STATE OF HAWAI'I FAMILY COURT FIRST CIRCUIT	Petition for Assisted C	ting[]Dismissing Community Treatment; ment Plan	CASE NUMBER FC-M No.
In the Matter of		This document is prepared Attorney for Petitions	by: er
		Name	
		Name	
		Address	
	Respondent	City, State, Zip Code	
Birthdate:	_ []Male []Female	ony, craic, z.p codo	
[] A Minor.		Telephone Numbers	
Petition Filed On: Presiding Ju	ıdge	He	aring Date:
Present at the hearing:		•	
[]			Petitioner
		_	☐ Deputy Attorney General
[]			• •
			nt □Deputy Public Defender
	,	•	• •
r 7			
r 3			
[]	.,		
[]			
The above-entitled ma	tter having come for he	earing on the date	
above and upon considerat			
above, the testimony/test		d other evidence	
adduced, the Court finds as	STOIIOWS:		
1. The Petitioner is □an "ii	nterested party" as define	ed in sec. 334-122	
	ai'i Revised Statutes.		
□ not a	an "interested party" as d	efined in HRS sec.	
334-	122.		
			COURT USE ONLY

STATE (OF HAWAI'I	ORDER [] Granting [] Dismissing	CASE NUMBER		
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FIRST	CIRCUIT	[] Treatment Plan			
2. The Re	espondent of the	ese proceedings is a minor.			
		∐an adult.			
The Re	espondent was	\square duly served with the Petition, but failed to app	ear.		
	•	not served with the Petition.			
-					
The fol	lowing interested	l parties,			
were d	uly served with t	he Petition, but did not appear.			
The fol	lowing interested	l parties,			
1110101		, partico,			
		Detition			
were n	ot served with th	ne Petition.			
The Re	espondent is:				
☐ pres	present in the First Circuit, State of Hawaiʻi and resides with:				
			at		
	(Name and	Relationship to Respondent (for example: Parent, Guard	ian, Spouse, etc.)		
		(Address)			
and	can be contacte	ed at telephone number(s):			
	present in the Fi	rst Circuit, State of Hawai'i. [HRS §334-123(a)(4)]			
The Pe	etition and Notice	e of this hearing was: [HRS §334-125(a)(1) - (a	a)(3)]		
□ a.	served persona	ally on the Respondent pursuant to the Hawaiʻi F	Family Court Rules and HRS		
	sec. 334-125(a)(1).			
☐ b.	served persona	ally or by certified or registered mail to as many	as are known to Petitioner of		
	Respondent's	spouse or reciprocal beneficiary, legal parent(s)), adult child(ren), and legal		
	guardian, if one	has been appointed as are known to Petitioner,	and the return receipt(s) and		
	proof of service	has/have been filed pursuant to HRS sec. 334-	-125(a)(2).		
☐ c.	served on the	Office of the Public Defender, counsel, or of	court appointed attorney for		
	Respondent.		-		

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 Pursuant to HRS sec. 334-125(b)(1) to (b)(4), the Notice of this hearing included: a. the date, time, place of hearing, a clear statement of the purpose of the proceedings and possible consequences to the Respondent, and a statement of the legal standard upon which assisted community treatment is being considered; b. a copy of the Petition; c. notice that if the Respondent is entitled to the assistance of an attorney and that the Office of the Public Defender has been notified of these proceedings; and d. notice that if the Respondent does not want to be represented by the public defender, the Respondent may contact his/her own attorney. 			
The Responder	it was examined by	(Name of Examining F	Psychiatrist)
a licensed psyc	hiatrist, on (date)	<u> </u>	
The time period from the date above when the Respondent was assessed by the examining psychiatrist, before the filing of the Petition, to the date when the same psychiatrist testified was reasonable. [HRS § 334-124]			
	psychiatrist who testified:		
a. \square stated facts supporting the assertion that the Respondent meets all the criteria of assisted community treatment.			
did not state facts supporting the assertion that the Respondent meets all of the criteria of assisted community treatment.			
b. \Box did provide a written treatment plan, including any appropriate non-health treatment. \Box did not provide a written treatment plan.			
c. did provide a rationale for the recommended treatment.did not provide a rationale for the recommended treatment.			
d. ☐ did identify the designated mental health program responsible for the coordination of care. ☐ did not identify the designated mental health program responsible for the coordination of care.			
e. \Box did describe the types or classes of medication(s) which should be authorized.			
 ☐ did not describe the types or classes of medication(s) which should be authorized. f. ☐ did describe the physical and mental beneficial and detrimental effects of such medication(s). ☐ did not describe the physical and mental beneficial and detrimental effects of such 			

