Order for Extension of Temporary Custody

VIRGINIA:

IN THE _____ COURT OF _____
COMMONWEALTH OF VIRGINIA
VS.

NAME_____
SSN _____
DOB_____

DOCKETT No.-CR_____
FELONY _____
MISDEMEANOR _____
OFFENSE DATE _____

Not Guilty by Reason of Insanity
Extension of Temporary Custody Period for
Development of Conditional Release or Discharge Plan and Hearing Date

The defendant previously having been found not guilty by reason of insanity and placed in the temporary custody of the Commissioner of the Department of Behavioral Health and Developmental Services for evaluation, and evaluations of the acquittee having been conducted resulting in a determination that the acquittee is mentally ill or has intellectual disability, and a recommendation by at least one evaluator that the acquittee be released with or without conditions.

Therefore, the Court ORDERS that

1. Pursuant to VA Code § 19.2-182.2, the period of temporary custody for evaluation is extended.

2. The hospital in which the acquittee is confined and the appropriate community services board shall jointly prepare a conditional release or discharge plan, in accordance with VA Code § 19.2-182.7. The conditional release or discharge plan shall be sent to the Court on or before *_____. Copies of this conditional release or discharge plan shall be sent to the acquittee's attorney and the attorney for the Commonwealth of the jurisdiction where the defendant was acquitted.

3. On *_____, a hearing will be held to determine whether the acquittee shall be released with or without conditions or requires commitment.

4. The acquittee shall not be discharged or released from custody without further order of this Court.

Entered: _____
Date

_____
Signature

_____
Name of Judge

pc: Commonwealth's Attorney
Acquittee's Attorney
Supervising Community Services Board
Chief Forensic Coordinator, Central State Hospital
Commissioner of DBHDS
Attention: Forensic Services
Office of Mental Health
P. O. Box 1797
Richmond, VA 23218

SAMPLE