Since 1973
the fundamental rights of Massachusetts citizens
MHLC - informing, advocating and promoting

1973 - 2008
THE FIRST 35 YEARS

MENTAL HEALTH LEGAL ADVISORS COMMITTEE

www.mass.gov/mhlc

BOSTON, MA 02108
399 WASHINGTON STREET 24TH FLOOR

MENTAL HEALTH LEGAL ADVISORS COMMITTEE

ADVISORY COMMITTEE

MENTAL HEALTH LEGAL
Introduction

Thirty-five years ago, as part of a comprehensive reform of the Massachusetts Mental Health Laws, the Legislature created a Mental Health Legal Advisors Committee (MHLAC).

MHLAC's primary mission pursuant to G.L. c. 221, § 4E.

MHLAC's mission is to ensure that persons with mental disabilities or disciplinary through administrative, regulatory and judicial avenues within the Massachusetts mental health laws, the Legislature created a Mental Health Legal Advisors Committee (MHLAC),

Professional training, public education, and client assistance.

The following provides an account of MHLAC and its activities focused on individual representation, activities as counsel in the courts, the Legislature and administrative proceedings. The following provides an account of MHLAC and its activities as counsel in the courts, the Legislature and administrative proceedings. The following provides an account of MHLAC and its activities as counsel in the courts, the Legislature and administrative proceedings. The following provides an account of MHLAC and its activities as counsel in the courts, the Legislature and administrative proceedings.

This paper is a joint effort of MHLAC staff, provided podium and.

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Frank Laski

Executive Director

October 2, 2008
In 1990, MHCA Fled Condomo et al. v. Dunham, et al.,
the right of a public advocacy agency to collect attorneys’ fees.

When individual representation and advocacy are streamlined

small, positive influence on this record

with mental disabilities. We insist that the work of MHCA has some

However, a survey of the SC, mental health information over

One can never tell if a particular effect of referral has been

The Courts

provided community services.

The Courts

specified by the Court including Rogers, Shankweiler, and

SC. MHCA has participated in several and ground-breaking cases

perspective on constitutional procedural mental health issues before the

the broad range of constitutional issues and questions of

MHCA has been a constant „friend of the court” in the

provided constitutional and other procedural and

three „American cases” in the SC, MHCA has provided and argued

issue have been raised. Since 1976 MHCA has filed over 700

Perspectives have developed in mental health

information that have shaped developments in mental health

Nevertheless, the concept of mental health law is underdeveloped in

and recent efforts to resolve the crisis in mental health care,

MHCA has been a constant „friend of the court” in the

The Courts
In order to help families navigate the maze that makes

handbook on the rights of developmentally disabled persons.

handbook, the Massachusetts Public Law Revision Committee, at 1979, MLHAC also published the first

revision. The revision, entitled "Public Law Revision 1979," was the book from which the manual, Public Law Revision in Massachusetts, was compiled. The handbook was later updated and expanded to include additional information on the rights of developmentally disabled persons.

In the 1990s, MLHAC, together with the American Civil Liberties Union, worked to promote the rights of all individuals, regardless of disability, to receive appropriate education and training. This led to the development of the Massachusetts Special Education Act, which guarantees the rights of children with disabilities to receive a free and appropriate education in the least restrictive environment.

In addition to its work on education, MLHAC also played a significant role in the development of the Americans with Disabilities Act (ADA), which was signed into law in 1990. The ADA prohibits discrimination based on disability and requires public and private entities to make reasonable accommodations for individuals with disabilities. MLHAC was instrumental in advocating for the passage of the ADA and continues to work to ensure its full implementation.
From various state agencies' access to behavioral health services, the need for coordinated and efficient mental health services. These services include:  

1. The provision of comprehensive, coordinated mental health services that are accessible and affordable.
2. The development of mental health service networks that are integrated with other community services.
3. The establishment of mental health service delivery models that are responsive to community needs.

The expansion of CPS in the 1980s, with the creation of a mental health unit to fulfill the demand for services, was a key feature of the 1970s mental health reforms (GH 77B § 170). The primary focus of the 1970s was to create a balanced, well-rounded system of mental health services available on the MHAC Web site.

