

MARK J. HEYRMAN

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EMPLOYMENT:

1978
to
present

THE UNIVERSITY OF CHICAGO
THE LAW SCHOOL, Chicago, Illinois.
Clinical Professor of Law, 1990 to present.
Interim Director of Clinical Programs,
2001 to 2003
Faculty Director for Clinical Programs, 2003-2007

Responsible for teaching Mental Health Advocacy. This clinical course teaches students effective advocacy skills through their supervised work on behalf of indigent clients of the Mandel Clinic in state and federal courts and administrative agencies and before legislative bodies. Also teach courses on mental health law and trial advocacy.

1988
to
1989

GOVERNOR'S COMMISSION TO REVISE THE MENTAL HEALTH CODE OF ILLINOIS, Chicago, Illinois. Executive Director

Responsible for directing and conducting research, for drafting legislative proposals to revise mental health laws, for coordinating the meetings of the Commission and its committees and for acting as liaison between the Commission and various public and private groups. More than thirty of the proposals were enacted into law.

1987
to
1988

NORTHWESTERN UNIVERSITY SCHOOL OF LAW,
Chicago, Illinois.
Visiting Associate Professor

Responsible for teaching Clinical Trial Advocacy and Counseling, Negotiation and Litigation, and for supervising law students representing clients of the Northwestern University Legal Clinic.

1977
to
1978

OFFICE OF THE STATE APPELLATE DEFENDER OF ILLINOIS, Elgin, Illinois
Assistant Defender

Briefed and argued appeals for indigent criminal defendants.

EDUCATION:

THE LAW SCHOOL
THE UNIVERSITY OF CHICAGO, Chicago, Illinois.
J.D. 1977.
Active in Mandel Legal Aid Clinic.

UNIVERSITY OF ILLINOIS, Chicago, Illinois.
B.A. 1974.

Honors in the Administration of Criminal Justice.

PROFESSIONAL MEMBERSHIPS AND COMMUNITY SERVICE:

Admitted to the Bars of the United States Supreme Court, the Supreme Court of Illinois, the United States Court of Appeals for the Seventh Circuit and the United States District Court for the Northern District of Illinois.

Member of the Illinois State Bar Association.

Chairperson of the Standing Committee on the Mentally Disabled, 1998-99, 2012-13, Legislative liaison, 2013-present.

Member of the Chicago Bar Association.

Member of Mental Health Committee. Legislative liaison, 2013 to present

Member of the Clinical Legal Education Association. Founding Member of

the Board of Directors and Secretary-Treasurer, 1992 to 2000.
Member of the Board of Directors of Mental Health America, 2004 to 2010.
Member of the Public Policy Committee, 2004 to present. Chairperson, 2007 to 2010. Vice Chair, 2010 to 2011.

Member of the Board of Directors of the Mental Health America of Illinois, 1996 to present. President of the Board, 1998-2000.
Chairperson of the Public Policy Committee, 1996 to present.

Member of the Illinois Mental Health Planning and Advisory Council, 1997 to 2015. Co-chairperson, 2006-2009.

Founding member of the Mental Health Summit
Summit Facilitator, 2000 to present.

Member of the Board of Directors of CURE-Illinois 2015 to present.
Secretary of the Board, 2016.

Member of the President's Cabinet, Adler School of Professional Psychology, 2005-2006.

Member of the Mental Health Service System Planning Council of Greater Chicago, 1999 to 2003. Member of the Steering Committee.

Member of the Chicago Consortium for Stigma Research, 1999 to 2004

Member of Illinois Senate Mental Health Evaluation and Treatment Task Force, 1999 to 2002.

Chairperson of the Illinois Guardianship Reform Project Task Force, 1999-2000.

Member of the Joint Working Group on Mental Health Legislation in Illinois, 1995 to 2003. Facilitator and principle reporter.

Member of the Governor's Task Force to Review the Treatment of Mentally Ill Parents in the Juvenile Justice System, 1998 to 2000.

Member of the Board of Directors of the Cook County Legal Assistance Foundation, 1983-84.

Member of the Board of Directors of Howard Area Community Center, 1982 to 1993. President, 1984-86.

Member of the Board of Directors of Howard/Paulina Development Corporation, 1988 to 1994.

