

99.2 ESTABLISHING PANEL OF EXPERTS AND PROCEDURES FOR DETERMINATION OF MENTAL COMPETENCY

- (a) **Purpose of Rule.** The purpose of this Rule is to establish a panel of experts and to prescribe the procedure to be followed in connection with examinations ordered pursuant to 18 U.S.C. §§ 4241 or 4242, and any other examination that may be ordered pursuant to other laws.
- (b) **Establishment of Panel of Experts.** The District must establish a panel of competent, licensed, or certified psychiatrists or psychologists. A list of the psychiatrists and psychologists on the panel must be on file with the Clerk and with the Chief United States Probation and Pretrial Services Officer. The District may add to such list other competent experts in mental diseases who may, from time to time, be designated to serve with and assist a particular psychiatrist and/or psychologist in connection with a particular examination.
- (c) **Procedures for Order of Examination.** In ordering an examination under this Rule, the Court may authorize the Chief United States Probation and Pretrial Services Officer to make proper arrangements with a psychiatrist and/or psychologist designated by the court from the approved panel for such examination. If the defendant is in custody, the United States Marshal may deliver the defendant to the office of the designated examiner and afterward return the defendant to the place of confinement.
- (d) **Preparation and Protection of Social History.** Except for examinations conducted at a federal penal institution, the Chief United States Probation and Pretrial Services Officer must prepare a social history of the defendant for use by the examiner, if so requested by the examiner. Fed. R. Crim. P. 12.2(c) protects the social history and any statements made by the defendant in connection with that social history.