STATE OF UTAH

COMMITMENT OF PHYSICAL CUSTODY OF CHILD TO LOCAL MENTAL HEALTH AUTHORITY PROCEEDING

I, the undersigned, hereby certify that I am a neutral and detached fact finder as defined in UCA 26B-5-301(3); designated by the Office of Substance Use and Mental Health, and that I did conduct a commitment proceeding for transfer of physical custody to the local mental health authority for _____, on the _____ day of _____, 20____, to determine if the
Child (person under 18 years of age)

child meets the criteria established in UCA 26B-5-403.

Following a careful, diagnostic inquiry, I now find the following circumstances to exist:

☐ the child has a mental illness, as defined in Subsection 26B-5-301(8):

Basis for decision: _____

_____

_____

☐ the child demonstrates a risk of harm to himself or others;

Basis for decision: _____

_____

_____

☐ the child is experiencing significant impairment in his ability to perform socially;

Basis for decision: _____

_____

_____

☐ the child will benefit from care and treatment by the local mental health authority; and

Basis for decision: _____

_____

_____

☐ there is no appropriate less-restrictive alternative.

Basis for decision:_____

_____

_____

IT IS ORDERED that _____, be committed to the physical custody of
child

_____, for a temporary period of _____,
Local Mental Health Authority (does not exceed 6 months)

unless discharged sooner by the Local Mental Health Authority.

OR

IT IS ORDERED that the petition for the commitment of _____, be dismissed.
child

DATED this _____ day of _____, 20_____.

_____
Designated Examiner/Neutral and Detached Fact Finder Signature

Copies Provided to:

- ☐ Child (person under 18 years of age)
- ☐ Parent/Legal Guardian
- ☐ Residential or Inpatient Facility
- ☐ LMHA Representative
- ☐ Other_____

Instructions: "A child may receive services from a local mental health authority in an inpatient or residential setting only after a commitment proceeding, for the purpose of transferring physical custody, has been conducted in accordance with the requirements of this section.
That commitment proceeding shall be initiated by a petition for commitment, and shall be a careful, diagnostic inquiry, conducted by a neutral and detached fact finder, pursuant to the procedures and requirements of this section. If the findings described in Subsection (4) exist, the proceeding shall result in the transfer of physical custody to the appropriate local mental health authority, and the child may be placed in an inpatient or residential setting.

The neutral and detached fact finder who conducts the inquiry:(a) shall be a designated examiner, as defined in Subsection 26B-5-301(3); and
(b) may not profit, financially or otherwise, from the commitment or physical placement of the child in that setting.
The neutral and detached fact finder's decision of commitment shall state the duration of the commitment. Any commitment to the physical custody of a local mental health authority may not exceed 180 days.
When a decision for commitment is made, the neutral and detached fact finder shall inform the child and his parent or legal guardian of that decision and of the reasons for ordering commitment at the conclusion of the hearing, and also in writing.
The neutral and detached fact finder shall state in writing the basis of his decision, with specific reference to each of the criteria described in Subsection (4), as a matter of record." UCA 26B-5-403