

Mental Health in Municipal Courts

Finding a way through RCW 10.77

WSAMA Spring 2026

Hil Kaman, Assistant City Attorney, City of Everett

1. Competency Standard

- a. Defendants are presumed competent.
- b. "Incompetency" means a person lacks the capacity to understand the nature of the proceedings against him or her or to assist in his or her own defense **as a result of mental disease or defect**. RCW 10.77.010 (19)
- c. No Incompetent person shall be tried, convicted, or sentenced for the commission of an offense so long as such incapacity continues. RCW 10.77.600

2. Raising Doubt

- a. Whenever there is a doubt as to competency, the court on its own motion or on the motion of any party shall first review the allegations of incompetency. The court shall make a determination of whether sufficient facts have been provided to form **a genuine doubt** as to competency based on information provided by counsel, judicial colloquy, or direct observation of the defendant .RCW 10.77.400
- b. "Genuine doubt as to competency" means that there is reasonable cause to believe, based upon actual interactions with or observations of the defendant or information provided by counsel, that a defendant is incompetent to stand trial. RCW 10.010.15
- c. Nothing in this subsection (1)(b) is intended to require a waiver of attorney-client privilege. Defense counsel may meet the requirements under this subsection (1)(b) by filing a declaration stating that they have reason to believe that a competency evaluation is necessary, and stating the basis on which the defendant is believed to be incompetent. RCW 10.77.400(1)(iii)

3. Competency or not?

- a. Drugs
 - i. Presence of drugs do not per se render defendant incompetent.
 - ii. When Defendant deliberately induces own incompetence, trial may proceed without him.

- b. Brain injury or IQ
 - i. Requires medical records or testimony
 - ii. IQ is not the end of the inquiry. Trial courts should consider the specific mental qualities that impact the defendant's capacity to understand a trial, including any relevant disability.
- c. Malingering
 - i. Malingering refers to a defendant intentionally faking, feigning, or grossly exaggerating symptoms of mental incapacity in order to delay, avoid, or manipulate legal proceedings.
 - ii. Delusions that don't necessarily impact competency. For example, Defendant found competent even after alleging toxic fumes at jail and theory that victim and ex-wife in relationship" *State v. McCarthy*, 193 Wn.2d 792 (2019)
- d. Changes in status
 - i. Competency can change at any point in the proceedings.
 - ii. Court need not revisit competency unless new information exists that shows the defendant's mental condition has changed. *State v. Fedoruk*, 5 Wn.App.2d 317 (2018)
 - iii. Defendant had seizure during trial, but judge observed he acted similar afterwards in talking with jail guard, so competency did not bar prosecution. *State v. Hicks*, 41 Wn.App. 303 (1985)

4. Evaluation

- a. If a genuine doubt as to competency exists, the court shall either appoint or request the secretary to designate a qualified expert or professional person, who shall be approved by the prosecuting attorney, to evaluate and report upon the mental condition of the defendant. RCW 10.77.400
- b. Speedy Trial is stayed pending evaluation RCW 10.77.635.

5. Per Se Serious? RCW 10.77.665

- a. Any violent offense (Reckless endangerment, Harassment, Mal mis 3), sex offense, serious traffic offense (DUI, Reckless Driving, Hit and Run attended, and most serious offense, as those terms are defined in RCW 9.94A.030;
- b. Any offense, except nonfelony counterfeiting offenses, included in crimes against persons in RCW 9.94A.411; (Stalking)
- c. Any offense contained in chapter 9.41 RCW (firearms and dangerous weapons); (aim/discharge firearm)
- d. Any offense listed as domestic violence in RCW 10.99.020;
- e. Any offense listed as a harassment offense in chapter 9A.46 RCW, except for criminal trespass in the first or second degree; (Assault, Harassment, Reckless

Endangerment, Malicious Mischief 3, Cyber Harassment, Violation of Protection Orders)

- f. Any Controlled substance Crime that is class B felony

6. Found Serious RCW 10.77.665

- a. In a particular case, a court may determine that a pending charge not otherwise defined as serious by state or federal law or by a city or county ordinance is, nevertheless, a serious offense within the context of competency restoration treatment when the conduct in the charged offense falls within the standards established in (b) of this subsection.
- b. To determine that the particular case is a serious offense within the context of competency restoration, the court must consider the following factors and determine that one or more of the following factors creates a situation in which the offense is serious:
 - i. The charge includes an allegation that the defendant actually inflicted bodily or emotional harm on another person or that the defendant created a reasonable apprehension of bodily or emotional harm to another;
 - ii. The extent of the impact of the alleged offense on the basic human need for security of the citizens within the jurisdiction;
 - iii. The number and nature of related charges pending against the defendant;
 - iv. The length of potential confinement if the defendant is convicted; and
 - v. The number of potential and actual victims or persons impacted by the defendant's alleged acts.

