

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](#)
 - must serve DA (done via e-filing), any other party, and DHS
 - ☐ DHS served by **e-mailing** the **NOI and** an [Admission of Service](#) to DHSch971Service@dhs.wisconsin.gov
- ☐ E-mail NOI to 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.
 - Transcript Request form available [here](#)
 - Request copies of the transcript for yourself *and* opposing counsel
- ☐ Within **14 Days** of Order: E-file [Notice to Continue Stay](#) in **COA** – 809.109(7)(b)
 - Template available [here](#)
 - [Instructions for filing pre-appeal motion in COA](#)
 - 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](#) to DHSch971Service@dhs.wisconsin.gov
- ☐ Send NOI & Notice of Motion to Continue Stay to madisonappintake@opd.wi.gov