

LPS Mental Health Conservatorships

James Holden, PhD

Level

Introductory

Track

Clinical/Legal

CE

CPA/BBS/BRN/CJER/MCLE

Bio

James Holden, PhD, has been a licensed California psychologist for over 27 years. He is a diplomate of the American College of Forensic Examiners and the American Psychotherapy Association. As a forensic psychologist, his specialties are LPS conservatorship evaluations, competency to stand trial evaluations and treatment, mental health diversion evaluations and not guilty by reason of insanity evaluations. James has conducted forensic mental health workshops at the annual conferences of FMHAC, the National Sheriff's Association, the American Jail Association, California CONREP, as well as to jail and mental health staffs in half a dozen California counties. He has also conducted continuing education workshops on the topic of developmental disabilities.

Narrative

California's Lanterman-Petris-Short Act provides for publicly administered conservatorships for adults who are unable to provide for their food, clothing, or shelter due to a mental disorder and who have no reliable source of third-party support to provide for these basic needs. Is this the answer to the mentally ill homeless crisis? Is it an alternative to incarceration for mentally ill defendants or defendants who are incompetent to stand trial due to their mental illness? This workshop will present the relevant legal framework and process for LPS conservatorships, client rights parameters, grave disability evaluation methodology and case studies, as well as provide a link to sample forms associated with the LPS conservatorship process. It will also look at special eligibility situations, such as personality disorders, developmental disabilities, and neurological issues like dementia and traumatic brain injuries, as well as mentally ill individuals with assets but no third-party support.

Learning Objectives

1. Describe the meaning and purpose of LPS conservatorships
2. List the eligibility criteria for LPS conservatorships
3. Differentiate between mental disorders and disabilities which do and do not qualify for LPS conservatorships