

## Competency Restoration and Remediation Program – HS-000016 CW

### Questions/Responses

What are the specific roles and responsibilities required for the program? How many staff members will be needed to effectively run the program? What qualifications and experience are required for each role?

The program would aim to restore or remedy competency to those individual juveniles who the Court has deemed incompetent to stand trial due to a lack of knowledge or understanding of the juvenile court process. More specifically, the program would provide a structured curriculum that works with youth to understand the elements of competency defined in *Dusky v. United State*, 362 U.S. 402 (1960).

A youth would undergo a court-ordered competency evaluation that results in a finding that the youth is incompetent to stand trial. The reasons for the juvenile's lack of competency are defined by the psychologist/psychiatrist conducting the evaluation. If competency can be restored/remedied through education and counseling, the youth would be referred to the program. We expect that the program would last 8-12 weeks with approximately one individual session occurring per week. However, we are open to considering other program proposals. Sessions would preferably occur in the home setting, but again, we are open to alternative proposals.

The desired curriculum would include modules that educate participants to understand better and prepare for interactions with the legal system. Topics include, but are not limited to, the nature of the charges, the hearing process, participants/respective roles, expectations regarding interactions and behavior in court, and possible outcomes. Comprehension checks should occur throughout the program to measure progress.

Once a youth completes the program, another competency evaluation would be scheduled by the Court to determine whether the youth has become competent to stand trial.

This might be something only the provider can decide, but we can attempt to identify the volume. There exist about 15-20 youth currently active with juvenile court who are deemed incompetent to stand trial. We anticipate most of those youth entering the program once it is established, in addition to appropriate juveniles deemed competent in the future. This is a difficult thing to predict, but we foresee anywhere from 5-10 youth being referred to the program each year after the initial 15-20.

At a minimum, we expect that staff working with the youth have a minimum of a Bachelor's degree in Education or a Social Science. Preference will be given to PLCs, LCSWs, Psychologists (PhD or PsyD) and Psychiatrists.

Is there a competency assessment form the county/court currently utilizes and if so, can it be shared? To be clear, the provider selected from the RFP will not conduct any competency evaluations. Rather, youth deemed incompetent by the court's evaluator would be referred to the program if appropriate (incompetency based on lack of knowledge). That being said, the court primarily contracts with 2 evaluators who conduct competency evals. One uses the CAST\*MR or the MacCAT-CA, the other uses the JACI and Shipley-2. Other tools like the Rey 15 and the Inventory of Legal Knowledge might be used if the evaluators suspect malingering/poor effort. Additionally, the WRAT is sometimes used for suspected educational challenges.

Is there a contract amount that has been established or a cap? Agencies are encouraged to submit a realistic budget to support their proposal.

Can data be provided regarding incompetency numbers for Juveniles over the last 3-5 years? Additionally, can corresponding demographic data be listed? There exist about 15-20 youth currently active with juvenile court who are deemed incompetent to stand trial. We anticipate most of those youth entering the program once it is established, in addition to appropriate juveniles deemed competent in the future. This is a difficult thing to predict, but we foresee anywhere from 5-10 youth being referred to the program each year after the initial 15-20.

For juveniles in holding, will the facility transport or provide a meeting room space for the program staff? **If the juvenile is in holding, there are various facilities across the state where the child would be held. If the facility is within one hour, we would likely be able to make space for the program staff. Virtual sessions would likely need to occur if the child is outside one travel hour. However, it should be noted that almost all youth deemed incompetent to stand trial (due to lack of knowledge/understanding rather than mental health) are residing in the community.**

Are there established/recommended word or character limits for the technical proposal? **There are no established word/character limitations on responses.**

What is the funding source for this program? **Various sources.**

What is the amount of available funding? **Please submit a full budget to support your agency's proposal.**

How is the program reimbursed? **Fee for service.**

Is this program funded? **Various sources.**

Will this program be moving to FFS? **Yes.**

What is the length per unit? **We expect that the program would last 8-12 weeks with approximately one individual session occurring per week. However, we are open to considering other proposals.**

What is the anticipated volume? **We predict 5-10 a year, after the current youth are evaluated for program referral.**

Is there any historical volume data for review? **There exist about 15-20 youth currently active with juvenile court who are deemed incompetent to stand trial. We anticipate most of those youth entering the program once it is established, in addition to appropriate juveniles deemed competent in the future. This is a difficult thing to predict, but we foresee anywhere from 5-10 youth being referred to the program each year after the initial 15-20.**

How many individuals are being tried as an adult vs. as a juvenile? **All individual referred to the program are being charged as juveniles.**

How many individuals are currently deemed incompetent? **15-20.**

Is there an existing provider? If so, is the County looking to expand access to services? **No, there is no existing local provider; however, we know of existing providers that we would like to emulate.**

What is the contract length? **Delaware County typically enters into contractual agreements for a one year term on a fiscal year basis; renewal options are dependent upon available State and Federal funding.**

What are the implementation expectations? **There exist about 15-20 youth currently active with juvenile court who are deemed incompetent to stand trial. We anticipate most of those youth entering the program once it is established, in addition to appropriate juveniles deemed competent in the future. The provider would also be asked to give a presentation to Juvenile Probation staff and stakeholders about the program.**