



W18 Competency to Stand Trial: Nuances in Competency Assessments

*Jessica Morel, DO**, Fayetteville, NC 28306; *Emily D. Gottfried, PhD**, Medical University of South Carolina, Charleston, SC 29407; *Vivian Shnaidman, MD**, Jersey Forensic Consulting LLC, Princeton, NJ 08540-1509; *Natalie Armstrong Hoskowitz, PhD**, Bridgewater State Hospital, Bridgewater, MA 02324; *Corina Freitas, MD**, Crouse Health, Syracuse, NY 13202

Learning Overview: The goal of this presentation is for attendees to first understand the basic requirements of an assessment for competency to stand trial. From there, attendees will build skills to identify the challenges in assessments and techniques used to address them. This workshop will explore competency assessments through case studies and give attendees the opportunity to apply what they have learned at the end with case examples and discussions.

Impact on the Forensic Science Community: This presentation will impact the forensic science community by providing instruction to both improve performance and understanding of competency to stand trial assessments, which will ultimately improve case outcomes.

Competency to stand trial assessments can impact the entire course of a legal case. While not every defendant will undergo one of these assessments, it is important for their legal team to understand when to order one and how to interpret the assessments they receive in order to best serve their clients. Competency assessments are nuanced and the art of the assessment may not be well understood by those outside of forensic psychiatry. This workshop includes discussion of several topics related to competency to stand trial. Starting with the history of assessments and their utility in legal arenas, this workshop will explain the basics of competency assessments, details of the evaluations, testamentary capacity, and information that could be provided by attorneys to facilitate the evaluation. Considerations on how to proceed when a defendant refuses to participate and/or concerns about feigned incompetence will also be discussed.

This workshop will also include information on the symptoms of psychiatric diagnoses that can have a negative impact on a defendant's competency, challenges in assessing competency, and special topics to include sovereign citizens and other unique presentations that may face attorneys and forensic evaluators alike. Case examples will be provided to highlight these special issues and considerations. This workshop's target audience includes both forensic evaluators and attorneys as the defendant's legal team and the forensic evaluators should have an understanding of each other's needs and concerns regarding competence in order to move cases forward in the legal process.

Competency, Psychiatric, Assessment