
SUBSTITUTE SENATE BILL 5551

State of Washington

63rd Legislature

2013 Regular Session

By Senate Ways & Means (originally sponsored by Senators Conway, Carrell, and Shin)

READ FIRST TIME 03/01/13.

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, at the time of a referral for an evaluation of competency
7 to stand trial in a jail for an in-custody defendant, the department
8 has not met its performance target for timely completion of competency
9 evaluations under RCW 10.77.068(1)(a)(ii) during the most recent
10 quarter in fifty percent of cases submitted by the referring county, as
11 documented in the most recent quarterly report under RCW 10.77.068(3)
12 or confirmed by records maintained by the department, the state shall
13 reimburse the county for the cost of appointing a qualified expert or
14 professional person under RCW 10.77.060(1)(a) as provided in this
15 section.

16 (2) Appointment of a qualified expert or professional person under
17 this section must be from a list of qualified experts or professional
18 persons assembled with participation by representatives of the
19 prosecuting attorney and the defense bar of the county.

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

9 (4) Nothing in this section precludes either party from objecting
10 to the appointment of an evaluator on the basis that an inpatient
11 evaluation is appropriate under RCW 10.77.060(1)(d).

12 (5) This section expires June 30, 2016.

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