7. D.D. evaluations RCW 10.77.665

- a. the legislature believes that, where appropriate, and subject to available funds, persons with developmental disabilities who have been charged with crimes that involve a threat to public safety or security and have been found incompetent to stand trial or not guilty by reason of insanity should receive state services addressing their needs. RCW 10.77.113
- b. A defendant found incompetent by the court under *RCW 10.77.635 must be evaluated at the direction of the secretary and a determination made whether the defendant is an individual with a developmental disability. Such evaluation and determination must be accomplished as soon as possible following the court's placement of the defendant in the custody of the secretary.
- c. Specialized Placement

8. Timelines RCW 10.77.665

- a. In-Custody evaluations - 14 days to complete evaluation when Defendant held in-custody (21 from signature of order)
- b. Hospital Admission Evaluations – 7 days to admit (14 days from signature)
- c. Out of Custody – 21-day performance Target
- d. Good Cause Extensions – missing medical info, defendant’s unique circumstances, delay caused by defendant’s active signs of substance impairment, medical unavailability, lack of council availability, defendant’s invocation of rights, unusual spike in evaluations
- e. No basis for motion to dismiss, right of action, contempt.

9. *Trueblood*

- a. *Trueblood* case is a class action lawsuit that enforces a person’s constitutional right to timely competency evaluation and restoration services. Class members are all people waiting in jail for court-ordered competency evaluation and restoration services.
- b. After a trial in 2015, the U.S. District Court ruled that DSHS was violating class members’ constitutional rights and ordered DSHS to offer competency evaluation and restoration services within seven or fourteen days. The Court has since found DSHS in contempt three separate times and imposed hundreds of millions of dollars in monetary sanctions based on DSHS’s ongoing failure to comply with the Court’s Orders
- c. Statewide uptick in evaluations continues

10. Other considerations

- a. In-Custody versus Out-of-custody
- b. Out-of-custody scheduling and reviews
- c. Sending materials to OFMHS
- d. Immunity agreements
- e. Defense attorney presence
- f. Recent evaluations and motions to adopt
- g. Chronic incompetence – when to re-evaluate.

11. Competent Finding

- a. Agreed-RCW 10.77.6351(c) following notice and hearing or entry of an agreed order under (b) of this subsection, the court finds that competency has been restored, the court shall lift the stay entered under (a) of this subsection.
- b. Parties may adopt competency finding in another court

c. Court Determination

- i. In *State v. Dodd*, this court noted that the “trial judge may make his determination from many things, including the defendant's appearance, demeanor, conduct, personal and family history, past behavior, medical and psychiatric reports and the statements of counsel.” 70 Wn.2d 513, 514, 424 P.2d 302 (1967).
- ii. The guiding principle is to allow the trial court wide discretion to consider the evidence that best illuminates whether the defendant has the mental capacity to make the “sum total of decisions that a defendant may be called upon to make during the course of a trial.” *Godinez*, 509 U.S. at 398, 113 S.Ct. 2680.

12. Not Competent Finding

- a. Dismissal under RCW 10.77.635 is default - If at any time during the proceeding the court finds, following notice and hearing, a defendant is not likely to regain competency, the court shall dismiss the proceedings without prejudice and refer the defendant for civil commitment evaluation or proceedings if appropriate under
- b. Restoration only available for serious offenses if prosecutor objects RCW 10.77.650

13. Firearm Loss in RCW 9.41.047 and RCW 9.41.047

- a. Upon dismissal of charges due to incompetency under 10.77.650 (nonfelony)— and if the court finds the person has a history of one or more violent acts— oral and written notice of immediate loss of firearms. RCW 9.41.047
- b. Restoration Ordered - With a finding of incompetency and committed for Mental Health Treatment RCW 9.41.047
- c. Violent Acts Defined
 - i. "History of one or more violent acts" means violent acts committed during: (a) The 10-year period of time prior to the filing of criminal charges; plus (b) the amount of time equal to time spent during the 10-year period in a mental health facility or in confinement as a result of a criminal conviction. RCW 10.77.010 (17)
 - ii. Violent Acts RCW 10.77.010 (27) means behavior that: (a)(i) Resulted in; (ii) if completed as intended would have resulted in; or (iii) was threatened to be carried out by a person who had the intent and opportunity to carry out the threat and would have resulted in, homicide, nonfatal injuries, or substantial damage to property; or (b) recklessly

creates an immediate risk of serious physical injury to another person. As used in this subsection, "nonfatal injuries" means physical pain or injury, illness, or an impairment of physical condition. "Nonfatal injuries" shall be construed to be consistent with the definition of "bodily injury," as defined in RCW 9A.04.110.

