

# DHS Forensic Newsletter

October 2019



Provided by Wisconsin Community Services (WCS), supporting the Wisconsin Department of Health Services (DHS)

## In This Issue

- Distribution of Forensic Court Orders and Supporting Documentation
- Conditional Release Series Order Forms
- Updates on Wis. Stat. § 971.14(5) Proceedings
- Kudos on Your Collaborative Effort
- Impact of Delays
- Courts Can Help
- Placement Determination
- Training and Upcoming Events
- Women Moved to Mendota Mental Health Institute for Competency Treatment



### Distribution of Forensic Court Orders and Supporting Documentation

All forensic-related court orders and supporting documents (criminal complaints and reports from examiners) should be sent to:

[DHSMMHladmissions@dhs.wisconsin.gov](mailto:DHSMMHladmissions@dhs.wisconsin.gov)

Additionally, paperwork should be routed according to the instructions provided on the order form. CR-270, Order for Examination under Wis. Stat. § 971.16 (Not Guilty by Reason of Mental Disease or Defect) and CR-277, Order for Examination under Wis. Stat. § 971.17(4)(c) (Not Guilty by Reason of Mental Disease or Defect) must also be distributed directly to the court-appointed evaluator. This is not the responsibility of DHS.

### Conditional Release Series Order Forms

Please verify you are using the most current version of the online court orders. The signed copy should be sent to [DHSMMHladmissions@dhs.wisconsin.gov](mailto:DHSMMHladmissions@dhs.wisconsin.gov). Using older versions of the order forms may delay admission and/or completion of the court-ordered task.

### Updates on Wis. Stat. § 971.14(5) Proceedings

DHS relies on timely updates from counties on Wis. Stat. § 971.14(5) proceedings, via the CCAP record or communication with court liaison and tracking services staff at Wisconsin Community Services. This allows DHS to determine the commitment discharge date and expedite the admission of the next person waiting for treatment services.

### Kudos on Your Collaborative Effort

In the fourth quarter of FY19 (April 1, 2019-June 30, 2019), state mental health institutes discharged 88 people committed there for inpatient treatment to competency. In 23 of these cases the court personnel coordinated an earlier return to court date, per the request of DHS. This coordination resulted in 23 people serving 1,077 fewer days at the state mental institutions. Good job!

### Impact of Delays

In the fourth quarter of FY19 (April 1, 2019-June 30, 2019), the state mental health institutes discharged 88 people who had been committed for inpatient treatment to competency restoration. In 12 of these cases the DHS competency report was challenged and a doctor's testimony and/or a second independent opinion were requested. This resulted in these people spending a total of 251 days additional days at a mental health institution.

## **Courts Can Help**

There are three things you can do to limit delays in forensic proceedings:

- If you have process questions at the time of hearing, please contact the court liaison service. If there are questions on a report, contact the DHS contracted provider that submitted the court-ordered document. Contact information for these providers can be obtained through the court liaison service.
- If a hearing is adjourned, please reset the next date as quickly as possible.
- If either party is challenging the recommendation provided by DHS and/or considering pursuing a second opinion, please set a reasonable time limit to bring the matter back to court for a decision.

These efforts will help DHS serve more people at the state mental institutes.

## **Placement Determination**

The court can order a predisposition investigation and/or a supplementary mental examination following a finding of not guilty by reason of mental disease or defect, if the court is seeking additional information to assist in making a placement determination.

## **Training and Upcoming Events**

A panel assembled by the DHS Bureau of Community Forensic Services will be presenting at the State Public Defender Criminal Defense Conference in Milwaukee on Friday, November 8. The panel will provide information regarding the following topics:

- DHS email address for forensic-related orders and supporting documents
- Update on the Jail-Based Competency Restoration Program
- Conditional Release: plan development, petition process, revocation proceeding, and discharge from a commitment
- Wisconsin Stat. chs. 51, 54 and/or 55 after a competency examination, commitment for treatment to competency or upon expiration of an not guilty by reason of mental disease or defect commitment

The panel will also answer questions about the admission list for the state mental health institutes and identify the most common delays that impact the movement of people to and from the institutions.

Contact court liaison services to schedule a training session on process and procedures for forensic orders.

## **Women Moved to Mendota Mental Health Institute for Competency Treatment**

The majority of female forensic competency patients [patients under Wis. Stat. § 971.14(2) or (5)] at Winnebago Mental Health Institute have been temporarily moved to Mendota Mental Health Institute. Contact the Mendota Mental Health Institute Admission Office at 608-301-1353 or 608-301-1352 for information about referrals, admissions, and progress reports for all forensic competency issues.

## **Contact Us**

Adam Oldenburg  
Court Liaison  
414-750-3519  
[aoldenburg@wiscs.org](mailto:aoldenburg@wiscs.org)

Vicki Shequen  
Assistant Court Liaison  
414-303-7547  
[vshequen@wiscs.org](mailto:vshequen@wiscs.org)