**971.14 Appeals: Pretrial Competency Checklist**

(SCOW order creates 809.109 and amends 809.10(1)(d) & 809.801(5)(c) to establish an expedited appeals procedure from 971.14 orders)

**Effective July 1, 2024**

All **§** 971.14 Competency Appeals

* **Immediately:** Talk with Client about whether they want to appeal (can be as simple as establishing they do not want commitment or to take medication)
* Within **14 Days** of **ANY** Order**:** file NOI in **circuit court** – 809.109(2)(b)
  + Standard form (CA-110) located [here](https://www.wicourts.gov/forms1/appeals.jsp?Category=59)
  + must serve DA (done via e-filing), any other party, and DHS
    - DHS served by **e-mailing** the **NOI and** an [Admission of Service](https://a085287e-be0f-47c1-be03-0b844567f686.usrfiles.com/ugd/a08528_1038c5b263484ebea650e65ae68e3302.docx) to [DHSch971Service@dhs.wisconsin.gov](mailto:DHSch971Service@dhs.wisconsin.gov)
* E-mail NOI to [madisonappintake@opd.wi.gov](mailto:madisonappintake@opd.wi.gov)

**\*\*If your client is appealing an involuntary medication and treatment order, you must do all of the above AND the following:**

Involuntary Medication Order Appeals

* **Immediately:** Remind circuit court of automatic 14-day stay – 809.109(7)(a)
* Within **3 Days** of Order:Request relevant transcripts – 809.109(2)(f)1.
* Within **14 Days** of Order: E-file [Notice to Continue Stay](https://a085287e-be0f-47c1-be03-0b844567f686.usrfiles.com/ugd/a08528_0114d7bbfa7047039927419b82b995d0.docx) in **COA** – 809.109(7)(b)
  + Template available [here](https://www.wispd.gov/competency)
  + [Instructions for filing pre-appeal motion in COA](https://efilinghelp.zendesk.com/hc/en-us/articles/25560920866061-Appellate-court-eFiling-File-a-pre-appeal-motion-with-the-Court-of-Appeals-or-Supreme-Court)
  + must serve DA (done via e-filing), any other party, and DHS
    - DHS served by **e-mailing** the **Notice to Continue Stay and** an [Admission of Service](https://a085287e-be0f-47c1-be03-0b844567f686.usrfiles.com/ugd/a08528_1038c5b263484ebea650e65ae68e3302.docx) to [DHSch971Service@dhs.wisconsin.gov](mailto:DHSch971Service@dhs.wisconsin.gov)
* Send NOI & Notice of Motion to Continue Stay to [madisonappintake@opd.wi.gov](mailto:madisonappintake@opd.wi.gov)