

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING  
JUVENILE DIVISION**

STATE OF WASHINGTON,  
  
Plaintiff,  
  
vs.  
\_\_\_\_\_  
DOB: \_\_\_\_\_ Respondent.  
  
 In Custody     Out of Custody

No.

**ORDER FOR PRETRIAL  
COMPETENCY EVALUATION BY  
CHILD STUDY AND TREATMENT  
CENTER**

Next court date: \_\_\_\_\_ at \_\_\_\_\_  
in court \_\_\_\_\_.

THIS MATTER having come on for hearing on the date below and there being reason to doubt the Respondent's competency, and the Court being in all things duly advised; the Plaintiff, the State of Washington, being represented by the undersigned Deputy Prosecuting Attorney, the Respondent is / is not present, and the Respondent being represented by his/her attorney; the Court finds that the Respondent is in need of a forensic mental health evaluation.

IT IS HEREBY ORDERED, under the authority of RCW 10.77.060, that the Respondent, who is charged with the crime(s) of \_\_\_\_\_, be evaluated by a qualified expert from Child Study and Treatment Center, who shall be approved by the prosecuting attorney, and who is designated by the Secretary of the Department of Social and Health Services. The Secretary may choose to designate more than one evaluator. The evaluation may include psychological and medical tests and voluntary treatment if conducted inpatient at Child Study and Treatment Center.

ORDER FOR PRETRIAL  
COMPETENCY EVALUATION BY  
CHILD STUDY AND TREATMENT  
CENTER

**Daniel T. Satterberg, Prosecuting Attorney**  
Juvenile Court  
1211 E. Alder  
Seattle, WA 98122  
(206) 296-9025, FAX (206) 296-8869

1 The report of evaluation shall include the following:

2 [X] a description of the nature of the examination;

3 [X] a diagnosis of the mental condition of the Respondent;

4 [X] an opinion as to the competence of the Respondent if the Respondent suffers from a  
5 mental disease or defect or is developmentally disabled; if the report concludes the  
6 Respondent is incompetent to proceed, the report shall include an opinion whether  
7 psychotropic medications are necessary and appropriate to restore the Respondent's  
8 competency and an opinion as to whether the Respondent is restorable;

7 [X] an opinion as to whether the Respondent should be evaluated by a County Designated  
8 Mental Health Professional for commitment under RCW 71.34;

9 [ ] **Interpreter.** If this section is marked, the evaluation shall be done with the aid of an  
10 interpreter (language)\_\_\_\_\_. Child Study and Treatment shall  
11 arrange for the interpreter.

11 [ ] **DEVELOPMENTAL DISABILITIES PROFESSIONAL:** The court has been advised  
12 by a party to the proceedings that the Respondent may have a developmental disability,  
13 and hereby orders that the evaluation must be performed by a developmental disabilities  
14 professional.

13 [ ] The defense attorney requests to be present. The evaluator shall give the defense attorney  
14 reasonable notice of and an opportunity to be present at any clinical interview. Notice  
15 may be sent to the email address provided below.

16 1. **Forensic Mental Health Evaluation.** The Forensic Services staff of the Department of  
17 Social and Health Services Child Study & Treatment Center (CSTC) is appointed to  
18 examine and report on the mental condition of the Respondent. The evaluation  
19 procedures shall follow the procedures of chapter 10.77 RCW unless otherwise indicated.

20 2. **Location of Evaluation.**

21 [ ] **Out-of-Custody Evaluation.** As the Respondent is not currently in custody, defense  
22 counsel and/or the assigned Juvenile Probation Counselor (JPC) shall within the next working  
23 day following the date of this order provide CSTC with the following contact information by  
24 calling (253)761-3373 so that CSTC can set up an appointment:

1 The name, address and telephone number of the person whom the respondent is  
2 residing with. Furthermore, if the respondent does not reside with his legal  
3 parent/guardian, the relationship of the placement person (i.e. relative, group home,  
4 etc.) shall also be included.

5 The examination shall occur as soon as practical following the receipt of **(i) the order,**  
6 **(ii) the charging documents and (iii) the prosecutor's discovery** by Child Study and  
7 Treatment. If after an initial assessment the evaluator determines that the evaluation should  
8 take place or be completed at Child Study and Treatment, the evaluator shall notify the parties  
9 in writing. A new order must be entered to authorize inpatient examination if necessary to  
10 complete the evaluation.

