

IN THE GENERAL SESSIONS COURT FOR _____ COUNTY, TENNESSEE

IN THE MATTER OF:

Defendant

)
) Case No. _____
)
)

NOTICE BY GENERAL SESSIONS COURT OF PROBABLE CAUSE HEARING AND RIGHTS

PURSUANT TO TENNESSEE CODE ANNOTATED §33-6-413(b)

TO:

_____, Defendant

_____, Defense Counsel, Phone #: _____

_____, Chief Officer of _____
(name of hospital or treatment resource)

_____, Defendant's parent, legal guardian, conservator, spouse or adult next of kin

The General Sessions Court of _____ County, Tennessee, hereby gives notice that a hearing will be held to determine if probable cause exists to hold the above named defendant for further involuntary care and treatment at _____.
(name of hospital or treatment resource)

Date and Time of Hearing: _____

Place of Hearing: _____

THERE WILL NOT BE A HEARING IF DEFENDANT IS RELEASED FROM THE HOSPITAL PRIOR TO THE HEARING OR IF DEFENDANT WAIVES THE RIGHT TO A HEARING

If a hearing occurs, the defendant's parent, legal guardian, conservator, spouse and adult next of kin may attend, but are not required to attend the hearing.

T.C.A. §33-6-413(b) NOTICE FROM GENERAL SESSIONS COURT CONTINUED -

The defendant has rights which include, but are not limited to, the following:

- The right to counsel. If the defendant does not retain counsel, the court will appoint counsel to represent the defendant at the hearing. _____ has been appointed.
- The right to waive, in writing, the Probable Cause hearing pursuant to T.C.A. §33-6-420;
- The right to waive, in writing, defendant's own presence at the hearing pursuant to T.C.A. §33-3-612(b);
- The right to accept the doctor's testimony by deposition or affidavit pursuant to T.C.A. §33-3-615(a);
- The right to confront and cross-examine witnesses at the hearing; and
- The right to be protected from compelled self-incrimination.

If the defendant is judicially committed following the Probable Cause hearing, the defendant's legal status will change as follows:

- The defendant will be prohibited from purchasing a firearm under T.C.A. §39-17-1316;
- The defendant will be prohibited from obtaining a handgun carry permit under T.C.A. §39-17-1351; and
- The defendant's current handgun carry permit will be suspended or revoked under T.C.A. §39-17-1352, once judicially committed to a hospital or treatment resource pursuant to this title.

The defendant will have the right to appeal the prohibition against purchasing a firearm pursuant to T.C.A. §39-17-1316.

The defendant will have the right to appeal the denial of a handgun carry permit pursuant to T.C.A. §§ 39-17-1352, 39-17-1353, and 39-17-1354.

_____, Court Clerk
_____ County General Sessions Court