

Competency to Stand Trial through Art

The purpose of these lessons is to provide an introduction to basic courtroom information in a non-threatening manner to assist residents who are 1) otherwise poorly engaged in the competency restoration process and/or 2) have limited verbal expression/comprehension skills that impede their ability to learn in more traditional court competency groups. In these groups, the residents will be assisted to develop art projects that concretize essential information, express their feelings and concerns about having been found incompetent, universalize (and desensitize the individual to) basic court related concepts, and develop a repertoire of skills relevant to gaining and maintaining competency. Interventions include independent and collaborative drawing, mask making, drama, and mixed media. Individuals will be invited to share and reflect on their artwork, and to engage in basic conversation about courtroom roles, courtroom procedures, the concept of charges and allegations, and the interaction between mental illness and adjudicative competency. **The information addressed is largely general and not specific to the individual's case.**

Facilitator expertise to provide these lesson plans should include clinical knowledge and ability to run a group. Facilitator should have basic knowledge of courtroom proceedings and the requirements for trial competency.

During these activities, facilitators **should never** provide the residents with scissors or any items that may be considered a ligature risk (i.e., string, rope). Facilitators should always be observant of the residents and materials at all times to ensure residents are not misusing the supplies (e.g. eating glue, swallowing paper, etc.). All materials, such as magazines and newspapers, should be reviewed **prior** to the group to ensure they do not contain inappropriate topics and pictures, such as drugs, weapons, nudity, etc. Facilitators should ensure all supplies have been collected at the end of the activity.

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Adapted from Napa State Hospital Court Competency Packet. **These lesson plans was created by Jennie Gilmore, MS, AT & Dr. Joshua Slater.**

Feelings about Being Found Incompetent to Stand Trial

Objective: Residents will be able to identify what it means to be found incompetent to stand trial. Residents will create drawings illustrating their feelings about being found incompetent to stand trial, and will share at least one of these feelings either visually through their artwork or verbally during group discussion.

Methods:

1. The group facilitator will introduce the lesson's topic and facilitate a discussion on the meaning of incompetent to stand trial. Propose the question: How do you feel about being found incompetent to stand trial?
2. Provide a variety of magazines, newspapers, paper and art supplies (such as pencils, erasers, markers, colored pencils, crayons).
3. State the art directive: "Draw your feelings about being found incompetent to stand trial." Give participants approximately 20-25 minutes to complete artwork. Residents can be provided with the List of Feelings sheet (see below) as an example of different feelings.
4. Group facilitator will encourage residents to share work and express their feelings about being found incompetent. Group facilitator should offer supportive feedback and acknowledgment of feelings.
5. Group facilitator will summarize key elements/themes from group session, including different types of feelings experienced by residents.

Materials: A variety of magazines, newspapers, white and colored papers, pencils, erasers, markers, colored pencils, crayons, other supplies as available.

Outcome Measures: Completed drawings and/or individual's verbal explanation of the drawing and their feelings about being found incompetent to stand trial. The group facilitator's verbal or visual explanation of the meaning of incompetent to stand trial.

List of Feelings

Pleasant Feelings

OPEN

understanding
confident
reliable
easy
amazed
free
sympathetic
interested
satisfied
receptive
accepting
kind

HAPPY

great
gay
joyous
lucky
fortunate
delighted
overjoyed
gleeful
thankful
important
festive
ecstatic
satisfied
glad
cheerful
sunny
merry
elated
jubilant

ALIVE

playful
courageous
energetic
liberated
optimistic
provocative
impulsive
free
frisky
animated
spirited
thrilled
wonderful

GOOD

calm
peaceful
at ease
comfortable
pleased
encouraged
clever
surprised
content
quiet
certain
relaxed
serene
free and easy
bright
blessed
reassured

