

IN THE CIRCUIT COURT OF _____ COUNTY, WEST VIRGINIA
STATE OF WEST VIRGINIA,

Plaintiff,

VS.

Case No: _____

Defendant

ORDER FOR PSYCHOLOGICAL EVALUATION – SEX OFFENDER

Now comes the Defendant, _____ by and through counsel, _____, and _____, submit to the court that it is appropriate that the defendant, _____, undergo a sexual offender/mental evaluation pursuant to West Virginia Code §62-12-2 (e), to determine his appropriateness for community placement as a possible alternative sentence in regard to the above matter and has secured Dr. Edward Baker to conduct said evaluation.

The Court, based on the defendant's request does whereby **ORDER** that such examination shall be conducted by Dr. Edward Baker, a qualified forensic licensed psychologist practicing at Fremouw, Sigley & Baker Psychological Associates in Morgantown, West Virginia.

The Court further **ORDERS** as follows:

1. That Dr. Baker shall provide a report of the examination and his findings to be filed in triplicate with the Clerk of the Circuit Court for distribution to the Court and the attorneys of record.
2. That the State and Defendant shall furnish Dr. Baker with all relevant information and materials regarding the above matter.
3. That Dr. Baker may release this Order to other mental health facilities and/or professionals for the purpose of obtaining the Defendant's mental health records.
4. That any such mental health records requested by Dr. Baker are sufficiently relevant to the proceedings before the court to outweigh the importance of maintaining confidentiality established by West Virginia Code §27-3-1.
5. That good cause exists such that the public interest and the need for disclosure outweighs the injury to the patient, to the patient-physician relationship and to the treatment services pursuant to the 42 U.S.C.A. Section 290dd-2, and 42 C.F.R. Part 2.
6. That all facilities presented with this Order shall release the Defendant's mental health records to Dr. Baker, who shall use them specifically for completing the examination herein ordered.

This Court further **ORDERS** that, upon receipt of an original invoice and a Court Order with a raised seal of the Clerk of this Court, the West Virginia DHHR Office of Behavioral Health Services shall pay for the initial examination pursuant to W. Va. Trial Court Rules, Rule 35.05 up to the maximum rates established in accordance with W.Va. Code §27-6A-2. The original invoice, a copy of the evaluation and the Court Order shall be forwarded to William R. Sharpe, Jr, Hospital, Attn: Business Office, 936 Sharpe Hospital Road, Weston, West Virginia 26452.

Upon entry of this Order the Clerk of Court is directed to forward certified copies thereto to counsel for the parties and to Dr. Edward Baker at 1445 Stewartstown Road, Suite 200, Morgantown, WV 26505.

ENTERED: _____

JUDGE