

The Texas Code of Criminal Procedure (CCP) provides timeframes within which the steps in the CR process must be complete. This excerpt from the Competency Restoration Guide (page 16) shows steps that are part of the early identification process.

- ✓ The Sheriff or municipal jailer must notify the magistrate within 12 hours of the receipt of credible information that may establish reasonable cause to believe that a person in their custody has a mental illness ([Art. 16.22\(a\)\(1\)](#)).
- ✓ If ordered to conduct an Article 16.22 interview, the service provider that contracts with the jail, LMHA or LBHA, LIDDA, or other qualified MI or IDD expert must submit a written report of the interview to the magistrate within 96 hours of the issuance of the order or, if the person is no longer in custody, within 30 days of the issuance of the order except as permitted by the magistrate for good cause shown ([Art. 16.22\(b\)\(1\)](#) and [16.22\(b\)\(2\)](#)).
- ✓ If competency proceedings are initiated, the disinterested expert or experts who complete a competency examination must submit their report on the person's competency or incompetency within 30 days of the order for the exam except as otherwise permitted by the court for good cause shown ([Art. 46B.026](#)).
- ✓ If a person is committed to outpatient competency restoration (OCR), the program must report to the court the person's progress toward achieving competency within 14 days of the onset of CR services and at least once every 30 days until the defendant is released from the OCR program ([Art. 46B.077](#)).
- ✓ If a person is committed to inpatient CR or jail-based CR, the facility or program must report to the court the person's progress toward achieving competency at least once during the commitment period ([Art. 46B.077](#)).
- ✓ The CR provider must notify the court not later than 15 days before the expiration of the initial restoration period that the restoration period is about to expire ([Art. 46B.079\(a\)](#)).
- ✓ If the person has not been transported to court within 15 days of the date on which the court received notification that the CR period is about to expire or the person has attained or is unlikely to attain competency in the foreseeable future, the CR program administrator must cause the person to be promptly transported to the court and placed in the custody of the sheriff of the county in which the court is located ([Art. 46B.082](#)).
- ✓ The court shall notify the prosecution and defense of the person's return to the court within 1 business day of their return ([Art. 46B.084\(a\)\(1\)](#)).⁵
- ✓ Within 3 business days of the date that notice is received, or, on a showing of good cause, a later date specified by the court, the attorney for the person shall meet and confer with them to evaluate whether there is any suggestion that the defendant has not yet regained competency.