

# MENTAL HEALTH COURT REFERRAL

Please complete and fax to Specialty Courts at (775) 325-6617 or email to  
Mental Health Court at [mentalhealthcourt@washoecourts.us](mailto:mentalhealthcourt@washoecourts.us)

Name: \_\_\_\_\_ Phone# \_\_\_\_\_

Gender: \_\_\_\_\_ Race: \_\_\_\_\_ DOB: \_\_\_\_\_

Arresting Agency: \_\_\_\_\_ Agency Case#: \_\_\_\_\_ Arrest Date: \_\_\_\_\_

Court of instant case: \_\_\_\_\_ Case#: \_\_\_\_\_ Judge: \_\_\_\_\_

PCN: \_\_\_\_\_ SID: \_\_\_\_\_ FBI: \_\_\_\_\_

Name of Legal Defender / Public Defender: \_\_\_\_\_

Pending Court Date (if applicable) : \_\_\_\_\_

Statutory Basis for referral: (Check the applicable box)

**NRS 176A.255 Transfer of jurisdiction from justice court or municipal court to district court for assignment of defendant to program.**

1. A justice court or a municipal court may, upon approval of the district court, transfer original jurisdiction to the district court of a case involving an eligible defendant.
2. As used in this section, "eligible defendant" means a person who:
  - (a) Has not tendered a plea of guilty, guilty but mentally ill or nolo contendere to, or been found guilty or guilty but mentally ill of, an offense that is a misdemeanor;
  - (b) Appears to suffer from mental illness or to be intellectually disabled; and
  - (c) Would benefit from assignment to a program established pursuant to NRS 176A.250  
- To be sealed upon successful completion pursuant to NRS 176A.265

**NRS 176A.260 Conditions and limitations on assignment of defendant to program; effect of violation of terms and conditions; discharge of defendant upon fulfilment of terms and conditions; effect of discharge; conditional dismissal of charges or setting aside of judgement of conviction for certain offenses; effect of conditional dismissal or setting aside of judgement of conviction.**

1. Except as otherwise provided in subparagraph (1) of paragraph (a) of subsection 3 of NRS 176.211, if a defendant who suffers from mental illness or is intellectually disabled tenders a plea of guilty, guilty but mentally ill or nolo contendere to, or is found guilty or guilty but mentally ill of, any offense for which the suspension of sentence or the granting of probation is not prohibited by statute, the court may:

(a) Without entering a judgment of conviction and with the consent of the defendant, suspend or defer further proceedings and place the defendant on probation upon terms and conditions that must include attendance and successful completion of a program established pursuant to NRS 176A.250 if the court determines that the defendant is eligible for participation in such a program; or

(b) Enter a judgment of conviction and place the defendant on probation upon terms and conditions that must include attendance and successful completion of a program established pursuant to NRS 176A.250, if the court determines that the defendant is eligible for participation in such a program.

**NRS 176A.400 Imposition by court; alternative programs or treatment; prohibition on suspending term of imprisonment; placement under supervision of Chief Parole and Probation Officer.**

2. In issuing an order granting probation to a person who is found guilty of a category C, D or E felony, the court may require the person as a condition of probation to participate in and complete to the satisfaction of the court any alternative program, treatment or activity deemed appropriate by the court.

3. The court shall not suspend the execution of a sentence of imprisonment after the defendant has begun to serve it.

4. In placing any defendant on probation or in granting a defendant a suspended sentence, the court shall direct that the defendant be placed under the supervision of the Chief Parole and Probation Officer.

- Not eligible for sealing upon successful completion pursuant to NRS 176A.265

Charge Code (NRS, RMC, SMC)	Charge	Type (M, GM, F)

Defendants charged with **Driving Under the Influence** and/or **Domestic Battery** are **ineligible**.

Has the defendant received psychiatric services, past or present?  Yes  No

If yes, where? \_\_\_\_\_

If available, please attach the following:

- Booking Sheet
- Police Report
- Plea Agreement
- Case Information Sheet
- Psychiatric Evaluation, MH Hx
- Substance Abuse Evaluation, Hx
- Arrest report and declaration of probable cause
- P.C.
- PSI
- Information or criminal complaint
- Judgement of Conviction

Referred by: \_\_\_\_\_ Relationship: \_\_\_\_\_

Phone#: \_\_\_\_\_ Date referred: \_\_\_\_\_

<b>***MENTAL HEALTH COURT USE ONLY***</b>			
Disposition:	Accepted	Rejected	Date:
Comments:			
Diagnosis:	Substance Abuse:		

Master List         CrHx         Master List update