

STATE OF MINNESOTA
COUNTY OF RAMSEY

CASE TYPE INDICATOR: CIVIL - MENTAL HEALTH
DISTRICT COURT
SECOND JUDICIAL DISTRICT
PROBATE DIVISION

FILED
CIVIL COMMITMENTS
JUN 18 2008

FILE NO. MH-PR-07-638

In the matter of the Civil Commitment of:

Raymond A. Sandford,

FINDINGS AND ORDER
FOR CONTINUED COMMITMENT AND
ORDER FOR NEUROLEPTIC
TREATMENT AND
ELECTROCONVULSIVE THERAPY
AND CONTINUATION OF GUARDIAN
AD LITEM APPOINTMENT

Respondent.

The above-entitled matter came on for trial on June 10, 2008 at the Regions Hospital Courtroom, St. Paul, Minnesota, pursuant to Minn. Stat. 253B.12, on the petition of Sandra Schleiter, R. N., C. N. S., dated May 19, 2008, for Authorization to Impose Treatment with Neuroleptic Medication, and on the petition of Sandra Schleiter, R. N., C. N. S., dated May 19, 2008, for Authorization to Impose Treatment with Electroconvulsive Therapy.

Raymond A. Sandford, the respondent, was present in Court and represented by Jon R. Duckstad, his court-appointed attorney. The petitioners were not present in Court, but were represented by Stephen McLaughlin, an Assistant Ramsey County Attorney. Also present were Terri Lee Bradley, the respondent's guardian ad litem, ChiChi Turay, the respondent's case manager, Mayara White, a court specialist for Mental Health Resources, Peter Ernest Meyers, Psy.D., LP, and Thomas L. Alberg, Ph.D., LP.

The Court received into evidence: The Six Month Treatment Report from Anoka-Metro Regional Treatment Center dated May 12, 2008, the Petition for Authorization to Impose Treatment with Neuroleptic Medication dated May 19, 2008, the Petition for Authorization to

Impose Treatment with Electroconvulsive Therapy dated May 19, 2008, the Report of Examiner, dated June 10, 2008, of Peter Ernest Meyers, Psy.D., LP, the Neuroleptic Treatment Report of Examiner, dated June 10, 2008, of Peter Ernest Meyers, Psy.D., LP, the Electroconvulsive Therapy Report of Examiner, dated June 10, 2008, of Peter Ernest Meyers, Psy.D., LP, the Report of Examiner, dated June 10, 2008, of Thomas L. Alberg, Ph.D., LP, the Neuroleptic Treatment Report of Examiner, dated June 10, 2008, of Thomas L. Alberg, Ph.D., LP, the Electroconvulsive Therapy Report of Examiner, dated June 10, 2008, of Peter Ernest Meyers, Psy.D., LP, and the report of the guardian ad litem dated June 10, 2008.

Upon all the files, records, and proceedings herein, upon the testimony of the respondent, Terri Lee Bradley, and Peter Ernest Meyers, Psy.D., LP, and by clear and convincing evidence, the Court makes the following:

FINDINGS OF FACT

1. Notice of hearing was given to all necessary parties.
2. The petitioner and the respondent were properly represented by legal counsel. The hearing was conducted in compliance with the procedures required under the Minnesota Commitment and Treatment Act.
3. Raymond A. Sandford has his residence in Ramsey County, Minnesota.
4. Raymond A. Sandford was committed by the above-named Court to Regions Hospital, St. Paul, Minnesota, a treatment facility, and the Commissioner of Human Services, on December 12, 2007 as a mentally ill person.
5. A report dated May 15, 2008 was filed with the Court prior to termination of the initial commitment. The report meets statutory criteria and recommends continued commitment.

6. Raymond A. Sandford continues to be a mentally ill person, as defined by Minn. Stat. 253B.02, Subd. 13, and meets statutory criteria for continued commitment. Involuntary hospitalization and commitment are necessary for the protection of the respondent or others.

