

RULE 523.1 BEHAVIOR CLINIC EVALUATION AS CONDITION OF BAIL

(a) In any court case, wherein the defendant is preliminarily arraigned and the issuing authority has a good faith doubt as to the defendant's adjudicative competency or has reason to believe that the defendant is severely mentally disabled and may be in need of eventual court-ordered treatment upon a determination of clear and present danger pursuant to the definitions in the Mental Health Procedures Act (50 P.S. §7101, et seq.), the issuing authority may make it a condition of bail that the defendant be examined by the Behavior Clinic within forty-eight (48) hours if the preliminary arraignment occurs on Monday through Friday, otherwise within seventy-two (72) hours.

(b) In any court case, at the time of the preliminary hearing, if the issuing authority has a good faith doubt as to the defendant's adjudicative competency or has reason to believe that the defendant is severely mentally disabled and may be in need of eventual court-ordered treatment upon a determination of clear and present danger pursuant to the definitions in the Mental Health Procedures Act (50 P.S. §7101, et seq.), the issuing authority, when permitted by the Pa.R.Crim.P., may make it a condition of bail that the defendant be examined by the Behavior Clinic within seventy-two (72) hours of the preliminary hearing.