D-1-DC- _____

THE STATE OF TEXAS	§	IN THE _____ DISTRICT
VS.	§	COURT OF
_____	§	TRAVIS COUNTY, TEXAS

D.O.B. _____ Booking Number _____

MOTION TO HAVE DEFENDANT EXAMINED BY AN EXPERT FOR COMPETENCY

Comes now, _____, attorney for the (defendant)/(state) in the above entitled and numbered cause, and files this motion to have the defendant examined by an expert competency evaluator and would show the Court the following:

I.

Information has come to the attention of said attorney which raises the question of whether the defendant is mentally competent to stand trial at this time.

II.

Wherefore, it is prayed that the Court appoint a disinterested expert qualified under Art. 46B.022 (a) and (b) or 46B.022 (c), Texas Code of Criminal Procedure, to examine the defendant and file a written report as required by 46B.025, Texas Code of Criminal Procedure.

_____
Attorney for (Defendant)/(State)

_____
Phone

_____
Email

D-1-DC- _____

THE STATE OF TEXAS	§	IN THE _____ DISTRICT
VS.	§	COURT OF
_____	§	TRAVIS COUNTY, TEXAS

D.O.B. _____ Booking Number _____

ORDER TO EXAMINE THE DEFENDANT REGARDING COMPETENCY

On this day the issue of the competency of the defendant to stand trial being raised, the Court on the motion of the attorney for the _____ to appoint a disinterested expert experienced and qualified in mental health and intellectual and developmental disability to examine the defendant with regard to competency to stand trial, and the Court having determined that the Court appoint a disinterested expert qualified under Art. 46B.022 (a) and (b) or 46B.022 (c), Texas Code of Criminal Procedure, to examine the defendant and file a written report as required by 46B.025, Texas Code of Criminal Procedure,

It is therefore ORDERED and DECREED that _____, is hereby appointed to examine the defendant for competency.

The examiner is advised that the defendant is charged with the offense(s) of _____,

alleged to having been committed on or about _____.

The examiner shall report in writing to the Court within 30 days from this date. The report shall include a description of the procedures used in the examination, the examiner's observation and findings pertaining to the defendant's competency to stand trial, and the recommended treatment. If the examiner concludes that the defendant is incompetent to stand trial, the report shall include the examiner's observations and findings about whether there is a substantial probability that the defendant will attain competency to stand trial in the foreseeable future.

Travis County Sheriff's Office, the local Mental Health Authority, and mental health treatment facilities operated by or contracted with Texas Department of State Health Services shall provide to experts appointed under this order information relevant to a determination of the defendant's competency, including previous mental health evaluation and treatment records.

The County Auditor of Travis County shall pay the reasonable and necessary fees charged by said examiner for said examination and report.

_____ _____

Judge Presiding Date