

### **Rule 601 Competency**

- (a) General. Every person is competent to be a witness except as otherwise provided in these rules or by statute.
- (b) Minimal qualifications. A person is disqualified to testify as a witness if the trial court determines that he:
  - (1) Lacked the capacity to perceive accurately the matters about which he proposes to testify;
  - (2) Lacks the capacity to recollect facts;
  - (3) Lacks the capacity to express himself so as to be understood, either directly or through an interpreter; or
  - (4) Lacks the capacity to understand the obligation of a witness to tell the truth.

**Effective:** July 1, 1992

**History:** Enacted 1990 Ky. Acts ch. 88, sec. 34; renumbered (7/1/92) pursuant to 1992 Ky. Acts ch. 324, sec. 34.