



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 (Competency)

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 orders the Sheriff/Jail Authority to deliver the defendant to the facility and one additional guard is allowed to transport the defendant to and from the facility.

☐ Other orders: _____

The court orders the prosecuting attorney to comply with the requirements of section 552.045, RSMo.

No costs for the first mental exam are to be assessed to the defendant.

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