

Rule 110A. Treatment When Child Determined to Be Incompetent

(a) Court order for competency treatment. If the Family Court orders treatment and services that may render the child competent in the reasonably foreseeable future, pursuant to D.C. Code § 16-2315(c)(2), the order shall specify the following:

- (1) whether the treatment is to be received on an outpatient or inpatient basis;
- (2) if outpatient treatment is ordered, the name of the psychiatrist or qualified psychologist who will provide the treatment;
- (3) if inpatient treatment is ordered, which hospital or mental health facility or unit designated by the Mayor shall provide the treatment;
- (4) that if the psychiatrist or qualified psychologist responsible for the treatment is of the opinion that the child is competent or inpatient hospitalization is no longer the least restrictive setting for providing treatment and services that may render the child competent, the psychiatrist or qualified psychologist shall immediately send a report to the Family Court, with copies to the attorneys of record;
- (5) the dates, which shall be no less than every two months from the date of the order for treatment, by which the psychiatrist or qualified psychologist responsible for the treatment of the child shall submit reports to the Family Court, with copies to the attorneys of records, pursuant to D.C. Code § 21-2315(c)(6); and
- (6) that if inpatient treatment is ordered, the facility providing the inpatient treatment shall not discharge the child without further order of the Family Court.

(b) Court hearing on report of competency or inpatient treatment. A statement of whether immediate hospitalization is recommended, and if so,

(1) If at any time during treatment or services to render the child competent, pursuant to D.C. Code § 16-2315(c)(2)(A), the psychiatrist or qualified psychologist files a report with the Family Court stating the opinion that the child is competent to proceed or that inpatient hospitalization is no longer necessary, the Family Court shall hold a prompt hearing on the report.

(2) The Family Court shall hold a hearing on the report of the treating psychiatrist or the qualified psychologist filed pursuant to D.C. Code § 16-2315(c)(6) concerning whether the child is competent to proceed. The hearing shall be held no more than 30 days from the date of the treating psychiatrist's or the treating qualified psychologist's report, if the child is receiving treatment as an inpatient and no more than 60 days, if the child is receiving treatment as an outpatient. The Family Court may, for good cause shown, extend the time for the hearing but no more than 30 days, if the child is detained or hospitalized, and not more than 60 days, if the child is not detained or hospitalized.

(c) Report of psychiatrist or qualified psychologist. The report filed by the psychiatrist or qualified psychologist responsible for the treatment of a child ordered pursuant to D.C. Code § 16-2315(c) shall contain the information required by subsection 2315(c)(6).