

**FINDING AND ORDER OF PRE-SENTENCE
PSYCHIATRIC EXAMINATION****STATE OF CONNECTICUT
SUPERIOR COURT**

JD-CR-86 Rev. 3-14

Gen. Stat. §§ 17a-560, 566, 567

**Instructions**

1. Telephone examining authority (see Section 2) and give notice of the following:
 - a. order of appointment and date thereof.
 - b. time period allowed to examine the defendant and file a written report of the findings.
2. Attach a copy of the Information and mail to the appropriate address.

Section 1: First Order Of Examination

Name of defendant	Date of birth	Location of defendant (if confined name institution, if not name attorney and home address)
Judicial district or Geographical area	Address of court	Docket number

The court finds that the request for an examination is justified and, therefore, pursuant to subsection (a) of section 17a-566 of the Connecticut General Statutes, the court orders an examination of the defendant in this action as to whether the defendant should be committed to the diagnostic unit of the division for additional examination or should be sentenced in accordance with the defendant's conviction.

By order of the court (Name of Judge)	Signed (Assistant Clerk)	Date signed
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Section 2: Appointment Of Examiner(s)**To: The Commissioner of Mental Health and Addiction Services**

You are ordered to: (1) conduct an examination of the convicted defendant in this matter by qualified personnel of the division as said term is defined in Section 17a-560 of the General Statutes, and (2) make a written report of the findings of the examination, which report is to indicate whether the convicted defendant should be committed to the diagnostic unit of the division for additional examination or should be sentenced in accordance with the conviction.

Notice To Examiner(s)

Examination of the defendant and a written report of the findings of the examination must be prepared and signed by you and filed with the court within fifteen days of the Date of Order shown below. Unless a hearing is waived by the defendant and the defendant's counsel, *(because you have determined that the defendant should be sentenced in accordance with the defendant's conviction)* you will be notified by the court when to appear to testify with respect to the report.

If the written report is to be introduced into evidence, at least one of the examiners must be present to testify as to the determinations in the report, unless the examiner's presence is waived by the defendant and the State. Any member of a clinical team shall be considered competent to testify as to the team's determinations.

Notice To Clerk

Clerk or Assistant Clerk: Call immediately and send this form to the appropriate clinic serving this court.

A hearing on the examiner's report shall be scheduled not later than fifteen days from the date the report is received by the court. Upon receipt by the court of the report, immediately forward copies to the prosecuting authority and counsel for the defendant and give notice of the date of hearing. Unless the hearing is waived or unless the presence of the examiner is waived, notify the examiner(s) when and where to appear.

Date of order	By order of the court (Name of Judge)	Signed (Assistant Clerk)	Date signed
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Section 3: Order of Sentencing or Commitment and Additional Examination

In accordance with the provisions of Section 17a-566 of the General Statutes, the court finds and orders that the defendant be:

1. **Sentenced** in accordance with his/her conviction.

2. **Committed** to the custody of the Commissioner of Mental Health and Addiction Services.

for confinement at a diagnostic unit of the division, as those terms are defined in Section 17a-560 of the General Statutes, for additional examination and a written report of the findings of the examination. The defendant's commitment shall be for a period not to exceed sixty days, except as provided in Section 17a-567 of the General Statutes, effective upon certification by the director to the court that space is available at the diagnostic unit for the defendant.

Notice To Examiner(s)

While confined in the diagnostic unit, the defendant shall be given a complete physical and psychiatric examination. Not later than sixty days after admission to the unit, a written report of the results thereof shall be filed in quadruplicate with the clerk of court at the address noted above. The report shall include (1) a description of the nature of the examination; (2) a diagnosis of the defendant's mental condition; (3) an opinion as to whether the diagnosis and prognosis demonstrate clearly that the defendant is actually dangerous to himself/herself or others and requires custody, care and treatment at the division; and (4) a recommendation as to whether the defendant should be sentenced in accordance with the conviction and confined in the division for custody, care and treatment, placed on probation by the court or placed on probation by the court with the requirement, as a condition to probation, that the defendant receive outpatient psychiatric treatment.

If the report is to be introduced into evidence, at least one of the examiners must be present to testify as to the determinations in the report, unless the examiner's presence is waived by the defendant and the State. Any staff member of the diagnostic unit who participated in the examination of the defendant and who signed the report may testify as to the contents of the report.

Notice To Clerk

Clerk or Assistant Clerk: Call immediately and send this form to the Director's Office, Whiting Forensic Division of CT Valley Hospital, P.O. Box 70 Middletown, Connecticut 06457.

Upon receipt by the court of the report, immediately forward copies to the State's Attorney, to counsel for the defendant and to the Office of Adult Probation.

If the report recommends confinement at the division for custody, care and treatment, a hearing on the matter shall be scheduled not later than fifteen days from the date the report is received by the court. Unless the hearing is waived or unless the presence of the examiner is waived, notify the examiners when and where to appear.

Date of order	By the court (Name of Judge)	Signed (Assistant Clerk)	Date signed
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Mittimus

To: A Judicial Marshal or any Proper Officer or the Commissioner of Mental Health and Addiction Services

By authority of the State of Connecticut, you are hereby commanded to take and convey the convicted defendant named in the foregoing Order of Commitment and Additional Examination to the Commissioner named therein and/or said Commissioner's agent, and deliver said convicted defendant to said Commissioner or agent and said Commissioner or agent is hereby commanded to keep safely and provide custody, care and treatment to the defendant pending the division's report to the court or a hearing before the court pursuant to Section 17a-567 of the General Statutes.

Date of order	By the court (Name of Judge)	Signed (Assistant Clerk)	Date signed
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Return Of Service

By virtue of the foregoing Order of Commitment, I took and conveyed the defendant named therein to the Commissioner named therein or said Commissioner's agent and there delivered said defendant into the hands of the within-named Commissioner and/or agent and left with said Commissioner and/or agent this mittimus.

Signed (Name and title of proper officer)	Date signed
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