

IN THE CIRCUIT COURT OF _____ COUNTY, WEST VIRGINIA

IN THE INTEREST OF:

Name: _____

DOB: _____

CASE NO.: _____

Adult Respondents:

ORDER FOR DANGEROUSNESS ASSESSMENT

On this the ____ day of _____ 20__, came the State of West Virginia by _____, Prosecuting Attorney for _____ County, WV and _____, Counsel for the Respondent, and moved this Honorable Court to order that the Respondent undergo an evaluation to assess the Respondent's risk of danger to the public pursuant to West Virginia Code §§ 27-6A-4, 27-6A-3(h), 27-6A-3(i), 27-6A-4(e), 27-6A-5(a).

The Court, after considering the matter and finding it proper to do so, does hereby **ORDER** that the Respondent shall undergo a Dangerousness Assessment, to be conducted by Dr. Edward Baker, a Qualified Forensic Psychologist practicing in Morgantown, West Virginia on (date) at (time) at Fremouw, Sigley & Baker Psychological Associates, 1445 Stewartstown Rd., Suite 200, Morgantown, WV 26505. Said evaluation shall determine whether or not the Respondent is likely to reoffend. The Court being of the opinion that said evaluation is necessary.

The Court further **ORDERS** as follows:

1. That in accordance with WV Code § 27-6A-4(e), at the conclusion of said examination, the Evaluator shall FORTHWITH provide a signed, written 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 Counsel for the Respondent shall furnish the evaluator with all relevant information and materials regarding the above matter.
3. That the Evaluator may release this ORDER to other mental health facilities and/or professionals for the purpose of obtaining the Respondent's mental health records.
4. That any such mental health records requested by Dr. Edward Baker, are sufficiently relevant to the proceedings before the Court to outweigh the importance of maintaining

confidentiality established by the WV 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 Respondent's mental health records to Dr. Edward Baker, who shall use them specifically for completing the examination herein ordered.

7. That upon receipt of an original invoice and a Court Order with a raised seal of the Clerk of this Court, the West Department of Health and Human Resources' Office of Behavioral Health Services shall pay for the initial examination(s) pursuant to the West Virginia Trial Court Rules, Rule 35.05, AS PER THEIR FEE SCHEDULE. 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 the Court is directed to forward two certified copies of this Order to Fremouw, Sigley & Baker Psychological Associates, 1445 Stewartstown Rd., Suite 200, Morgantown, WV 26505; to _____ Counsel for Respondent; to the Prosecuting Attorney's Office; to the Probation Office; and to the West Virginia Department of Health and Human Resources.

ENTER: (Date)_____

Honorable Judge