

Examiner's Report – Rule 20.01

(Minnesota Rules of Criminal Procedure, Rule 20.01)

To:

County
Judicial District

Court Case Number:

From:

Date of Report:

Court Information

Defendant's Name:	Date of Birth:
Charges and Dates of Alleged Offense(s):	

Exam Information

Date of Exam:	Examiner's Name:
List Other Person(s) Present During Exam:	Did Defendant Participate in Exam? <input type="checkbox"/> Yes <input type="checkbox"/> No
	If no, in your opinion, was the Defendant unwilling to participate in the Exam due to? <input type="checkbox"/> Mental illness or deficiency. <input type="checkbox"/> Not able to determine basis for unwillingness to participate. <input type="checkbox"/> Other: _____
Duration of Exam:	Location of Exam:

Referral Information

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Statement of Purpose and Non-Confidentiality

Pursuant to M.S. 13.01, subd. 2, Defendant was informed of:

The role of the court-appointed examiner;

The purpose and intended use of the data collected during the evaluation and other information collected from collateral sources;

That information divulged in the interview is not confidential and can be disclosed in the examiner's report or in court as part of the competency proceedings;

That the judge, prosecutor and defense attorney will receive a copy of the Examiner's Report;

That failure to cooperate in the examination is reported to court.

☐ Comments:

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I. Background Information

1. Information Sources

a) Interviews Conducted:

b) Records Reviewed:

2. Relevant Background Information

3. Clinical Assessment

a) Behavioral Observations:

b) Psychological Testing (if any):

II. Diagnosis of Defendant's Mental Condition

1. Diagnosis

a) Diagnostic Analysis:

b) Diagnosis:

c) Is the Defendant:

- ☐ Mentally Ill
- ☐ Mentally Deficient
- ☐ Neither

III. Examiner's Assessment and Opinions Regarding Competency to Proceed

Legal Standard -- Rule 20.01, subd. 2:

Defendant is incompetent and must not plead, be tried, or be sentenced if the defendant lacks ability to:

- a) Rationally consult with counsel; or*
- b) Understand the proceedings or participate in the defense due to mental illness or deficiency.*

1. Factual Basis for Reasoning and Determining if Legal Standard for Competency is Met

a) Does the Defendant have the mental capacity to rationally consult with an attorney?

- ☐ Yes
- ☐ No

State your opinion about the relationship between the defendant's mental illness or deficiency and his or her capacity to rationally consult with an attorney:

State the specific facts that support your opinion:

b) Does the Defendant have the mental capacity to fundamentally understand the nature of the adversarial legal proceedings?

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☐ Yes

☐ No

State your opinion about the relationship between the defendant's mental illness or deficiency and his or her capacity to understand the proceedings or participate in defense:

State the specific facts that support your opinion:

2. Opinion Regarding Likelihood of Physical Harm to Self or Others

a) If defendant is mentally ill or deficient, does Defendant present an imminent risk of serious danger to others?

☐ Yes

☐ No

☐ Unable to provide a definitive answer

State the specific facts that you relied upon to reach your conclusions:

b) Is the Defendant imminently suicidal or otherwise in need of emergency intervention?

☐ Yes

☐ No

☐ Unable to provide a definitive answer

State the specific facts that you relied upon to reach your conclusions:

3. Treatment Recommendations

a) Examiner's Recommendation: (Include availability of area treatment programs, type of treatment, and explanation of appropriate treatment alternatives by order of preference.)

4. Prognosis of Defendant Regaining Competency (if ordered by the Court)

a) Prognosis of Defendant regaining competency: (If applicable, include estimated time required for Defendant to attain competency.)

5. Other

Examiner: _____
(Examiner's Signature)

Date: _____
(Date Report Completed)

Print Name: _____

Title: _____