

**504.100 Appointment by court of psychologist or psychiatrist during proceedings.**

- (1) If upon arraignment, or during any stage of the proceedings, the court has reasonable grounds to believe the defendant is incompetent to stand trial, the court shall order the defendant to be examined and his or her mental condition reported, as provided in KRS 504.080.
- (2) The report of the examiner shall state whether or not he or she finds the defendant incompetent to stand trial. If the examiner finds the defendant is incompetent, the report shall state:
  - (a) Whether there is a substantial probability of the defendant attaining competency in the foreseeable future; and
  - (b) What type treatment the examiner recommends, including whether it should be provided by a treatment facility or forensic psychiatric facility.
- (3) In accordance with KRS 504.080(2), the court shall schedule the case for a status conference or a hearing no more than thirty (30) days after the filing of the report.

**Effective:** July 15, 2024

**History:** Amended 2024 Ky. Acts ch. 138, sec. 5, effective July 15, 2024. -- Created 1982 Ky. Acts ch. 113, sec. 5, effective July 15, 1982.

**Legislative Research Commission Note** (7/15/2024). 2024 Ky. Acts ch. 138, sec. 7, provides that the Act, which amended this section and KRS 311.631, 504.060, 504.070, 504.080, and 504.110, may be cited as Seth's Law.