LOVE

loving
considerate
affectionate

INTERESTED

concerned
affected
fascinated

POSITIVE

eager
keen
earnest

STRONG

impulsive
free
sure

sensitive	intrigued	intent	certain
tender	absorbed	anxious	rebellious
devoted	inquisitive	inspired	unique
attracted	nosy	determined	dynamic
passionate	snoopy	excited	tenacious
admiration	engrossed	enthusiastic	hardy
warm	curious	bold	secure
touched		brave	
sympathy		daring	
close		challenged	
loved		optimistic	
comforted		re-enforced	
drawn toward		confident	
		hopeful	

Difficult/Unpleasant Feelings

ANGRY	DEPRESSED	CONFUSED	HELPLESS
irritated	lousy	upset	incapable
enraged	disappointed	doubtful	alone
hostile	discouraged	uncertain	paralyzed
insulting	ashamed	indecisive	fatigued
sore	powerless	perplexed	useless
annoyed	diminished	embarrassed	inferior
upset	guilty	hesitant	vulnerable
hateful	dissatisfied	shy	empty
unpleasant	miserable	stupefied	forced
offensive	detestable	disillusioned	hesitant
bitter	repugnant	unbelieving	despair
aggressive	despicable	skeptical	frustrated

resentful	disgusting	distrustful	distressed
inflamed	abominable	misgiving	woeful
provoked	terrible	lost	pathetic
incensed	in despair	unsure	tragic
infuriated	sulky	uneasy	in a stew
cross	bad	pessimistic	dominated
worked up	a sense of loss	tense	
boiling			
fuming			

INDIFFERENT

insensitive
dull
nonchalant
neutral
reserved
weary
bored
preoccupied
cold
disinterested
lifeless

AFRAID

fearful
terrified
suspicious
anxious
alarmed
panic
nervous
scared
worried
frightened
timid
shaky
restless
doubtful
threatened
cowardly
wary
menaced

HURT

crushed
tormented
deprived
pained
tortured
dejected
rejected
injured
offended
afflicted
aching
victimized
heartbroken
agonized
appalled
humiliated
wronged
alienated

SAD

tearful
sorrowful
pained
grief
anguish
desolate
desperate
pessimistic
unhappy
lonely
grieved
mournful
dismayed

Figures and Elements of the Courtroom

Objective: Residents will be able to name and define the roles of important courtroom personnel (judge, district attorney, defense attorney, bailiff, court clerk, jury, witness) and be able to draw the general layout of a courtroom.

Methods:

1. Group facilitator will introduce the lesson's topic of learning about the courtroom and courtroom personnel.
2. Provide a variety of magazines, paper and art supplies (such as pencils, erasers, markers, colored pencils, crayons).
3. State the art directive: "Draw the courtroom. Include as many people and things that would be in a courtroom that you can recall." Give residents approximately 20-25 minutes to complete artwork.
4. Encourage residents to share work and state at least one person or item that would be found in the courtroom. Ask group to identify the role of each court personnel as they are discussed. Group facilitator should offer supportive feedback and answer any questions about courtroom personnel or their roles.
5. Group facilitator will summarize key elements/themes from group session, including important courtroom personnel.

Materials: White and colored papers, pencils, erasers, markers, colored pencils, crayons, other supplies as available.

Outcome Measures: Completed courtroom drawings and/or resident's verbal explanation of courtroom and of the roles of courtroom personnel (judge, district attorney, defense attorney, bailiff, court clerk, jury, witness).

Communication Collages

Objective: Residents will create a communication collage which identifies at least 3 facets of communication (including eye contact, body language, tone of voice, facial expressions, etc.), and identify the importance of effective communication in working with an attorney.

Methods:

1. Group facilitator will introduce the day's topic of communication. Introduce collage as an art media and explain what a collage is.
2. Provide paper, magazines, and glue.
3. State the art directive: "Create one collage with images of people who look like they are communicating well. Create another collage with images of people who look like they are communicating poorly." Give residents approximately 20-25 minutes to complete collage.
4. During processing, encourage residents to share images and explain why the people in their images look like they are communicating well or not so well. The group facilitator should offer supportive feedback and explain the connection to communicating with one's attorney. Facilitate discussion about the importance of effective communication in working with an attorney.
5. Group facilitator will summarize key elements/themes from group session, including various facets of communication and the importance of communicating with attorney.

