

Texas Code of Criminal Procedure. Chapter 46B.022

Art. 46B.022. EXPERTS: QUALIFICATIONS.

(a) To qualify for appointment under this subchapter as an expert, a psychiatrist or psychologist must:

- (1) as appropriate, be a physician licensed in this state or be a psychologist licensed in this state who has a doctoral degree in psychology; and
- (2) have the following certification or training:
 - (A) as appropriate, certification by:
 - (i) the American Board of Psychiatry and Neurology with added or special qualifications in forensic psychiatry; or
 - (ii) the American Board of Professional Psychology in forensic psychology; or
 - (B) training consisting of:
 - (i) at least 24 hours of specialized forensic training relating to incompetency or insanity evaluations; and
 - (ii) at least eight hours of continuing education relating to forensic evaluations, completed in the 12 months preceding the appointment.

(b) In addition to meeting qualifications required by Subsection (a), to be appointed as an expert a psychiatrist or psychologist must have completed six hours of required continuing education in courses in forensic psychiatry or psychology, as appropriate, in either of the reporting periods in the 24 months preceding the appointment.

(c) A court may appoint as an expert a psychiatrist or psychologist who does not meet the requirements of Subsections (a) and (b) only if exigent circumstances require the court to base the appointment on professional training or experience of the expert that directly provides the expert with a specialized expertise to examine the defendant that would not ordinarily be possessed by a psychiatrist or psychologist who meets the requirements of Subsections (a) and (b).

Added by Acts 2003, 78th Leg., ch. 35, Sec. 1, eff. Jan. 1, 2004.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 822 (H.B. [2725](#)), Sec. 6, eff. September 1, 2011.