

- 1 (6) The President of the District Court Judges Association or his designee.
- 2 (7) The President of the Superior Court Judges Association or his designee.
- 3 (8) A forensic expert from a State Psychiatric Hospital.
- 4 (9) An advocate for individuals who have been determined to lack the capacity
- 5 to proceed.

6 **SECTION 3.(a)** Preliminary report. – The Department of Health and Human
7 Services shall present preliminary findings of the workgroup to the following stakeholder
8 organizations:

- 9 (1) North Carolina Sheriff's Association.
- 10 (2) North Carolina Psychiatric Association.
- 11 (3) North Carolina Council of Community Programs.
- 12 (4) North Carolina Conference of District Attorneys.
- 13 (5) North Carolina Hospital Association.
- 14 (6) North Carolina Association of County Commissioners.
- 15 (7) National Alliance on Mental Illness.
- 16 (8) North Carolina Indigent Defense Services.

17 **SECTION 3.(b)** Final report. – After consultation with these stakeholder
18 organizations, the workgroup shall finalize recommendations for improvements to the system,
19 including any legislative proposals, and the Department of Health and Human Services shall
20 report to the Joint Legislative Oversight Committees on Health and Human Services and on
21 Justice and Public Safety by February 1, 2018. The report shall include findings and
22 recommendations on the following:

- 23 (1) Issues within the system that impact an individual who lacks capacity to
- 24 proceed to trial and the process to determine capacity.
- 25 (2) Issues that create barriers within the system that negatively impact service
- 26 providers, including jails, courts, hospitals, and law enforcement agencies, in
- 27 their efforts to serve an individual who lacks the capacity to proceed.
- 28 (3) Solutions to reduce the number of persons who lack the capacity to proceed;
- 29 the number of persons who are referred to the State psychiatric hospitals;
- 30 and the number of stays in the hospitals beyond the clinical needs of the
- 31 person who lacks the capacity to proceed.

32 **SECTION 4.** This act is effective when it becomes law.