

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA

CRIMINAL DIVISION

Commonwealth of Pennsylvania	)	
	)	
vs.	)	No.: _____ of _____
	)	
	)	
	)	

**ORDER OF COURT**

AND NOW this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ IT IS HEREBY ORDERED, that upon motion of \_\_\_\_\_, the Defendant undergo a forensic evaluation for the following purpose. ( Incarcerated defendants shall not be released without contacting the ordering judge in advance.)

\_\_\_ To determine competency

\_\_\_ Defendant is incarcerated and evaluation will be conducted by the State at the Westmoreland County Prison, or

\_\_\_ Evaluation to be conducted by contracted provider, arranged for by Court Administration.

\_\_\_ As an aid in sentencing, and

\_\_\_ Evaluation must occur at the Regional Forensic Psychiatric Center, or

\_\_\_ Psychiatric evaluation by contracted provider. Evaluation may be by teleconference if available.

\_\_\_ **(Place an "X" on this line when requesting that the defendant's evaluation occurs at the Regional Forensic Psychiatric Center (RFPC) at Torrance State Hospital.)** The defendant is committed to the Regional Forensic Psychiatric Center - Torrance State Hospital, for evaluation, as indicated above. The defendant shall remain at the Westmoreland County Prison until s/he can be transferred to the forensic unit at Torrance State Hospital (RFPC). The commitment at RFPC shall not exceed sixty (60) days, without an additional Order of Court, and shall begin when a bed becomes available and shall be for the purpose of formulation of a diagnosis and treatment plan which incorporates therapy and/or psychotropic medication intervention. At the end of the evaluation, the defendant is to be returned by the Sheriff to the Westmoreland County Prison (WCP).

The Forensic Unit shall send Defendant back with at least thirty (30) days of medications. WCP shall then notify the Court Administrator that Defendant has been returned to the prison and further proceedings will be scheduled. WCP shall take all steps necessary, in cooperation with the forensic unit at Torrance State Hospital (RFPC), to ensure that Defendant's prescribed medications, as implemented by the forensic unit during Defendant's evaluation period, do not lapse during the period of incarceration.

**A copy of the completed evaluation report must be sent to the ordering Judge, the District Attorney, the Defense Counsel, and the WCP. Notice that the evaluation report has been sent must be sent to Court Administration, Attention: J. Brodmerkel.**

It is also ORDERED that the forensic examiner, defense counsel, and any other duly designated representative, subject to compliance with HIPAA, be granted access to all of the following, including collateral source interviews:

1. Mental Health Records, including but not limited to Psychological and Psychiatric Records;
2. School Records, including Special Education Reports;
3. Juvenile Court Records, including but not limited to Juvenile Placement Records and Juvenile Probation Records and information from Juvenile Probation Officers;
4. Social Security Records;
5. Children, Youth, and Family Records
6. Medical and Hospital Records
7. Human Resource Records, including but not limited to Employment Review and Discharge Records;
8. Birth/Adoption Records;
9. Westmoreland County Prison Records, including but not limited to Medical, Mental Health, and School Records; and
10. Any other information deemed necessary for the purposes of determining the Defendant's competence to stand trial or criminal responsibility.

BY THE COURT:

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Courts

Cc: File

\_\_\_\_\_, Esq. – Counsel for the Defendant

\_\_\_\_\_, Esq. – Assistant District Attorney  
Judy Brodmerkel, Court Administration