

**COMPETENCY TO STAND TRIAL
FINDING AND ORDER OF PLACEMENT**

JD-JM-202 New 10-12
P.A. 12-1, June 12 Special Session, Sec. 268

STATE OF CONNECTICUT
**SUPERIOR COURT
JUVENILE MATTERS**
www.jud.ct.gov



Address of Court		Date of Delinquency or FWSN Petition	Docket number
Name of child or youth	Address		Date of birth
Name of mother	Address		
Name of father	Address		

1. After a hearing, the court finds by a preponderance of the evidence that the child is competent and orders the delinquency or family with service needs proceedings to continue.
2. After a hearing, the court finds by a preponderance of the evidence that the child is not competent, that is, that the child is unable to understand the proceedings against the child or to assist in the child's own defense and that there is not a substantial probability that the child will attain or regain competency within 90 days or that the recommended intervention to attain or regain competency is not appropriate, and orders:
- the delinquency or family with service needs petition dismissed.
 - temporary custody of the child vest with the Commissioner of the Department of Children and Families and notice to the Office of the Chief Public Defender to appoint a guardian ad litem to investigate whether a petition should be filed under Section 46b-129 of the Connecticut General Statutes.
 - The Department of Children and Families or the child's probation officer or the following person, agency, mental health facility or treatment program (*name*) _____ to conduct or obtain an appropriate assessment and propose a service plan that can appropriately address the child's needs in the least restrictive setting available and appropriate.
 - not later than 10 business days after the above order, a hearing to review a temporary custody order or recommendations made for the child.
3. After a hearing, the court finds by a preponderance of the evidence that the child is not competent, that is, that the defendant is unable to understand the proceedings against the child or to assist in the child's own defense, and that there is a substantial probability that the child, if provided with an appropriate intervention will attain or regain competency within 90 days.
- The court finds that the recommended intervention is appropriate, **OR**
 - The recommended intervention is not appropriate and orders the following intervention: _____ for a period of _____ (*not to exceed 90 days*) and intervention services by
 - the Department of Children and Families, or
 - by an appropriate person;
 - at the child's parents or guardian's expense, in the least restrictive setting available to the child.

The court shall schedule a hearing on the implementation of the intervention within 5 business days.

The court further orders that:

- a hearing be held at least 10 business days after the completion of the intervention period to reassess the child's competency;
- at least 10 business days prior to the competency reassessment hearing, the Commissioner of Children and families, the commissioner's designee or other person, agency, facility or treatment program providing intervention services report on the progress of the intervention services to the clinical team or examining physician;
- the child be reassessed by the clinical team or examining physician upon receipt of the progress report of such intervention;
- the clinical team or examining physician submit not less than 2 business days prior to the hearing a report to the court that includes (A) the clinical findings of the provider of the intervention services and the facts upon which the findings are made; (B) the clinical team's or examining physician's opinion on whether the child has attained or regained competency or is making progress toward attaining or regaining competency within the period covered by the intervention order; and (C) any other information concerning the child requested by the court.

4. After a hearing to reassess the child's competency, the court finds that the child has attained or regained competency and orders the proceedings to continue.
5. After a hearing to reassess the child's competency, the court finds that:
- The child has not attained or regained competency and that further intervention is appropriate and orders a new period for restoration of competency of _____ (*not to exceed 90 days*), **or**
 - The child has not attained or regained competency and that there is not a substantial probability that the child will attain or regain competency or that further intervention is not appropriate and orders:
 - the delinquency or family with service needs petition dismissed.
 - temporary custody of the child vest with the Commissioner of the department of Children and Families and notice to the Office of the Chief Public Defender to appoint a guardian ad litem to investigate whether a petition should be filed under Section 46b-129 of the Connecticut General Statutes.
 - The Department of Children and Families or the child's probation officer or the following person, agency, mental health facility or treatment program (*name*) _____ to conduct or obtain an appropriate assessment and propose a service plan that can appropriately address the child's needs in the least restrictive setting available and appropriate.
 - not later than 10 business days after the above order, a hearing to review a temporary custody order or recommendations made for the child.
6. After a hearing to review the order of temporary custody or recommendations made concerning the child, the court approves the service plan and orders:
- the delinquency or family with service needs case dismissed, or
 - the prosecution of the case suspended for _____ (*not to exceed 18 months*).
 - the Department of Children and Families provide periodic reports to the court to ensure appropriate services are being provided to the child.

Signed	Name of person signing at left	Date signed
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