

## FORM SUMMARY

---

<b>Name of Form:</b>	<b>Order of Commitment (Not Guilty by Reason of Mental Disease or Defect)</b>
<b>Form Number:</b>	<b>CR-271</b>
<b>Statutory Reference:</b>	§§971.165, 971.17(1)(1g)(1h), and 973.155, Wisconsin Statutes
<b>Benchbook Reference:</b>	CR 34
<b>Purpose of Form:</b>	Following a determination of not guilty by reason of mental disease or defect, this form is to be used to commit the defendant immediately to the supervision of Department of Health Services (DHS).
<b>Who Completes It:</b>	Court.
<b>Who Signs It:</b>	<b>BY THE COURT:</b> Circuit Court Judge. <b>THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL.</b>
<b>Distribution of Form:</b>	Court. Copies to district attorney, defense attorney, DHS, DOC, sheriff, municipal police department and the §51.42 Board of county where defendant resides.
<b>Accompanying Forms:</b>	Accompanied by either CR-275, Order for Placement; CR-272, Order for Predisposition Investigation; CR-273, Order for Supplementary Mental Examination; or CR-274, Order for Conditional Release Plan.
<b>New Form/Modification:</b>	Modified; last update 09/19.
<b>Modification:</b>	Clarified language that NGI commitment is not a prison sentence and, therefore, a commitment that includes separate terms for multiple counts should not be referred to as a "consecutive" commitment. State of Wisconsin v. Yakich, Appeal No. 2019AP1832-CR (Wis. Ct. App. Jan. 14, 2021).
<b>Comments:</b>	<p>This form provides for commitment to DCF of a defendant who has been determined not guilty by reason of mental disease or defect. This form is used regardless of the placement decision (see form CR-275, Order for Placement), and even when the placement decision is yet to be determined because the court needs further information from either a predisposition investigation and/or a supplementary medical examination. This form is consistent with the provisions of §971.17 and the practice of DCF to begin immediate supervision of the defendant after determination of not guilty by reason of mental disease or defect.</p> <p>The term of commitment for NGI defendants no longer presumes all counts or commitments are consecutive to one another. §971.17(1)(a)</p>
<b>About this Form:</b>	This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.
	<b>If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.</b>