

IN THE MATTER OF

Amended

**Order on
Petition for Modification of
Protective Placement or
Protective Services
(Other than Psychotropic
Medication)**

Case No. _____

Date of Birth

This matter is before the court on a petition for modification of an order for:

- protective placement.
- protective services (**other than an order for involuntary administration of psychotropic medication**).

A hearing has not been held within the previous 6 months on court-ordered protective placement, court-ordered protective services or transfer of protective placement.

A hearing has been held on the petition for modification of protective placement or protective services within 21 days after filing the petition, unless the individual, individual's guardian, guardian ad litem, or attorney has requested an extension.

Based on the testimony, reports, community plan (if applicable), other evidence presented, the report and recommendation of the guardian ad litem.

THE COURT FINDS:

1. NOTICE AND JURISDICTION

- A. Notice was properly served.
- B. This court has jurisdiction of the subject matter and of the person of the individual.

2. PROTECTIVE PLACEMENT

A. **Continuation:**

The individual continues to meet the standards for protective placement under §55.08 (1) and the individual's protective placement is in the least restrictive environment and least restrictive manner consistent with the requirements of §55.12 (3), (4), and (5), and protective placement is in the most integrated setting if the individual has a developmental disability and placement is in a nursing facility or intermediate care facility.

B. **Modification:**

The individual continues to meet the standards for protective placement under §55.08 (1), but the protective placement is not in the least restrictive environment that is consistent with the requirements of §55.12 (3), (4), and (5), or protective placement is not in the most integrated setting if the individual has a developmental disability and placement is in a nursing facility or intermediate care facility.

C. **Termination:**

The individual no longer meets the standards for protective placement under §55.08 (1).

- The individual needs protective services and meets the standards for **protective services** as follows:

- (1) The individual has been determined to be incompetent by a circuit court or is a minor who is alleged to have a developmental disability and on whose behalf a petition for guardianship has been submitted; and
- (2) As a result of a developmental disability, degenerative brain disorder, serious and persistent mental illness, or other like incapacities, the individual will incur a substantial risk of physical harm or deterioration or will present a substantial risk of harm to others if protective services are not provided.

3. PROTECTIVE SERVICES (Other than order for involuntary administration of psychotropic medication)

A. Continuation:

The individual continues to meet the standards for protective services under §55.08 (2) and the current protective services are provided in the least restrictive manner that is consistent with the requirements of §55.12 (3), (4), and (5).

B. Modification:

The individual continues to meet the standards for protective services under §55.08 (2), but the protective services for the individual are not provided in the least restrictive manner that is consistent with the requirements of §55.12 (3), (4), and (5).

C. Termination:

The individual no longer meets the standards for protective services under §55.08 (2).

THE COURT ORDERS:

1. PROTECTIVE PLACEMENT:

A. Continuation:

Protective placement is continued in the facility in which the individual resides at the time of the hearing.

B. Modification:

Transfer of the individual to a protective placement that is in the least restrictive environment consistent with the requirements of §55.12 (3), (4), and (5), and;

to the following specific facility: _____

that the county department of the individual's residence develop or recommend a protective placement that is in the least restrictive environment consistent with the requirements of §55.12 (3), (4), and (5), and arrange for the individual's transfer to that protective placement within 60 days of the date of this order.

This time period is extended to permit development of a protective placement as follows:

 protective services along with the transfer of protective placement.

C. Termination:

The protective placement is terminated.

1. The individual shall be transferred or discharged from his/her current residential facility **within 60 days** of this order. The county department shall assist the residential facility with discharge planning for the individual including planning for proper residential living arrangements and the necessary support services for the individual.

2. The individual may remain in the current facility, which is licensed for fewer than 16 beds.

3. The county department or agency with which is contracts under §55.02(2), Wisconsin Statutes, or its designee shall provide **protective services** to the individual in the least restrictive environment and in the least restrictive manner consistent with the needs of the individual and with the resources of the county department.

2. PROTECTIVE SERVICES:

A. Continuation:
The order for protective services is continued.

B. Modification:
Protective services provided that are more consistent with the requirements of §55.06 (3), (4), and (5), as follows: _____

C. Termination:
The order for protective services is terminated.

THIS IS A FINAL JUDGMENT/ORDER FOR PURPOSES OF APPEAL.

Name of Attorney	
Address	
Telephone Number	Bar Number

BY THE COURT:

Circuit Court Judge/Court Commissioner

Name Printed or Typed

Date