

MENTAL RETARDATION IN CAPITAL CASES

OUTLINE

- I. Introduction
 - a. What is MR
 - b. Some statistics
 - c. Levels of MR

- II. A Quick History
 - a. Penry and Atkins
 - b. NCGS 15A-2005
 - c. McCarver

- III. Determining Mental Retardation
 - a. Significant Subaverage Intellectual Functioning
 - i. Tests utilized
 - ii. Special considerations
 - b. Significant Limitations in Adaptive Functioning
 - i. Ten adaptive skill categories.
 - ii. Testing and evaluating
 - c. Manifesting before 18

- IV. Procedural Matters
 - a. The motion
 - b. Pretrial hearings
 - c. Jury determination
 - d. Final issues

- V. Sources and Resources

