

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN THE MATTER OF

Amended

Name

**Order on Temporary Protective Placement
or Protective Services**

Date of Birth

Case No. _____

A Statement of Emergency Protective Placement has been filed with a Petition for

- Guardianship and Protective Placement
 Protective Placement

of the individual and a preliminary hearing has been held to determine whether probable cause exists for protective placement. After consideration of the reports and other documents on file, all factors required by the statutes, and such additional information presented;

THE COURT FINDS:

1. Probable cause **has not** been established.
2. Probable cause that the individual **needs protective placement and meets the standards** for protective placement because:
- The individual has a primary need for residential care and custody;
 - The individual is a minor who is not alleged to have a developmental disability and on whose behalf a petition for guardianship has been submitted, or is an adult who has been determined to be incompetent by a circuit court;
 - As a result of a developmental disability, degenerative brain disorder, serious and persistent mental illness, or other like incapacities, the individual is so totally incapable of providing for his or her own care or custody as to create a substantial risk of serious harm to himself or herself or others. Serious harm may be evidenced by overt acts or acts of omission, and
 - The individual has a disability that is permanent or likely to be permanent.
3. Probable cause to believe that the individual **meets the standards** for protective services because:
- the individual has been determined to be incompetent or is a minor alleged to have a developmental disability and a petition for guardianship has been submitted, **and**
 - as a result of a developmental disability, degenerative brain disorder, serious and persistent mental illness, or other like incapacities, the individual will incur a substantial risk of physical harm or deterioration or will present a substantial risk of physical harm to others if protective services are not provided.
4. Protective placement **is not appropriate** and the court elects to treat the Petition for Protective Placement as a Petition for Commitment under §51.20, Wis. Stats., or §51.45(13), Wis. Stats.

5. Other: _____

THE COURT ORDERS:

1. These proceedings are dismissed and the individual is released.
2. Temporary protective placement of the individual for **up to 30 days** pending the hearing for a permanent protective placement.
3. The county department or agency with which it contracts under §55.02(2), Wis. Stats., or its designee to provide protective services to the individual as may be required.
4. This Petition for Protective Placement to be treated as a Petition for Commitment under §51.20, Wis. Stats., or §51.45(13), Wis. Stats.
5. Other: _____

DISTRIBUTION:

1. Court
2. Petitioner/Individual/Ward
3. Individual/Ward's Guardian
4. Individual/Ward's Legal Counsel
5. Guardian ad litem
6. Individual/Ward's agent under Power of Attorney for Health Care
7. Presumptive Adult Heirs
8. Facility in which the Individual/Ward resides/Physical Custodian
9. County Department of Individual/Ward's county of residence under §55.18(1)(a)
10. County Department of Individual/Ward's placement under §55.18(1m)
11. Other: _____