COMMONWEALTH OF VIRGINIA: IN THE _____ COURT OF _____

VS.

NAME_____ DOB_____

DOCKET No(s). _____

OFFENSE DATE(s) _____

NOT GUILTY BY REASON OF INSANITY – INPATIENT EVALUATION AND HEARING DATE
UPON FINDING OF REASONABLE GROUND
TO BELIEVE CONDITIONAL RELEASE SHOULD BE REVOKED

The Acquittee having been previously found not guilty by reason of insanity and later placed on conditional release, pursuant to Virginia Code Section 19.2-182.7, and the Court finding reasonable ground to believe that the Acquittee has violated the conditions of his release or is no longer a proper subject for conditional release based on application of the criteria for conditional release, hereby

ORDERS AND ADJUDGES that

1. Pursuant to Virginia Code Section 19.2-182.8, the Acquittee shall be placed in the custody of the Department of Behavioral Health and Developmental services to be evaluated by a psychiatrist or clinical psychologist, provided the psychiatrist or clinical psychologist is qualified by training and experience to perform forensic evaluations. The evaluator's report shall be sent to the Court on or before _____.
2. The evaluator shall assess and report on the Acquittee's need for inpatient hospitalization by reviewing his condition with respect to the factors set forth in Virginia Code Section 19.2-182.3. In assessing whether the Acquittee is currently a proper subject for conditional release or whether the acquittee meets criteria for revocation of conditional release, the evaluator shall review his condition with respect to his compliance with his current conditional release plan, as reported by the supervising community services board, and the criteria set forth for conditional release in Virginia Code Section 19.2-182.7.
3. The Acquittee shall be placed in the custody of The Sheriff of _____, or his designee, who shall transport the Acquittee to the designated facility on the agreed date and time, together with a copy of this Order and any other supporting legal and clinical documentation.

SAMPLE

4. A hearing shall be held in this Court on _____ o'clock on the _____day of _____, 20__ to determine whether the Court shall revoke the Acquittee's conditional release and order him returned to the custody of the Commissioner. 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.
5. Copies of this order shall be sent to counsel for the Acquittee, the attorney for the Commonwealth of the jurisdiction where the Acquittee was acquitted, the community services board serving the locality where the Acquittee was conditionally released, and the Commissioner of DBHDS.
6. *<Upon completion of the evaluation, if in the opinion of the evaluator the acquittee does not meet criteria for revocation of conditional release, the Commissioner of DBHDS may proceed with discharge of the acquittee to the conditional release plan previously approved by this Court on _____, 20___.>* ***OR*** *<This Court retains jurisdiction in this cause, and the Acquittee shall not be released from the 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

ENTERED:

_____
DATE

_____
SIGNATURE OF JUDGE

_____
NAME OF JUDGE

SAMPLE