

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

JD-JM-199 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		

Section 1 — Finding By Court Upon Motion

The court finds that the request for a competency examination is justified and that there is probable cause to believe that the child has committed the alleged offense. Therefore, the court orders a competency examination of the child in this action as to the child's ability to understand the proceedings against him or her and to assist in his or her own defense, pursuant to section 268(d) of Public Act 12-1 of the June 12 Special Session.

Section 2 — Appointment of Examiner

To the Court Support Services Division of the Judicial Branch: You are ordered to appoint either:

(1) a clinical team constituted under the policies and procedures established by the Chief Court Administrator, which shall consist of three persons: a clinical psychologist with experience in child and adolescent psychology, and two of the following three types of professionals: (A) a clinical social worker licensed pursuant to chapter 383b of the Connecticut General Statutes, (B) a child and adolescent psychiatric nurse clinical specialist holding a master's degree in nursing, or (C) a physician specializing in psychiatry and at least one member of the clinical

team shall have experience in conducting forensic interviews and at least one member of the team shall have experience in child and adolescent psychology; or

(2) if agreed to by all parties, a physician specializing in psychiatry who has experience in conducting forensic interviews and in child and adult psychiatry, to examine the child in this matter as to the child's ability to understand the proceedings against him or her and to assist in the child's own defense and to make a written report to the court of the findings of the examination.

If the clinical team or examining physician finds that the child cannot understand the proceedings against him or her or is not able to assist in his or her own defense, the report should indicate: (1) whether there is a substantial probability that the child will attain or regain competency within 90 days of a court ordered intervention; and (2) the nature and type of intervention, in the least restrictive setting possible, recommended to attain or regain competency.

Section 3 — Notice To Examiners

Examination of the child must be completed within 15 business days of the Date of Order shown below. The following persons are authorized by the court to observe the evaluation:

In addition, counsel for the child, his or her designated representative, and if the child is represented by a public defender, a social worker from the Division of Public Defender Services, may observe the examination.

A written report of the findings of the examination must be prepared and signed by you and filed with the court within 21

business days of the Date of the Order shown below. You will be notified by the court when to come to court to testify with respect to the report, unless a hearing is waived by the child's counsel (because you have determined without qualification that the child is able to understand the proceedings against the child and the child is able to assist in his or her defense).

If the written report is introduced into evidence, at least one member of the clinical team or the examining physician must be present to testify as to the determinations in the report, unless the clinical team's or examining physician's presence is waived by the child and the prosecuting authority. Any member of the clinical team shall be considered competent to testify as to the team's determinations.

Section 4 — Notice To Clerk

A hearing on the examiner's report shall be scheduled not later than 10 business days from the date the court receives the written report. Upon receipt by the court of the report, forward copies to the prosecuting authority and counsel for the child, at least 48 hours before the hearing and give notice of the date of the hearing. Unless the hearing is waived or unless presence of the examiner is waived, notify the examiner(s) when and where to appear.

By the Court (Name of Judge)	Date of Order
Signed (Assistant Clerk)	Date signed