The demand for MHAC's small legal staff has made it essential to provide assistance with a variety of legal issues to mental health professionals and advocates. The demand for MHAC's legal services is the key to their success. The most meaningful and rewarding work performed by MHAC's legal staff has been in the area of consumer protection.

MHAC's consumer protection efforts have led to new opportunities for legal education and awareness. The legal education program is an important component of MHAC's mission. MHAC has published several newsletters and books that have been used extensively in the field of mental health advocacy. The legal education program, as an integral part of MHAC's mission, is an important component of MHAC's legal education efforts. The legal education program is an important component of MHAC's mission.
beyond routine representation and use the full force of the law on
from solo practitioners and large law firms has enabled us to go
support substantial assistance in aid of our mission. As our mission
individual lawyers in local Legal Services offices have provided
CoP and Health Advocates, Legal Assistance Corporation, CoP and Health Advocates,
substantial resources for Children, Massachusetts
Massachusetts Advocates for Children. Massachusetts
work closely with CoP and DC, and Massachusetts Legal
throughout the challenges with our consumer, professional
volunteer board cannot agree on the mission of MHLAC. If
However, the efforts of a small dedicated staff and a devoted
Our Board Leaders have provided invaluable counsel and assistance.
William Leaders has provided an important board of volunteer leadership. Our
in-house counsel and volunteer officers and members. Press our
produce, monitor them, report, advise. Any problems. MHLAC, as an
the government in their response to the concerns of the disability
and, and legal services programs that we have been and can continue
they have been essential to MHLAC’s capacity to
Supplementing the staff resources has been a steady stream
Laura Coply
professional staff have been ably supported by Eleanor Saito and
improve mental health services. The Family Ties program has expanded to
and support advocates. For many years, our
another angle. We applaud the Program’s focus on advocacy, as well as the early
country. We congratulate them, Robert Newman, William Rodriguez,
other advocates. We applaud their efforts and persist in advocacy.
who have served at MHLAC have always been a reliable
The staff of MHLAC has always been a reliable

Tom R. O’Neill
Chief, MHLAC

Angeline, the first Chair of MHLAC; President Emeritus, Michael
After all, we took great pride in our founding members: Michael,
on the representation of indigent citizens with mental illness.
and especially to our most vulnerable citizens. Improving access to
the Mental Health Legal Advisory Committee. In fact, all

Fifty-six Massachusetts lawyers have served as members of
MHLAC Family and Partners

Supporting the Massachusetts bar in the Greater Boston area.

MHLAC's Family and Partners

Another example of MHLAC’s response to the demands of

Department of Youth Services (DDS)

mental health and behavioral issues of youth involved with the
mental health and behavior disorders of youth involved with the
MHLAC has reached a dedicated, targeted level to address
important areas of MHLAC’s mission: MHLAC established the managed care
accommodations. For example, in close response to the institutionalization
disabled return to work. This project, involving legal services with

throughout managed care and private insurance, disability for federal
throughout managed care and private insurance, disability for federal
people with mental illness their families and the Commonwealth.

MHAC's goals and activities will continue to evolve in the decades
ahead, and it is clear that much more needs to be done to
address the needs of those with mental illnesses and disabilities.

Lastly, we are pleased to see the continued commitment to
support from the Commonwealth's Department of Mental Health,
and look forward to working with them in the future.

The next 35 years

Wilkens, Paul, Lucea, and Edward, P. Hennessy,

Acknowledgements

Thank you to all those who have supported and worked with us over the years.

Members of the Mental Health Legal

Advisory Committee: 35 Years

Thank you for your continued support and dedication to the needs of those with mental illness.
Frank Laschi (1998-present)
Susan Fendell (acting 1997-1998)
Gil Delford (1994-1997)
Thomas O'Hare (1978-1980)
William O'Neill (1974-1978)

MHLAC Executive Directors

Angelica Vargas
Abigail Seltzer
Eleonora Sarrica
Mimi Kunenbergs
Lauren Roy
Kate Nemes
Frank Laschi
William Landers
Jennifer Honig
Susan Fendell
Kate Colby
Laura Colby

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