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The Court further finds a Paragraph No.	and concludes:		
_	eas jurisdiction over this matter pursuant to HRS loes not have jurisdiction over this matter pursua	•	
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.			
☐ was proven be	s mentally ill or suffering from substance abuse: eyond a reasonable doubt pursuant to HRS sec on beyond a reasonable doubt pursuant to HRS	. 334-127(b); and	
 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); 			
in need of treatment in the Respondent becomes	spondent's treatment history and current condition order to prevent a relapse or deterioration to the soming imminently dangerous to self or others: You clear and convincing evidence pursuant to HR and by clear and convincing evidence pursuant to	tion, the Respondent is now hat would predictably result S sec. 334-127(b); and	

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abuse and the Responder or negates the Responder recommended treatmed was proven by □was not prove	v clear and convincing evidence pursuant to HF n by clear and convincing evidence pursuant to	e Respondent's disorder limits coluntarily seek or comply with RS sec. 334-127(b); and b HRS sec. 334-127(b);	
interests: ☐was proven by	nunity treatment is medically appropriate and in to clear and convincing evidence pursuant to HF n by clear and convincing evidence pursuant to	RS sec. 334-127(b); and	
the danger posed by th ☐was proven by	ess intrusive alternatives, assisted community tree Respondent: I clear and convincing evidence pursuant to HF In by clear and convincing evidence pursuant to	RS sec. 334-127(b).	
That the beneficial mental and physical effects of the recommended medication outweigh the detrimental mental and physical effects, if any, such that certain types of medication should be included in treatment at the discretion of the treating psychiatrist during the treatment period: \[\text{\text{\text{was} proven by clear and convincing evidence pursuant to HRS sec. 334-127(b).} \] \[\text{\text{\text{was proven by clear and convincing evidence pursuant to HRS sec. 334-127(b).}} \]			
That the Respondent is not indigent and therefor does not qualify for representation by the Office of the Public Defender or the court-appointed counsel.			
That the Respondent understands the proceedings and the relief prayed for in the <i>Petition</i> .			
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<u> </u>		_	
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THEREFORE, based or	the records and file herein, the relevant evide	nce, testimony of the treating	
psychiatrist, and argument of	f the parties, the Court finds that the criteria for a	ssisted community treatment:	
☐ has been met pursu	ant to HRS chapter 334 and HEREBY GRAN	ITS the Petition for Assisted	
Community Treatme	nt.		
\square has not been met p	oursuant to HRS chapter 334 and HEREBY I	DISMISSES the Petition for	
Assisted Community	Treatment. [HRS §334-127(a)]		
☐ Furthermore, the Court I	HERERY ORDERS that:		
	all obtain assisted community treatment for a	period of not more than one	
hundred eighty (180)	•	F	
2. The Treatment Plans	submitted with the <i>Petition</i> shall be attached to	and made part of this Order.	
<u></u>	ses of medication set forth in the <i>Treatment Pi</i>	-	
• •	ist's discretion. HRS §334-127(b). The treating		
administer to Res	pondent reasonable and appropriate medication	n(s) as specifically authorized	
•	treatment which is consistent with accepted med		
G	atment Plan that was submitted with the Petitio	•	
	ed to take medication(s) under this order for as ance with HRS sec. 334-60.5, relating to admi	•	
•	e date of this Order. HRS sec. 334-126(a) and		
3. The following treating psychiatrist has agreed to and the Court so designates said psychiatrist to			
be responsible for the management and supervision of Respondent's treatment:			
Psychiatrist's Name:			
Address:			
Telephone Number(s):			
_			
☐ The following administrator of mental health program named below shall be responsible for the management and supervision of Respondent's treatment:			
Administrator's Name:			
Name of Designated Mental Health Program:			
Address:			
Telephone Number(s):			
	al. HRS sec. 334-127(c).	. during the treatment pellod	
without court approve	ai. Til (O 300, 007-127 (O).		

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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.

Filed copies of the Notice of Intent to Discharge shall be served by personal service on or certified

return receipt requ prior to the intende	ested, the <i>Notice of</i> ed date of discharge	int to HRS sec. 334-131(b). If service is by certified mail with fintent to Discharge shall be mailed at least ten (10) days a pursuant to HRS sec. 334-131(c) and the return receipts Notice of Intent to discharge shall be served on the following
person(s):		
	sec. 334-130(b), the sted community trea	Respondent is automatically and fully discharged from this atment on:
	(Date)	, which is 180 days from the filing date of this Order.

7.

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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, Hawaiʻi,				
	JUDGE OF THE ABOVE-E	ENTITLED COURT		
Print Judge's Name:				
c: Petitioner Respondent Treating Psychiatrist Designated Mental Healt	Others: th Program			

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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.