



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

<b>2003 Wisconsin Act 122</b> [2003 Senate Bill 131]	<b>Competency Report</b>
2003 Acts: <a href="http://www.legis.state.wi.us/2003/data/acts/">www.legis.state.wi.us/2003/data/acts/</a>	Act Memos: <a href="http://www.legis.state.wi.us/lc/act_memo/act_memo.htm">www.legis.state.wi.us/lc/act_memo/act_memo.htm</a>

Under current law, when a court has reason to doubt a criminal defendant's competency to understand the criminal proceeding or assist in the defense, the court will order that a report be prepared regarding the defendant's condition. This report will be delivered to the district attorney and the defense counsel, or to the defendant personally if he or she is not represented by counsel. The report may not be otherwise disclosed prior to a competency hearing.

2003 Wisconsin Act 122 provides that, upon the request of the sheriff or jailer charged with care and control of the jail in which a defendant is being held pending or during a trial or sentencing proceeding, the court must deliver a copy of the competency report to the sheriff or jailer. The sheriff or jailer in turn may provide a copy of the report to the person who is responsible for maintaining medical records for inmates of the jail, to a nurse, or to a physician or physician assistant who is a health care provider for the defendant or who is responsible for providing health care services to the jail.

**Effective Date:** February 21, 2004.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.