Penal Code 2602 Reconsideration

CDCR MH-7369 (09/14)

Today's Date:	Date of Hearing:	Institution Where Hearing Held:
Inmate-Patient Home Institution:	OAH Case# (if known):	
Inmate-Patient Attorney (if known):		

Briefly set forth facts and circumstances that you believe show good cause for a judge to reconsider your case. If you have new evidence, state what that is and why it was not previously presented. (Use additional pages as necessary)

Inmate-Patient
Address:

I certify that I am aware that I can file only one reconsideration per year. (Penal Code Sec. 2602 (c)(10).)

Print and Sign: _____

Once complete mail the CDCR MH-7369 PC 2602 Reconsideration (09/14) to the following address:
PC 2602 Filings
Office of Administrative Hearings
2349 Gateway Oaks Drive, Suite 200
Sacramento, CA 95833

Below this line for Office of Administrative Hearings use only

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The above facts and circumstances have been considered, it is so ordered:

☐ Reconsideration granted, new hearing on: _____ ☐ Reconsideration denied

Administrative Law Judge (print): _____ Administrative Law Judge (sign): _____ Date: _____

Penal Code Section 2602 Reconsideration **CDCR MH-7369 (09/14)**	CDCR #: Last Name: MI: First Name: DOB:

Instructions

Purpose of CDCR MH-7369 Penal Code Section 2602 Reconsideration: An inmate-patient is entitled to file one motion for reconsideration per year following a determination that he or she may receive involuntary medication, and may seek a hearing to present new evidence upon a showing of good cause. As a general rule, `good cause' includes reasons that are fair, honest, in good faith, not trivial, arbitrary, capricious, or pretextual, and reasonably related to legitimate needs, goals, and purposes. (***Cotran v. Rollins Hudig Hall Intern., Inc.* (1998) 17 Cal.4th 93, 107-108.)** In determining the meaning of `good cause' in a particular context, courts utilize common sense based upon the totality of the circumstances.

If you believe that you have information or circumstances that shows `good cause' to have a new hearing, fill out this form with as much information as you can supply to support your position.

In the event you did not keep a copy of your Penal Code section 2602 court order, the institution's Medication Court Administrator may be able to provide you with your most recent hearing date and Office of Administrative Hearings case number.

1. Fill in the following sections of the form:
   - Today's date
   - Date of Hearing
   - Institution where your hearing will be held
   - Institution you are currently being housed
   - Your OAH Case#
   - Name of your attorney
   - Briefly describe the facts and circumstances that you believe show good cause for a judge to reconsider your case. If you need additional space to describe the facts and circumstances for good cause, you may use extra sheets of paper.
   - Fill in your address where you can be reached to receive notice if the application has been granted or denied
   - Print and sign your name

2. Once you have filled out the form and printed and signed your name, obtain a #10 standard envelope from the institution and write “Legal Mail” on the front of the envelope.
3. On the top left corner of the envelope, write your full address of where you can be reached.
4. In the center of the envelope, address the envelope as follows:

PC 2602 Filings
Office of Administrative Hearings
2349 Gateway Oaks Drive, Suite 200
Sacramento, CA 95833

5. Follow your institution's protocol for sending legal mail and ask that the reconsideration form be mailed on your behalf.
6. If you have any issues with this process or having this item mailed, contact the Medication Court Administrator.