

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

STATE OF TENNESSEE )

VS. )

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

\_\_\_\_\_ )

Charge(s): \_\_\_\_\_

)

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**ORDER FOLLOWING NON-COMPLIANCE HEARING UNDER T.C.A. § 33-6-610**

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This matter was heard on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, based on affidavit of \_\_\_\_\_ under T.C.A. §33-6-609, which alleges:

(Name of Affiant)

(a) the service recipient is required to be participating in mandatory outpatient treatment under T.C.A. §33-6-602 and

(b) the service recipient is, without good cause, out of compliance with the treatment plan and

(c) the treating professional believes the non-compliance is not likely to be corrected voluntarily.

At the hearing, \_\_\_\_\_ testified and the service recipient had all rights afforded a service recipient under T.C.A. §33-6-618.

As a result of the hearing, the Court determines that the service recipient:

1. \_\_\_\_\_ Is complying with the treatment plan OR is out of compliance with the treatment plan for good cause and will be restored to compliance without further action.

2. \_\_\_\_\_ Is out of compliance with the plan without good cause and can be put immediately in compliance with the treatment plan and can be expected to stay in compliance without further hospitalization.

3. \_\_\_\_\_ Is out of compliance with the plan without good cause and can not be put in compliance with the plan immediately or cannot be expected to stay in compliance without further hospitalization.

The Court bases its conclusions on the following findings of fact: (Enter facts as to 2 and 3

above.)

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It is, therefore, ORDERED:

1. \_\_\_\_\_ That the service recipient be released and the treatment plan continues.
2. \_\_\_\_\_ That the service recipient be ordered to comply immediately and dismiss the proceedings upon the showing that the person is in compliance.
3. \_\_\_\_\_ That the sheriff or other transportation agent shall determine that the receiving Mental Health Institute has available suitable accommodations before transporting the Defendant. Once the sheriff or transportation agent determines that the receiving facility has available suitable accommodations he/she shall transport the defendant to the Mental Health Institute for the evaluation and return the defendant to jail when notification is received from the Mental Health Institute.
4. That the costs of these proceedings, including a reasonable attorney fee, be assessed in accordance with T.C.A. §33-3-503.

\_\_\_\_\_  
Judge

Entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Approved for Entry:

\_\_\_\_\_  
Defense Attorney  
Address  
Phone number

\_\_\_\_\_  
District Attorney General  
Address  
Phone number