

IN THE CIRCUIT COURT OF THE
JUDICIAL CIRCUIT,
IN AND FOR COUNTY,
FLORIDA.

STATE OF FLORIDA

vs.

Case No.(s):

Defendant.

Division:

_____ /

ORDER ADJUDGING DEFENDANT NOT GUILTY BY REASON OF INSANITY
AND
PLACING DEFENDANT ON CONDITIONAL RELEASE

THIS CAUSE having come to be heard before the Court, and the questions of the sanity of the Defendant at the time of commission of offense having been raised in accordance with the provisions of Rule 3.216, Fla. R. Crim. P., and s. 916.15, Fla. Stat., the Court appointed _____, _____, and _____ to examine the Defendant and to report to the Court on whether the Defendant was insane at the time of the offense and, if so, to report on any recommended treatment for the Defendant. The Court having received:

_____ the written reports

_____ the oral testimony

_____ both written reports and oral testimony

of the above-named experts in relation to the issue of the Defendant's sanity at the time of the offense, the court hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACTS

- 1.
- 2.
- 3.

CONCLUSIONS OF LAW

A. The defendant is found not guilty of the offense or found not in violation of probation or community control for the cause of insanity, due to mental illness as defined in s. 916.106(13), Fla. Stat.

B. The Defendant does not meet the criteria for commitment to a treatment facility of the Department of Children and Families as provided in Section 916.15(2), Fla. Stat., but is in need of outpatient treatment.

Based upon the FINDINGS OF FACTS and CONCLUSIONS OF LAW, it is ORDERED AND ADJUDGED that:

1. The defendant is found not guilty of the offense or found not in violation of probation or community control for the cause of insanity, due to mental illness as defined in s. 916.106(13), Fla. Stat.

2. The Defendant does not meet the criteria for commitment to a treatment facility of the Department of Children and Families as provided in s. 916.15(2), Fla. Stat., but is in need of outpatient treatment.

3. Accordingly, the Defendant is hereby released, pursuant to s. 916.17, Fla. Stat., and in Rule 3.219, Fla. R. Crim. P., on the following release conditions for a period not to exceed one year:

(a) The Defendant will remain in outpatient treatment for his mental illness during his conditional release period. Such treatment will be provided by the _____ [agency]. All aspects of his treatment will be coordinated by his assigned case manager/forensic specialist; _____ [name, address, and phone number].

(b) The Defendant will reside at _____ [facility, address, and phone number]. Any change in address will be approved by his case manager/forensic specialist and the court shall be immediately notified.

(c) The Defendant will take psychotropic medication as prescribed by his attending psychiatrist. Periodic psychiatric consultations will be coordinated by his case manager/forensic specialist.

(d) The Defendant will attend outpatient substance abuse treatment as directed and arranged by his case manager/forensic specialist.

(e) The Defendant will not drink alcohol or use illegal substances of any kind and may be required to undergo periodic drug screenings as directed by his case manager/forensic specialist.

(f) The Defendant will not possess or use any firearms or other weapons of any kind.

4. The case manager/forensic specialist will provide the court with periodic reports regarding compliance with the conditions of release and his progress in treatment. These reports will be submitted every six months or as required by the court.

5. The conditional release plan has been reviewed by the Defendant. The Defendant understands the conditions of release listed and agrees to comply with them.

6. The Court hereby retains jurisdiction in this cause, pursuant to s. 916.16, Fla. Stat., for the entry of such Order as may be necessary or appropriate.

DONE AND ORDERED at _____

County, Florida, this ____ day of _____, 20_____.

CIRCUIT JUDGE

Copies furnished to:

Office of the State Attorney (name)
Defense Counsel (name)

Forensic Program Coordinator
Department of Children and Families
Mental Health Treatment Facilities Policy and Programs
2415 N. Monroe Street
Suite 400
Tallahassee, FL 32303-4190

Treatment Agency

Case Manager/Forensic Specialist
(name and address)

Community Program Director
(name and address)

Forensic Coordinator
Managing Entity
(name and address)