

## Adult Competence to Proceed (s. 916.12, F.S.) Decision Tree

The court has the authority to appoint a maximum of three experts to determine competency under s. 916.115, F.S. This chart illustrates sample scenarios of how a case could proceed, following the policy adopted by the Supreme Court in AOSC17-12, which requires the courts to initially appoint only one expert in a standard adult competency proceeding. It is not a comprehensive guide, does not provide consideration of case specific factors, and does not cover all possible outcomes.

**Judge Orders Defendant to be Evaluated by Expert for Competence to Proceed**  
Paid for by the court pursuant to s. 916.12, F.S.