iii. Violent Acts Presumptions RCW 10.77.136

1. Past convictions or NGRI.
2. Elements alone may not be enough.
3. Presume facts underlying conviction, if unrebutted, sufficient to establish.
4. Court may consider sworn affidavits, criminal history records, certified court records.

14. Alternatives to Restoration

- a. The court shall first consider all available and appropriate alternatives to inpatient competency restoration. RCW 10.77.650
- b. Forensic navigators – Agreed dismissal after acceptance into diversion program recommended by forensic navigator. RCW 10.77.610
- c. The court shall first consider all available and appropriate alternatives to inpatient competency restoration, and by agreement dismiss and refer. RCW 10.77.650
- d. Forensic navigators (*Trueblood* settlement funded)– Agreed dismissal after acceptance into diversion program recommended by forensic navigator. RCW 10.77.610.

15. Compelling Interest RCW 10.77.650

- a. Establishing Compelling Interest
 - i. Prior criminal history
 - ii. Prior history in treatment
 - iii. Prior history of violence
 - iv. Quality and severity of the pending charges
 - v. Any history that suggests competency treatment is likely to be successful
 - vi. 71.05 proceedings create rebuttable presumption of no compelling interest
 - vii. Any other factors listed in 10.77.665
- b. If compelling interest is found, court shall order restoration.

16. Sell Hearing

- a. Involuntary administration of antipsychotic medication solely for trial competence is permitted.
- b. Those instances may be rare and only after offered voluntarily.
- c. Standard factors must be found!
- d. Timing is now after admission

17. Sell Factors

- a. Important government interest
 - i. Serious crime against person or property
 - ii. Safety of victim's and the community or recovery of available restitution
 - iii. Possibility of civil commitment confinement
 - iv. Length of time for restoration in relation to anticipated sentence and time served
 - v. Constitutional guarantee of fair trial for defendant
- b. Involuntary medication will further those interests
 - i. Substantially likely to render the defendant competent to stand trial
 - ii. 29 days for misdemeanors (14 + 15)
 - iii. Substantially unlikely to have side effects that will interfere significantly with defendant's ability to assist counsel
 - iv. Subsequent Case law: order must state more than what drugs designed to do and meaningfully limit discretion given to doctors.
 - v. Specific drugs, dosages, and report times
- c. Invol. Med. Necessary to further interests
 - i. Alternative, less intrusive means are unlikely to achieve the same results
 - ii. No outpatient treatment facilities
 - iii. Court's contempt power?
 - iv. Without medication, defendant will not become competent
 - v. Usually at least 29 days have elapsed since crime
- d. Medically Appropriate
 - i. Administration of drugs is medically appropriate.
 - ii. Drugs in the patient's best medical interest in light of his medical condition
 - iii. The specific drugs are important here as elsewhere
 - iv. Important to have Doctor explain process of restoration treatment.

18. Post-Restoration-proceed as described above

19. Insanity and other defenses

- a. Insanity RCW 10.7.500-590
- b. Process
 - i. Defendant files written notice of plea
 - ii. Defendant must prove by preponderance of evidence.
 - iii. Jurors must determine by special verdict.
 - iv. If found insane, defendant moves for acquittal based on insanity.
 - v. If acquitted, involuntarily committed to secure facility until no longer mentally ill or dangerous

20. Diminished Capacity

- a. No special Pleading- diminished capacity merely negates the specific mental state required for the charged offense *State v. Poulsen*, 45 Wn.App. 706 (1986) *Watness v. City of Seattle*, 16 Wn.App.2d 297 (2021)
- b. Competent evidence of such a condition is admissible wherever it tends logically and by reasonable inference to prove or disprove that a defendant was capable of forming the required specific intent. *State v. Ferrick*, 81 Wn.2d 942 (1973).
- c. Mere conclusory testimony is insufficient; the expert opinion must contain an explanation of how the mental disorder had this effect. *State v. Harper*, 64 Wn.App. 283 (1992). Additionally, the cause of the inability to form specific intent must be a mental disorder, not emotions like jealousy, fear, anger, or hatred. *State v. Harper*, 64 Wn.App. 283 (1992)

