

IN THE CIRCUIT COURT OF _____ COUNTY, WEST VIRGINIA

State of West Virginia

Plaintiff,

vs.

CASE NO.: _____

Defendants

ORDER FOR ADOLESCENT PSYCHOLOGICAL EVALUATION

On this the ____ day of _____, came the Juvenile Respondent, with his/her Counsel, _____; and the Petitioner appeared by _____, Assistant Prosecuting Attorney for _____ County. The parties requested that the Juvenile undergo a psychological evaluation.

Accordingly, after hearing the representations of the parties, the Court hereby ORDERS that the Juvenile Respondent undergo a psychological evaluation by an appropriate Evaluator at Fremouw, Sigley & Baker Psychological Associates at 1445 Stewartstown Rd, Suite 200, Morgantown, WV 26505.

It is further ORDERED that West Virginia Department of Health and Human Resources (WVDHHR) ensure that any information relevant to the evaluations be sent to the Evaluator within Ten (10) days of this order, including:

- (1) A copy of the juvenile referral and juvenile petition;
- (2) Information pertaining to the alleged crime, including statements made by the juvenile respondent to the police, investigative reports and transcripts of preliminary hearings, if any;
- (3) Any available psychiatric, psychological, medical or social records that are considered relevant;
- (4) A copy of the juvenile respondent's criminal record; and
- (5) If the evaluations are to include a diminished capacity assessment, the nature of any lesser included delinquent offenses.

The Court FINDS the psychological evaluation is medically necessary to obtain diagnosis and treatment recommendations. Upon receipt of an original invoice and report, WVDHHR, Bureau of Social Services is ORDERED to pay \$1200.00 to Fremouw, Sigley & Baker Psychological Associates.

It is ORDERED that counsel for the juvenile respondent meet with the juvenile respondent and his/her family and friends and prepare a list of mental health facilities and professionals from which the juvenile respondent has received treatment and forward that list to the Evaluator listed above prior to the scheduled examinations. This Court finds any mental health records requested by the Evaluator listed above are sufficiently relevant to the proceedings before the Court to outweigh the importance of maintaining the confidentiality established by W. Va. Code § 27-3-1. This Court further finds 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 42 U.S.C.A. Section 290dd-2 and 42 C.F.R. Part 2. Therefore, this Court ORDERS all facilities presented with this order to release the juvenile respondent's mental health records to the Evaluator listed above who shall use them specifically for completing the examination Ordered herein.

The Clerk shall enter this ORDER as of and for the day and date first herein above written and transmit attested copies to the Prosecuting Attorney; Juvenile Probation Officer, Juvenile Counsel, WVDHHR, Bureau of Social Services at 350 Capitol Street, Room 730, Charleston, WV 25301, and Fremouw, Sigley & Baker Psychological Associates.

ORDER PREPARED BY:

Attorney

APPROVED BY:

Counsel

ENTERED: _____

Circuit Court Judge