

ASSESSING CAPACITY – PARTICIPANT GUIDE

HANDOUT #10: PARADISE - 2 Model of Mental Capacity

| | |
|---------------------------|---------------------------|
| Past behavior | Pertinent parties |
| Abstract concepts | Alertness |
| Remember information | Responsibilities |
| Alternatives – considered | Attention |
| Delusions | Decision making abilities |
| Illness | Impact |
| Strategic thinking | Significance |
| Emotional factors | Express desires |

Questions to Consider

1. How does the current behavior compare with past behavior?
2. Did the person understand the abstract concepts (for example, what is a will or how to avoid detection and capture)?
3. Are there concerns about memory?
4. Are/were alternatives known and considered?
5. Were the decisions free from delusions?
6. What were the effects of co-existing illness, medications, toxic substances, etc.?
7. Did the person engage in or display strategic thinking and analysis?
8. What were the relevant emotional factors affecting the decision, if any?
9. Did the person know the pertinent parties?
10. Were there concerns about the person's degree of alertness (i.e. consciousness) or attention when information was presented, or when executing the decision?
11. Did the person know his/her responsibilities and the responsibilities of the other involved parties?
12. Did the person have difficulty making or maintaining decisions?
13. Did the person understand the impact of the decision (i.e. the likely objective outcome) or behavior?
14. What is the significance of the decision (i.e. the subjective evaluation of the likely outcome)?
15. Did the person have difficulties expressing desires?

Source: Blum. 2002-2006.

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HANDOUT #11: PARADISE - 2: Summary of Use

PARADISE-2 is a review of 16 behaviors and cognitive functions. Each component is described in lay terms, and so may be assessed by non-medical professionals; however, each also corresponds to well-known brain functions. The 16 components are listed below:

PARADISE-2 Protocol of Functional Mental Capacity (Blum, 2002, 2005, 2006)

| | |
|-----------------------------------|-----------------------------------|
| P ast behavior | P ertinent parties |
| A bstract concepts | A lertness – problems with |
| R emember information | R esponsibilities |
| A lternatives – considered | A ttention – problems with |
| D elusions | D ecision making abilities |
| I llness | I mpact |
| S trategic thinking | S ignificance |
| E mootional factors | E xpress desires |

Evaluation is performed for each decision, or period of time, in question.

After obtaining information from sources (ideally, from multiple sources), list which of these abilities fall under the following headings:

- clear impairment
- no impairment
- conflicting information, or
- insufficient information.

When completed, PARADISE-2 provides a detailed behavioral description that clarifies matters in legal settings, and may be used to guide further medical evaluation. This analysis requires significantly more information and time than is usually available in outpatient settings; however, both US and international courts have found this method to be of greater assistance than traditional medical assessments.

PARADISE-2 is used internationally, and is the partial basis for new international legal precedent and standard for evaluating certain types of competency.

Source: Blum. 2002, 2005, 2006