**Release: PERSONAL BOND – Certain defendants WITH MENTAL ILLNESS or INTELLECTUAL DISABILITY (Art. 17.032, C.C.P.)**

Report #:

Agency:

Charge:

The undersigned Magistrate determines that:

1. the Defendant, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, is not charged with nor has been previously convicted of a violent offense as that term is defined in Article 17.032(a) of the Code of Criminal Procedure;
2. the Defendant was examined by (the local mental health authority, the local intellectual and developmental disability authority, or a qualified mental health or intellectual disability expert under Article 16.22);
3. the applicable expert, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, in a written assessment submitted to the undersigned Magistrate under Article 16.22 of the Code of Criminal Procedure concludes that the Defendant has a mental illness or is a person with an intellectual disability and is nonetheless competent to stand trial and recommends (mental health treatment) (intellectual disability services) for the Defendant; and
4. in consultation with the (local mental health authority) (local intellectual and developmental disability authority), appropriate community-based mental health or intellectual disability services for the Defendant are available in accordance with Section 534.053 or 534.103 of the Health and Safety Code, or through another mental health or intellectual disability services provider.

The undersigned Magistrate further finds that after considering all the circumstances, a pretrial risk assessment (*if applicable*), and any other credible information provided by the attorney representing the State or the Defendant, that release on personal bond would reasonably ensure the Defendant’s appearance in court as required and the safety of the community and the victim of the alleged offense.

Therefore, pursuant to Article 17.032 of the Code of Criminal Procedure, the Defendant is **ORDERED** released on personal bond on the above charge.

*(check any applicable boxes below)*

* As a condition of release on personal bond, the Defendant is **ORDERED** to submit to outpatient or inpatient mental health treatment or intellectual disability services as recommended by the local mental health authority, local intellectual and developmental disability authority, or another qualified mental health or intellectual disability expert. *(required if the defendant’s mental illness or intellectual disability is chronic in nature; or ability to function independently will continue to deteriorate if the defendant is not treated.)*
* As a condition of release on personal bond, the Defendant is **ORDERED** to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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* The Defendant is released on personal bond with no conditions of release.

A copy of this Order shall be placed with the records of the Defendant.

SIGNED THIS \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ o'clock \_\_\_\_\_.m.

**Editor’s Note:** Notwithstanding Article 17.03(b), or a bond schedule adopted or a standing order entered by a judge, a magistrate shall release a defendant on personal bond unless good cause is shown otherwise if the requirements in Article 17.032(b) are satisfied. A person is considered to have been convicted of an offense under Article 17.032 if a sentence is imposed, the person is placed on community supervision or receives deferred adjudication, or the court defers final disposition of the case.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Magistrate

Municipal Judge, City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Texas

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Name of Interpreter (If Interpreter Necessary)