

AAPL Practice Resource for the Forensic Psychiatric Evaluation of Competence to Stand Trial

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Full Document: Wall BW, Ash P, Keram E, et al: AAPL Practice Resource for the Forensic Psychiatric Evaluation of Competence to Stand Trial Update 2018. *Journal of the American Academy of Psychiatry and the Law Online Supplement* 2018, 46 (3). Available at: http://www.jaapl.org/content/46/3_Supplement

J Am Acad Psychiatry Law 46:373, 2018. DOI:10.29158/JAAPL.003781-18

Competence to stand trial is the most commonly requested criminal forensic evaluation. This Practice Resource reviews the origin of the competence to stand trial paradigm, the current conceptualization of competence to stand trial in the United States from clinical and legal perspectives, and special competence topics in U.S. case law. It gives practical guidance and assistance in the performance of these evaluations. This Practice Resource is not intended to provide dispositive direction for all circumstances, and evaluators will need to review the particulars of any given evaluation for its own nuances. The adju-

dicative competence of minors, ethics, cultural considerations, and evaluation instruments designed to aid assessment of adjudicative competence are reviewed, as is the topic of competency restoration. This Practice Resource reflects consensus among American Academy of Psychiatry and the Law members and expert forensic psychiatrists about the principles and practice applicable to conducting evaluations of competence to stand trial, and it is directed toward psychiatrists and other clinicians who are working in a forensic role in conducting evaluations and providing opinions related to competence to stand trial. This Practice Resource could also be utilized by lawyers, judges, and other professionals who encounter issues related to competence to stand trial.

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