

**NOTICE OF RIGHTS UNDER TEMPORARY AND IMMEDIATE CARE ACT
37-4-40.3**

CSH – 346

This form is completed when a client is in custody of a state facility for temporary care.

This form gives a client or his/her representatives certain rights while hospitalized.

Distribution: 1- Client
1- First Representative
1- Guardian ad Litem (if applicable)
1- Medical Record

**GEORGIA DEPARTMENT OF
HUMAN RESOURCES**

CLIENT IDENTIFICATION

Name: _____

Address: _____

Telephone: (____) _____

**NOTICE OF RIGHTS UNDER
TEMPORARY AND IMMEDIATE
CARE ACT**

BY AUTHORITY OF 1986 GEORGIA LAWS 1092; O.C.G.A. 37-4-40.3

Facility: _____

Date: _____

TO: _____

Client

Second Representative

First Representative

Guardian Ad Litem (if applicable)

The above-named person has been admitted to this facility on _____, 20____.

At this time he/she has certain rights. One of the rights is that either the client or his representative may file for a Writ of Habeas Corpus, if it is believed the client is being held illegally. This can take place in ONE of three courts of the county where the facility is located:

1. In the Probate Court if the client is 17 years or older;
2. in the Juvenile Court if the client is under 17 years old or
3. in the Superior Court of the County (the client's age does not matter).

A client or his representative may file a petition in the Probate or Juvenile Court for a protective order if they believe the client is not being given a right or a privilege that he is supposed to have under the Georgia laws, which allow him to be in the facility. A petition may also be filed if it is thought a procedure of those laws is being abused. When such a petition is filed, the court has the authority to look into the matter and issue any order needed to correct the situation. This petition may be filed with the Probate Court of either the county where the client is located or in the county of the client's home, if the client is 17 years or older. If the client is under 17 years old, the petition may be filed with the Juvenile Court either of the county where the client is found or in the county of the client's home.

The client has the right to a lawyer when he files for a Writ of Habeas Corpus or when he asks for a protective order. If the client cannot pay for a lawyer, he may ask the court to appoint one.

Continued on reverse side.

If there are any questions, the client may ask the unit staff and the representatives may call:

_____ at _____
(Telephone)

Date of Notice/Mailing

Signature of Staff

c: Client:	_____	_____
First Representative	_____	_____
Second Representative	_____	_____
Guardian	_____	_____
Clinical Record	_____	_____