

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN THE INTEREST OF

Order Concerning Competency or Mental Responsibility Determination

Name

Case No. _____

Date of Birth

THE COURT FINDS AND ORDERS:

1. Not Competent to Proceed:

There is probable cause to believe that:

- the juvenile has committed the offense(s) alleged in the petition; and
the juvenile is not competent to proceed at this time.

The juvenile proceedings shall be suspended.

A new petition shall be filed:

- alleging the juvenile is in need of protection or services under §938.13(14), Wisconsin Statutes.
alleging the juvenile to be mentally ill under Chapter 51, Wisconsin Statutes.

Pending the filing of a new petition, the juvenile shall be:

- released from custody.
held in custody: _____

If provided with the appropriate treatment, the juvenile is likely to become competent to proceed within the lesser of:

- 12 months, or
the maximum sentence that may be imposed on an adult for the most serious delinquent act with which the juvenile is charged.

The agency/department responsible for providing services to the juvenile shall obtain the necessary reexamination and report to the court on the juvenile's condition every 3 months and within 30 days before the expiration of the juvenile's commitment or dispositional order.

2. Competent Now/Medications Needed to Maintain Competency:

The juvenile is competent now because of the medications being administered, but if the medications were discontinued, it is likely the juvenile would become incompetent. The juvenile shall continue to be administered medications so as to maintain competency for the duration of the proceedings.

3. Not Responsible by Reason of Mental Disease or Defect:

The juvenile is not responsible for the acts alleged in the petition by reason of mental disease or defect. The petition is dismissed and a new petition shall be filed:

- alleging the juvenile is in need of protection or services under §938.13(14), Wisconsin Statutes.
alleging the juvenile to be mentally ill under Chapter 51, Wisconsin Statutes.

BY THE COURT:

Distribution:

- 1. Original - Juvenile Court
2. Juvenile/Attorney/Guardian ad Litem
3. Parents/Attorney
4. District Attorney/Corporation Counsel
5. Agency
6. Facility (if in custody)
7. Other: _____

Signature of Circuit Judge/Court Commissioner

Name Printed or Typed

Date