

Case Manager

CASE MANAGER

COMPETENCE

A-Number: [ ] Rec'd at EOIR: [ ]  
 Name: [ ] Lodged at EOIR: [ ]  
 Rider(s): [ ]

IJ Competency Evaluation Checklist

	CHARGING DOCUMENT DATE
Bona Fide Doubt Finding Date:	05/19/2016
Bona Fide Doubt Found By:	IJ
Date of DHS Notice:	05/27/2016
Re-Evaluation Date:	
Re-Evaluation By:	
Franco Class Membership:	Yes
Competence Status:	NOT COMPETENT

## CASE COMPETENCY TAB FLOWCHART

**Bona Fide Doubt fields** – may be filled in after an IJ makes a finding of bona fide doubt (BFD) before a DHS Notice is filed. IJ does not necessarily find BFD in every case.  
*IMPORTANT NOTE:* date field should never be filled in with a date that comes after a DHS Notice is filed.

**Date of DHS Notice** – DHS does not necessarily file a Notice in every case. Where there is a Notice, the JCI should generally take place after receipt of the Notice.

**Re-Evaluation fields** – these fields are only to be used in cases where a respondent was found “incompetent,” and the IJ is “re-evaluating” that decision pursuant to a restoration process under Franco. It is not to be used when a second competency process is conducted after an earlier finding of “competent.”

**Competence Status** – Automatically populates whenever the “JCI Result” or “CR Result” field is completed. The JCI result will appear in this field until a CR result is entered, if any.

**Nationwide Policy Cases:** this should be marked “No”

**Franco Class Membership** – should be marked “Yes” (detained and unrepresented in AZ, CA, or WA). Respondent remains a *Franco* class member even if found competent, is released or is transferred outside jurisdiction.

*IMPORTANT NOTE:* Competency Tab should **NOT** be used for *M-A-M-* cases. Data should not be changed/deleted just because respondent is released, represented or transferred.

Case Manager

CASE MANAGER

COMPETENCE

A-Number: [REDACTED] Name: [REDACTED] Rider(s): [REDACTED]

Rec'd at EOIR: [REDACTED] Lodged at EOIR: [REDACTED]

Case Type: [REDACTED] Custody: [REDACTED] ROP Location: [REDACTED]

IJ Competency Evaluation Checklist

CHARGING DOCUMENT DATE	
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MENTAL COMPETENCY PROCESS # 1	
JCI Date:	06/08/2016
JCI Result:	COMPETENCY REVIEW REQUIRED
FCE Order Date:	06/08/2016
FCE Rec'd Date:	06/28/2016
FCE Accepted Date:	06/28/2016
CR Date:	07/07/2016
CR Result:	NOT COMPETENT
BIA Result:	
BIA Result Date:	
QR Order?:	YES
QR Ordered By:	IJ
QR Ordered Date:	07/07/2016

**JCI Date** – must take place on or *after* the date of a bona fide doubt finding *and/or after* the date of the filing of a DHS Notice. The date of the JCI should be the date of the hearing where a JCI finding (“result”) was made.

**JCI Result** – must select one of the following:  
**Competent** – no further data entry below required.  
**Competency Review Required** – FCE and CR data fields must be completed at a later date, as they occur.  
**Not Competent** – QR data fields must be completed immediately (including sending a QR Order to the NQRP).

**FCE Order Date** – date that the IJ submits the FCE Referral, usually within 2 business days of the completion of the JCI. **IMPORTANT NOTE:** FCE Referral must be sent to EOIR HQ with attachments (*see* FCE Referral Form).  
**FCE Rec'd Date** – date that report is sent to and received by the IJ/Court (may be by email).  
**FCE Accepted Date** – date IJ “accepts” the report (usually via confirmation email to EOIR HQ).

**CR fields** – hearing that takes place after an FCE is received and accepted, where the IJ makes the ultimate finding as to whether the respondent is “competent” or “not competent.”  
**CR Date** – the date of the hearing where the CR finding (“result”) is made.  
**CR Result** – must be either “competent” or “not competent.”  
**IMPORTANT NOTE:** the CR result does not replace or change a JCI result. (There should always be a JCI Result of “Competency Review Required” when there is an FCE and CR.)

**QR Order** – “Yes” where a finding of “not competent” is made at either a JCI or CR.  
**QR Ordered By** – “IJ” or “BIA”  
**QR Ordered Date** – should be the date of (or within 1 business day) of the JCI or CR where the IJ made a finding of “not competent.” This data must be entered in real time to generate an email alerting the NQRP to expect the QR Order. The QR Order must be sent to the NQRP email address provided on the QR Order.