Virginia:
In the General District Court or Circuit Court of _____
Commonwealth of Virginia
VS.
_____ Case No: _____

NOT GUILTY BY REASON OF INSANITY - ORDER FOR EVALUATION & HEARING DATE UPON PETITION FOR RELEASE FROM INPATIENT HOSPITALIZATION AT THE TIME OF ANNUAL CONTINUATION OF CONFINEMENT HEARING

The Acquittee having been previously found not guilty by reason of insanity and committed to the custody of the Commissioner of the Department of Behavioral Health and Developmental Services, for inpatient hospitalization, and the Court having been petitioned for the Acquittee's conditional release by the Acquittee at the time of the annual review, pursuant to Virginia Code Section **19.2-182.5B**, it is hereby ORDER AND ADJUDGED that:

1. Pursuant to Virginia Code Section **19.2-182.5B**, the Commissioner shall arrange for the Acquittee to be evaluated by one person in the same manner as set forth in Virginia Code Section 19.2-182.2 to assess and report on the Acquittee's need for inpatient hospitalization by reviewing his/her condition with respect to the factors set forth in Virginia Code Sections 19.2-182.3 and 19.2-182.7.
2. The evaluation shall be completed and findings reported within forty-five days of the date of the Commissioner's receipt of this order. Copies of the report shall be sent to the Acquittee's attorney, the attorney for the Commonwealth of the jurisdiction where the Acquittee was acquitted, the community services board serving the locality where the Acquittee was acquitted, and the Commissioner of DBHDS.
3. A hearing shall be held in this court on the _____ day of _____, 20___, at _____ o'clock, to determine whether the Acquittee shall be released with or without conditions or requires continued inpatient hospitalization. The Acquittee shall have the right to be present at the hearing, the right to the assistance of counsel in preparation for and during the hearing, and the right to introduce evidence and cross-examine witnesses at the hearing.
4. Copies of this order shall be sent to the Acquittee, the counsel for the Acquittee, the attorney for the Commonwealth of the jurisdiction where the Acquittee was acquitted, the community services board where the Acquittee shall reside upon discharge, and the Commissioner of DBHDS.
5. In the event the Acquittee's presence is required at any hearing in this cause, the Court shall issue an Order to Transport, directing the Sheriff of _____ County, or his designee, to resume custody of and transport the Acquittee back to the jurisdiction of this Court.
6. This Court retains jurisdiction on this cause and the Acquittee shall not be discharged or released from custody of the Commissioner without further Order of this Court.

cc: Commonwealth's Attorney
Acquittee's Attorney
Community Services Board
Commissioner of DBHDS
Attn: Forensic Section
P.O. Box 1797
Richmond, Va. 23218
Eastern State Hospital
Attn: Forensic Coordinator
Forensic Services, Bldg. 2
4601 Ironbound Road
Williamsburg, Va. 23188

ENTERED:_____
DATE

_____
SIGNATURE OF JUDGE

_____
NAME OF JUDGE

SAMPLE