

The Board will continue to update this document over the next few weeks. Please reach out to Kim Larson, Program Administrator (kim.larson@mncab.us) with questions.

What is the Minnesota Competency Attainment Board?

The Minnesota Competency Attainment Board (Board) was established by legislative action in 2022 and 2023, and is charged with creating and administering a statewide, independent competency attainment system as set forth in [Minnesota Statutes Ch. 611](#). This includes establishing a system that certifies competency attainment programs and uses forensic navigators to support individuals in the competency process.

What is a Forensic Navigator?

Forensic navigators work with clients and partners to ensure that the client receives appropriate services so they can successfully comply with their conditions of release and attain competency. Forensic navigators work throughout the state of Minnesota and provide high quality, professional, coordinated services to their clients who live with mental illnesses, substance use disorders, and/or cognitive impairments that may affect their ability to understand the proceedings in their legal case or consult with their counsel. See Minn. Stat. § 611.41, subd. 8 and § 611.55, subd. 3.

When will forensic navigators start providing services?

The Board's forensic navigator program "soft" launched in April 2024, with a goal to have at least 10 forensic navigators on board to start engaging with the courts and community partners. As of the end of April, eight (8) forensic navigators and one (1) forensic navigator supervisor have started working for the Board. Additional employees will start in May 2024. The first group of forensic navigators will start taking assignments in cases in early May 2024.

Why did the Board start with a soft launch?

There are a few reasons the Board took this approach. The realities and logistics of establishing a new state government agency are time intensive and complex. The operational infrastructure needed to hire, employ, and support forensic navigators is still in development and will be for the foreseeable future. Although the statute outlines duties and responsibilities for forensic navigators, the work has never been done before so there is inherent ambiguity in what the work entails. The first forensic navigators employed by the Board will start their work without established operational guidance, new employee training, onboarding, or other work direction that would normally be expected when starting a new position.

A soft launch approach permits the Board to learn more about the needs of the clients, the courts, and justice and behavioral health system partners during the first few months of official work while simultaneously acknowledging the complexity of establishing the operational infrastructure to hire and employ forensic navigators.

The Board will continue to expand and hire more individuals to support the work throughout the year, including additional forensic navigators, forensic navigator supervisors, human resources (HR) positions, and information technology (IT) positions.

What does a soft launch mean for the court cases where a defendant's competency is in question?

Primarily it means that there will not be a forensic navigator available to be appointed to every case that may qualify for a forensic navigator. The Board's initial goal was to hire at least one forensic navigator for each judicial district. The Board learned through the hiring process that the ability to accomplish that depended on the applicants for the position, where they reside in the state, and their skills and abilities to do the work.

Additionally, since this position is new, forensic navigators have taken time during their first few weeks of employment identifying stakeholders, such as behavioral health providers in their area to learn about the services that are available to clients (defendants).

The Board extended an invitation to each judicial district to discuss priorities for the district. Those conversations are ongoing. The goal is to identify types of cases or circumstances where appointing a forensic navigator will result in the greatest benefit to the district while the program is in development. Having this information from each district will allow the Board to prioritize appointments and cases while the number of forensic navigators available to handle cases is limited.

What is a Competency Attainment Program?

Competency Attainment Programs are structured programs that provide clinical and educational services. The programs may be community-based and jail-based and are designed to identify and address barriers to a defendant's ability to understand the criminal proceedings, consult with counsel, and participate in their defense. See Minn. Stat. § 611.41, subd. 5.

Community-based programs may adopt an in-house model or a partnership model. An in-house model is one where the program wants to intentionally dedicate more resources to serving clients with competency needs. These providers may choose to have new or existing staff members become certified competency educators through the Board and provide both treatment and education in-house.

A partnership model is one where the program ensures participants receive adequate treatment and partner with the Board or another program to provide competency education services. Each program using this model can design the partnership agreement to meet the specific provider and participant needs.

How does a provider become certified as a Competency Attainment Program?

Policy 401 Competency Attainment Program Standards and Interim Certification Procedures was adopted by the Board in March 2024. It outlines the interim processes to apply to be a competency attainment program. The process and accompanying interim applications are available on the Board's website. See the Certification Procedures tab on the [Certification Advisory Committee / Competency Attainment Board \(mn.gov\)](#) page.

What is Competency Attainment Education?

Effective September 28, 2023, and as required in Minn. Stat. § 611.58, the Board approved a competency attainment curriculum. The curriculum is available for use by community and correctional facility providers. Competency Attainment Programs must ensure that defendants receive competency attainment education, as well as conduct regular assessments of the defendant's progress in attaining competency.