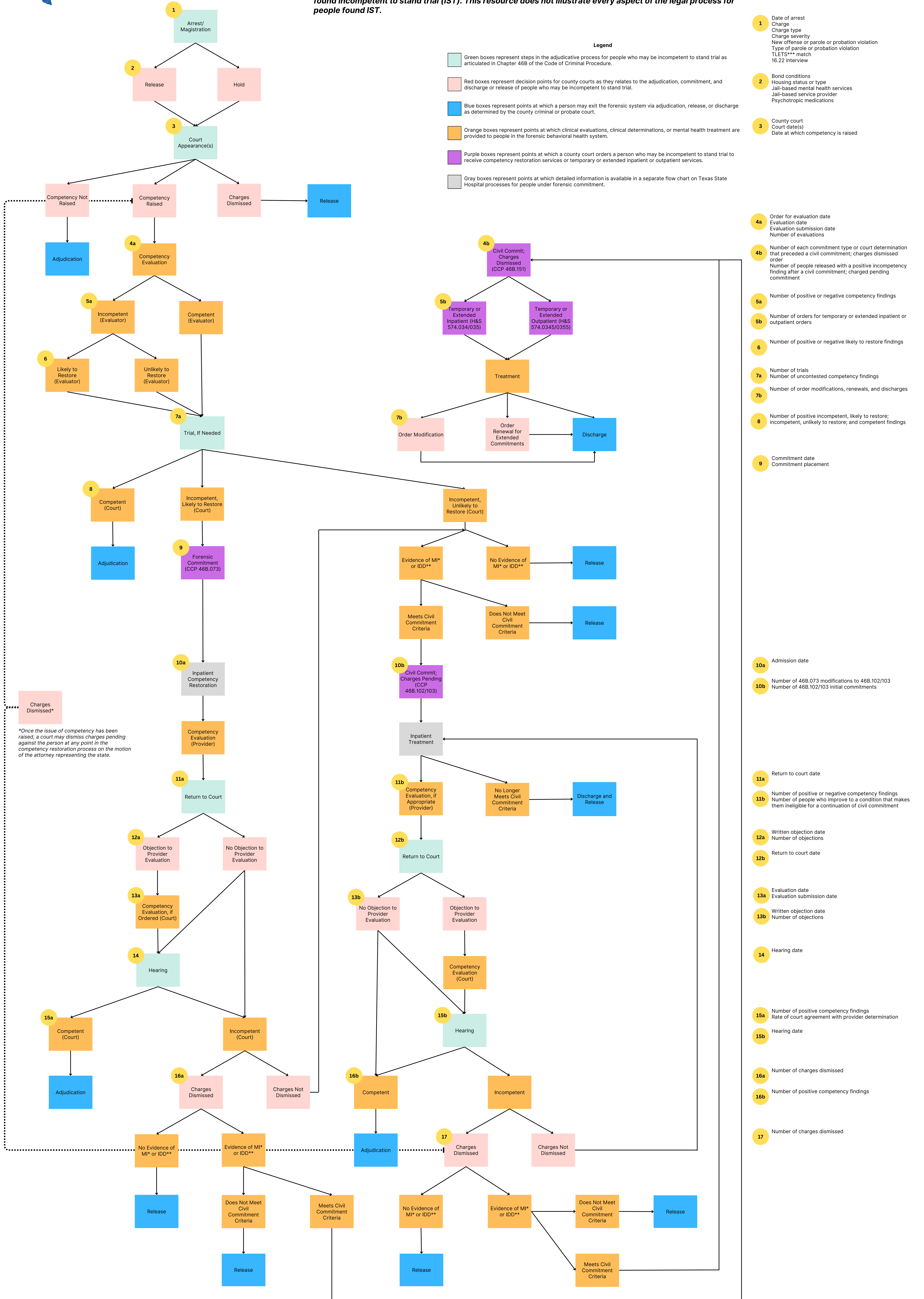


Competency Restoration Process for Courts

This resource is intended to provide a general overview of the available avenues to treatment for people found incompetent to stand trial (IST). This resource does not illustrate every aspect of the legal process for people found IST.



- Legend**
- Green boxes represent steps in the adjudicative process for people who may be incompetent to stand trial as articulated in Chapter 46B of the Code of Criminal Procedure.
 - Red boxes represent decision points for county courts as they relates to the adjudication, commitment, and discharge or release of people who may be incompetent to stand trial.
 - Blue boxes represent points at which a person may exit the forensic system via adjudication, release, or discharge as determined by the county criminal or probate court.
 - Orange boxes represent points at which clinical evaluations, clinical determinations, or mental health treatment are provided to people in the forensic behavioral health system.
 - Purple boxes represent points at which a county court orders a person who may be incompetent to stand trial to receive competency restoration services or temporary or extended inpatient or outpatient services.
 - Gray boxes represent points at which detailed information is available in a separate flow chart on Texas State Hospital processes for people under forensic commitment.

- 1** Date of arrest
Charge
Charge type
Charge severity
New offense or parole or probation violation
Type of parole or probation violation
TLETS*** match
16.22 interview
- 2** Bond conditions
Housing status or type
Jail-based mental health services
Jail-based service provider
Psychotropic medications
- 3** County court
Court date(s)
Date at which competency is raised
- 4a** Order for evaluation date
Evaluation date
Evaluation submission date
Number of evaluations
- 4b** Number of each commitment type or court determination that preceded a civil commitment; charges dismissed order
Number of people released with a positive incompetency finding after a civil commitment; charged pending commitment
- 5a** Number of positive or negative competency findings
- 5b** Number of orders for temporary or extended inpatient or outpatient orders
- 6** Number of positive or negative likely to restore findings
- 7a** Number of trials
Number of uncontested competency findings
- 7b** Number of order modifications, renewals, and discharges
- 8** Number of positive incompetent, likely to restore; incompetent, unlikely to restore; and competent findings
- 9** Commitment date
Commitment placement
- 10a** Admission date
- 10b** Number of 46B.073 modifications to 46B.102/103
Number of 46B.102/103 initial commitments
- 11a** Return to court date
- 11b** Number of positive or negative competency findings
Number of people who improve to a condition that makes them ineligible for a continuation of civil commitment
- 12a** Written objection date
Number of objections
- 12b** Return to court date
- 13a** Evaluation date
Evaluation submission date
- 13b** Written objection date
Number of objections
- 14** Hearing date
- 15a** Number of positive competency findings
Rate of court agreement with provider determination
- 15b** Hearing date
- 16a** Number of charges dismissed
- 16b** Number of positive competency findings
- 17** Number of charges dismissed

*MI - Mental Illness
**IDD - Intellectual or Developmental Disability
***TLETS - Texas Law Enforcement Telecommunications System