

Cherokee Nation Code Annotated

Title 10A: Cherokee Nation Juvenile Code

Article 2

Chapter 2: Custody and Court Proceedings

§ 2-2-401.4. Credentialed forensic evaluators--Exceptions

Cite as: 10A CNCA § 2-2-401.4

A. An evaluation ordered by the court shall be conducted by a credentialed forensic evaluator.

1. A credentialed forensic evaluator shall demonstrate education or training in the following areas as necessary for the focus of the evaluation ordered by the court:

a. forensic evaluation procedures for juveniles, including accepted criteria used in evaluating competency,

b. evaluation, diagnosis, and treatment of children and adolescents with developmental disability, developmental immaturity, intellectual disability, or mental illness,

c. clinical understanding of child and adolescent development, and

d. familiarity with competency standards in this state.

B. A court may appoint as evaluator a psychologist, psychiatrist, or other physician who does not meet the requirements of subsection A of this section only if exigent circumstances require the evaluator to have specialized expertise to examine the child that would not ordinarily be possessed by a psychologist, psychiatrist, or other physician who meets the requirements of a credentialed forensic evaluator.

Historical Data

LA 11-21, eff. March 15, 2021.