7. The respondent is likely to attempt physical harm to self or others, or fail to provide necessary food, clothing, shelter, or medical care unless commitment is continued.

8. The respondent is a 54-year-old man whose date of birth is January 4, 1954. The respondent is currently at Anoka-Metro Regional Treatment Center. He has had multiple admissions to psychiatric facilities since 1977. He has been receiving mental health services since the age of 19. The respondent has had over 30 previous admissions to AMRTC. The respondent has never married and has no children. The respondent is before the Court on a petition for commitment extension for 12 months, and the extension of the neuroleptic treatment order and electroconvulsive therapy orders. The respondent has been at AMRTC since January 15, 2008. Upon admission to AMRTC, the respondent was grossly psychotic, yelling violently, smearing feces all over, urinating whenever and wherever he felt like it, and allegedly eating feces as well. At AMRTC, the respondent required seclusion and restraints on many occasions. His behavior was unpredictable and uncooperative. He was violent, striking out at staff and other patients, and he exhibited delusional and grandiose behavior. The respondent's loud and disruptive behavior required seclusion.

9. On May 27, 2008, this Court authorized treatment with electroconvulsive therapy to be administered to the respondent. As of June 10, 2008, the day of the trial, the respondent has had six of the authorized 12 initial treatments. On June 10, 2008, the respondent was examined by two court-appointed examiners, Dr. Peter Meyers and Dr. Thomas Alberg. Dr. Meyers and

Dr. Alberg submitted written reports, which were received into evidence, regarding their opinions on the continuation of the commitment, the neuroleptic treatment order, and electroconvulsive therapy treatment. Dr. Meyers also testified at trial. Dr. Meyers testified that he examined the respondent on May 12, 2008 and again on June 10, 2008. Dr. Meyers found that the respondent showed noted improvement. He now has the ability to remain calm and exhibited more organized thought patterns. The respondent demonstrated less lability of mood and less grandiosity. His thinking improved significantly. Dr. Meyers testified that he is in support of continued commitment and treatment with neuroleptic medication and electroconvulsive therapy. In support of his opinion, Dr. Meyers testified that the respondent has shown significant improvement; however, the respondent's insight is still lacking and he exhibits poor judgment at times. While his symptomatology has reduced, he still remains a danger to himself and is in need of continued commitment and treatment with neuroleptic medication and electroconvulsive therapy. The treatments are not experimental and the benefits outweigh any risks. There are no less restrictive alternatives for the respondent at this time. In his written reports, Dr. Alberg supports the conclusions reached by Dr. Meyers regarding continuation of the commitment, the neuroleptic treatment order, and the electroconvulsive therapy order.

10. The respondent's guardian ad litem, Terri Lee Bradley, also testified. Ms. Bradley has served as a guardian ad litem for over 20 years and has known the respondent since 1994. She has gone to AMRTC on two occasions to review records and has also interviewed the respondent. Based on all the information available to her, Ms. Bradley is in support of completion of electroconvulsive therapy treatments at three times per week, and then maintenance of up to one treatment per week for duration of the commitment. Ms. Bradley felt

that it was important that she stay on the case and review Mr. Sandford's situation after the initial electroconvulsive therapy treatments are completed. Ms. Bradley expressed concern regarding the positive effects of the electroconvulsive therapy treatment. Ms. Bradley felt that electroconvulsive therapy treatment should be discontinued if the positive effects are not realized. Therefore, she will stay involved in the case to oversee the benefits of the electroconvulsive therapy treatments.

11. The respondent, Ray Sandford, also testified at his trial. Mr. Sandford testified that his current commitment and treatment combination of neuroleptics and electroconvulsive therapy have definitely helped him. He said he has a better ability to stay positive at this time. Mr. Sandford initially objected to continuation of electroconvulsive therapy treatments because of his concern with the high cost of his care. Mr. Sandford expressed concern that his mother was paying for his treatments and it is unfair to her to have to pay his medical bills. Later, Mr. Sandford indicated that as long as the State pays, he has no objection to the recommitment, taking neuroleptic medications, or continuing with electroconvulsive therapy treatment.