SIGNIFICANT LITIGATION:

Dempsey v. Saddler, (Cir. Ct. Cook Cty, 2012), Settlement requires state to afford persons in state mental hospital greater access to telephones and to insure private and confidential communication with attorneys.

Baker v. Adams, 02 CH15962 (Cir. Ct. Cook Cty, 2004). (Policy restricting internet access for persons confined in state mental health facility found to violate state law.)

Williams v. Staples, 208 Ill. 480 (2004) (Persons acquitted by reason of insanity cannot be subjected to conditional release passed date of maximum possible sentence.)

C.J. v. DMHDD, 296 Ill. App. 3d 17 (1st Dist. 1998); 331 Ill. App. 3d 871 (1st Dist. 2002) (Persons confined following acquittal by reason of insanity entitled to the exercise of professional judgment whenever their liberty is substantially restricted.)

Cross v. Staples 1-99-3174 (1st Dist. 2001)(Class action injunctive relief prohibiting state from transferring persons to more restrictive setting without a hearing.)

Lucas v. Peters, 318 Ill. App. 3d 1 (1st Dist. 2000) (Patients confined following acquittal by reason of insanity entitled to the exercise of individual professional judgment in determining placement.

Brown v. Murphy, 278 Ill. App. 3d 981 (1st Dist. 1996) (Injunctive relief awarded to a class of persons confined in state mental hospital requiring hospital to obtain informed consent from class members as pre-condition to acting as representative payee for social security benefits and paying benefits to itself).

Henderson v. McDonald, No. 94 C 55 (N.D. Ill. June 12, 1996) (Injunctive relief awarded to a class of persons confined in state mental hospitals requiring hospital staff to assist patients in filing petitions for release).

Love v. Chicago, 96 C 0396 (N.D. Ill. (1999)(Settlement provides

compensation to class of homeless persons living on public property for personal belongings taken by city employees and agreement by city to limit future seizures of personal property).

Estate of Merritt, 272 Ill. App. 3d 1017 (1st Dist. 1995) (Supremacy Clause prohibits state mental hospital from seizing patient's social security disability benefits).

Turner v. Campagna, 281 Ill. App. 3d 109- (1st Dist. (1996) (Failure to hold timely commitment hearing for person acquitted by reason of insanity entitles defendant to release).

Radzewski v. Cawley, 159 Ill. 2d 372 (1994) (Mandamus directing state trial courts to afford mental patients timely release hearings upon receipt of *pro se* petition).

Chambers v. Illinois Fair Employment Practices Commission, 96 Ill. App. 3d 884 (1st Dist. 1981) (First reported Illinois case enforcing state statute prohibiting employment discrimination against the mentally handicapped).

Kulak v. Belletire, 148 Ill. App. 3d 268 (1st Dist. 1986) (Lengthy confinement of unfit criminal defendant violates Due Process Clause of 14th Amendment).

People v. Roush, 101 Ill. 2d 355 (1984) (Transfer of over 75 insanity acquittees to maximum security setting without a hearing unlawful).

Yiadam v. Kiley, 204 Ill. App. 3d 418 (1st Dist. 1990) (Unfit criminal defendant entitled to periodic hearings to determine continued need for confinement in mental hospital).

Goode v. Pavkovic, No. 81 C 2491 (N.D. Ill. April 26, 1984) (Consent decree enforcing right of hearing-impaired, mentally-handicapped client to appropriate services from state agencies).

PUBLICATIONS:

"Lawyers' Attitudes Toward Involuntary Treatment" (with Luchins, et al.) 34 J. Am. Acad. Psychiatry & Law 492 (2006)

"Structural Stigma in State Legislation" (with Corrigan, et. al.) 56

Psychiatric Services 557 (May, 2005).

"Stigma and the Police" (with Watson, Ottati and Lurigio) in *On the Stigma of Mental Illness*, Patrick Corrigan, ed. (American Psychological Association, 2004).

"Five Things Every Lawyer Should Know About Mental Health Law" 18 *Chi. B. Ass'n Record* 31 (Jan. 2004).

"Mental Health Court: Promises and Limitations" 28 *J. Am. Acad. Psychiatry & Law* 476 (2000)

"Mental Illness in Prisons and Jails," 7 *U. Chi. Roundtable* 113 (2000).