21. Diminished Capacity lite

- a. No Special Pleading
- b. No Expert
- c. Sympathetic Defendant
- d. Prosecutor dismissal (i.e. dementia patient who assaults roommate)
- e. Voluntary Intoxication - RCW 9A.16.090, provides that "no act committed by a person while in a state of voluntary intoxication is less criminal by reason of that condition, but whenever the actual existence of any particular mental state is a necessary element to constitute a particular kind or degree of crime, the fact of intoxication may be taken into consideration in determining such mental state" *State v. Carter*, 31 Wn.App. 572 (1982), *State v. Brooks*, 97 Wn.2d 873 (1982)

22. Found Competent – Diversions

- a. Specialty Courts or Diversions RCW 2.30.030 Courts are expressly authorized and encouraged to establish therapeutic courts, including mental health courts, within trial and juvenile court systems.
- b. Prosecutor approval required
- c. Other Diversions- Everett’s Court Monitored Diversion

23. Not Competent-71.05 evaluation + Detention, delayed release,

- a. Must be part of competency evaluation (RCW 10.77.400) and if recommended, the Court shall order 71.05 evaluation
- b. Must have behavioral Health Disorder and either: 1) likelihood of serious harm to self or others, or 2) gravely disabled.
- c. Judicial Hold 120-hour detention after resolution of criminal case.
- d. CrRLJ 3.2.f.2 Detention— 24 hour delayed release for 71.05 evaluation if persons mental condition is such that court believes he should be evaluated.
- e. Homegrown Diversions- Everett’s Renew Program

24. Chronic Competency Issues

- a. Do nothing – not a crime problem.
- b. Try again next time.
- c. Find another approach before arrest.
- d. Lack of resources for 71.05 Detentions/commitments

25. Other Considerations

- a. More Defense attorneys = more evaluations
- b. Fewer WSH resources = wait times or worst restoration outcomes
- c. 71.05 not an effective alternative
- d. Geel Model

26. Documents + Templates Attached

- a. Standard Forms -
<https://www.courts.wa.gov/forms/?fa=forms.contribute&formID=100>
- b. Memorandum re: “Serious Offense” finding (Attached)
- c. Motion and Declaration on Compelling Interest (Attached)
- d. CrRLJ 3.2.f.2 Order Delaying Release (Attached)
- e. Order Adopting Competency Evaluation (Attached)

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**IN THE MUNICIPAL COURT OF
EVERETT, WASHINGTON**

CITY OF EVERETT,
Plaintiff,
vs.
Defendant.

NO.

**MEMORANDUM OF LAW
RE: "SERIOUS OFFENSE"
COMPETENCY RESTORATION
TREATMENT**

COMES NOW the City of Everett, by and through Assistant City [NAME], and hereby submits the following Memorandum of Law supporting a finding that these cases include a charge which is a serious offense pursuant to RCW 10.77.665.

I. STATUS OF CASES

Defendant has had this matter calendared today for entry of an RCW 10.77 competency evaluation order. OFMHS does not opine as to restorability if the "serious offense" box is not checked on the evaluation order, so the City is submitting this memorandum in support of a "serious offense" finding now.

II. STATEMENT OF FACTS

Defendant is charged with two counts of Lewd Conduct. The City respectfully requests the Court find that Lewd Conduct charges in this case are serious.

1 Annexed hereto and incorporated herein by reference from Everett Police Report
2 [REPORT NUMBER] is the narrative sworn statement of [OFFICER NAME] (**Exhibit 1**) and the
3 sworn statements of [WITNESS STATEMENTS] (**Exhibit 2**). Defendant is alleged to have stared
4 at these children in the Everett Library while masturbating. "They described him as making the
5 motion of masturbating and they believed without a shadow of a doubt that was exactly what he
6 was doing. They then stated that the male was making moaning sounds from his mouth, and they
7 could audibly hear a slapping noise coming from his groin area as he moved his hand and arm
8 back and forth." Exh. 1.

