

Alabama Rules of Criminal Procedure

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

Rule 25.4. Further commitment for examination by mental health experts.

If the court on its own motion or on motion of either party determines that reasonable grounds exist for an examination or for further examination of the defendant by a mental health expert or experts, it may order the defendant committed to the custody of the commissioner for such examination.

Committee Comments

Rule 25.4 provides a mechanism for the defendant to be examined by mental health experts. It does not preclude the defendant from obtaining his own mental health experts. This rule should be read in conjunction with Rule 25.5, which provides that the parties disclose information about prior examinations of the defendant. It should also be read together with Rule 11.3 with the expectation that where experts have already been appointed under that rule to examine the defendant, their appointment would carry over to this procedure without necessarily requiring new appointments of additional experts or further examination.