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Knowledge, Clarity and Passion at the Intersection of Psychology and Law.

Checklist to Assist with Obtaining an Expert for a Juvenile Competency Evaluation

Name of Potential Expert/Witness:

Phone Number:

Email:

Provide the potential expert with a brief description of the case including what gave rise to concerns about your client's competency as well as the nature of the legal case.

I. ASK THE CLINICIAN ABOUT:

a. Their experience evaluating adolescents:

i. Was the response adequate?	Yes	No
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b. Their experience conducting forensic evaluations:

i. Was the response adequate?	Yes	No
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c. Their knowledge of the difference between a clinical and forensic evaluation:

i. Was the response adequate?	Yes	No
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- *Continued*

d. Their experience testifying in court:

i. Was the response adequate?	Yes	No
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e. The legal standard- if applicable did the response mention:

i. The need to give an opinion about treatment?

Yes	No
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ii. How long the statute requires that an unfit youth has to regain competency and what is required to achieve that goal?

Yes	No
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f. What they would do if your client discloses potentially self-incriminating information related to the case during the evaluation (some jurisdictions specifically indicate that such information should not be included in the report).

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II. ASK THE CLINICIAN ABOUT HOW THEY CONDUCT EVALUATIONS:

a. Did the responses include:

- i. Reviewing relevant records (e.g. records related to the current case, academic, mental health and substance abuse records).

Yes No

- ii. Interviewing the youth's parent or guardian to, at a minimum, obtain a developmental history.

Yes No

iii. Interviewing the youth regarding:

1. Developmental history (academic, mental health, substance use, trauma, medical history and prior experience with the legal system).

Yes No

2. Fitness abilities.

Yes No

3. Interviewing of collateral resources – ask them to explain why or why not.

Yes No

b. If they mention testing:

- i. For each test, ask why? How would the data aid the clinician in answering the referral question?

- *Continued*

- ii. Ask them to describe the normative sample (you don't want the clinician to use tests that have not been normed on those similar to your client in terms of age, education and culture¹)

- c. If they don't mention testing, ask them why not?

- d. Ask them to explain how developmental or psycho-social immaturity might impact fitness abilities.

III. INFORMATION TO PROVIDE TO THE CLINICIAN:

Mental health, academic and substance abuse records.

Legal and police records related to the current case.

Relevant prior court records.

Contact information for the youth's parent/guardian.

¹ The following are publishers for many of the tests clinicians use; the publishers provide descriptions of the tests:

- Professional Resource Press: http://www.prpress.com/Assessment---Instruments_c_9.html
- PAR: <http://www4.parinc.com/products/ProductListByCategory.aspx?Category=FORENSIC>
- Pearson Clinical: <http://www.pearsonclinical.com>

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