

FILING INSTRUCTIONS FOR PETITION TO TRANSFER

G.L. c. 123, § 18(a½)

How to Complete This Petition If You Are:	<u>The Prisoner</u>	1. Complete the Petition and sign it on the bottom. 2. File the Petition in court or give it to the staff person at your place of detention to file it for you.
	<u>The Prisoner's Legal Representative</u>	1. Complete the Petition and Supplements A and B to the best of your ability, sign the bottom of the form and have the Prisoner sign it or indicate why the Prisoner did not sign. 2. File the Petition and Supplements A and B.
	<u>A Staff Person at the Place of Detention</u>	1. Complete the Petition and Supplements A and B, sign it on the back, and have the Prisoner sign it or indicate why the Prisoner did not sign. 2. File the Petition and Supplements A and B within 12 hours of the Prisoner's request. G.L. c. 123, § 18(a½)(2). Indicate whether additional information relevant to Supplement B will be provided within 3 business days. If more than 3 business days are required, indicate the additional time requested and the reason for the request. 3. File any additional information relevant to Supplement B within 3 business days of filing the Petition, or within the additional time requested.
Where to File This Petition	<ul style="list-style-type: none">▪ If the Prisoner is a <u>pretrial detainee</u>, file this petition in <u>one court</u> with jurisdiction over a criminal case on which the Prisoner is detained.▪ If the Prisoner is <u>serving a sentence</u>, file the petition in the court with jurisdiction over the place of detention.	
Instruction to Clerk's Office	<ul style="list-style-type: none">▪ If the petition is filed in the wrong court, “the clerk of court shall, as soon as practicable, <u>determine the court with jurisdiction and forward the petition to that court for adjudication.</u>” G.L. c. 123, § 18(a½)(2).	
Information for the Prisoner	<ul style="list-style-type: none">▪ This petition asks a court to order you transferred to an inpatient psychiatric facility or Bridgewater State Hospital for up to 30 days. During the 30-day period, <u>the facility or hospital may file a petition to commit you for up to 6 months, and, if you are committed under such petition, the facility or hospital may then file petitions for additional 1-year commitments.</u> G.L. c. 123, §§ 7, 8, 18(a).▪ This Petition asks a court to determine your mental health status. By signing the Petition, you agree to allow your place of detention to give your mental health and medical records to a court or to the Department of Mental Health.	

PETITION FOR TRANSFER G.L. c. 123, § 18(a½)		CRIMINAL DOCKET NO. (court use only)	Massachusetts Trial Court	
PLACE OF DETENTION		MENTAL HEALTH DOCKET NO. (court use only)	COURT DIVISION/COUNTY (court use only)	
PRISONER LAST NAME	PRISONER FIRST NAME	DOB	GENDER <input type="checkbox"/> Male <input type="checkbox"/> Female	SSN (LAST 4 DIGITS)
PETITIONER <input type="checkbox"/> Prisoner <input type="checkbox"/> Prisoner's Legal Representative <input type="checkbox"/> Staff Person at Place of Detention, at Prisoner's Request		PETITIONER'S NAME, TITLE and CONTACT INFORMATION (if Petitioner is not Prisoner)		
PETITION (to be completed by all petitioners) Pursuant to G.L. c. 123, § 18(a½), the Petitioner requests that the Prisoner be transferred to a suitable inpatient psychiatric facility or unit licensed or operated by the Department of Mental Health, or to Bridgewater State Hospital. The basis for this petition is (check all that apply): <input type="checkbox"/> The Prisoner has been on mental health watch, a status designated by the place of detention intended to protect a prisoner from a risk of imminent and serious self-harm, G.L. c. 123, § 18(a½)(1), for _____ length of time (must be at least 72 hours). <input type="checkbox"/> The Prisoner is at "serious risk of imminent and serious self-harm," based on the following information (use space below or on next page and attach additional pages and any clinical evaluations, medical records, examination reports, or other documents as necessary):				
SUPPLEMENT A (to be completed by prisoner's legal representative or by staff person at the place of detention) Identify all criminal cases on which the Prisoner is being held and whether as a pretrial detainee or serving a sentence (use space on next page or attach additional pages as necessary): <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;"> _____ CRIMINAL DOCKET NO. <input type="checkbox"/> Pretrial Detainee <input type="checkbox"/> Serving Sentence </div> <div style="width: 30%;"> _____ CRIMINAL DOCKET NO. <input type="checkbox"/> Pretrial Detainee <input type="checkbox"/> Serving Sentence </div> <div style="width: 30%;"> _____ CRIMINAL DOCKET NO. <input type="checkbox"/> Pretrial Detainee <input type="checkbox"/> Serving Sentence </div> </div> Identify the date and outcome of any prior petitions under G.L. c. 123 § 18(a½), if known:				
SUPPLEMENT B (to be completed by prisoner's legal representative or by staff person at the place of detention) <input type="checkbox"/> If applicable, the Prisoner has been on mental health watch for _____ length of time (attach relevant supporting documents). <input type="checkbox"/> Attached are clinical evaluations, medical records, examination reports, and any other relevant documentation (for example, disciplinary reports or reports of past incidents of self-harm to others). <input type="checkbox"/> (For place of detention only) Attached are all holding documents (e.g. all mittimus) under which the Prisoner is detained. <input type="checkbox"/> Additional information relevant to the Petition is provided below (use space on next page or attach pages or documents as necessary): <input type="checkbox"/> Additional information or documents relative to the Petition will be provided within 3 business days. <input type="checkbox"/> More than 3 business days are required to provide additional information or documents relative to the petition. The reason more time is requested, and the amount of time requested to provide the material is (use space below, on next page, or attach additional documents as necessary):				
SIGNATURE OF PRISONER			DATE	
SIGNATURE OF <input type="checkbox"/> PRISONER'S LEGAL REPRESENTATIVE <input type="checkbox"/> STAFF PERSON AT PLACE OF DETENTION (if filing on Prisoner's behalf)			DATE	
<input type="checkbox"/> The Prisoner was <u>unable</u> to sign (include explanation)			<input type="checkbox"/> The Prisoner was <u>unwilling</u> to sign (include explanation)	

Additional Space for Petition

Additional Space for Supplement A

Additional Space for Supplement B