

_____ Court of Washington
County of _____

_____,
Plaintiff,
vs.
_____,
Defendant.

No.
Order Terminating Competency
Evaluation
(ORTCE)
Clerk's action required: para 4

1. Procedural background

This court previously entered an Order for Competency Evaluation.

2. Information regarding the Defendant.

The court has received information concerning the Defendant:

- The court reviewed evidence on behalf of the Defendant and the prosecution, and finds that there is no longer any reason to doubt the Defendant's competency to proceed in this matter.
- While out of custody, the Defendant was directed to appear at a hearing in this matter. The Defendant was provided with notice of that hearing as required by law, but failed to appear at the hearing. This court issued a bench warrant for the Defendant's arrest. The Defendant remains at large at the present time.
- The Defendant has recently been found competent in another court.
- Other** _____

_____.

3. **Order for evaluation terminated.** Based on the findings in section 2, the court terminates the Order for Competency Evaluation. The Evaluator is relieved of their duties and obligations under the Order for Competency Evaluation.

The Defendant is on warrant status.

Pre-Trial case. For purposes of computing time for trial, the court finds that the Defendant has not overcome the presumption that the Defendant is competent by a preponderance of the evidence. Accordingly, the court finds that the Defendant is competent. The time for trial period recommences on the date of this order. The court finds the time for trial period expires on _____ (date).

Pre-Sentencing. The Defendant has been convicted and is awaiting sentencing. The court finds that the Defendant has not overcome the presumption that the Defendant is competent by a preponderance of the evidence. Accordingly, the court finds that the Defendant is competent. This court will schedule a sentencing hearing.

Post-Sentencing. The Defendant has not overcome the presumption that the Defendant is competent by a preponderance of the evidence. Accordingly, the court finds that the Defendant is competent. The court may schedule a hearing by separate order.

4. A copy of this order shall be forwarded to the Department of Social and Health Services by the clerk of the court or _____ (name).

5. **Other** _____

_____.

Dated _____

Judge

Agreed
 Approved as to form

Agreed
 Approved as to form

Deputy Prosecuting Attorney
WSBA No. _____

Attorney for the Defendant
WSBA No. _____