

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN THE MATTER OF

Amended

Name

Findings and Order Continuing Protective Placement
 Order for Protective Services
(Annual Review of Protective Placement)

Date of Birth

Case No. _____

A Petition for Annual Review of Protective Placement was filed. After consideration of the reports and other documents on file, all factors required by the statutes, and such additional information presented;

The court determined to order not to order additional information, and
 to appoint not to appoint adversary counsel.

- All requests for a full due process hearing of this Petition were withdrawn.
- The court ordered and held a summary hearing.
- The court ordered and held a full due process hearing.

THE COURT FINDS:

1. The ward continues to **meet the standards** for protective placement because
 - The ward has a primary need for residential care and custody;
 - Except in the case of a minor that is age 14 or older, who is alleged to have a developmental disability, the minor was either adjudicated to be incompetent by a circuit court or a Petition for Guardianship was submitted on the minor's behalf;
 - As a result of
 - a developmental disability
 - degenerative brain disorder
 - serious and persistent mental illness
 - other like incapacities

the ward is so totally incapable of providing for the ward's own care or custody as to create a substantial risk of serious harm to the ward or others. Serious harm may be evidenced by overt acts or acts of omission.

- The ward has a disability that is permanent or likely to be permanent.
2. The current protective placement is
 - the least restrictive** environment consistent with the needs of the ward and the resources of the county department, including the limits of available state and federal funds, and county funds required to be appropriated to match state funds under the requirements of §55.12(3), (4) and (5), Wis. Stats.
 - not the least restrictive** environment and:
 - ward needs to be transferred to a less restrictive environment consistent with the needs of the ward and the requirements of §55.12(3), (4) and (5), Wis. Stats.

- the county of residence needs to develop or recommend a protective placement that is the least restrictive environment consistent with the needs of the ward and the requirements of §55.12(3), (4) and (5), Wis. Stats.
 - ward needs to be transferred to a more restrictive environment consistent with the needs of the ward and the requirements of §55.12(3), (4) and (5), Wis. Stats.
3. The ward is determined to have a developmental disability and the most integrated setting appropriate for the ward's needs, and the resources of the county department, including the limits of available state and federal funds, and county funds required to be appropriated to match state funds, is placement in
- a Center for developmentally disabled wards.
 - a Nursing facility.
 - an Intermediate care facility.
 - a Non-institutional community placement.
 - Other: _____

THE COURT ORDERS:

1. Protective placement is continued in the facility in which the ward resides at the time of the hearing.
2. Transfer of the ward to a protective placement that is in the least restrictive environment consistent with the ward's needs and the resources of the county department, including the limits of available state and federal funds, and county funds required to be appropriated to match state funds.
- The county department or agency with which it contracts under §55.02(2), Wis. Stats., or its designee to provide protective services to the ward in the least restrictive environment and in the least restrictive manner consistent with the needs of the ward and the requirements of §55.12(3), (4) and (5), Wis. Stats.
3. The county department of residence shall develop or recommend a protective placement that is in the least restrictive environment consistent with the needs of the ward and the resources of the county department, including the limits of available state and federal funds, and county funds required to be appropriated to match state funds, and arrange for the ward's transfer to that protective placement **within 60 days** after this court's order.
- The court is granting an extension until [Date] _____ to permit the development of a protective placement.
 - The county department or agency with which it contracts under §55.02(2), Wis. Stats., or its designee to provide protective services to the ward in the least restrictive environment and in the least restrictive manner consistent with the needs of the ward and the requirements of §55.12(3), (4) and (5), Wis. Stats.
4. Transfer of the ward with a developmental disability in accord with the Plan for the most integrated setting appropriate for the ward's needs and consistent with the resources of the county department, including the limits of available state and federal funds, and county funds required to be appropriated to match state funds, to
- a Center for developmentally disabled wards.
 - a Nursing facility.
 - an Intermediate care facility.
 - a Non-institutional community placement.
 - Other: _____
5. Other: _____

THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL IF SIGNED BY A CIRCUIT COURT JUDGE.

DISTRIBUTION:

1. Court
2. Individual/Ward
3. Individual/Ward's Guardian
4. Corporation Counsel
5. Individual/Ward's Legal Counsel
6. Guardian ad litem
7. Individual/Ward's agent under Power of Attorney for Health Care
8. Facility in which the Individual resides
9. County Department of Human Services/Social Worker