

Bennett Criteria

Nature of the Proceedings:

- Does he understand the nature of the charge

- Does he appreciate the seriousness of the charge

- Does he understand the defenses that are available

- Can he distinguish a guilty plea from a not guilty plea

- Does he understand the consequences of a guilty plea

- Does he understand the consequences of a not-guilty plea

- Does he have an awareness of his legal rights

Does he understand the range of possible verdicts

Does he understand the consequences of conviction

Assist in Defense

Is he able to recall and relate facts pertaining to his actions and whereabouts at certain times

Is he able to assist counsel in locating and examining relevant witnesses

Is he able to maintain a consistent defense

Is he able to listen to the testimony of witnesses

Is he able to inform his lawyer of any distortions or misstatements by witnesses

- Does he have the ability to make simple decisions in response to well—explained alternatives

- Is he capable of testifying in his own defense

- To what extent will his mental condition deteriorate under the stress of a trial
