

**CRIMINAL PROCEDURE LAW (CPL) SECTION 730.20:**  
**FITNESS TO PROCEED**

**CPL EXAMINER**

**Preferred Requirements:** Qualified Psychiatrist or Certified Psychologist as defined in CPL 730.

**Roles/Responsibilities:**

- Examine Defendant to determine s/he is an incapacitated person at a place designated by the Department of Mental Health;
- Provide an Examination Report wherein is set forth an opinion as to whether the Defendant is or is not an incapacitated person, the nature and extent of the examination and, if it is found that the Defendant is an incapacitated person, the diagnosis and prognosis and a detailed statement of the reasons for this opinion by making particular reference to those aspects of the proceedings wherein the Defendant lacks capacity to understand or to assist in her/his own defense;
- Occasionally a court appearance is mandated by the court and such appearance is included in the contracted pay rate.

**Compensation:** Currently \$200.00 per examination (includes any required court appearance), which is the maximum allowed by NYS under CPL. All Independent Contractors hired as part-time Consultants for this position will receive no County benefits or entitlements.