12. The evidence presented demonstrates by clear and convincing standard that there is no less restrictive alternative of treatment for the respondent than the continuation of the commitment, the neuroleptic medications, and electroconvulsive therapy. The treatments are not experimental and the benefits clearly outweigh the risks. The unanimous testimony of the witnesses, including the respondent, himself, was that the treatments have significantly helped the respondent.

13. The respondent lacks the capacity to make decisions regarding the administration of neuroleptic medication and electroconvulsive therapy because he:

a) Does not demonstrate awareness of the nature of his situation, including the reasons for hospitalization and possible consequences of refusing treatment with neuroleptic medication and electroconvulsive therapy;

b) Does not demonstrate an understanding of treatment, including the risks, benefits, and alternatives to neuroleptic medication and electroconvulsive therapy;

c) Has not communicated a clear choice regarding treatment with neuroleptic medication and electroconvulsive therapy that is reasonable and not based on delusions.

14. Alternatives have been considered by the Court. There are no reasonable and available alternatives.

15. The use of neuroleptic medication and electroconvulsive therapy in this case is not experimental, and there is not an available alternative treatment. The benefits of treatment with neuroleptic medication and electroconvulsive therapy clearly outweigh the risks and intrusiveness of treatment. It is both reasonable and necessary that the respondent be treated with neuroleptic medication and electroconvulsive therapy at this time.

16. The Court considered the respondent's family and community, as well as his moral, religious, and social values. Based on these considerations, a reasonable person would authorize treatment with neuroleptic medication and electroconvulsive therapy.

17. The respondent is a danger to self or others, and has attempted physical harm to himself or others. He has failed to provide himself with food, clothing, shelter, safety, or medical care.

18. The respondent's case manager is: **ChiChi Turay, Mental Health Resources, N-464, 1821 University Avenue West, St. Paul, Minnesota 55104 (651) 294-6045.**

19. The respondent's attorney of record is:

**Jon R. Duckstad
8079 Timber Lake Drive
Eden Prairie, Minnesota 55347
651-285-2901**

CONCLUSIONS OF LAW

1. Raymond A. Sandford meets statutory criteria for continued commitment.
2. There is no less restrictive alternative to commitment.

ORDER

1. The Rights of Patients provided in Minn. Stat. 253B.03 are incorporated in this order by reference.

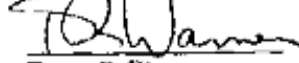
2. **The commitment of Raymond A. Sandford dated December 12, 2007, to the custody of the head of Regions Hospital, St. Paul, Minnesota, a treatment facility, and the Commissioner of Human Services as a mentally ill person is made final. The commitment expires on June 10, 2009.**

3. Neuroleptic medication may be administered to Raymond A. Sandford by the treating physician or designee without his consent, **excluding Haldol, Prolixin, and Navane. This order expires on June 10, 2009, or at termination of the commitment if it occurs before the expiration date.**

4. Electroconvulsive therapy may be administered to Raymond A. Sandford by the treating physician or designee without his consent, as follows: **Initial series of three per week for up to four weeks (six have already been completed), for a total of 12; maintenance of up to one per week for duration of commitment. This order expires on June 10, 2009.**

5. The appointment of Terri Lee Bradley of Midwest Guardians and Conservators, Inc., dated May 21, 2008, shall remain in full force and effect until termination of the commitment or until further order of this Court.

BY THE COURT:



Teresa R. Warner
Judge of District Court

Date: June 18, 2008
MH-PR-07-638

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LYNAE K.E. OLSON, Court Administrator,
Ramsey County, State of Minnesota, does hereby
certify that the attached instrument is a true and
correct copy of the original on file and of record
in the office of the Civil Commitments Division.

Dated: 12/1/08

LYNAE K.E. OLSON, Court Administrator

By: OK Deputy
