

SERVICE FUNCTIONS - There are three service functions listed on the DBHDS Adult Competency Restoration Services Report. They are **assessment**, **case management** and **restoration**. The definitions are listed below.

I. ASSESSMENT – Assessment is not only a separate category, it is also a **REQUIRED** part of the adult restoration process. Assessment should be completed for every court order that is received by the CSB for O-P services and then recorded on the *DBHDS Adult Competency Restoration Services Report*. This initial phase of the restoration process called assessment refers to the work of the CSB Outpatient Restoration Coordinator or Counselor. This is a required function and must be provided by the CSB for all Outpatient Restoration court orders. The allowable reporting activities in this category include the following:

- collection of the necessary collateral materials (restoration order, competency evaluation, jail medical info),
- review of medical/treatment collateral materials and preparation for initial interview(s),
- initial interview(s) with the defendant and/or jail medical staff and/or other collateral contacts,
- travel time to assess the defendant and return to the office, and
- coordination of psychiatric services or psychological testing when indicated

****** Before the CSB designee makes a recommendation to the court that inpatient services are actually necessary for the restoration of the defendant, they should take the time to carefully evaluate the defendant, possibly meeting with them on several occasions. However, this should not be done at the expense of the defendant who clearly needs inpatient services upon the initial CSB visit. These visits should be conducted as soon as possible to ensure a timely response to the order.

****** This required assessment function is not the same as the function of the competency evaluator. The time spent by the evaluator is not included under assessment on the *Adult Competency Restoration Services Report*.

****** The only reasons that the CSB should NOT proceed from assessment into restoration are:

- The defendant clearly needs inpatient restoration services, is actively psychotic, won't take medications, etc.,
- The defendant refuses to meet with the restoration counselor after several attempts to engage in the process,
- The defendant is unavailable – doesn't show for several appointments and refuses to meet if in jail after several attempts to engage,
- The defendant can't be located, either the jail location or the community address,
- The defendant moves; no forwarding address in the community, or
- The defendant is transferred to a jail outside of the CSB jurisdiction

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If any of these problems persist, the CSB O-P Coordinator must write to the judge (with copies to the Defense Attorney & Commonwealth Attorney) and explain the problem(s) related to the delivery of services pursuant to the § 19.2-169.2 court order. Example letters were provided at the training.

****** When the CSB receives a 2nd (or more) O-P restoration order for the same defendant, there may not be a need to have additional assessment time on the 2nd (or additional) DBHDS *Adult Competency Restoration Services Report*.

****** The only time an outcome evaluation is not required is when the CSB recommends inpatient restoration services at the time of the assessment phase, prior to the initiation of restoration services. The CSB should complete and submit the DBHDS *Adult Competency Restoration Services Report* when the court changes the O-P restoration order to an inpatient restoration order.

II. RESTORATION - The allowable reporting activities in this category include the following:

- delivery of psycho-educational restoration services to improve the factual and rational understanding of court issues and related documentation (not to exceed 10-15 minutes per hour of restoration service),
- provision of pre and post tests,
- arrangements for the provision of restoration at the jail, at the CSB, in the defendant's home, etc.,
- travel time to provide restoration services to the defendant and return to the office,
- psychiatric services and/or brief therapy when indicated, and
- supervision time can be included as appropriate to the complexity of the case

****** Any time restoration services are initiated after assessment, even if the CSB finds that outpatient restoration is not feasible after all, an outcome evaluation is still required to obtain and submit with the letter to the court explaining the circumstances of the case and the CSB recommendation.

****** When the CSB does complete restoration, or at the expiration of the court order (whichever comes first) an outcome evaluation is required to obtain and submit with the letter to the court explaining the outcome of restoration with the CSB recommendation.

III. CASE MANAGEMENT - The allowable reporting activities in this category include the following:

- arrangement of the outcome evaluation,
- correspondence to the presiding judge, the assigned Commonwealth Attorney and the defense attorney,
- completing release of information forms, etc.,
- reviewing relevant documents, and

- coordination of all services required for the restoration to competency order including collaborating with jail staff (if detained) and/or treatment providers and other collateral contacts.

CSB ASSIGNMENT WHEN ASKED BY COURT OR BY A CSB - There are times when the court will call DBHDS and ask which CSB should be ordered to provide the outpatient restoration because they don't have the CSB information or because of jurisdictional questions. In any situation, the court of jurisdiction will not change but the CSB normally associated with the court may change. If asked by the court for the appropriate CSB, we will recommend a CSB based on accessibility to/location of the defendant.

If a CSB should get an O-P restoration order for a defendant residing outside of their jurisdiction or incarcerated in another jurisdiction, that CSB still has a court order to provide O-P restoration until and/or if the court changes the O-P restoration order to another CSB. The time spent responding to the original court order, determining the location of the defendant and communicating back to the Court can all be recorded as assessment and/or case management time spent on the DBHDS Adult Competency Restoration Services Report and submitted to DBHDS for payment with the letter to the court explaining the situation and the CSB recommendation.

IMPORTANT RULES TO REMEMBER:

1. ASSESSMENT TIME SHOULD BE RECORDED FOR EVERY RESTORATION CASE.
2. OUTCOME EVALUATIONS ARE REQUIRED ONCE RESTORATION SERVICES HAVE ENDED OR A COURT ORDER EXPIRES (WHICHEVER COMES FIRST).
3. A SEPARATE REPORT IS REQUIRED FOR EVERY COURT ORDER (EVEN IF FURTHER RESTORATION ATTEMPTS ARE NEEDED TO BRING THE DEFENDANT TO COMPETENCY).