

Article - Courts and Judicial Proceedings

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§3-8A-17.4.

(a) (1) Except as provided in paragraph (2) of this subsection, within 15 days after receipt of a report of a qualified expert, the court shall hold a competency hearing.

(2) On good cause shown, the court may extend the time for holding the competency hearing for an additional 15 days.

(b) At the competency hearing, the court shall determine, by evidence presented on the record, whether the juvenile is incompetent to proceed.

(c) Findings of fact shall be based on the evaluation of the child by the qualified expert.

(d) The State shall bear the burden of proving the child's competency beyond a reasonable doubt.

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