

No. 237, S.]

[Published May 10, 1949.

CHAPTER 86.

AN ACT to amend 51.03 and to create 51.50 of the statutes, relating to verdicts in trials of allegedly insane persons.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 51.03 of the statutes is amended to read:

51.03 If a jury is demanded by the alleged mentally ill, infirm, deficient or epileptic patient or by a relative or friend in his behalf, before commitment, the judge shall direct that a jury be summoned to appear before him to determine the mental condition of the patient. The procedure shall be substantially like a jury trial in a civil action before a justice of the peace, and the 6 jurors shall be selected as in justice court. The judge may instruct the jurors in the law. No verdict shall be valid or received unless agreed to and signed by at least 5 of the jurors. At the time of ordering a jury to be summoned, the judge shall fix the date of the hearing, which date shall be not less than 30 days nor more than 40 days after the demand for a jury is made. In the meantime the judge may order the patient temporarily detained in a designated public institution, until the date of hearing, for observation. The judge shall submit to the jury the following form of verdict:

STATE OF WISCONSIN }
..... County }^{ss}

Members of the Jury:

(1) Do you find from the evidence that the patient.....
.....(insert his name) is mentally ill or mentally infirm or mentally deficient or epileptic? * Answer "Yes" or "No".

Answer:

(2) If you answer the first question "Yes", then do you further find from the evidence that said patient is a proper subject for custody and treatment? Answer "Yes" or "No".

Answer:

(* * * Signatures of jurors who agree * * *)

* Note: Strike out mental condition not involved, so as to submit only that condition or conditions as to which evidence has been taken. If more than one is submitted, add a further question. Which?

SECTION 2. 51.50 of the statutes is created to read:

51.50 SHORT TITLE. This chapter shall be known as The State Mental Health Act.

Approved May 6, 1949.

