**CAUSE NO. \_\_\_\_\_\_\_\_\_\_**

**THE STATE OF TEXAS § IN THE \_\_\_\_\_\_\_\_\_\_\_ COURT**

 **§**

**V. § OF**

 **§**

**\_\_\_\_\_\_\_\_\_\_\_\_\_ § \_\_\_\_\_\_\_\_\_\_ COUNTY, TEXAS**

**ORDER TO DETERMINE ELIGIBILITY FOR OUTPATIENT COMPETENCY RESTORATION**

**I. PROCEDURAL BACKGROUND**

The Defendant has been found Incompetent to Stand Trial, based upon a competency evaluation submitted to the Court on \_\_\_\_\_\_\_\_\_\_\_\_\_, 202\_\_, in which the examiner does not identify necessity for inpatient competency restoration services, though opines that the Defendant is likely to regain competency in the foreseeable future.

Inasmuch as Tex. Code Crim. Proc. art. 46B.071 & 46B.073 require a plan for outpatient competency restoration services, and 26 TAC § 307.159 requires an assessment and recommendation by the provider of outpatient competency restoration services, as a predicate to issuance of an Order of Commitment, this Order ensues.

**II. ORDER**

This Court herewith **ORDERS** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (hereinafter, the “Provider”) to conduct a Determination of Eligibility for Outpatient Competency Restoration Services;said assessment to include both a clinical determination, including substance abuse history, and a risk of violence assessment .

The Provider shall inform the Court in writing of its Determination of Eligibility,of lack thereof, within fourteen (14) days of receipt of this **Order**. In the event the Defendant is deemed eligible, the Provider shall include a comprehensive treatment plan to include:

1. Competency restoration services
2. Access to housing resources
3. Access to transportation resources, if needed; and
4. A regimen of medical, psychiatric, or psychological care or treatment.

In the event the Defendant is deemed ineligible, the Provider shall document reasons for ineligibility and advise the Court.

Ordered on this the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 202\_.

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 Presiding Judge

Clerk \_\_\_\_\_\_