Legal Clinic: Mental Illness Law
George Mason University School of Law
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Office Hours: By Appointment

Mental Illness Clinic Overview: The Clinic consists of three components. The classroom portion (Tuesdays, 6:00-7:50) focuses on the history and development of laws affecting the mentally ill, while also preparing the students for court hearings. Students then appear in court on a weekly basis and students with third-year practice certificates will represent their own clients in civil mental health commitment hearings. Additionally, students are required to write a research paper on a topic of practical value to the clinic.

Course Materials: Virginia Statute Titles 16.1, 18.2, 19.2 and 37.2: - the clinic will primarily focus on the following VA Codes: 37.2 – 100, 37.2 – 200, 37.2 – 203, 37.2 – 500 to 511, 37.2-800 to 847, but will also review the law on guardianships/conservatorships, emergency medical treatment and criminal statutes regarding insanity and competence cases.

Grading: The grade will consist of 45% class participation, 30% research paper and 25% final exam. The final exam will be: 1) a series of fact patterns the students will be expected to review and identify the issues raised in each fact pattern; and 2) a short answer portion of approximately 20 questions.

Mental Health Hearings: Hearings are held daily at several local hospitals. The clinic provides pro bono services to petitioners seeking to commit patients who are at least 18 years of age or older for hearings held on Mondays through Fridays. Students will be advised the night before where the hearings will be conducted the following day. Students will go to as many hospitals as possible, but always to the location that has the largest number of hearings scheduled. The Court has set the order of locations as Dominion Hospital, Northern Virginia Mental Health Institute (NVMHI), Inova Fairfax Hospital and Inova Mt. Vernon Hospital.

Hearings:
Each student is expected to choose a day to attend hearings each week of the semester. The instructors reserve the right to assign days to ensure adequate coverage. Hearings begin promptly at 7:00 am each morning and students are expected to arrive promptly at 6:30 am to begin preparations for the hearing. Hearings typically average 2 to 4 per day but can be as many as 8 and, in some instances, there are no hearings scheduled. Students should plan to dedicate 6:30 am – 9:00 am time-frame for hearings, however, this time-frame may be longer or shorter. A supervising attorney will be present at each hearing to guide the students through the hearing process and to assist students who represent clients.