF:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,(Name)AN ALLEGED EXTREMELY DANGEROUS PERSON WITH MENTAL ILLNESS | )))))))) | **Case No.** **ORDER COMMITTING PERSON TO OREGON STATE HOSPITAL PENDING HEARING (ORS 426.701)** |

This matter came before the Court for hearing on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ pursuant to ORS 426.701(2)(f), following the District Attorney’s filing of a petition on \_\_\_\_\_\_ (date), alleging that \_\_\_\_\_\_\_\_\_\_\_ (name) is an alleged Extremely Dangerous Person with Mental Illness (EDP).

The alleged EDP appeared in custody / out of custody, in person / by video conferencing, with counsel \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, OSB # \_\_\_\_\_\_\_\_ who appeared in person / by video,

and the State appeared in person / by video conferencing through \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, OSB # \_\_\_\_\_\_\_\_\_\_.

Based on the Court’s review and consideration of the evidence presented at hearing,

**THE COURT,** being fully informed, **FINDS** that:

1. [ ]  (*Required to commit to Oregon State Hospital (OSH)*) There is probable cause that:

* 1. The alleged EDP is at least eighteen years of age;
	2. The alleged EDP has a qualifying mental disorder that is resistant to treatment;
	3. The alleged EDP committed an act described in ORS 426.701(3)(a)(C); and
	4. Failure to commit the alleged EDP while the hearing is pending would pose a serious harm or danger to others.

2. [ ]  *(Check if applies*) Good cause exists to allow the hearing to be scheduled 60 days after the filing of the Petition or the date of the Notice under ORS 426.701(2)(b), because: *(Check all that apply*)

[ ]  One of the following persons is unable to testify within 30 days: (a) A person who would be considered the victim of the alleged act if the act were criminally prosecuted; (b) an essential witness for the State; or (c) the alleged EDP.

[ ]  The attorney for the alleged EDP cannot: (a) reasonably be expected to participate in the hearing within 30 days; (b) cannot be adequately prepared within 30 days; or (c) has a scheduling conflict that cannot be resolved in a manner that allows the attorney to represent the alleged EDP within 30 days.

[ ]  An examiner cannot be appointed to conduct the examination, or conduct the examination and prepare a report, within 30 days.

[ ]  A guardian ad litem has been appointed and cannot be prepared within 30 days.

It istherefore **ORDERED:**

1. The alleged EDP be committed to Oregon State Hospital (OSH): (*check one*)

[ ]  For up to 30 days from the filing of the Petition pending hearing; **or**

[ ]  For up to 60 days from the filing of the Petition or the date of the Notice, whichever is first, based on the good cause findings above.

1. *(If alleged EDP is being held at a secure facility other than OSH)* The alleged EDP shall remain at their current secure placement, including but not limited to a jail, for sufficient time to allow OSH to safely admit the alleged EDP pursuant to this Order.
2. The Sheriff’s Office/Department for the committing jurisdiction shall **transport** the alleged EDP to OSH at a date and time determined by OSH and **transport** the alleged EDP back to the committing jurisdiction when notified by OSH.

DATED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Circuit Court Judge