

**STATE OF NORTH CAROLINA**

File No.

\_\_\_\_\_ County

In The General Court Of Justice  
 District  Superior Court Division

**IN THE MATTER OF**

Name And Address Of Respondent

**NOTICE OF HEARING/REHEARING  
FOR INVOLUNTARY COMMITMENT**

Date Of Birth

G.S. 122C-264, -274, -276, -284, -292

**NOTICE TO THE RESPONDENT NAMED ABOVE**

(Check only one)

- 1. It has been alleged that you have a mental illness and are a proper subject for involuntary commitment.  inpatient  outpatient
- 2. It has been alleged that you are a substance abuser and a proper subject for involuntary commitment.
- 3. The physician now treating you has determined that you are in need of further care and treatment beyond your present period of commitment.
- 4. You have been committed after (a) being charged with a violent crime and being found incapable of proceeding or (b) being found not guilty by reason of insanity. The physician now treating you has determined that further treatment  is  is not necessary. However, you may not be released without the hearing referred to below.

A hearing will be held before a district court judge at the date, time and place indicated below. At that hearing it will be determined if you should be committed, released, or recommitted for treatment.

At this hearing you will be allowed to present evidence. If the hearing is for inpatient commitment or for commitment as a substance abuser, you have a right to be represented by an attorney. If you cannot afford an attorney, one will be appointed for you.

If the hearing is for an outpatient commitment, you may hire an attorney to represent you. If you cannot afford an attorney, you may ask the court to appoint one for you. However, the court may or may not appoint an attorney based upon the facts in your particular case.

Date Of Hearing

Place Of Hearing

Time Of Hearing

AM  PM

**NOTICE TO SHERIFF**

This Notice must be served on the respondent at least seventy-two (72) hours before the hearing.

Date

Signature

Deputy CSC  Assistant CSC  Clerk Of Superior Court

Original-File    Copy-Petitioner    Copy-Respondent    Copy-Attorney  
(Over)

**RETURN OF SERVICE**

I certify that this Notice was received and served on the respondent as follows:

<i>Date Served</i>	<i>Time Served</i> <input type="checkbox"/> AM <input type="checkbox"/> PM	<i>Name Of Respondent</i>
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1. By delivering to the respondent named above a copy of this Notice.
2. By leaving a copy of this Notice at the respondent's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

*Name Of Person With Whom Copies Left**Address Where Copies Delivered Or Left* Service Accepted By Attorney For Respondent

<i>Signature</i>	<i>Date Accepted</i>
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 Respondent WAS NOT served for the following reason:

<i>Date Received</i>	<i>Signature Of Deputy Sheriff Making Return</i>
<i>Date Of Return</i>	<i>Name Of Deputy Sheriff Making Return</i>
<i>Name Of Sheriff</i>	<i>County Of Sheriff</i>

**NOTE TO CLERK: (In Addition To Service On Respondent)****For cases in which the examiner recommends inpatient commitment for a person who has a mental illness:**

The clerk in the county where the 24-hour facility is located must deposit in the mail a copy of this Notice by first-class mail at least 72 hours before the hearing to the respondent's counsel and the petitioner, unless the petitioner has waived his/her right to notice on form AOC-SP-300. If the respondent has been found not guilty by reason of insanity or has been charged with a violent crime and been found incapable of proceeding, the clerk must also mail a copy of the notice to the chief district court judge and the district attorney in the county in which the defendant was found not guilty by reason of insanity or incapable of proceeding.

**For cases in which the examiner recommends outpatient commitment for a person who has a mental illness:**

The clerk in the county where the petition was initiated must deposit in the mail a copy of this Notice by first-class mail at least 72 hours before the hearing to the proposed outpatient treatment center or physician and the petitioner, unless the petitioner has waived his/her right to notice. If the respondent was charged with a violent crime and found incapable of proceeding, see instructions immediately above for additional persons to be served.

**For cases in which the examiner finds that the respondent is a substance abuser:**

The clerk in the county where the facility is located if respondent is held in a 24-hour facility or the clerk in the county where the petition was initiated if not held in a 24-hour facility must deposit in the mail a copy of this Notice by first-class mail at least 72 hours before the hearing to the respondent's counsel and the petitioner, unless the petitioner has waived his/her right to notice. Notice should also be sent to the area facility or physician that will be responsible for the commitment.

**CLERK'S CERTIFICATION OF SERVICE**I certify that I have mailed copies of this Notice by first-class mail at least 72 hours before the hearing to the persons whose name and address are listed below (*fill in only those appropriate*):

<i>Name And Address Of Petitioner</i>	<i>Name And Address Of Counsel For Respondent</i>
<i>Name And Address Of Proposed Outpatient Treatment Center/Physician</i>	<i>Name And Address Of Area Facility/Physician</i>
<i>Date</i>	<i>Signature</i>
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court	