SAMPLE - 303(c) RMHI ORDER

IN THE _____ COURT OF _____ COUNTY, TENNESSEE

STATE OF TENNESSEE)
) No. _____
v.)
)
)
_____)

**ORDER DIRECTING JUDICIAL HOSPITALIZATION AT
A REGIONAL MENTAL HEALTH INSTITUTE
UNDER T.C.A. SECTION 33-7-303(c) and Title 33, Chapter 6, Part 5**

This cause was heard on _____ before the Honorable _____, Judge of Division _____ of the _____Court of _____ County, upon petition of _____ and certificates of _____ and _____ under Title 33, Chapter 6, Part 5, of the Tennessee Code Annotated and T.C.A. § 33-7-303(c).

At the hearing, it appeared to the satisfaction of the Court that the defendant was examined by _____ _____and _____, who are certifying professionals under T.C.A. Section 33-6-503 and who executed certificates which state that, in their opinion, the defendant is mentally ill and, because of this illness, poses a substantial likelihood of serious harm and is in need of care and treatment in a mental hospital; that the certificates were issued within three (3) days of the examination, that the certificates were introduced; and that at least one (1) of the certifying professionals testified on his or her findings at the hearing, or that defense counsel consented to the testimony of a certifying professional being given by deposition or affidavit, pursuant to T.C.A. § 33-3-615.

As a result of the hearing, the Court finds by clear, unequivocal and convincing evidence that the defendant is mentally ill and, because of this illness, poses a substantial likelihood of serious harm, and all available less drastic alternatives to commitment to a mental hospital are unsuitable. The determination of substantial likelihood of serious harm is based on the following standards:

1.
   A. A person has threatened or attempted suicide or to inflict serious bodily harm on himself OR
   B. The person has threatened or attempted homicide or other violent behavior, OR
   C. The person has placed others in reasonable fear of violent behavior and serious physical harm to them, OR
   D. The person is unable to avoid severe impairment or injury from specific risks, AND

2. There is a substantial likelihood that such harm will occur unless the person is placed under involuntary treatment.

Therefore, it is ORDERED:

1. The defendant is committed to the custody of the Commissioner of Mental Health and Substance Abuse Services at _____ Mental Health Institute for treatment, upon the availability of suitable accommodations.

2. The Court Clerk shall provide a copy of this order to the Mental Health Institute.

3. The Sheriff shall transport the defendant to the _____Mental Health Institute, only after verification that the mental health institute has available, suitable accommodations.

4. That the defendant pay all or part of the costs and expenses for the evaluations and treatment, if the court finds the defendant financially able to pay.

SAMPLE

Enter this _____ day of _____, 20_____.

_____
Judge

Approved for Entry:

_____
Defense Attorney
Address
Phone Number

_____
District Attorney General
Address
Phone Number

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