Materials: 11"x17" paper, a variety of magazines, and glue

Outcome Measures: Residents will identify facets of communication either in their collages or verbally, and will verbally state the importance of effective communication in working with an attorney.

Symptoms of Mental Illness

Objective: Residents will correctly state at least one symptom of their mental illness and create a visual depiction of their symptom(s).

Methods:

1. The group facilitator will introduce the lesson's topic of symptoms and discuss what a symptom is.
2. Provide a variety of magazines, paper and art supplies (such as pencils, erasers, markers, colored pencils, crayons).
3. State the art directive: "Draw about the symptoms of your mental illness. Consider what these symptoms mean to you." Give residents approximately 20-25 minutes to complete artwork.
4. Encourage residents to share work and state at least one symptom of their mental illness. Facilitate discussion about various symptoms and how they affect a person's competency. Group facilitator should offer supportive feedback and answer any questions.
5. Group facilitator will summarize key elements/themes from group session, including how symptoms can impact competency.

Materials: A variety of magazines, white and colored papers, pencils, erasers, markers, colored pencils, crayons, other supplies as available.

Outcome Measures: Completed drawings of symptoms and/or correct verbal identification of the individual's symptom(s).

What Do Charges Mean?

Objective: Residents will be able to identify what a charge is and correctly draw the action of at least one type of charge.

Methods:

1. Group facilitator will introduce the lesson's topic of charges. Facilitate group discussion on what a charge is and list several different types of charges on the board (possibly ones that related to members of the group). For one or two charges, ask group members to explain what actions a person must do to be charged with such an offense, as examples. The group facilitator will discourage residents from discussing their own legal charge.
2. Ask each resident to select a charge that they would like to illustrate.
3. Provide a variety of magazines, paper and art supplies (such as pencils, erasers, markers, colored pencils, crayons).
4. State the art directive: "Create a drawing that describes the meaning of this charge. If someone were committing this crime, what would it look like?" Encourage residents to consider what activities they can do even though they are on probation that will not cause them to violate the terms. Give residents approximately 20-25 minutes to complete artwork.
5. Encourage residents to share their work by stating the charge that they chose and describing the illustration of that charge (what actions must a person do to be charged with such an offense). Group facilitator should offer supportive feedback and answer any questions about probation.
6. Discuss the importance of understanding charges in order to achieve competency. Group facilitator will summarize key elements/themes from group session.

Materials: A variety of magazines, white and colored papers, pencils, erasers, markers, colored pencils, crayons, other supplies as available.

Outcome Measures: Completed drawings and/or individual's verbal explanation of charge illustrations. Individual's verbal report of what a charge is.

Rules of Probation

Objective: Residents will be able to correctly name at least three rules of probation and identify visually and/or verbally at least one rule of probation that might be difficult for them to follow.

Methods:

1. Group facilitator will introduce the lesson's topic of rules of probation. Facilitate group discussion on identifying each of the rules of probation. Ask group members to consider which rules of probation will be most difficult for them to follow and why. Discuss what could happen when a person violates the terms of probation.
2. Provide paper and art supplies (such as pencils, erasers, markers, colored pencils, crayons).
3. State the art directive: "Draw two images: One of what your life might look like if you are following the terms of probation. One of what your life might look like if you were not following the rules of probation or are violating probation." Encourage residents to consider what activities they can do even though they are on probation that will not cause them to violate the terms. Give residents approximately 20-25 minutes to complete artwork.
4. Encourage residents to share work and state what kind of healthy activities they can engage in while on probation, and what kind of things they might be tempted to do that would cause them to violate probation. Group facilitator should offer supportive feedback and answer any questions about probation.
5. Group facilitator will summarize key elements/themes from group session. Discuss how preparing one's self for probation can help a person be more successful if/when they go on probation.

