

FORM 30 - FINDINGS OF FACT AND ORDER FOR JUDICIAL COMMITMENT OF DEFENDANT FOUND INCOMPETENT TO PROCEED WITH FELONY OR GROSS MISDEMEANOR CASE, PURSUANT TO [RULE 20.01](#)

STATE OF MINNESOTA
COUNTY OF _____

DISTRICT COURT
_____ JUDICIAL DISTRICT

_____,
Plaintiff,

vs.

_____,
Defendant.

FINDINGS OF FACT AND ORDER
FOR JUDICIAL COMMITMENT OF
DEFENDANT FOUND INCOMPETENT
TO PROCEED WITH FELONY OR
GROSS MISDEMEANOR CASE
PURSUANT TO [RULE 20.01](#)

District Court File No. _____

This matter came on for hearing before the Court, the Honorable _____, District Judge presiding. _____, Assistant County 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, the Defendant is mentally ill or mentally deficient so as to be incapable of understanding the criminal proceedings or participating in the defense.

This Court orders that:

1. The judicial commitment proceedings in the Probate Court immediately be continued and completed by the Probate Court issuing such orders as may be necessary to commit the Defendant.
2. The head of the institution or designated place to which the Defendant is committed shall review the mental condition of the Defendant within 60 days from the date of the commitment order and report in writing to this District Court on the Defendant's mental condition with an opinion as to the Defendant's competency to proceed with the criminal case, and as to the need of the Defendant for further institutional care and treatment. Thereafter, if the commitment is continued, the head of the institution or designated place shall report to this District Court at least once every six months.
3. Bail or other conditions of release as to the criminal proceedings are continued.
4. The criminal proceedings are continued in accordance with [Rule 20.01](#), Subd. 4(2) of the Minnesota Rules of Criminal Procedure.
5. The County Attorney shall immediately file a copy of these findings of fact and order in the Probate Court and request the Probate Court to immediately issue such orders as may be

necessary to commit the Defendant.

Dated: _____

District Court Judge

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