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**SUBSTITUTE HOUSE BILL 1627**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** House Judiciary (originally sponsored by Representatives Morrell, Nealey, Zeiger, Jenkins, and Ryu)

READ FIRST TIME 02/22/13.

1           AN ACT Relating to competency to stand trial evaluations; adding a  
2 new section to chapter 10.77 RCW; and providing an expiration date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4           NEW SECTION.   **Sec. 1.** A new section is added to chapter 10.77 RCW  
5 to read as follows:

6           (1) If in any six-month time period, the state hospital has not met  
7 the performance targets established in RCW 10.77.068 for timely  
8 completion of competency evaluations and restorations of competency in  
9 order to stand trial in fifty percent of cases submitted by any one  
10 county, the court of that county may appoint a qualified expert or  
11 professional person, whom the prosecuting attorney and defense attorney  
12 shall approve, to evaluate and report upon the mental condition of the  
13 defendant. When determining his or her approval of a qualified expert  
14 or professional person, the prosecuting attorney may take into account,  
15 among other factors, whether it is more likely than not that an  
16 evaluation in the jail by a qualified expert or professional person  
17 will be inadequate to complete an accurate evaluation.

18           (2) A court that appoints a qualified expert or professional person

1 under this section shall do so from a list of qualified experts or  
2 professional persons assembled with participation by representatives of  
3 the prosecuting attorney and the defense bar.

4 (3) A qualified expert or professional person appointed by a court  
5 for an indigent person under this section should be compensated for  
6 competency evaluations in an amount that will encourage in-depth  
7 evaluation reports. The department must reimburse the county for the  
8 costs of a qualified expert or professional person appointed for an  
9 indigent person under this section in an amount determined by the  
10 department to be fair and reasonable. The amount of reimbursement  
11 established by the department must at least meet the equivalent amount  
12 for evaluations conducted by the department.

13 (4) This section expires June 30, 2016.

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