Materials: White and colored papers, pencils, erasers, markers, colored pencils, crayons, other supplies as available.

Outcome Measures: Completed drawings and/or individual's verbal explanation of probation drawings. Resident's visual or verbal report of what rule(s) of probation might be difficult to follow. Resident's verbal report of at least three rules of probation.

Two Versions of Self: Competent vs. Incompetent

Objective: Residents will create a drawing(s) representing their competent self and incompetent self and will be able to identify at least two differences between their competent self and incompetent self (could include presence vs. lack of symptoms, knowledge, behaviors, etc.).

Methods:

1. Group facilitator will introduce the lesson's topic of competent self versus incompetent self. Ask residents to review why a person is found incompetent, and what a person must do to be found competent. Discuss types of changes individuals might experience or notice about themselves when moving from incompetent to competent.
2. Provide a variety of magazines, paper and art supplies (such as pencils, erasers, markers, colored pencils, crayons).
3. State the art directive: "Draw two images: One of what you look like when you are incompetent or when you were first admitted. The other of what you look like when you are competent, or ready for discharge." Encourage residents to consider factors such as symptoms, knowledge about court, coping skills, behaviors, emotions, etc. Drawings do not have to be representational images of the person; they can be abstract or use symbols to describe the two states. Give residents approximately 20-25 minutes to complete artwork.
4. Encourage residents to share their work, describing each drawing and stating what differences there are between their incompetent and competent self. The group facilitator should offer supportive feedback and answer any questions.
5. Group facilitator will summarize key elements/themes from group session. Review the importance of knowing what it means to be competent.

Materials: A variety of magazines, white and colored papers, pencils, erasers, markers, colored pencils, crayons, other supplies as available.

Outcome Measures: Completed incompetent self and competent self drawings and/or individual's verbal explanation of those drawings. Individual's visual or verbal report of at least two differences between their two drawings/selves.

Feelings While Waiting in Jail for a Court Date

Objective: Residents will identify what the next step in the competency process is after being discharged from the competency restoration facility (including returning to jail and waiting for a court date) and identify at least one feeling they anticipate having while in jail waiting for court in a visual and/or verbal manner.

Methods:

1. The group facilitator will introduce the lesson's topic and facilitate a discussion on what happens after being discharged from the competency restoration facility (including returning to jail and waiting for a court date). Propose the question: What kind of feelings might you expect to have while in jail waiting for your court date? Discuss various types of feelings (which could include anxiety, fear, happiness, anticipation, excitement, etc.). Residents can be provided with the List of Feelings sheet (see above) as an example of different feelings.
2. Provide a variety of magazines, paper and art supplies (such as pencils, erasers, markers, colored pencils, crayons).
3. State the art directive: "Draw a picture about the feelings you might expect to experience while waiting for your court date and/or draw ways to cope with those feelings while in jail." Give residents approximately 20-25 minutes to complete artwork.
4. Encourage residents to share work and express feelings they anticipate having. Ask residents about ways to cope with their feelings. Group facilitator should offer supportive feedback and acknowledgment of feelings.
5. Group facilitator will summarize key elements/themes from group session, including different types of feelings expected by participants and ways to cope with feelings in jail.

Materials: A variety of magazines, white and colored papers, pencils, erasers, markers, colored pencils, crayons, other supplies as available.

Outcome Measures: Completed drawings and/or individual's verbal explanation of drawings and feelings expected while waiting for court date. Individual's verbal identification of the next step in the competency process after being discharged from the hospital.

Teach the Group: What You Learned about Competency

Objective: Residents will teach the group about one thing that they learned related to competency during Courtroom Knowledge and Understanding classes, while attending these specific art groups or since admission. Residents will create a visual aid or poster that will describe what they learned and will be utilized in teaching the group.

