

**Meeting the Court's Expectations of Mental Health Professionals Addressing Competence
to Stand Trial**
Judge Ronald Kaye

Level

Intermediate

Room

Track

Legal/Clinical/Policy, Administration & Legislation

CE

CPA/BBS/CJER/MCLE

Bio

Judge Ronald Kaye is a Superior Court Judge who currently sits in the dedicated Mental Health Court of the Los Angeles Superior Court in Hollywood, CA. He is a member of the Mental Health Committee of the California Judges' Association. He also teaches a criminal law seminar to Forensic Psychiatry Fellows at the medical schools at USC and UCLA. Before taking the bench, Judge Kaye founded a civil litigation and criminal defense firm, having practiced earlier in his career in both the public and private sectors, including with the Legal Aid Foundation in LA, and the Office of the Federal Defender.

Narrative

Forensic mental health professionals prepare and present a wide range of information for California courts. Using the examples of competence to stand trial matters, placement in either residential facilities or State Hospitals for the purposes of treatment and restoration to competency, and the evaluation of risk to the community for civil commitments such as Murphy Conservatorships, this presentation will cover the views and concerns of Judges and litigators who depend on the reports, and testimony of mental health professionals to arrive at decisions that will affect the individuals accused of crime(s) or facing involuntary hospitalization. The panelists will discuss the sorts of approaches in report-writing, and in testimony (as well as in oral advise to the court) that are both effective and educational as well as approaches and efforts that are not. The speakers' objective is to provide practice related advice from the viewpoint of some consumers of the work product and opinions of mental health professionals.

Learning Objectives

1. Identify three factors employed by Judges and litigators in assessing the expertise of an expert
2. Describe two factors that undermine the credibility and reliability of a mental health expert in actual casework
3. List three elements of a convincing presentation by a forensic mental health professional (in a report or in testimony) related to competence to stand trial.