

323

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

IN THE MATTER OF

Name _____, Juvenile Case No. _____
Year of Birth _____ A [] male [] female

ORDER FOR HEARING TO DETERMINE COMPETENCY
AND ORDER FOR EXAMINATION

Pursuant to K.S.A. 38-2348

Table with 3 columns: Name, Address, Relationship. Row 1: Juvenile. Below are four empty rows.

[] A Motion to Determine Competency has been filed in this Court and [] On the Court's own motion a hearing to determine if the juvenile named above is competent for adjudication as a juvenile offender is scheduled before this Court on the _____ day of _____, _____, at _____ [] a.m. [] p.m. The hearing may be continued upon a showing of good cause. If the juvenile does not appear for the hearing the Court may enter orders relating to the juvenile. Further proceedings shall be suspended pending the Court's determination of the motion.

[] Attending the proceedings relating to this motion would be injurious to the juvenile's health, and the presence of the juvenile is waived.

Pending the hearing:

[] A psychiatrist or psychologist, _____ (Name) _____, is appointed to examine the juvenile and report to the Court on or before _____.

or

[] A mental health facility, _____ (Name) _____, is appointed to conduct a psychiatric or psychological examination of the juvenile and report to the Court on or before _____.

IT IS SO ORDERED this _____ day of _____, _____.

Judge of the District Court

CERTIFICATE OF SERVICE

The undersigned certifies that the service was accomplished as follows:

Name	Manner of Service	Date/Time
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Clerk of the Court

Authority

K.S.A. 38-2348; 38-2349 and 38-2350.

Notes on Use

K.S.A.38-2348 provides that a motion to determine competency (Form 322) may be made by any party, or by the court. Upon the filing of the motion, proceedings shall be suspended (Form 323) and a hearing conducted (Form 325). Prior to hearing, the court may order an evaluation (Form 323). A restatement of the statute as a flowchart which may assist in understanding the process is included in the Notes on Use accompanying Form 322.