Methods:

1. Group facilitator will introduce the lesson's topic and facilitate a brief review of the different topics covered in the last few weeks of the course.
2. Provide large construction paper, a variety of magazines, and art supplies (such as pencils, erasers, markers, colored pencils, crayons).
3. Explain that each resident is going to teach the group about one thing they learned related to competency. State the art directive: "Create a visual aid or poster describing one thing that you learned related to competency during this art group, Courtroom Knowledge and Understanding classes or since admission that you would like to share with or teach to the group." Explain that later in the group each person will have up to two minutes to teach their concept the group. Give residents approximately 15-20 minutes to complete their visual aid/poster.
4. Group facilitator will encourage each resident to teach the group about what they learned, utilizing their visual aid. Each individual can have up to two minutes to teach their concept. Group facilitator should offer supportive feedback and relate presentation topics to a specific group lesson (if possible).
5. The group facilitator will summarize key elements/themes from group session, including a review of the many topics of competency, and how much the group has learned in several weeks time.

Materials: Large sheets of white and colored construction papers, a variety of magazines, pencils, erasers, markers, colored pencils, crayons, other supplies as available.

Outcome Measures: Completed visual aid that appropriately relates to a competency topic and individual's presentation of the topic and their visual aid to the group (including showing the visual aid to other residents and making at least two statements about what they learned related to competency). Topics could include, but are not limited to: Definition of competency; Rules of probation; Communication; Working with an attorney; Symptoms of mental illness; and Courtroom personnel.

Communication Drawings in Pairs

Objective: Residents will work cooperatively with a peer on a drawing project. They will be able to identify one benefit of effective communication (either in working with their partner on their drawing or in working with an attorney).

Methods:

1. Group facilitator will introduce the lesson's activity of drawing in pairs. Divide individuals into pairs.
2. Provide each pair with one sheet of paper and one marker per person (make sure the two people in each pair do not have the same color).
3. Quietly tell each person what animal they are going to draw. Tell one member of the pair to draw a "duck" and one member to draw a "giraffe." Instruct them to not share with anyone what they are going to draw.
4. Inform residents that they are going to work together with their partner on a drawing and that during the first drawing they are not allowed to talk or communicate in any way. Explain that they will take turns drawing their image and that every 10-20 seconds they will switch drawers (when directed to do so by the group facilitator).
5. Say "begin" and have the first member of each pair begin drawing. Tell them to switch every 10-20 seconds depending on how fast individuals are drawing their animals. Do this for a few minutes, or until most groups have made significant progress on their animal.
6. Have residents stop drawing. Go around the room, encouraging each pair to share their drawing. Have residents discuss what they were trying to draw and what challenges they encountered in trying to do so. Did a lack of communication impact their ability to draw a cohesive picture?
7. Now, have pairs draw on the back of their paper. Instruct them to work together on a new drawing. Encourage them to communicate with each other and decide on a game plan, including what animal they will draw together. Explain that like the last time they will take turns drawing their image and that every 10-20 seconds they will switch drawers (when directed to do so by the group facilitator).
8. Say "begin" and have the first member of each pair begin drawing. Tell them to switch every 10-20 seconds depending on how fast individuals are drawing their animals. Do this for a few minutes, or until most groups have made significant progress on their animal.
9. Encourage each pair to share their drawing and discuss how the experience was different when they were able to communicate with their partner. Are the images more cohesive?
10. Discuss how communication or lack thereof impacted the outcomes of the drawings. Relate this experience to working with an attorney. Encourage residents to consider the benefits of communicating with an attorney, including having a common goal or plan, in order to get the best result possible. Facilitate discussion on the benefits of working collaboratively with an attorney and how this relates to being found competent. Group facilitator will summarize key elements/themes from group session.

Materials: Paper (white or colored) and markers (one color marker for each individual, making sure the two people in each pair do not have the same color).

Outcome Measures: Resident's observed ability to work cooperatively with a peer on the drawing project, as evidenced by taking turns and communicating with the peer during the second drawing. Resident's verbalization of at least one benefit of effective communication (this could be a benefit of communicating with their peer during the drawing project and/or a benefit of communicating with an attorney).

