

Using This Revisable PDF Form

1. Copies
 - a. Original – to court.
 - b. First copy – to respondent.
 - c. Second copy – to the respondent’s attorney, if present.
2. Prepared by clerk, signed by respondent’s attorney, if present.
3. Attachments
 - a. Attach court’s copy to commitment order if respondent involuntarily committed.
 - b. Appointment of counsel, if applicable.
 - c. “Information about Involuntary Commitment,” pamphlet published by Department of Behavioral Health and Developmental Services.
4. Preparation details
 - a. The court is required by Virginia Code § 37.2-814 to give the respondent an explanation of his right to counsel, to present evidence in his own behalf, to be present at the hearing and to testify, and to appeal any certification to the circuit court where a trial by jury may be had.
 - b. The form should be explained to the respondent by an attorney and so noted on the form.

DESCRIPTION OF RIGHTS

Commonwealth of Virginia VA. CODE § 37.2-814

..... **2** Juvenile and Domestic Relations District Court
..... General District Court

In re: **3**

To the respondent:

You are a person whose involuntary admission for inpatient treatment is being sought.

You have the right to retain private counsel or be represented by a court-appointed attorney in this proceeding.

You may present any defenses you have to your involuntary commitment including independent evaluations, expert testimony, and the testimony of other witnesses.

You have the right to be present and to testify during the hearing.

You have the right to appeal to the circuit court any commitment for involuntary admission or to mandatory outpatient treatment, and to have a jury trial on appeal.

You are entitled to request a copy of the tape or other audio recording made at any commitment hearing for involuntary admission of which you were the subject that was presided over by a judge or a special justice. The court retains such a recording for three years from the date of the hearing.

Copies of the audio recording of the hearing, relevant medical records, reports, and court documents pertaining to this proceeding are kept confidential by the court, with access to the dispositional order provided to others only by court order. However, you may waive confidentiality in writing, in order to allow others to have access to the dispositional order only, or to all of the records pertaining to the hearing.

The judge or special justice may rely upon the evaluation report and certification of the appointed examiner and the preadmission screening report from the community services board to order your involuntary commitment. You have the right to object to the acceptance of the examiner’s written certification and these written reports at the hearing.

If you are involuntarily admitted to a facility for inpatient treatment or ordered to mandatory outpatient treatment as a result of a commitment hearing, or if you are the subject of a temporary detention order and you agree to voluntary admission, it will be unlawful for you to purchase, possess or transport a firearm.

I have explained the involuntary admission process, the statutory protections associated with such process, and the contents of this form to the respondent prior to the commitment hearing.

..... **4** **5**
DATE SIGNATURE OF ATTORNEY

..... **6**
PRINT NAME ADDRESS TELEPHONE NUMBER

I have determined that the respondent has received this form and its contents have been explained to him by an attorney.

..... **7** **8**
DATE [] JUDGE [] SPECIAL JUSTICE

Data Elements

1. Court case number.
2. Court name. Check box for type of court.
3. Name of respondent.
4. Date form signed by attorney who explained the contents of the form to the respondent.
5. Signature of attorney who explained the contents of the form to the respondent.
6. Printed name, address and telephone number of attorney who explained the contents of the form to the respondent.
7. Date form signed by judge.
8. Judge's signature.