

THE ELEVENTH JUDICIAL CIRCUIT
DADE COUNTY, FLORIDA

CASE NO. 88-1
(Court Administration)

IN RE: MENTAL HEALTH STATUS	)	
EXAMINATIONS PRIOR TO COURT	)	ADMINISTRATIVE ORDER
ORDERED PSYCHIATRIC EXAMINATIONS	)	NO. 88-3

WHEREAS, psychiatric examinations have become a method of identifying the emotionally distraught; and

WHEREAS, nearly seventy-five percent (75%) of all psychiatric examinations ordered result in a finding of competency, the process of authorizing psychiatric examinations as a method of identifying the needs of the mentally ill has adversely impacted upon the efficient administration of justice;

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, in order to assist the Court in its determination of whether there is reasonable grounds to believe that a defendant is not mentally competent to stand trial, the following procedures should be followed when a defendant is referred for psychiatric examination pursuant to Rules 3.210 and 3.211, Florida Rules of Criminal Procedure, to-wit:

1. When a psychiatric examination is ordered, the Court may order that the defendant first be screened by the Mental Health Assessment Team (MHAT). The Mental Health Assessment Team shall consist of: a Coordinator, who will facilitate all information, schedules and referrals regarding the defendant, and a Minimum Master's Level Clinician, who will assess the mental status of the defendant. This screening will determine whether the defendant is in need of full psychiatric examination as provided under Rules 3.210 and 3.211, Florida Rules of Criminal Procedure, or whether the defendant may be in need of treatment for conditions that exist which are not caused by major mental illnesses.

2. If the defendant is found to be in need of full psychiatric examination, MHAT shall refer said defendant for psychiatric examination forthwith under the Court's order.

3. If the defendant is not in need of psychiatric examination, the assessment report shall be sent to the judge, with recommendations, within forty-eight (48) hours.

DONE AND ORDERED in Chambers at Miami, Dade County, Florida, this 24th day of March, 1988.

GERALD T. WETHERINGTON
CHIEF JUDGE, ELEVENTH JUDICIAL CIRCUIT