9 **I. SERIOUS OFFENSES PURSUANT TO RCW 10.77.665(3)(a)**

10 This court should make a finding that Indecent Exposure is a serious offense in this
11 case pursuant to RCW 10.77.665(3)(a), which states:

12 (3)(a) In a particular case, a court may determine that a pending charge not
13 otherwise defined as serious by state or federal law or by a city or county
14 ordinance is, nevertheless, a serious offense within the context of competency
15 restoration treatment when the conduct in the charged offense falls within the
16 standards established in (b) of this subsection.

17 (b) To determine that the particular case is a serious offense within the context of
18 competency restoration, the court must consider the following factors and
19 determine that one or more of the following factors creates a situation in which
20 the offense is serious:

21 (i) The charge includes an allegation that the defendant actually inflicted bodily or
22 emotional harm on another person or that the defendant created a reasonable
23 apprehension of bodily or emotional harm to another;

24 (ii) The extent of the impact of the alleged offense on the basic human need for
25 security of the citizens within the jurisdiction;

(iii) The number and nature of related charges pending against the defendant;

(iv) The length of potential confinement if the defendant is convicted; and

(v) The number of potential and actual victims or persons impacted by the
defendant's alleged acts.

Defendant's behavior meets the criteria under RCW 10.77.665(3)(b) because he
masturbated in public in front of two minor child victims while looking at the children, in a

1 library where children should be safe. Defendant is a sex offender with felony and non-felony
2 convictions for Indecent Exposure; convictions on these Lewd Conduct charges would allow for
3 court supervision and correction of his criminal behavior victimizing children in Everett.

4 After weighing the factors mandated in RCW10.77.665(3), the City respectfully
5 asks this court to make a finding that the charge is “serious” for the purposes of
6 restoration treatment.

7 **IV. CONCLUSION**

8 The City respectfully requests the Court find that Lewd Conduct as charged in this case is
9 a serious offense pursuant to RCW 10.77.665, and indicate such on the competency evaluation
10 order so that OFMHS will include an opinion as to restorability with their evaluation.

11
12 DATED this day of , 2026.

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15 _____
16 Assistant City Attorney
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**EVERETT MUNICIPAL COURT
SNOHOMISH COUNTY, WASHINGTON**

CITY OF EVERETT,

Plaintiff,

vs.

Defendant.

NO.

**Motion and Declaration on
compelling City interest for
Competency Restoration.**

MOTION

COMES NOW the City of Everett, by and through Assistant City Attorney [ATTORNEY
NAME] and hereby request this court find by a preponderance that the City has a compelling
interest in perusing competency restoration treatment, enter a Restoration Order, and, if
necessary, set the above matter(s) for a *Sell* hearing. This motion incorporates all pleadings,
reports, and other documents filed to date in this matter.

Effective July 29, 2019, the Legislature, in E2SSB 5444, established new procedures for
competency restoration treatment in nonfelony cases. When a nonfelony defendant is found
incompetent to stand trial, the court must dismiss charges without prejudice unless the prosecutor
objects and proves a compelling government interest. This motion is supported by the following
declaration.

1 **DECLARATION**

2 I, [ATTORNEY NAME], do hereby declare:

- 3
- 4 1. That I am an Assistant City Attorney for the City of Everett and do hereby make this
- 5 declaration in that capacity.
- 6 2. That I have reviewed the materials related this incident
- 7 3. That Defendant is charged with at least one “serious” offense pursuant to RCW 10.7.092,
- 8 to wit:

9 a. [LIST ALL OFFENSES]

10 4. That Defendant found not-competent pursuant to the forensic evaluation dated

11 [EVALUATION DATE] by [EVALUATOR’S NAME] hereinafter referred to as “Evaluation.”

12 5. That the City objects to dismissal of charges and requests competency restoration

13 treatment.

14 6. That the City has a compelling interest based on the following factors (in bold):

- 15 a. That I have reviewed **Defendant’s criminal history** in both JIS and NCIC and
- 16 found that defendant has been charged with [number of misdemeanors] different
- 17 misdemeanor and gross misdemeanor charges and [number of felonies] felonies.

18 Of particular relevance are the following felony and misdemeanor convictions:

19 i. [List felony convictions]

20 ii. [List relevant misdemeanor convictions]

21 b. That the Evaluation describes Defendant’s prior history in treatment as follows:

22 [Describe treatment history focusing on whether defendant is connected to services,

23 or has successfully complied with services in the past, i.e “she has had many contacts

24 with the community behavioral health network since 2007. It does not appear that

1 she is currently engaged with treatment in the community or that her behavioral
2 health issues are being currently addressed through community services.”]

