

IN THE _____ COURT OF _____ COUNTY, TENNESSEE

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

**ORDER DIRECTING THAT DEFENDANT BE TAKEN INTO CUSTODY
FOR EXAMINATION UNDER TENN. CODE ANN. §33-3-607**

This matter was heard on _____, _____, based on the sworn complaint of plaintiff, under Title 33, Chapter 6, Part 5, Tenn. Code Ann., which alleges 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,

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.

Plaintiff alleged and swore that the complaint was NOT accompanied by certificates of need from two certifying professionals as required by Tenn. Code Ann. §§ 33-3-602 and 33-6-503, because the defendant refused to be examined by two certifying professionals who meet the requirements of the commitment statutes.

Plaintiff requested that the defendant be ordered taken into custody for an examination by two certifying professionals under Tenn. Code Ann. §33-3-607.

The court concludes that there is probable cause to believe that:

1. The defendant is subject to involuntary care and treatment under Title 33, Chapter 6, Part 5, Tenn. Code Ann. **AND**
2. The two certificates required by Tenn. Code Ann. § 33-6-503 have NOT been filed with the court showing the need for involuntary care and treatment, because the defendant refused to be examined by two certifying professionals.

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

Therefore it is ORDERED that:

1. _____ (sheriff or police department, as appropriate) take the defendant into custody for an examination by either two physicians or one physician and one licensed psychologist with health service provider designation at _____ to determine whether the defendant is subject to involuntary commitment under Title 33, Chapter 6, Part 5, Tenn. Code Ann.
2. Upon completion of the examinations, but not later than forty-eight hours after the defendant is taken into custody, the defendant shall be released.

Enter this _____ day of _____, _____

		JUDGE	
_____		_____	
SIGNATURE		SIGNATURE	
_____		_____	
NAME of ATTORNEY for PLAINTIFF		NAME of ATTORNEY for DEFENDANT	
_____		_____	
ADDRESS		ADDRESS	
_____	_____	_____	_____
PHONE NUMBER	BPR NUMBER	PHONE NUMBER	BPR NUMBER