

	SUPERIOR COURT OF SAN MATEO COUNTY ☒ Southern Branch ☐ Northern Branch 400 County Center, 4th Floor, 1050 Mission Road, Redwood City, CA 94063 South San Francisco, CA 94080 www.sanmateo.courts.ca.gov	FOR COURT USE ONLY
PLAINTIFF/APPELLANT: THE PEOPLE OF THE STATE OF CALIFORNIA VS		
DEFENDANT/RESPONDENT:		CASE NUMBER:
ORDER APPOINTING DOCTOR(S) FOR AN EXAMINATION OF THE DEFENDANT [Penal Code §§ 1367, 1367.1, 1368, 1368.1, 1370.01]		Department No: Report Due:
The Court Orders the following type of Examination:		

WHEREAS, it appearing that good and sufficient cause exists for the appointment of doctor(s) to examine the defendant and investigate his/her competency pursuant to the provisions of PC §§ 1367, ~~1367.1~~, 1368, 1368.1, and further to advise the court concerning the issue of voluntary or involuntary administration of antipsychotic medication pursuant to the provisions of PC §§ 1369(a)(2)b and ~~1370.01(a)(2)(B)(ii) to (iii)~~.

WHEREAS, defendant named-above is ☐ In custody ☐ Out of custody;

THEREFORE, IT IS HEREBY ORDERED THAT:

1. (hereinafter "Examiner") is appointed to review the information available, including but not limited to any and all medical, mental health, and substance abuse records, examine the defendant and investigate his/her present ability to understand the nature and purpose of the proceedings taken against him/her and to assist counsel in the conduct of his/her defense in a rational manner; and
2. Pursuant to Penal Code section 1367, et seq, the mental health records maintained by Behavioral Health and Recovery Services, Correctional Health Services and/or the state hospital shall be made available for review and a copy will be provided to the examiner(s) upon request. These records shall include but are not limited to assessments (including diagnosis), treatment plans, discharge summaries, and records documenting mental and physical health conditions as well as treatment provided. Copies of released records will also be made available to the District Attorney and Defense Counsel of record upon their request; and
3. The examiner shall be transported to the defendant's cell in the event the defendant refuses or is otherwise unable to leave their cell to participate in the evaluation.
4. The examiner(s) appointed will report their opinions and conclusions in writing to this court and will, when summoned, testify in proceedings in which the defendant's competency may be in question. Examiner's report is to be submitted to this court on or before the above referenced date. Reports shall be submitted by the examiner(s) to the Court by sending it electronically in PDF format to the Court's e-mail box DoctorEval@sanmateocourt.org to be received no later than the due date stated herein. If the due date is on a Monday or a date immediately after a holiday, examiner(s) shall make every effort to submit the report prior to the Monday or holiday.

5. The examiner(s) shall contact the ordering Judicial Officer immediately in writing if there is a problem with scheduling an appointment for an evaluation or if the defendant is not cooperating and whose action is obstructing the examiner from complying with this Order. The written communication shall also be sent to the same e-mail address as stated in paragraph 3 above with the name of the judicial officer in the subject line.
6. ☐ Pursuant to 11 CCR section 703(b), the court orders the release of State Summary Criminal History Information for the subject of this evaluation to the court-appointed examiner for use in completing this evaluation. The court finds that the release is necessary to allow the examiner to fulfill the statutory obligation to investigate the nature of the defendant's mental disorder and prior treatment therefor, and to provide an opinion on whether the defendant is ~~a danger to others such that involuntary treatment with antipsychotic medication is indicated under Penal Code section 1370~~ eligible for mental health diversion, whether cause exists to suspect the defendant may have a developmental disability, and whether it appears the defendant is gravely disabled.".
7. ☐ Defendant requires an interpreter for the evaluation for _____ language. (enter name of language needed)
8. ☐ Other special terms: _____.

Dated:

Judge of Superior Court

Attachment

Distribution:

Original: Case File

Copies:

District Attorney's Office

Defendant's Attorney of Record

CASE NUMBER(S): _____

ADDENDUM – CONTACT INFORMATION FOR THE
ORDER APPOINTING DOCTOR(S) FOR PC § 1367/68 EXAMINATION
[THIS PAGE FOR EXAMINER’S USE ONLY – This is not part of the Order]

Defendant: _____
Last Name First Name Middle DOB

Address: _____
(where out-of-custody Defendant can be contacted)

Phone(s): _____
(home, work, cell, parent or spouse or a phone where a message may be left)

I believe it is unlikely that the defendant will be able to keep an appointment to be examined.

☐ **Yes** ☐ **No**

Reason for PC § 1367: ☐ **I will call the examiner directly to provide this information.**

Ordering Judge: _____ **Dept:** _____

Deputy Clerk: _____ **Phone Number:** _____

ATTORNEYS OF RECORD:

DEFENSE ATTORNEY:

Name: _____

Phone: _____

Email: _____

DEPUTY DISTRICT ATTORNEY:

Name: _____

Phone: _____

Email: _____

INSTRUCTIONS for Person Submitting ORDER to Examiner(s):

**Please complete and email to the examiner
along with the ORDER, the Police Report and the complaint**