"Regulating Law Schools: Should the ABA Accreditation Process Be Used to Speed the Implmentation of the MacCrate Report Recommendations?." 1 *Clinical L. Rev.* 389 (1994).

"No Way In," *The Law School Record* 10 (Spring 1991).

"The Mentally Disabled in the Criminal Justice System," 78 *Ill. Bar J.* 132 (1990).

Report of the Governor's Commission to Revise the Mental Health Code of Illinois (1989) (editor).

AWARDS:

Mike Flannery Community Service Award from the National Alliance on Mental Illness of Greater Chicago (2011)

"Heroes in The Fight" Award from the National Alliance on Mental Illness--Illinois (2008)

Award for mental health advocacy from the Mental Health Association in Illinois (2006).

Selected as one of "Illinois Super Lawyers" by *Law and Politics* and *Chicago Magazine* (2005, 2006, 2007).

Pro Bono award from Equip for Equality, Inc. for work on behalf of persons

with mental disabilities. (2003)

First Annual Award for "Outstanding Advocacy" from the Clinical Legal Education Association (2002).

"Special Recognition Award" for work to preserve community mental health funding from the Community Mental Health Council, Inc (2002).

Gold Bell Award as "Mental Health Person of the Year" from the Mental Health Association in Illinois (2001).

"Advocate of the Year" from CURE--Illinois, 2015.

LEGISLATION ENACTED:

Public Act 99-0179 allows courts to entertain involuntary medication petitions for person charged with a felony.

Public Act 99-0028 amends Mental Health and Developmental Disabilities Confidentiality Act to restore protections for disclosures made outside of a therapeutic relationship such as to a pharmacist dispensing psychotropic medications.

Public Act 99-0220 amends venue provisions governing involuntary commitments to prevent technical dismissals.

Public Act 98-0815 strengthens law requiring reinvestment in community services of proceeds of sale of state psychiatric hospitals.

Public Act 98-0853 clarifies and strengthens law providing a right to an independent examination to persons facing involuntary treatment proceedings.

Public Act 98-0651, an omnibus Medicaid reform bill includes provisions exempting anti-psychotic medications for the 4-drug per month restriction.

Public Act 97-0245 strengthen procedural protections concerning the use of psychotropic medications with wards of the state.

Public Act 96-1453 & 96-1399 raises standard for inpatient commitment and spells out standards and procedures for outpatient commitment.

Public Act 96-1321 permits videoconferencing technology to be used in commitment and other involuntary treatment proceedings.

Public Act 96-0570 provides for greater involvement of family members and other persons filing commitment petitions.

Public Act 96-0612 requires procedures to determine competency before accepting voluntary admission applications to inpatient care.

Public Act 95-0561 adds fetal alcohol syndrome to conditions which can be the basis for the appointment of a guardian for an adult.

Public Act 94-0498 requires that money saved through the complete or partial closure of a state mental hospital be kept in the mental health system.

Public Act 94-0521 permits patients facing involuntary inpatient commitment to enter into an agreed order for outpatient commitment.

Public Act 94-0906 extends Mental Health Insurance Parity Law to health maintenance organizations.

Public Act 94-1066 requires documentation of use of psychotropic medication in state facilities.

Public Act 92-0185 prohibits health insurance companies from providing less coverage for the treatment of mental illness than is provided for other illnesses, 215 ILCS 5/370c.

Public Act 87-124 creates standards and procedures under which courts may order psychotropic medication for persons who lack the capacity to consent, 405 ILCS 5/2-107.1.

Public Act 90-538 requires the Department of Human Services to collect and publish data and on the use of electro convulsive therapy in Illinois, 405 ILCS 5/2-110.1.

Public Act 91-536 strengthens requirement for treatment plans and provided court review thereof, 405 ILCS 5/3-814; 730 ILCS 5/5-2-4

Public Act 92-469 specifies the pre-trial detention facilities must provide mental health services in jails and requires Department of Corrections to inspect jails annually to insure compliance, 730 ILCS 5/3-15-3

Public Act 91-726 amends the law requiring that at least one psychiatrist testify in any commitment or involuntary treatment hearing to define psychiatrist as someone who at a minimum had completed a residency in psychiatry, 405 ILCS 5/1-121

RECENT PRESENTATIONS:

"Responsibilities of Jails to Inmats with Mental Illnesses," Illinois Sheriffs' Association Chief Deputy/Jail Administrators Conference, Peoria, Illinois (April, 2016).

