



IN THE \_\_\_\_\_ JUDICIAL CIRCUIT, \_\_\_\_\_ COUNTY, MISSOURI

Judge or Division:	Case Number:
	Offense Cycle No. (OCN):
State of Missouri  vs.	

(Date File Stamp)

### Mental Exam Order – Pretrial (Responsibility)

The defendant has ☐ pleaded lack of responsibility due to mental illness or defect ☐ given written notice to plead mental disease or defect excluding responsibility.

The court orders a mental examination of the defendant as provided for under section 552.020, RSMo, and directs the defendant to appear for examination at a time and place as determined by ☐ the department of mental health or ☐ private psychiatrist, psychologist, or physician. The interview of witnesses is allowed for use in evaluations. Police reports shall be provided to the evaluating clinician(s) for use in evaluations.

A report from the examiner is required within 60 days of this order to be submitted to this court. The clerk of the court shall provide copies of the report to the prosecuting or circuit attorney and to the defendant and his/her attorney. This report is confidential and is to be sealed.

The report must include:

1. Detailed findings;
2. An opinion as to whether the accused has a mental disease or defect;
3. An opinion based upon a reasonable degree of medical or psychological certainty as to whether the accused, as a result of a mental disease or defect, lacks capacity to understand the proceedings against him/her or to assist in his/her own defense;
4. A recommendation as to whether the accused should be held in custody in a suitable hospital facility for treatment pending determination, by the court, of mental fitness to proceed; and
5. A recommendation as to whether the accused, if found by the court to be mentally fit to proceed, should be detained in such hospital facility pending further proceedings.

The court further orders the report required by section 552.020.2 to include an opinion as to whether at the time of the alleged criminal conduct the accused, as a result of mental disease or defect, did not know or appreciate the nature, quality or wrongfulness of his or her conduct.

☐ Other: \_\_\_\_\_

A report from the examiner is required within 60 days of this order to be submitted to this court. The clerk of the court shall provide copies of the report to the prosecuting or circuit attorney and to the defendant and his/her attorney. This report is confidential and is to be sealed.

The clerk of the court shall send a copy of this order to the department of mental health by fax at 573-526-7562.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge