

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE**

- ITF** 9990 County Farm Rd., Riverside, CA 92503
- CRMC** 800 South Main St., Corona, CA 92282
- PACIFIC GROVE** 5900 Brockton Ave., Riverside, CA 92506

- RCRMC** 26520 Cactus Ave., Moreno Valley, CA 92555
- TELECARE** 47-915 Oasis St., Indio, CA 92201
- HISTORIC COURTHOUSE** 4050 Main St., Riverside, CA 92501

**RI-PR053**

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar Number and Address</i>)</p>  <p>TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____</p> <p>E-MAIL ADDRESS (<i>Optional</i>): _____</p> <p>ATTORNEY FOR (<i>Name</i>): _____</p>	<p style="text-align: center;"><i>FOR COURT USE ONLY</i></p>    <p>CASE NUMBER: _____</p>
<p>IN THE MATTER OF: _____</p>	
<p><b>ORDER DETERMINING INCAPACITY TO REFUSE TREATMENT WITH ANTIPSYCHOTIC MEDICATION</b> (Welfare and Institutions Code § 5334)</p>	

1. The Petition to Determine Incapacity to Refuse Treatment with Antipsychotic Medication came on for hearing as follows:

- a. Judicial Officer: \_\_\_\_\_
- b. Date of hearing: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_
- c. Petitioner (*name*): \_\_\_\_\_
- d. Attorney for petitioner (*name*): \_\_\_\_\_
- e.  Attorney  Patients Rights Advocate for the Patient  
(*Name*): \_\_\_\_\_  
(*Address*): \_\_\_\_\_ (*Telephone*): \_\_\_\_\_
- f. The Patient  was  was not present.

2. a.  The court finds by clear and convincing evidence that the Patient does not have the capacity to refuse treatment with antipsychotic medication.

(1) The evidence relied upon in making this determination is as follows:

- (A)  The petition
- (B)  The testimony of the Expert Witness (*name*): \_\_\_\_\_
- (C)  The testimony of the Patient
- (D)  Other: \_\_\_\_\_

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- (2) This determination remains in effect until one of the following occurs, whichever occurs first in time:
  - (A) In the judgment of the patient's treating physician, the patient's capacity has been restored or the patient no longer meets the criteria for involuntary detention, according to standards developed pursuant to WIC § 5332(c).
  - (B) The court or hearing officer determines that the patient's capacity to refuse treatment with antipsychotic medication is restored.
  - (C) The time limit for the detention period described in the following hold(s) expire:  
 5150,  5250,  5150 and 5250,  5260,  5270.15,  5270.70, or  5350.
- (3)  Amended letters of Conservatorship shall issue reflecting the above order.

- b.  The petition is denied. Petitioner has failed to overcome the statutory presumption that the Patient has the capacity to refuse treatment with antipsychotic medication.

Date: \_\_\_\_\_ (JUDICIAL OFFICER)