"Persons with Mental Illnesses in the Criminal Justice System" NAMI-Metro Suburban Education and Advocacy Series (February, 2016).

"What's New in Mental Health Law" Illinois State Bar Association (February, 2016).

"Ground Hog Day: Can We Stop Having the Same Arguments About Mental Health Treatment?" Psychiatric Grand Rounds, University of Vermont Medical Center (January, 2016).

"Representing Persons with Mental Illnesses" Illinois Parent Attorney Network Training, Chicago Bar Association (November, 2015).

"The Affordable Care Act and Treatment for People with Mental Illnesses: Is the Glass Half Full or Half Empty?" Lutheran General Hospital Department of Psychiatry Grand Rounds, Park Ridge, IL (November, 2015)

"Recent and Proposed Changes in Mental Health Laws in Illinois" Mental Health and Disability Law Committee, Chicago Bar Association (November, 2015)

"An Overview of Problem Solving Courts" Mental Health America Regional Policy Council Webinar (September, 2015)

"What Services are Needed to Keep People Out of the Criminal Justice System" National Alliance on Mental Illness--Cook County Suburban North

(September, 2015)

“Step Therapy and the Treatment of Mental Illnesses” Arthritis Foundation Virtual Town Hall Webinar (August, 2015)

“An Overview of Problem Solving Courts”, Moving B4 Stage 4 on the Criminal Justice Pipeline, Mental Health America Regional Policy Council Annual Seminar: Regions Five & Seven, Milwaukee, WI (July, 2015)

“Veterans Courts in Context” Inaugural Veterans Treatment Court Summit, Chicago (May, 2015)

“The Affordable Care Act and People with Mental Illnesses: Is the Glass Half Full or Half Empty? University of Illinois at Chicago Department of Psychiatry Grand Rounds (January, 2015)

“Getting People with Mental Illnesses Out of the Criminal Justice System” Big Ideas in Medicine, University of Chicago Pritzker School of Medicine (January, 2015)

“Can the Mental Health System be Fixed” Community Media Workshop News Forum on Mental Health Issues (January, 2015)

“Why Abolishing the Insanity Defense Would be Good for People with Mental Illnesses” University of Chicago Law School Disability Law Society (December, 2014)

“Money, Leadership and Cooperation” The Cutting Edge of Mental Health Services Forum, Illinois Academy of Criminology (November, 2014)

“Getting Services for People with Mental Illnesses: Legal and Practical Considerations” Mental Health America of Illinois (November, 2014)

“Recent and Proposed Changes to Mental Health Laws in Illinois” Mental Health and Disability Law Committee, Chicago Bar Association (November, 2014)

“It’s Not the Where, It’s the What, the How, the Who and the Why” Panel on Forced Medication in Non-Medical Correctional Facilities, American Academy of Psychiatry and the Law, Chicago (October, 2014)

“Show Me the Money: Why the Legal Standards and Procedures for Involuntary Treatment Mean Very Little, But the Availability of Services Means a Lot” Mental Health America Regional Policy Council, Kansas City, MO (July, 2104)

“Effective Advocacy to Improve Mental Health Services” National Alliance on Mental Illness—Southwestern Illinois Annual Meeting, Granite City, IL (June, 2014)

“Mental Health Legislation in Illinois: Where We Are and What We Must Do” National Alliance on Mental Illness-Barrington (May, 2014)

“What Can We Do About All of the Offenders with Mental Illnesses? Mental Health and Disability Law Committee, Chicago Bar Association (April, 2014)

“The Affordable Care Act and Treatment for People with Mental Illnesses: Is the Glass Half Full or Half Empty? University of Chicago MacLean Center for Clinical Medical Ethics (April, 2014)

“Deinstitutionalization: Causes, Consequences and the Way Forward” Big Ideas in Medicine, University of Chicago Pritzker School of Medicine (February, 2014)

“An Overview of the Current Need for Mental Health Services in Chicago” Town Hall Meeting on the Chicago Mental Health Crisis (February, 2014)

“The Impact of the Affordable Care Act on Behavioral Health” Behavioral Health Alliance of Grundy County (IL) (January, 2014)