3 c. That from her criminal history, the police reports, and the evaluation, Defendant has
4 a **prior history of violence** [Describe].

5 d. That **the nature of the pending charges** supports the City’s compelling interest to
6 seek justice, hold defendant accountable, protect community safety and see
7 defendant get services that will reduce likelihood of re-offense. In the pending
8 charges, Defendant [Describe relevant facts from pending charges]

9 e. That **competency restoration treatment is likely to be successful** based on the
10 information contained in the Evaluation. Furthermore, the City will be seeking a *Sell*
11 order if Defendant does not agree to voluntary medications. Defendant has been
12 found competent or restored to competency in the following recent cases: [describe
13 if any]

14 f. That the City has a compelling interest in restoring defendant to competency based
15 on other factors including **the number and nature of charges/number of**
16 **potential/actual victims, and allegations of actual or emotional harm on another**
17 **person.**

18 i. [Describe other factors]

19 ii. [Describe Civil Commitment history i.e. “Furthermore, Defendant has
20 been referred for civil commitment five times since 2011 and has never
21 been detained under ITA. While this court will refer upon dismissal of
22 these charges, this is insufficient to protect the victim and community.”]

23 iii. [Describe substance use history, i.e. “Lastly, defendant’s mental health is
24 complicated by opioid and methamphetamine use.”

1 g. Restoration treatment as part of this criminal prosecution may be the best chance
2 to protect the community from behaviors stemming from her underlying
3 behavioral health challenges.

4 h. The City reserves for oral argument the remainder of its argument.

5
6 I declare the foregoing is true and correct under penalty of perjury under the laws of the State of
7 Washington.

8 Dated this _____ day of _____, 2019 .

9
10 _____
11 Name, WSBA
12 Assistant City Attorney
13 City of Everett

1 **IN THE MUNICIPAL COURT OF EVERETT**
2 **SNOHOMISH COUNTY, WASHINGTON**

3 **CITY OF EVERETT, a municipal**
4 **corporation,**

5 **Plaintiff,**

6 **vs.**

7 **Defendant.**

CASE NO. 5A0764843

Order Delaying Release

8 **FINDINGS:**

9 Based on the evidence presented by the parties and other relevant records in the case, the
10 court FINDS: that the above-named defendant's mental condition is such that the court
11 believes the defendant should be interviewed by a mental health professional for possible
12 commitment to a mental treatment facility pursuant to RCW 71.05.

13 **ORDER:**

- 14 **1.** Release of the above-named defendant shall be delayed until the defendant is
15 interviewed by a DCR (Designated Crisis Responder) for possible commitment to a
16 mental treatment facility pursuant to RCW 71.05.
- 17 **2.** Such interview shall take place within 24 hours.

18 **Dated** _____

19 **Judge** _____

20 Agreed
 Approved as to form

21 Agreed
 Approved as to form

22 Presented by: _____
Assistant City Attorney
WSBA #

Defense Attorney: _____
Name _____ WSBA #

Everett City Attorney's Office
2930 Wetmore Avenue
Everett, WA 98201
ph. 425/257-8406, fx. 257-8623

[] Everett Law Group, PLLC.
3232 Oakes Avenue
Everett, WA 98201
ph. 425/512-9731, fx. 322-3347

Order Delaying Release Pursuant to CrRLJ 3.2(f)(2)

EVERETT CITY ATTORNEY'S OFFICE
CRIMINAL DIVISION
2930 Wetmore Avenue, 4-E
Everett, WA 98201
(425) 257-8406

[] Other: _____

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**STATE OF WASHINGTON }
COUNTY OF SNOHOMISH }s**

The undersigned clerk of the Court does hereby certify that the foregoing instrument is a true and correct copy of the original now on file in this court.

In witness whereof, I have hereunto set my hand
this ____ day of _____, 20 ____.

Katie Traenkenschuh, Court Administrator
By _____ Clerk
Municipal Court of Everett

Municipal Court of Everett
County of Snohomish, WA

CITY OF EVERETT,

Plaintiff,

vs.

KIMBERLIN, GAIL FRANCES,

Defendant.

No. 3A0521821

**Order Adopting Competency
Evaluation**

The court hereby adopts the OFMHS competency evaluation of this defendant dated September 14, 2022 from prior Everett Municipal Court case no. 2A0575285; 2a0475523; 2a0561173 use in this matter.

Dated _____

Judge

Hil Kaman, Assistant City Attorney
WSBA No. 40515

_____, Attorney for Defendant
WSBA No. _____