



Questions to Ask Psychiatrists

What information should attorneys and prosecutors be obtaining from the psychiatrist in court

Essentially the **attorney** and **prosecutor** are trying to gather from the psychiatrist their clinical opinion on whether the member is cognizant of their mental health concerns and their need for treatment, whether they are at risk of endangering themselves or others, their history of noncompliance and whether lesser restrictive interventions have been exercised. All these factors are integral in the overall decision of granting the AOT order while considering the member's circumstances, history and the treatment ecosystem.



The questions **attorneys** and **prosecutors** ask should allow the **psychiatrist's** expertise helps determine the individual's criteria for an AOT order.

1. When did you examine the patient, and what are your conclusions as to if the patient is mentally ill and any diagnosis based on that exam and any review of the records?
2. Do you think it is likely the patient will participate in services without a court order for treatment?
3. Do you think the person could be a danger to self or others without a court order for treatment?
4. What is that opinion based on?
5. What specific symptoms are the member experiencing?
6. What treatment options have been explored in the past, and what has been the response to those treatments?
7. What are the potential benefits and challenges of implementing a court order for treatment in this situation?
8. Have there been any challenges or patterns of non-adherence to treatment, and if so, what were the reasons provided by the member?
9. Does the patient understand their need for mental health treatment?
10. Have there been any environmental, social, or personal factors that have hindered the individual's ability to receive adequate treatment?
11. What is the nature and extent of the member's support system in terms of encouraging and facilitating their continued mental health treatment upon discharge?
12. What type of court order and treatment do you recommend?
13. Has the treatment team tailored the treatment modalities specifically to address the individual's preferences, values and lifestyle factors to maximize adherence and effectiveness?
14. What considerations have been made in developing long-term treatment plans that extend beyond the immediate hospitalization period to ensure continuity of care and sustained progress in the member's mental health recovery?
15. Is this the least restrictive means of treatment available for this patient currently?