

Chittenden Unit
32 Cherry St Suite 300
Burlington, VT 05401
802-651-1950
www.vermontjudiciary.org

Case No.



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| State of Vermont v. | DOB: |
|---------------------|------|

Order for Inpatient Psychiatric Examination

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|---|-------------|--|
| 1 | Misdemeanor | ASSAULT - DOMESTIC |
| 2 | Misdemeanor | INTERFERENCE WITH ACCESS TO EMERGENCY SERVICES |

1. ORDER FOR EXAMINATION PURSUANT TO 13 V.S.A. § 4814

- a) It is hereby ordered that a psychiatric examination of the above-named Defendant be conducted to determine whether the Defendant is mentally competent to stand trial.
- b) It is hereby ordered that a psychiatric examination of the above-named Defendant be conducted to determine whether the Defendant was insane at the time of the alleged offense, and whether the Defendant had the mental state required for the offense charged.

The Defendant is committed to the care and custody of the Department of Mental Health (DMH) at the Vermont Psychiatric Care Hospital or another “designated hospital” for the purpose of conducting this examination for a period not to exceed 30 days from the date of this order, absent an extension granted for good cause. The Sheriff shall transport the Defendant to the hospital for this examination.

- Defendant is subject to conditions and/or bail issued pursuant to 13 V.S.A. §§ 7553-7554, or is being held without bail pursuant to 13 V.S.A. §§ 7553 or 7553a.
- Defendant is not subject to conditions and/or bail.

If an examining psychiatrist determines that the Defendant is not in need of inpatient treatment, Defendant shall be returned to Court the following business day; however, if Defendant is subject to conditions and/or bail, Defendant shall be released from custody subject to those conditions and/or bail. If Defendant is so released from custody, the Defendant shall be returned by the DMH to the Defendant’s residence or other appropriate location. If Defendant is held without bail or is unable to make bail, if any, and satisfy any conditions of release, the Defendant shall be placed in the custody of the Department of Corrections.

Absent other agreement of the parties and approval of the Court, Defendant shall be returned to Court within two business days after the Commissioner of the DMH notifies the Court that the examination has been completed; or, if Defendant is subject to conditions and bail, Defendant shall be released from custody subject to those conditions and bail. If Defendant is so released from custody, Defendant shall be returned by the DMH to Defendant’s residence or other appropriate location. If Defendant is unable to make bail, if any, and satisfy any conditions for release, Defendant shall be placed in the custody of the Department of Corrections.

The examining doctor shall make a written report to the Court and the parties in Section 2 of this Order as soon as practicable and no later than 14 days from the date of the examination.

2. DISTRIBUTION OF COPIES – Copies of the Examination shall be mailed to the Court and the following persons/entities by the examining doctor.

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| Vermont Superior Court: | |
| Address: | |
| State’s Attorney: | |
| Address: | |
| Defendant’s Attorney: | |
| Address: | |
| Office of the Attorney General Mental Health Legal Division 20 State Drive – HC 2 North Waterbury, VT 05671-2080 | |

3. A Notice of Hearing on the results of the examination will be sent to all parties and DMH Legal Division. If the Defendant is found incompetent or insane, a hospital hearing may be held immediately following that determination or may be scheduled for a later date.

By Order of the Court

4/20/2021 _____
Vermont Superior Judge

Officer’s Return

By authority of this Order, on _____ I took the within named person from the _____ to the Vermont Psychiatric Hospital or other “designated hospital” specifically _____ Hospital, in _____, Vermont.

Date

Officer’s Signature