

IN THE _____ COURT OF _____ COUNTY, TENNESSEE

STATE OF TENNESSEE)

v.)

_____)

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No. _____

Charge(s): _____

ORDER DIRECTING POST CONVICTION OUTPATIENT EVALUATION OF A CAPITAL DEFENDANT UNDER T.C.A. SECTION 33-7-301(a) (4)

This cause was heard on _____ before the Honorable _____, Judge of Division _____, of the _____ Court of _____ County. Upon the court's own motion it is ordered that the service recipient be referred to _____ (Community Mental Health Center) for an evaluation of

(Check one or both)

_____ Intellectual Disability: Whether the defendant suffers from Intellectual Disability as defined by T.C.A. § 39-13-203.

And/or only if NOT previously ordered:

_____ Mental Condition at the Time of the Crime (Insanity Defense): Whether, at the time of the commission of the act(s) constituting the offense, the defendant as a result of a severe mental disease or defect, was unable to appreciate the nature or wrongfulness of such act(s). The term "mental disease or defect" does not include any abnormality manifested only by repeated criminal or otherwise antisocial conduct.

Therefore, it is ORDERED:

1. That the _____ Community Mental Health Center perform the evaluation(s) indicated above and report its findings to this court.
2. That the Court Clerk provide the designated evaluator with a copy of this order.
3. That the Sherriff's Department, after arranging an appointment with the Community Mental Health Center, transport the defendant to the center for the evaluation and return the defendant to jail.
4. That the district attorney general, defense attorney and sheriff provide pertinent information to the mental health center for the above indicated evaluation(s)
5. That the defendant pays all or part of the costs and expenses for the evaluation(s) and treatment, if the court finds the defendant financially able to pay.

Judge