

Mental Health and the Law
Fall 2019

Professors Ed Aro, Esq. and Doris Gundersen, M.D.

Detailed Course Description and Introduction to Syllabus

Class meetings: Mondays, 6:00-8:30 with a 10-minute break in middle of each class

Contact Information:

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Office Hours: By Appointment

Course Description: This course will help students understand how mental illness and psychopathology interface with the legal system, in both the civil and the criminal justice systems. Taught by a practicing lawyer and a board-certified forensic psychiatrist, the course will begin with an overview of approaches to diagnosing and treating mental disorders, a brief discussion of psychotropic medications, a description of the process for conducting forensic mental examinations of the sort used in court proceedings, and consideration of the stigma associated with mental illness and how that stigma affects the delivery of mental health care. We then will survey important contexts in which mental health intersects with the law. Specific areas of focus will include risk assessment and civil commitment; the right to treatment; informed consent and the right to refuse treatment; special issues involving children, older people, and people with developmental disabilities; workplace discrimination based on mental illness; and a series of criminal law issues, including competency to stand trial and mental status defenses, sentencing, mental health and the death penalty, the evaluation and incarceration of sexual predators, and mental health issues involving incarcerated persons.

Grades: Grades will be based on the following:

1. A take-home open book midterm exam (20% of your grade)
2. An 8-10-page research paper on a course-related topic of your choosing (30% of your grade)
3. A take-home open book final exam (30% of your grade)
4. Class participation (20% of your grade)

Required Books and Reading Expectations:

You will be required to buy one book:

Pete Earley, *Crazy: A Father's Search Through America's Mental Health Madness* (Berkley 2006)

We will also assign certain cases, which students may access online, and various other written materials, which we will provide in electronic form. All assigned reading is mandatory and essential to productive participation in class discussions. We will assign specific readings to be completed before each week's meeting. You will be expected to read the first few sections of Pete Earley's book *Crazy* in preparation for the second class session. You may read remainder of the book at your leisure during the semester, so long as the entire book is completed before the classroom discussion during the last class meeting of the semester, which will feature a discussion, via Skype, with the author.

Attendance and Participation:

We expect you to attend classes and participate actively in our discussions. If you must miss a class, please let us know. We will approve requests for classes to be recorded, understanding that because active participation is a core class expectation, if you miss classes your participation score will suffer.

Accommodations

If you have a disability/medical issue protected under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act and need to request accommodations, please visit the Disability Services Program website at www.du.edu/disability/dsp. You may also call 303.871.2372, or visit in person on the 4th floor of Ruffato Hall, 1999 E. Evans Ave. <http://www.du.edu/studentlife/disability-services/faculty-staff/index.html>