

Alabama Rules of Criminal Procedure

Rule 25. Procedure after verdict or finding of not guilty by reason of mental disease or defect.

Rule 25.1. Definitions.

(a) “Court” means the court which has jurisdiction to hold a commitment hearing pursuant to Ala.Code 1975, § 15-16-42, and Rule 25.2(b) or which has committed the defendant pursuant to § 15-16-43 and/or Rule 25.6.

(b) “Defendant” means a defendant in a criminal case who has been found not guilty by reason of insanity, or not guilty by reason of mental disease or defect, or not guilty and not guilty by reason of mental disease or defect, or has been committed to the custody of the Department of Mental Health and Mental Retardation or a public facility as provided by Ala.Code 1975, § 15-16-43, and Rule 25.6.

(c) “Commissioner” means the commissioner of the Department of Mental Health and Mental Retardation.

(d) “Department” means the Department of Mental Health and Mental Retardation.

(e) “District attorney” means the district attorney for the judicial circuit of the court which committed the defendant pursuant to Ala.Code 1975, § 15-16-43, and this Rule 25.

(f) “Regional or community mental health facility” means any mental health facility providing mental health services pursuant to Ala.Code 1975, §§ 22-51-1 through 22-51-14.

Committee Comments

Rule 25.1 includes the definitions contained in Ala.Code 1975, §§ 15-16-61 et seq., Criminal Psychopath Release Restriction Act.