

FORM SUMMARY

Name of Forms: Motion for Dismissal

Form Number: ME-904A

Statutory Reference: §§51.20(7), (8)(bg), and (13), Wisconsin Statutes

Purpose of Form: To allow the corporation counsel to request dismissal of a chapter 51 proceeding.

Who Completes It: Corporation Counsel

Distribution of Form: Court; copies to subject, subject's counsel, mental health treatment providers (51.42 board) and other interested persons.

Accompanying Forms: None.

New Form/Modification: Modification, last update 06/00.

Modifications: Changed caption under signature line from "Court Commissioner" to "Circuit Court Commissioner."

Comments: RMC discussed whether notice of the motion must be given to either the subject or other interested persons (such as family members or individuals who have signed a three-party petition) prior to the court signing the order. RMC believes that because the ability to bring these actions exists only with the corporation counsel, nobody else has standing to object and the court cannot order the corporation counsel to proceed over objection. RMC believed that by including appropriate individuals in the distribution schedule, notice of the dismissal will be given.

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.