Early Referral Process for Community Mental Health Providers

Unless ordered or asked to conduct an early referral, the Oregon State Hospital Forensic Evaluation Service (FES) submits forensic evaluations on defendants 90 days from the date the judge signed the order, and thereafter every 180 days from the date the order was signed.

Some defendants are restored to trial competency faster than others and are found “competent to stand trial” while occasionally defendants will never be restored to competency. There are times when the Community Mental Health Providers (CMHPs) believe a defendant should be evaluated before the scheduled evaluation dates because they believe the patient is either competent to stand trial or will never be competent to stand trial.

The Early Referral process is a means for Community Mental Health Providers to have defendants evaluated earlier than their next scheduled evaluation, if they believe the defendant is likely to be found competent to stand trial or will never be competent to stand trial.

This process is relatively simple:

1. Fill-out the attached Early Referral request form and email it to the following email addresses [OSHForensic.EvaluationService@dhsoha.state.or.us](mailto:OSHForensic.EvaluationService@dhsoha.state.or.us)

[OSH.FESDirector@dhsoha.state.or.us](mailto:OSH.FESDirector@dhsoha.state.or.us)

1. Forensic Evaluation Service will review the Early Referral and request additional information as needed to determine if an early assessment is indicated.

* If FES determines that an early evaluation is indicated, we will schedule an interview for as soon as possible and notify the CMHP.
* If the FES **does not** believe an early evaluation is indicated, we will communicate to the CHMP the remaining barriers to competency restoration and recommended interventions to restore the defendant.

Please know that the most common reasons that FES determines that an early evaluation is not indicated are a lack of supporting documentation or ongoing barriers to competency to stand trial.

Please contact us with any questions or concerns regarding the Early Referral process.

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