

STATE OF NORTH DAKOTA
COUNTY OF _____

IN DISTRICT COURT
CIVIL CASE NO. _____

NAME OF RESPONDENT

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER FOLLOWING
WAIVER OF TREATMENT OR
CONTINUING TREATMENT HEARING**

The Court, having received an application and order for waiver of hearing and having considered the record and available information, makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

I

The Court finds the evidence is clear and convincing to indicate the Respondent is mentally ill, an individual with a substance use disorder, both mentally ill and an individual with a substance use disorder.

II

That the Respondent's medical/psychiatric diagnosis is

_____.

III

The Respondent has exhibited the following symptoms or evidence of the above illness:

IV

That if the Respondent is not treated, there exists a serious risk of harm to self, others, or property, and a substantial likelihood of:

Suicide as manifested by suicidal threats, attempts, or significant depression relevant to suicidal potential;

Killing or inflicting serious bodily harm on another person or inflicting significant property damage, as manifested by acts or threats;

Substantial deterioration in physical health, or substantial injury, disease, or death resulting from recent poor self-control or judgment in providing one's shelter, nutrition, or personal care;

Substantial deterioration in mental health which would predictably result in dangerousness to that person, others, or property, based upon evidence of objection facts to establish the loss of cognitive or volitional control over the person's thoughts or actions or based upon acts, threats, or patters in the person's treatment history, current condition, and other relevant factors, including the effect of the person's mental condition on the person's ability to consent.

V

The following statements, behaviors, or conditions are evidence of danger to self, others, or property:

VI

That a treatment program other than hospitalization would not be adequate to meet the Respondent's needs or sufficient to prevent harm or injuries to the Respondent or others or the treatment program, while adequate and sufficient, is not currently available. The specific risks if the Respondent is not hospitalized are:

VII

Having committed the Respondent for treatment in accordance with this Order, the Court finds the federal firearms restrictions under 18 U.S.C. §922(d)(4) and (g)(4) **apply**.

CONCLUSIONS OF LAW

I

That the Respondent is _____ mentally ill, _____ an individual with a substance abuse disorder, _____ both mentally ill and an individual with a substance use disorder as defined by N.D.C.C. § 25-32-02, and as a result is a _____ person requiring treatment _____ person who continues to require treatment.

Based on the above, the Respondent is ordered to undergo treatment at _____ [facility] for a period not to exceed - _____ [time period], ending on _____ [date].

II

The federal firearms restrictions under 18 U.S.C. §922(d)(4) and (g)(4) **apply**.

NOTICE TO RESPONDENT: Respondent has the right to counsel and the right to appeal this Order within thirty days.

NOTICE TO RESPONDENT: Having been committed for treatment in accordance with this Order, Respondent is prohibited by federal law [18 U.S.C. §922(d)(4) and (g)(4)] from possessing or receiving any firearm or ammunition. Respondent is prohibited by North Dakota law [N.D.C.C. § 62.1-02-01(1)(c)] from purchasing a firearm or having a firearm in possession or under control.

[C-9W]

Dated this _____ day of _____, _____.

District Judge/Magistrate