

Rules on Access to Court Records

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Rule 5: Records Excluded From Public Access.

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Commentary

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Rule 5(B)(9) excludes from Public Access mental health records compiled for treatment purposes. Reports for competency to stand trial, or for purposes of the insanity defense, remain accessible to the public. Reports related to the defendant's treatment while undergoing the process of restoration to competency are treatment records and are excluded from Public Access. If the defendant does not regain competency, regular commitment proceedings are initiated under a mental health case, which is excluded from Public Access in its entirety.

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