

**Evaluating Mental Capacity: PARADISE-2 Model of Mental Capacity
(Blum 2002-2006)**

Past behavior
Abstract concepts
Remember information
Alternatives – considered
Delusions
Illness
Strategic thinking
Emotional factors

Pertinent parties
Alertness
Responsibilities
Attention
Decision making abilities
Impact
Significance
Express desires

Questions to Consider

1. How does the current behavior compare with past behavior?
2. Did the person understand the abstract concepts (ex. what is a will, avoiding 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?

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.

Evaluation is performed for each decision, or period of time, in question. After obtaining information from sources, list which of these abilities fall under the headings “clear impairment,” “no impairment,” “conflicting information,” or “insufficient information.” It is best if similar information is gathered from multiple, independent sources.

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 medical treatment settings; however, 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.