

## FORM SUMMARY

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<b>Name of Form:</b>	<b>Order of Commitment for Conditional Release (Not Guilty of Reason of Mental Disease or Defect)</b>
<b>Form Number:</b>	<b>CR-219</b>
<b>Statutory Reference:</b>	§971.17, Wisconsin Statutes
<b>Benchbook Reference:</b>	CR 32-7; CR 32-13; CR-32-19
<b>Purpose of Form:</b>	<p>Following a finding of "not guilty by reason of mental defect" the court is to determine whether the defendant is to be committed for institutional care or for conditional release. It is expected that this hearing would be held immediately after the trial, but it can be adjourned.</p> <p>If the court finds that institutional care is not necessary and that the defendant can be conditionally released, the court will order a conditional release plan to be developed. Following completion of that plan and a hearing, the court will complete this form ordering the commitment of the defendant to conditional release.</p> <p>This form can also be used following petition and hearing for conditional release from the institution.</p>
<b>Who Completes It:</b>	Preparing this form is the responsibility of the court. Generally, the Clerk of Court or Judge would complete the form.
<b>Distribution of Form:</b>	The court retains the original. The district attorney and defense attorney would receive a copy. A copy would be transmitted to the Dept. of Health and Family Services, the Dept. of Corrections, and the 51.42 Board of the county of the defendant's residence. Also, the sheriff of the county where the defendant will residence and the municipal police department where the defendant will reside must be notified.
<b>Accompanying Forms:</b>	<p>When the court has determined the appropriate conditional release plan, that plan will have to be drafted and attached to this Order. If the court adopts the conditional release plan proposed by the DHFS and the local 51.42 Board, that document should be attached. If the court deviates from that plan or orders additional conditions, it should then prepare a written revised plan to attach to this order.</p> <p>Also, presumably all relevant materials would be sent with the defendant and this Order. This would include such things as the criminal complaint, medical and/or psychiatric or psychological reports, etc.</p>
<b>New form/modification:</b>	Modification; last update 11/99.
<b>Modification:</b>	Changed the number of years for a Class E felony to comply with statutory modifications, increasing penalty from 2 to 5 years. In court order #1, added wording "and is conditionally released".

**About this form:**

This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

**If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.**