

ORANGE/OSCEOLA PUBLIC DEFENDER'S COMPETENCY ENHANCEMENT PROGRAM

PURPOSE: The purpose of the Competency Enhancement Program is to provide competency restoration training to those defendants identified as having competency issues.

POPULATION SERVED:

- 18 and older
- Orange/Osceola counties

CRITERIA:

- 2nd and 3rd Degree Felonies
- Must be a client of the Office of the Public Defender; not private or Conflict Counsel
- Exhibit issues regarding competency and mental illness

REFERRAL PROCESS:

- Identify clients for the program at Initial Appearances or at attorney's first meeting.
- Evaluate client's competency level
- Decide if client can undergo competency restoration with resources available to the Public Defender's Office or needs more intensive therapeutic care to achieve competency.

COMPETENCY RESTORATION TRAINING:

- Clients identified as needing competency restoration by the Public Defender's Office will receive the following services:
 - Education/instructional sessions
 - Psychosocial assistance from an educated social worker
 - Limited transportation for clients in need
- The project will be administered by Public Defender's Office employees with a Master or Bachelor degree with experience with forensic populations within the criminal justice system.
- DCF approved competency training curriculum will be used as a guide for this project, with added emphasis on the client's participation on cases, charges and defenses.

MONITORING AND REPORTS:

Monthly reports containing case numbers, intervention steps and results will be forwarded to DCF. DCF conducts audits of the program every quarter. The contract is renewed annually. Program inception was 2007.

DISCHARGE:

Individuals will be discharged from the project for the following reasons:

- They gain competency
- They do not regain competency and the Court makes a disposition that competency will not be restored, the charges may be dismissed or the client is placed on conditional release.

TRAINING DURATION:

The time needed to restore competency will depend on each client's individual needs. The average time to restoration should not exceed six months. If a person cannot be restored within this time frame, the judge may order him or her to remain on a conditional release for the period outlined in current Florida statutes.

DOCUMENTATION:

The following documentation will be part of the clinical record for this project:

- Intake assessment
- Face sheet
- Releases of Information
- Risk assessment
- Records displaying Client's Diagnosis or Symptomatology
- Evaluator's reports
- Court Order
- Psychological assessment
- Service Plan
- Progress Notes
- Discharge summary