

CASE NO. _____

THE STATE OF TEXAS

§ IN THE _____

v.

§
§ COURT OF FORT BEND COUNTY, TEXAS

§
§ SITTING AS A JUVENILE COURT

MOTION FOR FITNESS TO PROCEED
TEXAS FAMILY CODE SEC. 55.31

- The Court, on its own motion,
- The State of Texas by and through an Assistant Fort Bend County District Attorney,
- The Attorney for the Juvenile,

has reason to believe Juvenile, as a result of mental illness or an intellectual disability lacks the capacity to understand the proceedings in Juvenile court or to assist in the child's own defense. This motion is based on the following behaviors:

(Check all that apply)

- Disturbed perceptions and/or bizarre thoughts and beliefs*, e.g. talking to persons who are not present, or reports of hearing voices, belief that others are following him/her
- Disturbed and intense feelings*, e.g. of rage, sadness or depression
- Disturbed communications*, e.g. inability to communicate intelligibly about the events leading to arrest
- Lack of understanding*, e.g. of juvenile proceedings
- Difficulty assisting counsel*
- Intellectual Developmental Disabilities*, e.g. intellectual/developmental delays, Autism, Down Syndrome, etc.
- Other:* _____

***Required: (Check one)**

- I have records regarding the Juvenile's history that are pertinent to the requested evaluation and I will make them available to the examiner.
- I do not have records available regarding the Juvenile's history.

Therefore,

- The State of Texas by and through an Assistant Fort Bend County District Attorney,
 - The Attorney for the Juvenile,
- prays that this Court will issue an order permitting a fitness to proceed examination by a disinterested mental health expert who can examine the Juvenile and report to the Court on the Juvenile's ability to proceed in juvenile court and testify as may be required to assist the Court in such a determination.

Respectfully submitted this the _____ day of _____, 20 .

Attorney for Juvenile/State of Texas