

## SAMPLE DOCTOR QUESTIONS PROSECUTOR WILL ASK #1

NOTE: IF NO PETITIONER OR NO FIRST HAND KNOWLEDGE, THEN ASK DOCTOR IF HE/SHE CAN GO FORWARD WITHOUT THE PETITIONER. IF THEY CANNOT, ASK FOR ADJOURNMENT.

1. Please state your name and occupation for the record.
2. Are you licensed to practice in Michigan?
3. Prior to today's hearing, did you have the opportunity to:
  - a. Interview, examine, and/or observe Mr./Ms. \_\_\_\_\_?
  - b. Discuss the allegations in this petition
  - c. Review his/her medical records
  - d. Speak with the staff
4. When did you conduct this interview/examination/observation?
5. How long in duration did the interview/examination/observation last?
6. Based on the information gathered from all of these sources, what is your diagnosis?
7. Is this diagnosis a mental illness?
8. Does Mr./Ms. \_\_\_\_\_ currently require treatment for this mental illness?
9. If the mental illness remains untreated,
  - a. Is it your opinion that Mr./Ms. \_\_\_\_\_ is a threat to him/herself or others?
10. Why do you have this opinion?
11. Does Mr./Ms. \_\_\_\_\_ have any insight into his/her mental illness or the need for treatment?
12. Why do you have this opinion?
13. Is Mr./Ms. \_\_\_\_\_ able to care for his/her own basic needs and/or activities of daily living (ADL)?
14. Why do you have this opinion?
15. If Mr./Ms. \_\_\_\_\_ being treated with medication for his/her mental illness at this time?
16. Is he/she compliant with taking the medications?
17. Do you believe Mr./Ms. \_\_\_\_\_ would be compliant with taking the medications prescribed to him/her outside of a structured setting?
  - a. Why or why not?
18. Has the respondent received any emergency medications (PRNs) while in the hospital?
  - a. How many times?
19. Has the respondent been physically restrained while in the hospital?
20. What is your recommended course of treatment at this time?
21. Is this the most appropriate and least restrictive course of treatment for the patient at this time?

Thank you, Doctor. No further questions at this time, Your Honor.

## **SAMPLE DOCTOR QUESTIONS #2**

### **INTRO**

1. Doctor, please give the Court your name and profession.
2. Are you licensed to practice in the State of Michigan?
3. Did you interview and evaluate Mr./Ms. \_\_\_\_\_ for the purpose of testifying today?
4. Did you review Mr./Ms. \_\_\_\_\_ medical records?
5. Based upon the information gathered from these sources, do you have a professional opinion as to whether Mr./Ms. \_\_\_\_\_ suffers from a mental illness?
6. What is your diagnosis?
7. Does Mr./Ms. \_\_\_\_\_ currently require treatment for this mental illness?

### **MCL 330.1401(a)**

1. If left un-treated, do you reasonably believe that Mr./Ms. \_\_\_\_\_ may intentionally, or unintentionally, cause harm to himself/herself or others?
2. Why do you have this opinion?

### **MCL 330.1401(c)**

1. Do you believe that Mr./Ms. \_\_\_\_\_ has insight into his/her mental illness or need for treatment?
2. Why do you have this opinion?

### **MCL 330.1401(b)**

1. Outside of a structured setting, can Mr./Ms. \_\_\_\_\_ reasonably be expected to take care of his/her basic needs?
2. Why do you have this opinion?

### **CLOSING**

1. Is hospitalization the most appropriate and least restrictive course of treatment at this time?
2. What are you requesting of the court in terms of treatment order for Mr./Ms. \_\_\_\_\_?

### **SAMPLE DOCTOR QUESTIONS #3**

1. Please state your name and profession
2. Are you employed? Where?
3. Licensed to practice in the state of Michigan?
4. Did you have the opportunity to interview and evaluate patient?
5. When?
6. Review medical records?
7. Suffering from mental illness? Diagnosis?
8. Patient is currently NGRI, would you please describe the offense?
9. How long has patient been hospitalized?
10. What is the treatment plan in progress?
11. Is this treatment plan adequate and appropriate?
12. Is the patient currently exhibiting signs of mental illness?
13. Does the patient understand their mental illness or the need for treatment?
14. In your professional opinion, does patient continue to suffer from a mental illness and require additional hospitalization for treatment of their mental illness?
15. Why? What are your specific concerns with regard to this patient?
16. Are past behaviors important for evaluation? Why?
17. Is there a risk of recidivism if patient is released into less structure setting?
18. Explain the risk.
19. If released today, is it likely that the patient would harm themselves or others?
20. What is the basis of that opinion?
21. What is your recommendation in terms of a treatment order?

## DOCTOR QUESTIONS – CONTINUING TREATMENT PETITION #4

1. Please state your name, occupation and the capacity in which you are appearing for the record. Licensed to practice in the state of Michigan?
2. Did you have the opportunity to interview/observe/evaluate the patient, review the medical records, and speak to staff? (When/how long)
3. How long has the respondent been hospitalized at \_\_\_\_\_? Why was the respondent hospitalized.
4. Is the respondent currently exhibiting symptoms of mental illness?
5. What is the treatment plan in progress? If this treatment plan adequate and appropriate?
6. Does the resident understand their mental illness or their need for continued treatment of their mental illness?
7. In your opinion, based on the information you have reviewed, does the respondent continue to suffer from a mental illness and require additional hospitalization for treatment of their mental illness? Why?

NOTE: If NGRI ask “What risk of recidivism if the respondent is released into a less structured setting?”

8. What is the basis of that opinion?
9. What is your recommendation in terms of treatment?

## DOCTOR QUESTIONS – CONTINUING TREATMENT PETITION #5

1. Please state your name and occupation. Licensed to practice in Michigan?
2. Did you have the opportunity to interview/examine/observe the patient, review the medical records, and speak to staff? (When, how long?)
3. How long has the respondent been hospitalized at \_\_\_\_\_?
4. Why was the respondent hospitalized?
5. If there a less restrictive setting for the respondent at this time?
6. Is the respondent currently exhibiting symptoms of mental illness?
7. What is the treatment plan in progress?
8. Is this treatment plan adequate and appropriate?
9. Does the respondent understand his/his mental illness?
10. Does the respondent understand his/her need for continued treatment?
11. In your opinion, and based on the information you have reviewed, does the respondent continue to suffer from a mental illness and require additional hospitalization for treatment of their mental illness? Why?

NOTE: If NGRI, ask “What is the risk of recidivism if the respondent is released into a less structured setting?”

12. If released today, is it likely that the respondent would significantly harm themselves or others?
13. What is the basis for that opinion?
14. If released today, is it likely that the respondent would be able to care for his/her basic needs? Why
15. If released today, is it likely the respondent would continue to receive proper care and treatment for his/her mental illness? Why?