

STATE OF HAWAII FAMILY COURT FIRST CIRCUIT	ORDER <input type="checkbox"/> Granting <input type="checkbox"/> Dismissing Petition for Assisted Community Treatment; <input type="checkbox"/> Treatment Plan	CASE NUMBER FC-M No.
In the Matter of <div style="text-align: right;">Respondent</div> Birthdate: _____ <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> A Minor.		This document is prepared by: <input type="checkbox"/> Attorney for <input type="checkbox"/> Petitioner <input type="checkbox"/> _____ Name _____ Address _____ City, State, Zip Code _____ Telephone Numbers _____
Petition Filed On:	Presiding Judge	Hearing Date:
Present at the hearing: <input type="checkbox"/> _____, Petitioner <input type="checkbox"/> _____, <input type="checkbox"/> Attorney for Petitioner <input type="checkbox"/> Deputy Attorney General <input type="checkbox"/> _____, Respondent <input type="checkbox"/> _____, <input type="checkbox"/> Attorney for Respondent <input type="checkbox"/> Deputy Public Defender <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____		
The above-entitled matter having come for hearing on the date above and upon consideration of the Petition filed herein on the date above, the testimony/testimonies, exhibit(s), and other evidence adduced, the Court finds as follows: Paragraph No. 1. The Petitioner is <input type="checkbox"/> an "interested party" as defined in sec. 334-122, Hawaii's Revised Statutes. <input type="checkbox"/> not an "interested party" as defined in HRS sec. 334-122.		COURT USE ONLY

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The Court further finds and concludes:

Paragraph No.

1. That this Court ☐ has jurisdiction over this matter pursuant to HRS Chapter 334;
 ☐ does not have jurisdiction over this matter pursuant to HRS Chapter 334.

____. That the Petitioner ☐ has made
 ☐ has not made
 reasonable efforts to serve personally or pursuant to HRS §334-125(a)(2), by certified or registered
 mail, return receipt requested, deliverable to the addressee only, to as many as are known to the
 Petitioner of the Respondent's spouse or beneficiary, legal parents, adult children, and legal guardian,
 if one has been appointed.

____. That the Respondent is mentally ill or suffering from substance abuse:
 ☐ was proven beyond a reasonable doubt pursuant to HRS sec. 334-127(b); **and**
 ☐ was not proven beyond a reasonable doubt pursuant to HRS sec. 334-127(b);

____. That the Respondent is unlikely to live safely in the community without available supervision based
 on the professional opinion of the testifying psychiatrist:
 ☐ was proven by clear and convincing evidence pursuant to HRS sec. 334-127(b); **and**
 ☐ was not proven by clear and convincing evidence pursuant to HRS sec. 334-127(b);

____. That the Respondent received inpatient hospital treatment for mental illness or substance abuse in
 past or had been found to be imminently dangerous to self or others as a result of mental illness or
 substance abuse:
 ☐ was proven by clear and convincing evidence pursuant to HRS sec. 334-127(b); **and**
 ☐ was not proven by clear and convincing evidence pursuant to HRS sec. 334-127(b);

____. That based on the Respondent's treatment history and current condition, the Respondent is now
 in need of treatment in order to prevent a relapse or deterioration that would predictably result
 in the Respondent becoming imminently dangerous to self or others:
 ☐ was proven by clear and convincing evidence pursuant to HRS sec. 334-127(b); **and**
 ☐ was not proven by clear and convincing evidence pursuant to HRS sec. 334-127(b);

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4. Pursuant to HRS sec. 334-128, private treatment pursuant to this court order shall be at the expense of the Respondent, except to the extent such charges are covered by other laws or programs. Treatment through the designated mental health program shall be pursuant to its fee schedule; however the Respondent shall not be denied treatment by the designated mental health program for failure to pay the fees.

5. The treating psychiatrist or psychiatrist's designee shall make all reasonable efforts to solicit the Respondent's compliance with the prescribed treatment. If the Respondent fails or refuses to comply after the efforts to solicit compliance, the treating psychiatrist shall assess whether the Respondent meets the criteria for involuntary admission to a psychiatric facility under part IV of HRS chapter 334 and proceed with admission; provided that the refusal of treatment shall not, by itself, constitute a basis for involuntary hospitalization. HRS sec. 334-129(d).

6. Prior to discharging the Respondent because of the expiration of this Order or because the Respondent is no longer a proper subject for assisted community treatment, as determined by the criteria set forth in HRS sec. 334-121, the treating psychiatrist shall file a *Notice of Intent to Discharge* pursuant to HRS sec. 334-131.

7. Filed copies of the *Notice of Intent to Discharge* shall be served by personal service on or certified mail to the persons listed below pursuant to HRS sec. 334-131(b). If service is by certified mail with return receipt requested, the *Notice of Intent to Discharge* shall be mailed at least ten (10) days prior to the intended date of discharge pursuant to HRS sec. 334-131(c) and the return receipts shall be filed as proof of service. The *Notice of Intent* to discharge shall be served on the following person(s): _____

8. Pursuant to HRS sec. 334-130(b), the Respondent is automatically and fully discharged from this court-ordered assisted community treatment on:

☐ _____, which is 180 days from the filing date of this Order.
 (Date)

☐ _____.
 (Date)

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9. This Order shall be subject to the Health Care Privacy Harmonization Act, codified as Chapter 323B of the Hawai'i Revised Statutes.

10. ☐ a. ☐ The Office of the Public Defender ☐ The court-appointed counsel is discharged from representing Respondent.

☐ b. A Guardian ad Litem shall be appointed to represent the best interests of the Respondent.

11. ☐ _____

12. ☐ _____

DATED: Kapolei, Hawai'i, _____.

 JUDGE OF THE ABOVE-ENTITLED COURT

Print Judge's Name: _____


c: Petitioner

Respondent

Treating Psychiatrist

Designated Mental Health Program

Others:



In accordance with the Americans with Disabilities Act, as amended, and other applicable state and federal laws, if you require accommodation for a disability, please contact the ADA Coordinator at the First Circuit Court, Family Court office by telephone at 954-8200, fax 954-8308, or via email at adarequest@courts.hawaii.gov at least five (5) days prior to your hearing or appointment date.

Please call the Family Court Service Center at 954-8290 if you have any questions about forms or procedures.