

Rule 52. Competency Hearings

A. In General.

All competency proceedings shall follow procedures outlined in this rule and sections 2152.51 to 2152.59 of the Revised Code. Competency proceedings are only available to a juvenile who is alleged to be delinquent.

B. Expedited Hearings.

All competency proceedings shall be scheduled and heard on an expedited basis. The timelines established in R.C. 2152.51- R.C. 2152.59 shall be strictly enforced.

C. Notice.

Upon the conclusion of each hearing, the court shall provide written notice of the date, time and place of the next scheduled hearing to the prosecuting attorney, the child's attorney, the child's guardian ad litem, and the child's parents, guardian or custodian. Mailed notice shall not be required for any party or other individual designated in this rule to whom notice of the next hearing was provided in writing upon conclusion of the immediately preceding hearing.

D. Stay of Proceedings

Upon the filing of a motion for a determination regarding a child's competency or upon the court's own motion, the court shall stay all delinquency proceedings pending a determination of competency. If upon a determination of competency, the court determines that the child is not competent but could likely attain competency, the court order staying the delinquency proceedings shall remain in effect until such time as the court determines that the child has attained competency or the proceeding is dismissed.