11 If the Respondent is committed to a treatment facility before the evaluation, the facility  
12 is ordered to make the Respondent available for the purposes of this evaluation order.

13 If the out of custody evaluation cannot be completed within twenty-one days due to a  
14 lack of cooperation by the Respondent, the evaluator shall notify the court that he or she is  
15 unable to complete the evaluation because of such lack of cooperation.

16 [ ] In-custody evaluation: The evaluation shall take place in the King County Juvenile  
17 Detention Center. The evaluation shall take place as soon as practical following the receipt  
18 of all of **(i) this order, (ii) the charging documents, and (iii) the prosecutor's discovery** by  
19 Child Study and Treatment Center. If the Respondent is transferred to another detention or  
20 correctional facility or a treatment facility, the detention center or the parties are to  
21 immediately inform Child Study and Treatment Center at (253)761-3373, and the facility is  
22 ordered to make the Respondent available for the purposes of this evaluation. If the  
23 Respondent is released from detention prior to the evaluation, defense counsel shall contact  
24 the staff at Child Study and Treatment Center at (253) 761-3373 within the next working day  
25 following his/her release from detention to schedule an appointment for evaluation at Child  
26 Study and Treatment Center.

If after an initial assessment the evaluator determines that the evaluation should take  
place or be completed at Child Study and Treatment Center, the evaluator shall notify the  
parties in writing and the Respondent shall be transported to the Child Study and Treatment  
Center by the King County Department of Adult and Juvenile Detention (DAJD). The  
commitment period for the evaluation shall not exceed fifteen days from the time of  
admission to Child Study and Treatment Center.



1 **2. Transport.**

2 **A.** If the Respondent is in custody and *if* the evaluation is to occur at CSTC, the  
3 Respondent shall be transported to CSTC, located at 8805 Steilacoom Blvd SW, Lakewood,  
4 Washington, on the date of the evaluation by DAJD. On completion of the evaluation, Respondent  
5 shall be transported from CSTC back to the custodial placement by DAJD.

6 **B.** Any facility providing inpatient services related to competency shall discharge the  
7 Respondent as soon as the facility determines that the Respondent is competent. Discharge shall not be  
8 postponed during the writing and distribution of the evaluation report.

9 **C.** If the Respondent is discharged to the custody of a local correctional facility, the local  
10 correctional facility must continue the medication regimen prescribed by the facility, when clinically  
11 appropriate, unless the Respondent refuses to cooperate with medication and there is no forced  
12 medication order in effect.

13 **D.** At the end of any period of inpatient examination and/or testing:

14  
15 [ ] all parties agree [ ] to waive the presence of the Respondent or [ ] to the Respondent's  
16 telephonic participation at a subsequent presentation of an agreed order if the recommendation  
17 of the evaluator is for continuation of the stay of criminal proceedings for restoration efforts,  
18 and the hearing is held prior to the expiration of the authorized commitment period.

19 Pursuant to CrR 3.3 and JuCR 7.8, the time for trial period is tolled during this examination  
20 period and until this Court enters an order finding the Respondent to be competent to proceed.

21  
22 The next hearing date is scheduled for: \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m in court \_\_\_\_\_.

1 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

2  
3 \_\_\_\_\_  
4 JUDGE/COMMISSIONER

5 Printed Name: \_\_\_\_\_  
6  
7  
8

9 \_\_\_\_\_  
10 Deputy Prosecuting Attorney

11 **PRINT NAME:** \_\_\_\_\_ WSBA No. \_\_\_\_\_

12 **PHONE NUMBER:** (206) 296-9025 FAX Number (206) 296-8869

13 **EMAIL ADDRESS** \_\_\_\_\_  
14

15 \_\_\_\_\_  
16 Attorney for Respondent

17 **PRINT NAME:** \_\_\_\_\_ WSBA No. \_\_\_\_\_

18 **PHONE NUMBER:** \_\_\_\_\_ FAX Number \_\_\_\_\_

19 **EMAIL ADDRESS** \_\_\_\_\_  
20  
21  
22  
23  
24  
25  
26