











## OCBHJI Fitness to Proceed/Aid and Assist Frequently Asked Questions Updated February 2022

organize the staffings to get a better picture of who is within the process in order to rapidly serve them. Furthermore, it is helpful to have all Fitness to Proceed cases go through one judge who is familiar with the process and with behavioral health concerns.

During staffing for a dedicated competency docket, behavioral health, the judge, prosecution, defense, and evaluators go through the docket's roster to identify who needs evaluations and who should be prioritized into the rapid process (typically those in custody). There are dedicated slots each week for the rapid process, however, in Multnomah County, if the evaluators have the bandwidth, they may do more. If the judge issues a court order for the jail and the hospital to quickly release records, it allows the evaluators to complete the evaluations in a timely and accurate manner. If a defendant is too symptomatic for a full evaluation, the evaluators will conduct an abbreviated evaluation. The parties use this abbreviated evaluation to determine next steps (e.g., Oregon State Hospital, dropping charges, etc).

### **How do we improve the Fitness to Proceed (Aid and Assist) process in our jurisdiction?**

Most importantly, reach out to your stakeholders in the process, may they be judicial, behavioral health, or peers, versus waiting for them to reach out to you. Coming together to collaborate and find solutions in a non-adversarial manner will strengthen your county's ability to more effectively and efficiently process cases and find solutions to systemic barriers. While most of the time, the judge, prosecutor, defense, and behavioral health are brought to the table - some important stakeholders that are easy to overlook are the trial court administrator, police, parole and probation, judicial assistant, intellectual and developmental disability professionals, housing, and peers - all who can help you have a more systematically based solution. If you reach out through your Local Public Safety Coordinating Councils (LPSCC), you will find many of the stakeholders represented at the meeting. LPSCCs are required by statute (ORS 423.560), however they vary in how they function across the State.

Training on issues around working with the forensic population can be found in communicating with your law enforcement and parole and probation officers. There is training available through the Oregon Center of Behavioral Health and Justice Integration on working with law enforcement partners.