

IN THE _____ COURT OF _____ COUNTY, TENNESSEE

_____))
Plaintiff))
vs)) No. _____))
_____))
Defendant))

**COMPLAINT FOR INVOLUNTARY COMMITMENT
UNDER TITLE 33, CHAPTER 6, PART 5, TENN. CODE ANN.**

- I. This complaint is brought under Title 33, Chapter 6, Part 5, Tenn. Code Ann.
- II. Plaintiff alleges and would show that
1. the defendant has mental illness or serious emotional disturbance, AND
 2. the defendant poses a substantial likelihood of serious harm because of the mental illness or serious emotional disturbance, AND
 3. the defendant needs care, training, or treatment because of the mental illness or serious emotional disturbance, AND
 4. all available less drastic alternatives to placement in a hospital or treatment resource are unsuitable to meet the needs of the defendant.
- III. Plaintiff alleges that the defendant poses a substantial likelihood of serious harm as indicated in the attached certificates of need. If two completed certificates of need are not attached, it is necessary to complete Sections III and IV of this form:

A. *[CHECK AND EXPLAIN THE CORRECT ITEM(S)]*

The defendant has threatened or attempted suicide or to inflict serious bodily harm on himself by

The defendant has threatened or attempted homicide or other violent behavior by

The defendant has placed others in reasonable fear of violent behavior and serious physical harm to them by

- The defendant is unable to avoid severe impairment or injury from specific risks as shown by

AND

- B. [EXPLAIN] There is a substantial likelihood that such harm will occur unless the defendant is placed under involuntary treatment as shown by the following facts:

- IV. Plaintiff alleges that the following facts show that the defendant meets the criteria set out in items 1 through 4 of Paragraph II above:

- V. [CHECK THE CORRECT ITEM]

- This complaint is accompanied by certificates of need completed by:

_____ and _____,

two licensed physicians, or a licensed psychologist designated as a health service provider and a licensed physician, as required by Tenn. Code Ann. §§33-3-602 and 33-6-503. If two completed certificates of need are attached, it is not necessary to complete Sections III and IV of this form.

OR

- This complaint is not accompanied by certificates of need from two certifying professionals who meet the requirements of the commitment statutes, as required by Tenn. Code Ann. §§33-3-602 and 33-6-503, because the defendant has refused to be examined. Sections III or IV must be completed.

Wherefore, plaintiff requests that:

1. The court hold a hearing within the time periods set out in Tenn. Code Ann. §33-3-606 to determine whether the defendant is subject to involuntary commitment under Title 33, Chapter 6, Part 5, Tenn. Code Ann.
2. The defendant be ordered committed under Title 33, Chapter 6, Part 5, Tenn. Code Ann. in proceedings held in conformity with Tenn. Code Ann. §§33-3-602 through 33-3-620.
3. *If the defendant has refused to be examined by two licensed physicians or a licensed physician and a licensed psychologist designated as a health service provider:* The defendant be ordered taken into custody for an examination by two licensed physicians or a licensed physician and a licensed psychologist designated as a health service provider under Tenn. Code Ann. §33-3-607.
4. The Clerk give notice of the time and place of the hearing, the defendant's right to counsel, and the standards for commitment under Tenn. Code Ann. §33-6-502 to: (a) the defendant; (b) the chief officer of the institution where the defendant is; (c) the defendant's legal guardian or conservator; (d) legal custodian; (e) the spouse, parent, or adult next of kin if there is no guardian or conservator; and (f) the defendant's attorney. Notice must be by personal service to the defendant, if the person is at liberty, or by mail, if the person is not at liberty.
5. The court appoint an attorney for the defendant under Tenn. Code Ann. §33-3-608 if the defendant does not retain one.
6. The costs of the proceedings be taxed in accordance with law.

Filed this _____ day of _____, _____

SIGNATURE

NAME of ATTORNEY for PLAINTIFF

ADDRESS

<hr/> <p style="text-align: center;">PHONE NUMBER</p>	<hr/> <p style="text-align: center;">BPR NUMBER</p>
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I swear (or affirm) that I have read the foregoing complaint for the commitment of _____
_____ and know its contents and that the contents are true except those stated on
information and belief and that, as to those matters, I believe them to be true.

Plaintiff

STATE OF TENNESSEE, COUNTY OF _____

Sworn to and subscribed before me on this the

_____ day of _____, _____

NOTARY PUBLIC

My commission expires: _____

Filed _____, _____

Court Clerk _____