

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY, TENNESSEE

\_\_\_\_\_)
Plaintiff )
vs )
Defendant, aliases )

No. \_\_\_\_\_

DOB: \_\_\_\_\_
GENDER: \_\_\_\_\_

ORDER DIRECTING THAT DEFENDANT BE INVOLUNTARILY
COMMITTED UNDER TENNESSEE CODE ANNOTATED
TITLE 33, CHAPTER 6, PART 5
REPORTABLE UNDER TENNESSEE 2009 PUBLIC CHAPTER 578

This matter was heard on \_\_\_\_\_, \_\_\_\_\_, based on the sworn
complaint of plaintiff, under Tenn. Code Ann. §33-6-502, which alleges:

- 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,

and requests that the defendant be judicially committed to involuntary care and treatment in a
hospital or treatment resource under Title 33, Chapter 6, Part 5, Tenn. Code Ann.

At the hearing \_\_\_\_\_
\_\_\_\_\_ testified,

and the defendant had all rights afforded a defendant under Title 33, Chapter 6, Part 5, Tenn.
Code Ann.

As a result of the hearing, the court concludes:

- 1. The two certificates required by Tenn. Code Ann. §33-6-503 have been filed with the
court showing the need for involuntary care and treatment, and
2. The court finds on the basis of clear, unequivocal and convincing evidence that the
defendant is subject to involuntary care and treatment under Title 33, Chapter 6, Part
5, Tenn. Code Ann.

The court bases its conclusions on the following findings of fact: *[Enter facts which are the basis of findings 1 and 2 above.]*

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The court finds as a fact that:  
(check and complete as appropriate)

1.  the defendant was present at the hearing.

OR

the defendant was present at the hearing and the defendant's conduct at the hearing was so violent or otherwise disruptive that it created a serious risk of harm to the defendant or others at the hearing or so disrupted the proceedings that they could not be conducted in a proper manner, as a result of which the court ordered the defendant restrained.

OR

the defendant was present at the hearing and the defendant's conduct at the hearing was so violent or otherwise disruptive that it created a serious risk of harm to the defendant or others at the hearing or so disrupted the proceedings that they could not be conducted in a proper manner, as a result of which the court ordered the defendant restrained, and restraint being insufficient for the proceedings to be conducted in a proper manner, the defendant was excluded from the proceedings to the extent stated below that was necessary to the proper conduct of the proceedings. The extent of and basis for the defendant's exclusion are as follows:

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OR

the defendant waived being present at the hearing in writing under Tenn. Code Ann. §33-3-612 (b) and was not present.

the defendant/counsel for the defendant has consented to the testimony

of \_\_\_\_\_ being given by affidavit or deposition, and such testimony was given.

OR

- the defendant did not consent to the testimony of \_\_\_\_\_ being given by affidavit or deposition, and such testimony was not given.

*If the plaintiff proposes to commit the defendant to a state mental health institute:* The court finds that \_\_\_\_\_, an RMHI shall admit the plaintiff upon the availability of suitable available accommodations.

*If the plaintiff proposes to commit the defendant to a licensed public hospital or treatment resource other than a state facility:* The court finds that \_\_\_\_\_, a licensed public hospital or treatment resource other than a state facility, shall admit the plaintiff upon the availability of suitable available accommodations.

*If the plaintiff proposes to commit the defendant to a licensed private or local public hospital or treatment resource which has contracted with the department of mental health and developmental disabilities to serve such defendants:*

The court finds that \_\_\_\_\_, a licensed private or local public hospital or treatment resource, has contracted with the department of mental health and developmental disabilities to serve such defendants in the region shall admit the plaintiff upon the availability of suitable available accommodations.

*If the plaintiff proposes to commit the defendant to a licensed private hospital or treatment resource:*

The court finds that:

[check one]

1.  A. a parent, legal guardian, legal custodian, conservator, spouse, or an adult relative of the defendant, or any other person has made arrangements to pay the cost of care and treatment in \_\_\_\_\_, a licensed private hospital or treatment resource,

OR

- B. such facility chooses to accept the defendant despite the fact that no third person has made arrangements to pay the cost.

The court finds as a fact that the defendant:

[check one]

\_\_\_\_\_ is indigent

\_\_\_\_\_ is not indigent

Therefore it is ORDERED that:

1. The defendant is committed for care and treatment to \_\_\_\_\_ hospital or treatment resource upon the availability of suitable accommodations.
2. If the defendant is not in the facility at the time this order is entered, \_\_\_\_\_ shall immediately transport the defendant to the facility as soon as said facility has available suitable accommodations.
3. The facility shall admit the defendant upon the availability of available suitable accommodations and give notice of the commitment as required by law.
4. The defendant is hereby prohibited from purchasing a firearm under T.C.A. §39-17-1316(a)(1);
5. The defendant is hereby prohibited from obtaining a handgun carry permit pursuant to T.C.A. §39-17-1351(b);
6. The defendant's current handgun carry permit, if any, is to be suspended or revoked pursuant to T.C.A. §39-17-1352(a)(10);
7. The court clerk shall report information from this proceeding and court order as required by T.C.A. §§16-10-213 or 16-11-206.
8. *If the defendant is indigent:* Attorney's fees of \$\_\_\_\_\_ are assessed for the defendant's attorney and shall be paid under Tenn. Code Ann. §33-3-503.
9. Costs are assessed as follows:

\_\_\_\_\_  
\_\_\_\_\_

Enter this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
NAME of ATTORNEY for PLAINTIFF

\_\_\_\_\_  
NAME of ATTORNEY for DEFENDANT

\_\_\_\_\_  
ADDRESS

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ADDRESS

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PHONE NUMBER

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BPR NUMBER

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PHONE NUMBER

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