

GENERAL OFFICE MEMORANDUM 21-032

TO: ALL DISTRICT ATTORNEY PERSONNEL

FROM: JOSEPH F. INIGUEZ 
Interim Chief Deputy District Attorney

SUBJECT: REASSIGNMENT OF POST-PRELIMINARY HEARING/POST-INDICTMENT CRIMINAL COMPETENCY PROCEEDINGS TO HOLLYWOOD MENTAL HEALTH COURTS

DATE: MARCH 17, 2021

Pursuant to Los Angeles County Court Rules, rule 8.2(b), all criminal competency proceedings under Penal Code (PC) section 1368 that are initiated on or after March 15, 2021, will now be assigned to the Mental Health Departments of the Probate Division in Hollywood (formerly known as Department 95). Previously, competency proceedings under PC section 1368 held in the Mental Health Departments of the Probate Division only included misdemeanor cases and pre-preliminary hearing cases, while competency proceedings under PC section 1368 in post-preliminary hearing cases were held in the assigned felony trial courts. The attached order of the Supervising Judge expanded rule 8.2(b) to include post-preliminary hearing felony and post-indictment cases where a doubt was declared on or after March 15, 2021.

Accordingly, the Psychiatric Section of the Mental Health Division, in addition to handling all competency proceedings on misdemeanors and pre-preliminary hearing felony cases, will now also handle all post-preliminary hearing or post-indictment competency proceedings in felony cases where a doubt was declared on or after March 15, 2021. All criminal competency proceedings where a doubt was declared and the case was pending in the felony trial courts prior to March 15, 2021, will remain assigned to those felony trial courts until their conclusion.

When the competency proceedings for any felony cases are transferred to the Hollywood Mental Health Court, the physical DA case file does not need to be sent to the Psychiatric Section. However, the following documents do need to be forwarded to the Psychiatric Section: the complaint or information; a copy of the police report; the defendant's rap sheet; and any expert reports that have already been received. These documents can either be emailed to the Psychiatric Section at PSY_NonDDA@da.lacounty.gov or uploaded into PIMS under "F5" of "View e-folder."

GTS

Attachment

FILED
Superior Court of California
County of Los Angeles

MAR 10 2021

Sherri R. Carter, Executive Officer/Clerk
By Margaret E. Shaw-Bent, Deputy
Margaret E. Shaw-Bent

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

ASSIGNMENT OF CRIMINAL
COMPETENCY PROCEEDINGS
(PENAL CODE SECTION 1368)

) STANDING ORDER OF THE
) SUPERVISING JUDGE OF
) THE CRIMINAL DIVISION

Pursuant to Los Angeles County Court Rules, rule 8.2(b), all criminal competency proceedings under Penal Code section 1368 initiated on or after March 15, 2021 are assigned by order of the Supervising Judge of the Criminal Division to the Mental Health Departments of the Probate Division. All criminal competency proceedings pending in felony trial courts prior to March 15, 2021 shall remain assigned to those courts until their conclusion.

This order remains in effect until further notice.

DATE: 3/10/2021


SERGIO C. TAPIA II
Supervising Judge
Criminal Division

