

MENTAL HEALTH PROCEEDINGS AND ADVOCACY FOR ASSIGNED COUNSEL

The Committee for Public Counsel Services

&

Massachusetts Continuing Legal Education, Inc.

Stan Goldman, Director of Mental Health Litigation, CPCS

Margaret Lunevitz, Staff Attorney, Mental Health Litigation Unit, CPCS

DAY ONE

Stan Goldman

INTRODUCTION

An overview of topics to be covered;
Introduction to the Committee for Public Counsel Services,
Mentor Program & administrative matters.

ADMISSION TO & DISCHARGE FROM MENTAL HEALTH FACILITIES

The ways in which persons may be admitted to and discharged from inpatient psychiatric facilities,
and the consequences thereof.

CIVIL COMMITMENTS

The substantive criteria and procedural requisites for commitment to a psychiatric facility.

"FORENSIC" COMMITMENTS

The evaluation of a criminal defendant's competency to stand trial and criminal responsibility;
proceedings for the commitment of criminal defendants.

ALCOHOLISM & SUBSTANCE ABUSE COMMITMENTS

The substantive criteria and procedural requisites for commitment to a detox facility.

DAY TWO

Stan Goldman

COMPETENCE, INFORMED CONSENT & GUARDIANSHIP

Assessing competency to make informed decisions concerning treatment.
The substantive criteria and procedural requisites in guardianship proceedings;
limited & full, temporary & permanent guardianship.

SUBSTITUTED JUDGMENT PROCEEDINGS

The substantive criteria and procedural requisites in "extraordinary treatment" proceedings;
treatment plans and monitoring; reviews and expiration.

DAY THREE

LITIGATION & EVIDENTIARY ISSUES

(Stan Goldman)

Psychotherapist/patient privilege; expert testimony; hearsay; hospital/medical records;
independent clinical evaluations.

APPEALS & REVIEWS

(Stan Goldman)

DEFENSE COUNSEL'S ROLE, MENTOR PROGRAM & GET TOGETHER

(Maggie Lunevitz)

DAY FOUR

JUDICIAL & PETITIONER'S PERSPECTIVES

MOCK COMMITMENT HEARING

MOCK "ROGERS" HEARING

Q & A and WRAP-UP