



ACADEMIC COURSE SYLLABUS

COURSE TITLE:	MENTAL HEALTH LAW
COURSE NUMBER:	LAW E549
PROFESSOR(S) NAME:	Robert J. Faux., Esq.
PROFESSOR CONTACT INFO:	Phone: 808-280-6525 (cell) Email: fauxrobert@gmail.com
SCHEDULE:	Fall Semester 2015 Thursdays, 6-8pm , Room # 209
UNITS:	2
COURSE TYPE:	Elective
PREREQUISITES:	Completion of first-year required coursework.
COREQUISITES:	None
TEXTS AND MATERIALS: (Identification of any texts, materials and references used throughout the course.)	Law and the Mental Health System, 6th Edition , Slobogin et al., 2014, West Academic Publishing, American Casebook Series. The Center Cannot Hold (Paperback), by Elyn R. Saks, Reissue 2015, Hachette Books.
COURSE DESCRIPTION:	A survey of the variety of legal concepts, statutory laws and case law related to Mental Health issues, particularly encompassing forensic psychiatry and psychology.
COURSE OBJECTIVES / ANTICIPATED LEARNING OUTCOMES: (Description of what students will be expected to know and be able to do at the end of the course. What skills or knowledge will be gained by the end of the course.)	This course will cover civil and criminal aspects, requirements related to the legal procedures for and treatments of persons with mental and developmental disorders/disabilities and those issues for professionals who work with them and the courts. This will include constitutional and statutory frameworks reflected in applicable court decisions. Some topics are civil and criminal mental competency, criminal insanity, and professional liability. Students generally can expect to spend a <u>minimum</u> of two hours per hour of instruction time on assigned readings and briefing cases. For example, a 3-hour class would require at least 6 hours of outside preparation time per week.
FORMAT OVERVIEW / METHOD OF INSTRUCTION (Description of how the course will be taught, including breakdown of lecture, practicum, etc.)	<ul style="list-style-type: none"> • The Socratic method of lecture and class discussion based on assigned readings, along with some out of class assigned papers requiring outside research. • Students are expected to attend class and be prepared to discuss the class material. • There will be some guest speakers with specific expertise on certain issues.
EXAMS:	The Final Exam will count 70 points of 100 possible for the final

	<p>Final Exam Format: The Final Exam will be two hours long. Your exam will be a proctored, essay-style exam.</p> <p>Exams begin promptly at 6 p.m. Take-home exams and papers must be submitted to the Law School office by 6 p.m. on the due date, unless otherwise noted. All students must take examinations as scheduled. It is recognized that in special circumstances and due to emergencies, it may be necessary to schedule delayed examinations. An emergency is defined as a serious illness or injury to the student or a member of his or her immediate family. Special circumstances are defined as other situations that, in the opinion of the Dean, are sufficient to warrant delay in taking examinations. <u>Any student taking delayed examinations must have the prior written approval of the Dean.</u> No examination may be taken <i>prior</i> to the day of the regularly scheduled examination. If delayed examinations are approved by the Dean, <u>a fee of \$75 will be charged for each such exam taken.</u> Failure to complete an exam is not sufficient reason for a late or retake exam.</p>
<p>GRADING / ASSESSMENT CRITERIA:</p>	<p>Empire College uses the following grading system for electives: <u>Pass/Fail:</u> 65 - 100 - P Pass/Credit 64 and Below - F Fail/No Credit (Only numeric grades in Required courses are used to calculate grade point average.)</p> <p>This is a Pass/Fail class, but grades will be given to enable students to evaluate how they performed. Normal school grading levels will be used. The grade will be comprised of the results of the Final Exam (70 points), written assignments (20 points) and class attendance and participation (10 points.)</p>
<p>ATTENDANCE:</p>	<p>Regular and punctual attendance is essential for the successful completion of law school. Students should plan to attend every class. A minimum of 80 percent attendance is required. Roll will be taken at each class. Make-up classes will be scheduled if needed.</p>
<p>ASSIGNMENTS:</p>	<p>Fall 2015 - Weekly assignments Students are expected to read and brief cases within the material assigned and be prepared to discuss the cases, readings and related principles of law in class. Questions posed within the assigned reading will be reviewed and discussed also. There will be two outside of class written assignments focused on aspects of the course developed during the semester.</p>

<p>Week 1: 9/3/15 Introduction; Concepts of Mental Illness and Developmental Disabilities; Understanding the DSM; Text: Ch. 1 pp 3-93.</p>
<p>Week 2: 9/10/15 Substance Abuse and Mental Health; DSM Handout; Self-Medication Non-text reading assignment</p>
<p>Week 3: 9/17/15 Mental Health Professionals; Forensic Specialization; Assessments , Text: Ch. 2: pp 95-146</p>
<p>Week 4: 9/24/15 Overview of Court Systems Interface with Mental Health; Out of Class written assignment</p>
<p>Week 5: 10/1/15 Mental Health Issues In Criminal Law; Text: Ch. 7 pp 625-786</p>
<p>Week 6: 10/8/15 Procedural and Evidentiary Issues Re Professional Testimony Text: Ch. 6 pp 493-624</p>
<p>Week 7: 10/15/15 Civil Commitments and Restrictions; LPS; Text Ch. 8 pp 803-1031</p>
<p>Week 8: 10/22/15 Competency In Different Legal Situations: Criminal: Contractual; Probate; Conservatorships and Guardianships Text: Ch. 9 pp 10531-232</p>
<p>Week 9: 10/29/15 Treatment Issues: Rights and Obligations Text: Ch. 10 pp 1233-1334 and Ch. 11 pp1335-1400</p>
<p>Week 10: 11/5/15 Violence and Mental Health; Public Safety and Due Process Non-text reading and written assignment</p>
<p>Week 11: 11/12/15 Confidentiality and Access to Mental Health Records Text: Ch. 5 pp 369-492</p>
<p>Week 12: 11/19/15 Malpractice Liability for Mental Health Professionals</p>

Text: Ch. 3 pp 147-306	
Week 13: 11/26/15 Thanksgiving holiday– no class this week – Make-up date will be: _____	
Reading: The Center Cannot Hold (Paperback), by Elyn R. Saks, Reissue 2015, Hachette Books.???	
Week 14: 12/3/15 Informed Consent; Discrimination Protections Text; Ch. 4 pp 307-351 and Ch. 12 pp 1401-1493	
Week 15: Exam date TBA	Final Exam Date will be published by Law School Office –be sure to check published Exam Schedule.

Syllabus subject to change.