

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

STATE OF TENNESSEE )

v. )

\_\_\_\_\_ )

)  
)  
)  
)  
)  
)

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

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

**ORDER DIRECTING FORENSIC EVALUATION BY THE MENTAL HEALTH INSTITUTE  
UNDER T.C.A. SECTION 33-7-301(a)**

This cause was heard on \_\_\_\_\_ before the Honorable \_\_\_\_\_, Judge of Division \_\_\_\_\_, of the \_\_\_\_\_ Court of \_\_\_\_\_ County, upon the petition of \_\_\_\_\_, and based upon the recommendation of \_\_\_\_\_ (name of community mental health agency) under T.C.A. Section 33-7-301(a) that the defendant be referred to the \_\_\_\_\_ Mental Health Institute for a maximum of thirty (30) days for the following forensic evaluation(s):

(Check one or both)

\_\_\_\_\_ Competency to Stand Trial: Whether the defendant has the ability to cooperate with one's attorney in one's own defense; has an awareness and understanding of the nature and object of the proceedings; and has an understanding of the consequences of the proceedings.

\_\_\_\_\_ 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 Mental Health Institute designated by the Commissioner of the Tennessee Department of Mental Health (TDMH) perform the evaluations indicated above and report its findings to this court.
2. That the Court Clerk provide the designated Mental Health Institute with a copy of this order.
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 district attorney general, defense attorney and sheriff provide pertinent information to the mental health institute for the above-indicated evaluations.
5. If the defendant is charged with a misdemeanor, the cost of the evaluation and treatment under Chapter 7, Part 3 of this title will be a charge upon the funds of the county pursuant to T.C.A. § 33-7-304(a).
6. 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.

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

---

Judge

Approved for Entry:

---

Defense Attorney  
Address  
Phone number

---

District Attorney General  
Address  
Phone number