

Institute for Legislative and Governmental Affairs SUMMARY of PROGRAMS SUMMER 2007

At the conclusion of the 2007 spring semester, the Legislative Institute completed its sixth year of bringing worthwhile programs to the campus for the benefit of students, faculty, and the public. In addition to our Continuing Legal Education offerings, which draw large numbers of attorneys (discounted price for Western New England College graduates), and the semi-annual sitting of the Massachusetts Appeals Court, we sponsored other noteworthy events. The Appeals Court session drew many spectators and featured excellent arguments from members of the bar, including Assistant District Attorney Jane Montori '79. The bench included our own Judge William Meade '89, a recent appointment to the Appeals Court (see *Law Digest*, February 2007 for biography).

The Institute also brought to the campus two committees of the Massachusetts Legislature: the Joint Committee on Mental Health and Substance Abuse and the Joint Committee on Municipalities and Regional Government. Since the first days of the Legislative Institute in 2000, we have hosted numerous hearings of our legislative committees. With the kind assistance of State Senator Gale Candaras '82, we are pleased to provide the constituents of western Massachusetts with the opportunity to observe the manner in which these committees operate. Local officials and private persons also have the opportunity to testify on matters of public importance at a location close to home. The time, distance, and expense of traveling to the State House to attend legislative hearings are disincentives to participate.

The Criminalization of Mental Health

The Joint Committee on Mental Health and Substance Abuse, which Senator Candaras and Representative Ruth Balsler (D-Newton) cochair, covered a variety of subjects at its campus hearing in April. A focus was the "criminalization of mental health," as one expert called it. Witnesses testified that many persons who once resided in state mental health facilities ended up on the streets after release. The closing of Northampton State Hospital, for example, sent many patients into the general population, which exposed them to the consequences of antisocial behavior: arrest, conviction, and incarceration. Hampden County Sheriff Michael Ashe noted that the responsibility for treating such persons for their mental disabilities has now shifted to the criminal justice system.

Further the Joint Committee hearing addressed the issue of young people engaged in illegal drug use, which sometimes is a product of mental disorder, as witnesses stated. The legislative members heard very heartrending stories of young people who, without proper medical treatment, ended up committing or attempting to commit suicide. Without adequate programs to identify, diagnose, and treat such mental disabilities, the results can be disastrous for young people. Witnesses urged the Committee to provide greater funding and community treatment facilities in all parts of the state.

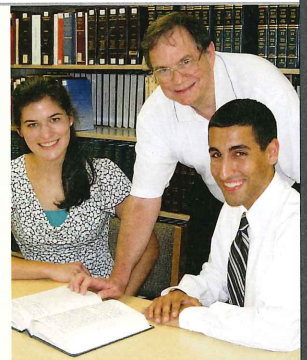
New Beginnings for Local Governments

In June, the Institute hosted a hearing of the Joint Committee on Municipalities and Regional Government. Chaired by Representative Sean Curran (D-Springfield), with House Committee Chair Vincent Pedone sitting. The focus of the hearing was Governor Deval Patrick's "Municipal Partnership Act." This bill is designed to forge a new relationship between state and local government, especially for cities and towns with special needs. Governor Patrick and local leaders have called for a new beginning, particularly for cities such as Springfield. His bill includes several provisions to give municipal leaders new tools to deal with budget issues, including local option taxes on restaurant meals and hotel stays, expanded access to the state's health and pension plans, and greater flexibility in municipal borrowing. Mayor Charles Ryan of Springfield testified generally in favor of the bill, noting that his city had already saved thousands of dollars with additional benefits to retirees by joining the state system.

Legal Fellows Work with Legislature

(At right) Erin Frazee, Institute Director Art Wolf, and Kevin Litz

Finally, the Institute also hosted two legal fellows from Siena College. The legal fellows program, unique in the United States, sends eight specially chosen students to four law schools to study for the summer. At our School of Law, the fellows engage in legal research, writing, and bill drafting on a topic of major public importance. Their research includes field interviews and visits to the Legislature in Boston. This past summer, Erin Frazee studied the issue of advance directives to address end of life decisions. Kevin Litz examined the question of driving while using a handheld cell phone. Members of our State Legislature will find the work of both interns to be quite helpful since they are or will be addressing these two important issues.



The Joint Committee on Mental Health: Sitting (L-R) Representatives Rosemary Sandlin, Ellen Story, John Scibak, Benjamin Swan, and Martin Walsh; House Chair Ruth Balsler and Senate Chair Gale Candaras L'82; Senator Dianne Wilkerson; and Representatives Elizabeth Malia, Kay Khan, William Brownsberger, and Sean Curran. Pictured behind Rep. Balsler are Attorney Michael Carr, Committee staff director, and Sarah Saunders, legislative director for Senator Candaras.