

FORM 27 - FINDINGS OF FACT AND ORDER INCLUDING PETITION FOR JUDICIAL COMMITMENT, FOR MISDEMEANOR CASE, PURSUANT TO [RULE 20.01](#)

STATE OF MINNESOTA
COUNTY OF _____

DISTRICT COURT
_____ JUDICIAL DISTRICT

_____,
Plaintiff,

vs.

_____,
Defendant.

FINDINGS OF FACT
AND ORDER INCLUDING
PETITION FOR JUDICIAL
COMMITMENT, FOR
MISDEMEANOR CASE,
PURSUANT TO [RULE 20.01](#)

District Court File No. _____

This matter came on for hearing before the Court, the Honorable _____, Judge presiding. _____, Prosecuting Attorney, appeared for the State. The Defendant appeared in person and was represented by Attorney _____. This Court finds that based on all the files, records, and proceedings in this case, there is reason to believe that the Defendant may be mentally ill or deficient and that proceedings should be commenced under the Minnesota Hospitalization and Commitment Act.

Pursuant to the Minnesota Hospitalization and Commitment Act, this Court represents that:

1. Defendant was born _____, 19____, at _____.
2. Defendant resides at _____, Minnesota.
3. Defendant's spouse and nearest kindred are:

(Name) (Relationship) (Age) (Address)

4. Defendant (is) (is not) a Veteran.
5. Defendant is believed to be (mentally ill) (mentally deficient) because

6. Defendant is further believed to be (mentally ill) (mentally deficient), as evidenced by the physician's statement furnished herewith.

7. The Court has been unable to procure a physician's statement because

8. Defendant is presently at _____

9. Defendant was last committed to the State Hospital at _____, Minnesota, by the _____ Probate Court on or about _____, 19____, and has received psychiatric treatment at the following hospitals:

10. Defendant has been under the care of Dr. _____ whose office address is:

This Court orders that:

a. The prosecuting attorney shall immediately:

1. Deliver a copy of these Findings of Fact, and Order Including Petition for Judicial Commitment to the county welfare department.
2. File these Findings of Fact and Order Including Petition for Judicial Commitment in the probate court.
3. Request the probate court to immediately issue such orders as may be necessary to provide for the examination of the proposed patient.
4. Cause to be delivered to the sheriff any order of the probate court directing the sheriff to transport the proposed patient to a designated hospital or other place for the purpose of an examination prior to the hearing on the petition for judicial commitment.

b. The sheriff shall immediately transport the proposed patient to a designated hospital or other place as directed by any order of the probate court.

c. The county attorney shall appear and represent the petitioner at the commitment hearing.

d. If the determination is commitment or other reasonable alternative disposition including, but not limited to, out-patient care, informal or voluntary hospitalization in a private or public facility, appointment of a guardian or release before commitment as provided for in Minnesota Statutes, section 253B.09, subdivision 4, the charge of _____ is dismissed in accordance with [Rule 20.01](#) of the Minnesota Rules of Criminal Procedure.

e. If the determination is dismissal of the petition, the sheriff shall immediately cause the defendant to be brought before this court.

f. The proceedings in this matter are suspended pending the commitment and other determinations. Bail or other conditions of release as to this matter are continued subject to the order of this court or until and unless this matter is dismissed.

Dated: _____

District Court Judge

(Effective for criminal actions commenced or arrests made after 12 o'clock midnight January 1, 1990.)