

Competency Checklist “Ability to Assist Attorney”

Competency Issue	Specific Knowledge or Ability	Ability Demonstrated			Comments/Explanation
		Yes	No	Partial	
Relationship with attorney	recognizes you as an ally				
	appreciates attorney-client privilege				
	confidence and trust in lawyers in general				
	able to communicate with you and work together				
Capacity to disclose pertinent facts	can give reasonable account of the alleged offense				
	can give reasonable account of others' behavior				
	can give reasonable account of police behavior				
	can report his/her understanding of Miranda warning (at time of arrest)				
	can tell if confession was affected by mental illness				
Capacity to participate in trial	capacity to follow trial events				
	capacity to challenge witnesses (recognize distortions)				
Capacity to present self positively in court	capacity to testify				
	capacity to behave in a way helpful to own defense in court				
Capacity to manage behavior	appreciation of appropriate court behavior				
	capacity to control behavior and emotions				

Competency Checklist “Rational and Factual Understanding”

Competency Issues	Specific Knowledge of Ability	Ability Demonstrated			Comments/Explanation
		Yes	No	Partial	
Appreciates Charge	knows charge label				
	can describe charge comprehends police version of events				
Knows possible penalties	understands sentencing grid				
	appreciates seriousness of charge and penalties				
Knowledge of basic strategies and options	understands pleas available (guilty, not guilty, etc.)				
	understands legal issues and procedures relevant to current legal case				
	understands legal defenses available				
	has knowledge of plea bargaining process				
Capacity to understand adversarial nurture of court	knows roles of court personnel				
	can utilize legal safeguards (i.e., 5 th)				
	knows sequence of court events				
Capacity for reasoned choice	capacity to comprehend legal advice				
	capacity to participate in planning defense				
	capacity to reasonably appraise possible outcomes				
	capacity to understand implicates of plea bargain				
	capacity to make reasoned choices about defense options				