

NO.

IN THE MATTER OF

§

IN THE COUNTY COURT

(RESP)

§

OF _____ COUNTY, TEXAS

A CHILD

§

**ORDER OF COMMITMENT TO THE CUSTODY OF THE
TEXAS DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION**

On this the ____ day of _____, 200_, this cause came before the Court for a determination of suitability of the commitment of (RESP), the juvenile-respondent, to a residential care facility.

____, ____ County Assistant District Attorney, representing the State of Texas, and _____, Attorney of Record, representing the Juvenile-respondent, appeared and announced ready for (RESP). Also present was (RESP), the juvenile-respondent, and his/her mother, _____, and _____, ____ County juvenile probation officer.

It appearing to the Court that on this the ____ day of _____, 200_, this Court entered a finding that the juvenile-respondent is a child with mental retardation as defined by the Persons with Mental Retardation Act, Subtitle D, Title 7, Texas Health and Safety Code, and after having heard and considered evidence and argument of counsel on the issue of commitment, the Court finds that the juvenile-respondent meets the criteria as set forth in Section 593.052 of the Persons with Mental Retardation Act, Subtitle D, Title 7, Texas Health and Safety Code, for commitment to the custody of the Texas Department of Mental Health and Mental Retardation for placement in a residential care facility and that such commitment is appropriate and in the best interest of the juvenile-respondent.

Specifically, the Court finds that because of his/her mental retardation, the juvenile-respondent represents a substantial risk of physical impairment or injury to himself/herself or others and cannot be adequately and appropriately rehabilitated in an available, less restrictive setting. Further, the Court finds that there exists a proposed residential care facility that can provide rehabilitative services, care, training and treatment appropriate to the needs of the juvenile-respondent.

IT IS THEREFORE, ORDERED ADJUDGED AND DECREED, that (RESP) be committed to the Texas Department of Mental Health and Mental Retardation for placement in an appropriate residential care facility.

IT IS FURTHER ORDERED that the ____ County Juvenile Probation Department transport ____ to the ____ State School.

SIGNED ON THIS THE ____ DAY OF _____, 200.

JUDGE PRESIDING

OPTIONAL:
AGREED TO AS TO FORM AND SUBSTANCE:

ATTORNEY FOR CHILD

MOTHER

CHILD

ADA