

FORM SUMMARY

Name of Form:	Order of Commitment for Treatment (Incompetency)
Form Number:	CR-206
Statutory Reference:	§971.14(5), Wisconsin Statutes
Benchbook Reference:	CR 12
Purpose of Form:	To order defendant committed to the DHS for treatment of incompetency.
Who Completes It:	The court.
Who Signs It:	BY THE COURT: Circuit Court Judge
Distribution of Form:	Original to file; copies to district attorney, defense attorney, DHS, sheriff. A copy of complaint should also be sent to the examiners.
Accompanying Forms:	Most recent criminal complaint and examiner's report.
New Form/Modification:	Modified; last update 03/17.
Modification:	Reworked #3 in Findings (see comments)
Comments:	The findings in paragraph 3 are required under WI Statutes and <i>Sell v United States</i> , 539 U.S. 166, 123 S.Ct. 2147, 156 L.Ed.2d 197 (2003). 971.14(3)(dm) and (4)(b). <i>State v Fitzgerald</i> (2019 WI 69). 387 Wis.2d 384, 929NW 2d 165. The automatic stay order is pursuant to <i>State v Scott</i> , 2018 WI 74 382 Wis. 2 476, 914 NW 2d 141., and <i>Fitzgerald</i> . Added in #7 that the Order shall be stayed upon the filing of a notice of appeal.
About this Form:	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. 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.