Courtroom Figure Masks

Objective: Residents will be able draw a mask representing at least one courtroom figure and verbally and/or physically act out the role of this person in the courtroom (judge, district attorney, defense attorney, bailiff, court clerk, jury, witness, etc.). Residents will be able to identify at least one courtroom figure other than the one that they drew.

Methods:

1. Group facilitator will introduce the lesson's topic of courtroom personnel. Facilitate group discussion on what types of people might be found in the courtroom.
2. Provide blank masks and art supplies (such as pencils, markers, colored pencils).
3. Have a cup/hat/bowl with pieces of paper inside, each with the name of a different courtroom personnel (judge, district attorney, defense attorney, bailiff, court clerk, jury, witness, etc.). Ask each person to draw one name, but not to reveal the name to their peers.
4. State the art directive: "Draw a mask representing the courtroom figure whose name you selected." Encourage residents to consider what might this person look like, what would they wear, do they have any special tools/items that they use in the courtroom? Give residents approximately 20 minutes to complete masks.
5. Ask each resident to verbally and/or physically act out the role of their courtroom figure. Encourage them to consider what this person might say in the courtroom. Peers in the group are encouraged to guess the role of each courtroom figure. Group facilitator should offer supportive feedback and answer any questions about courtroom personnel.
6. Group facilitator will summarize key elements/themes from group session, including how knowing the various courtroom personnel will be beneficial in achieving competency and completing one's court case.

Materials: Either pre-formed paper mache masks or pre-cut facemasks printed on



Mask 1.pdf

cardstock can be used for masks. Here are some examples:



Mask 2.pdf

Provide colored pencils, markers, and pencils for drawing on masks. Tape and tongue depressors to make a handle on the mask (optional).

Outcome Measures: Completed masks and individual's verbal/physical acting out of the role of the court personnel. Resident's verbal report of the role of at least one other courtroom personnel drawn and acted out by a peer.

Teamwork Exercise: Paper Towers

Objective: Residents will work collaboratively with their team members to make a paper tower. They will be able to identify at least one benefit of teamwork (either in working with their team on their tower or in working with an attorney or legal team).

Methods:

1. Group facilitator will introduce the lesson's activity of creating paper towers in teams. Divide individuals into groups of 3-4.
2. Inform residents that they are going to work together with their team members on a collaborative project. Explain that their goal is to build the tallest tower possible using only the paper and tape provided. The tower must be able to stand on its own without falling and can not be taped to the table.
3. Provide 25 sheets of paper and a role of tape to each group.
4. Encourage residents to plan out their strategy. Give the teams 5 minutes in which they can only discuss strategy or make plans, but not start building yet. At the end of the 5 minutes, instruct teams to begin building. Give residents approximately 20 minutes to complete their towers.
5. At the end of the 20 minutes, the teams will be instructed to stop working. Each team will be encouraged to present their tower and talk about their team's building strategy. Each tower will be measured for height.
6. Facilitate discussion on how teamwork and communication played a role in the project. Did some team members lead more than others? Did all team members participate? Whose idea was used, or was it a combination of several ideas? Relate this experience to working with an attorney. Encourage residents to consider the benefits of communicating with an attorney and working together as a team on their legal case. Discuss the role of leaders and those who have expert knowledge. Would they want to follow the advice of a person who had expert knowledge when building their tower? How about when working on their court case? Facilitate discussion on how being able to work with an attorney plays a role in being found competent. Group facilitator will summarize key elements/themes from group session.

Materials: Each team will need 25 sheets of white paper (8 1/2"x11") and a role of scotch tape. Tape measure or rulers for measuring height of towers.

Outcome Measures: Resident's observed ability to work collaboratively with their team on the tower project, as evidenced by participating in both planning and creation of the tower, taking turns, and communicating with peers. Resident's verbalization of at least one benefit of teamwork (this could be a benefit they noticed in working with their team on the tower or a benefit of working as a team with an attorney).