



Automatic Dismissal of Charges		
If the defendant remains incompetent for certain time periods after the finding of incompetency, the court must automatically dismiss the charges or determine if the defendant is ever likely to attain competency. The prosecutor may file a notice of intent to prosecute to extend these timelines.		
Charge	No Notice of Intent to Prosecute	With Notice of Intent to Prosecute
Targeted Misdemeanor	After 30 days	After 1 year
Gross Misdemeanor	After 30 days	After 2 years
Felony	After 3 years	After 5 years, or 10 years if the maximum sentence for the crime is 10 years or more
Some serious and violent Felonies are excluded from ever being automatically dismissed.		