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| Attorney Name |  |  |
| NJ Attorney ID Number |  |  |
| Address |  |  |
|  |  |  |
| Telephone Number |  |  |
| Attorney for  | State of New Jersey/Defendant |  |
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|  | **Superior Court of New Jersey**  |
|  | **Law Division – Criminal Part** |
| **State of New Jersey** | **- Select County -**  |  **County**  |
| Plaintiff, | **Indictment Number:** |   |
| v. |  | **Criminal Action**Order Committing Defendant Pursuant to N.J.S.A. 2C:4-6 Who Lacks the Fitness to Proceed to Trial and Who Has Been Found to be Dangerous to Self, Others or Property as a Result of Mental Illness |
|   |
| Defendant. |

**THIS COURT** having foundthat the defendant lacks the fitness to proceed to trial and that the defendant is so dangerous to self, others or property as a result of mental illness as to require institutionalization, pursuant to *N.J.S.A.* 2C:4-6b,that the proceedings against the defendant shall be suspendedandthe defendant is hereby committed into the custody of the Commissioner of the Department of Health to be confined in an appropriate institution where the defendant shall undergo an examination of and treatment for, when professionally determined to be clinically appropriate, defendant’s psychiatric condition; and

It is on this day of - Select Month -, 20 **ORDERED** that:

1. The defendant’s commitment to the custody of the Commissioner of the Department of Health is continued.
2. If it is determined that the defendant has either become fit to stand trial or that the defendant is no longer dangerous to self, others or property as a result of mental illness, the professional staff shall notify this court and counsel identified below and provide each with an evaluation of and expert basis for the professed change in defendant’s psychiatric condition including an evaluation whether or not the defendant continues to be dangerous to self, others or property as a result of mental illness; and,
3. If, within three (3) months after confinement pursuant to the terms of this order, it is determined that the defendant has not regained his/her fitness to stand trial, professional staff shall notify the court and counsel and provide each with an evaluation of the defendant’s lack of fitness to proceed to trial, whether it is substantially probable that the defendant could regain his competence within the foreseeable future and whether defendant continues to be dangerous to self, others or property as a result of mental illness; and,
4. Pursuant to *N.J.S.A.* 2C:4-4(b), the qualified psychiatrist or licensed psychologist shall render an opinion as to whether the defendant has the mental capacity to appreciate their presence in relation to time, place and things and whether the defendant’s elementary mental processes are such that they comprehend:
5. That he/she are in a court of justice charged with a criminal offense;
6. That there is a judge on the bench;
7. That there is a prosecutor present who will try to convict him/her;
8. That he/she has a lawyer who will undertake to defend him/her;
9. That he/she will be expected to tell to the best of his/her mental ability the facts surrounding him/her at the time and place where the alleged violation was committed if he/she chooses to testify and understand his/her legal right not to testify;
10. That there is a jury present to pass upon evidence that adduced as to guilt or innocence of such charge or, that if he/she should choose to enter into plea negotiations or to plead guilty, that he/she comprehends the consequences of a guilty plea and that he/she be able to knowingly, intelligently, and voluntarily waive those rights which are waived upon such entry of a guilty plea; and
11. That he/she has the ability to participate in an adequate presentation of his/her defense.
12. The defendant shall not be administratively discharged into the community by the institution without further order of this court; and,
13. The defendant may be discharged to the appropriate jail or transferred upon written notification to this court and counsel by Department of Health’s staff.
14. [Any additional conditions as ordered by the court]
15. The next court date in this matter shall be with a report to be provided no later than days prior to the hearing.

**A copy of this Order will be forwarded to the County Adjuster’s Office by the Clerk of Court within two (2) days of its signing.**

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| Date |  |   Judge |
| **Prosecutor’s Office:** | **Defendant’s Attorney:** |
| Name |  | Name |  |
| Address |  | Address |  |
|  |  |  |  |
| Telephone Number |  | Telephone Number |  |
| Fax |  | Fax |  |
| Email |  | Email |  |

Interpreter needed? [ ]  Yes [ ]  No If yes, language

ADA accommodation needed? [ ]  Yes [ ]  No If yes, describe