

**PETITION FOR COMMITMENT FOR INVOLUNTARY TREATMENT  
AFTER FINDING OF INCOMPETENCY TO STAND TRIAL  
WHERE SEVERE MENTAL DISABILITY IS NOT PRESENT**

MENTAL HEALTH PROCEDURES ACT OF 1976  
(SECTION 402B)

NAME OF PATIENT	LAST	FIRST	MIDDLE	AGE	SEX
NAME OF COUNTY PROGRAM		NAME OF BASE SERVICE UNIT		BASE SERVICE UNIT NUMBER	
NAME OF FACILITY		ADMISSION DATE		ADMISSION NUMBER	

**INSTRUCTIONS**

1. This form is to be used for a petition for up to 30 days treatment under Section 402 B of the Mental Health Procedures Act of 1976 when a person has been found incompetent to stand trial but is not severely mentally disabled.
2. Part I is to be completed by the patient’s attorney, the attorney of the Commonwealth, the County Administrator, the director of the patient’s penal institution, etc.
3. Part II is to be used by the examining physician who has made a determination of incompetency to stand trial.
4. Part III is to be used at the court’s discretion.
5. If additional sheets are needed at any point, note on this form the number of pages which are attached.

**IMPORTANT NOTICE**

**ANY PERSON WHO PROVIDES ANY FALSE INFORMATION ON PURPOSE WHEN HE/SHE COMPLETES THIS FORM MAY BE SUBJECT TO CRIMINAL PROSECUTION AND MAY FACE CRIMINAL PENALTIES INCLUDING CONVICTION OF A MISDEMEANOR.**



**PART II**  
**RESULTS OF EXAMINATION**  
(Statement of Physician, continued)

In my opinion: (Check A, B or C)

- A.  The patient is incompetent to stand trial and 30 days of treatment can be reasonably certain to provide the patient with the capacity to stand trial.
- B.  The patient is incompetent to stand trial but 30 days of treatment is not reasonably certain to provide the patient with the capacity to stand trial.
- C.  The patient is not incompetent to stand trial.

\_\_\_\_\_  
(SIGNATURE OF PETITIONER)

\_\_\_\_\_  
(TITLE)

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**PART III**  
**ORDER FOR INVOLUNTARY TREATMENT**

In the Court of \_\_\_\_\_ of \_\_\_\_\_ County

COMMONWEALTH  
VS.

\_\_\_\_\_ term, 20\_\_\_\_

\_\_\_\_\_ No. \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ after hearing and consideration of:

\_\_\_\_\_  
*(Details of findings. Include details on what types and why treatment is needed. Attach reports, testimony, etc.)*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The court finds that the patient: (Check A, B or C)

- A.  The patient is incompetent to stand trial and 30 days of treatment can be reasonably certain to provide the patient with the capacity to stand trial.
- B.  The patient is incompetent to stand trial but 30 days of treatment is not reasonably certain to provide the patient with the capacity to stand trial.
- C.  The patient is not incompetent to stand trial.

**PART III**  
**ORDER FOR INVOLUNTARY TREATMENT**  
(continued)

**FURTHER, AFTER HEARING AND CONSIDERATION OF:** *(Details of findings. Include details on what types and why treatment is needed. Attach reports, testimony, etc.)*

The court orders that: (Check A or B)

A.  \_\_\_\_\_ receive  outpatient,  partial hospitalization,  inpatient  
(NAME OF PATIENT)  
treatment, which is the least restrictive treatment setting appropriate for the patient.

*(Description of treatment, explanation of its adequacy and appropriateness.*

as a person incompetent to stand trial but not severely mentally disabled pursuant to the provisions of Section 402 B of the Mental Health Procedures Act of 1976 for a period of \_\_\_\_\_ days (not to exceed 30 days).

B. Other:

(Check appropriate block)

- The patient was represented by \_\_\_\_\_  
(NAME AND ADDRESS OF ATTORNEY)
- The patient declined representation.

for the court \_\_\_\_\_

\_\_\_\_\_  
(TITLE)