

District Court Odyssey Mental Health Hearing Type Codes Assisted Outpatient Treatment (AOT)

| Code | Description | Comments/Usage Instructions | Statute/Rule |
|------|------------------------------|---|-------------------|
| 5003 | AOT - 6-month Review Hearing | In Second and possibly Third District only (approved by ODUG 5-19-21). A hearing to review a participant's adherence to their court-ordered treatment plan at the midpoint of the court order. The treatment provider submits an updated treatment plan documenting progress and/or recommendations for material changes to the treatment plan with clinical justification. | 43-1B NMSA 1978 |
| 5004 | AOT - Annual Review Hearing | In Second and possibly Third District only (approved by ODUG 5-19-21). A hearing to review a participant's adherence to their treatment plan over the course of their one-year AOT court order (focusing on the number of hospitalizations, incarcerations, violent episodes, and periods of homelessness). Participants are clinically recommended to either graduate or have their AOT order extended. If a motion to extend is filed but opposed, the court will hear testimony of the qualified professional, and may also consider testimony of the petitioner and the participant. A judge will then decide if the order should be renewed. Individuals recommended for graduation are connected to "step down" therapeutic services prior to their AOT order lapsing, and a graduation ceremony is held. | 43-1B NMSA 1978 |
| 5001 | AOT - Initial Hearing | In Second and possibly Third District only (approved by ODUG 5-19-21). The court is required to set a hearing date that is no more than three or later than seven days after the court receives the petition. (The hearing may be adjourned to a later date if the court finds good cause for doing so.) At the hearing, the court will hear testimony of the qualified professional whose affidavit was filed with the petition, and may also consider testimony of the petitioner and the subject of the petition. Other forms of admissible evidence may be considered | 43-1B-6 NMSA 1978 |

District Court Odyssey Mental Health Hearing Type Codes Assisted Outpatient Treatment (AOT)

| Code | Description | Comments/Usage Instructions | Statute/Rule |
|------|------------------------------------|--|--------------------|
| | | as well. If the court determines that the criteria for AOT are met, and a written treatment plan has been filed with the court, an order for assisted outpatient treatment is issued for up to one year. | |
| 5005 | AOT - Motion to Extend AOT Hearing | In Second and possibly Third District only (approved by ODUG 5-19-21). Prior to the order expiring, a qualified professional will conduct an exam to determine if the participant will still benefit from an AOT order. If an AOT extension is clinically recommended, an updated affidavit and motion to extend is filed 30 days prior to the expiration of the order. A judge will then decide if the order should be renewed. | 43-1B-11 NMSA 1978 |
| 5002 | AOT - Status Review Hearing | In Second and possibly Third District only (approved by ODUG 5-19-21). An informal "off the record" review of a participant's adherence to their court-ordered treatment plan. Participants are encouraged to discuss ideas, issues or concerns about their treatment with the clinical team and judge. Attorneys are not required to attend status reviews. | 43-1B NMSA 1978 |
| 4528 | Bench Trial | A bench trial is defined as a trial without a jury in which the judge serves as the fact-finder. The trial must result in a judgment, meaning any decree and/or any order from which an appeal lies. For these purposes, a proceeding involving a name change is explicitly excluded from the calculation. Interim hearings, even if dispositive, are not bench trials. A motion to suppress hearing, even if evidence is taken and even if it resolves the case because the evidence is suppressed and the case is dismissed is not a bench trial. Summary Judgment | |

District Court Odyssey Mental Health Hearing Type Codes Assisted Outpatient Treatment (AOT)

| Code | Description | Comments/Usage Instructions | Statute/Rule |
|------|-----------------------|--|---------------------|
| | | hearings are not bench trials. A bench trial that is calendared and then dismissed by the parties or the court is not a bench trial. | |
| 5006 | In Camera Proceeding | Use when the judge is holding a private hearing outside of the presence of spectators and the jury. | 1-104(C)(2) NMRA |
| 4524 | Mental Health Hearing | Use when setting a Commitment, Appointment of Treatment Guardian and/or Application to Administer Medication hearing. | |
| 4527 | Motion Hearing | Use when an oral or written request (motion) is made by a party before, during or after a trial. | |
| 4526 | Objection(s) Hearing | Use when a party requests a hearing to object to a rule of procedure. | |