

Protecting Children's Mental Health Funding

MHAS and partners file class action to challenge Governor's veto of funding for mental health services for children throughout California

On October 8, Governor Schwarzenegger used his line-item veto to eliminate \$133 million in funding for mental health services for children and attempted to suspend the AB 3632 mandate. This action could eliminate the unique services provided by county mental health departments to special education students who need who need treatment to stay in school.

Mental Health Advocacy Services has joined with Public Counsel, Disability Rights California, and Gibson, Dunn & Crutcher to file a lawsuit in federal court to preserve these lifeline services that help up to 20,000 students statewide.

One example of a student precipitously cut off from care is

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Fighting to Keep Kids in School

As dramatic budget cuts threaten mental health services for children throughout California, MHAS fights to help them stay in school and receive the care they need.

Even as MHAS works to preserve the critical mental health services provided for students through AB 3632, our attorneys are also working to ensure that children with mental disabilities are not "pushed out" of school due to unfair disciplinary policies.

"Luis" is an eighth-grader who was referred for expulsion for what the school called an "unprovoked assault on a teacher." According to witnesses, when Luis was instructed to leave the school gym following an assembly, he did not respond immediately and continued talking to his friends. The teacher then grabbed him from behind and tried to physically force him out of the gym. Luis

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MHAS Honors Mental Health Champions



*Jim Preis, Kimberly Wong, and Terri Cheney
photo: Jonathan Vickburg*

The Advocates Awards were presented at MHAS' Annual Celebration on October 7, 2010. This year, MHAS honored Kimberly Wong, Esq., and Judge Terry Friedman (ret.). Attendees also had the opportunity to hear from two former clients of Mental Health Advocacy Services who now both work to help others. More than 130 people enjoyed the excellent food and wine as well as the spectacular downtown views from the 36th-floor offices of Munger, Tolles & Olson.

Kimberly Wong, is an attorney with the Los Angeles Public Defender's Office, and she serves as the Legislative/Policy Advisor to the Public Defender. But she considers her most important role to be that of mother to her almost seven-year-old daughter, Marley.

Ms. Wong and her husband were thrilled when Marley was born in 2003, but soon after, she suddenly plunged into a life-threatening depression.

Through her own experience and recovery, Ms. Wong discovered a disturbing lack

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Advocates Awards

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of resources and support for women experiencing perinatal depression. She was inspired to create the Los Angeles County Perinatal Mental Health Task Force. Through outreach, screening, and treatment services, the Task Force has already created greater awareness of the issue, with a particular focus on high-risk women and girls. MHAS was proud to honor Kimberly Wong for her bravery in confronting the stigma of mental illness, and her determination to improve the lives of other women and their families.



*Maggie Brandow, Terry Friedman, and Jim Preis
photo: Jonathan Vickburg*

Judge Terry Friedman is a well-known public figure, having served as a member of the State Assembly from 1986 to 1994. Judge Friedman's legacy with MHAS is particularly personal. He then became a judge, serving on the Superior Court for 15 years. He is now a mediator at JAMS, the largest private alternative dispute resolution provider in the world.

While serving as Presiding Judge of the Juvenile Court, Judge Friedman received a letter from MHAS Staff Attorney Maggie Brandow describing the deplorable conditions faced by children with mental disabilities in the juvenile halls. He responded by leading numerous efforts to improve the lives of children in the juvenile court system. These efforts included the creation of a delinquency mental health court and education and mental health initiatives. MHAS could not ask for a better friend, partner, and advocate for children with mental disabilities.

MHAS would like to thank all the donors, volunteers, and staff members who made this our most successful event to date!

MENTAL HEALTH ADVOCACY SERVICES, INC.

is a private non-profit 501(c)(3) corporation. The mission of MHAS is to protect and advance the legal rights of children and adults with mental disabilities, in order to maximize autonomy, promote equality, and secure the resources needed to thrive in the community.

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AB 3632 Lawsuit

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Andy, a 17 year-old who was adopted from the foster care system when he was 2 years old following exposure to fetal alcohol and drugs. In his teens, Andy was hospitalized following multiple suicide attempts. He ultimately became embroiled in the juvenile justice system, and became a client of MHAS through the Juvenile Hall Advocacy Clinic.



M H A S was able to facilitate appropriate services and an alternative residential placement for Andy. However,

because those services have now been 'vetoed,' Andy continues to languish in juvenile hall without receiving the treatment he needs.

The Governor's veto has created a state of chaos among service providers and panic among parents. MHAS and co-counsel are committed to ensuring the continuity of vital services for children with mental disabilities. Check www.mhas-la.org for the latest news on this critical case.

Class Action Filed to Protect Due Process Rights of Immigrants with Mental Disabilities

The nation's first class action lawsuit on behalf of immigrant detainees with severe mental disabilities — detainees who are left defenseless in a system they cannot comprehend — was recently filed by a coalition of legal organizations including by Mental Health Advocacy Services, the American Civil Liberties Union, Public Counsel, and Sullivan & Cromwell LLP.

"Individuals with mental disabilities are severely disadvantaged in immigration removal proceedings," explains Jim Preis, Executive Director of MHAS, "They are at significant risk of being deported without understanding their circumstances or having the ability to make a defense to their removal. Alternatively, they can spend months and sometimes years in detention with little or no adequate treatment for their disability."

The suit asks a federal district court here to order the U.S. government to create a system for determining which non-citizens lack the mental competence to represent themselves and to appoint legal representation for those who are unable to defend themselves.

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responded by pushing the teacher away from himself and shouting at him.

The school suspended Luis for 25 days and recommended his expulsion. But there is much more to Luis' story.

Prior to this incident, Luis had a 2-year history of bipolar disorder. His mother had made at least three written requests for a special education evaluation, all of which the school ignored, even as his grades dropped and his behavior escalated.

Just days before the incident occurred, Luis' mother had asked, in writing, that school staff pay special attention to him because he had just begun taking a mood stabilizer. His psychiatrist had warned that it could be a difficult week for him.

Luis' mother was referred to MHAS and contacted us for help. An MHAS Staff Attorney intervened on Luis' behalf, and the expulsion proceeding was stayed pending a special educational assessment. Luis was found eligible for special education services for his bipolar disorder, and



his behavioral outburst was determined a manifestation of his disability.

Thanks to MHAS, Luis was not expelled, but he ultimately chose to transfer to another school where he was able to make a positive fresh start. He had no behavioral problems for the rest of that year, finished the semester with almost all B grades, and was promoted to high school.

Don't Forget to Re-Register Your Ralphs Card to Help MHAS!

Your grocery shopping can benefit MHAS - but you need to renew your registration each fall. Visit www.mhas-la.org and click on "Support MHAS" to find out how to designate MHAS as your beneficiary with Ralphs Community Rewards program. More than



\$1,400 has been raised for MHAS through this program so far.

The Heady Bouquet of Justice

MHAS' first wine tasting event was an evening of excellent vintages, delicious food, and great company.

The Colorado Wine Company in Eagle Rock played host to MHAS' Wine Tasting on August 26. More than 30 guests enjoyed wines from Spain Italy, and both Northern California and the Central Coast. Owner Jennifer Morgan hand picked the wines for our event.

Door prizes furnished by Rhino Records complemented the evening as attendees enjoyed the art and whimsy of the venue. A second wine tasting is already being planned for the early spring, so watch www.mhas-la.org for details.



A nonprofit organization protecting and advancing the legal rights of people with mental disabilities.

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