

Each year, many people with mental illness come in contact with the criminal justice system. This video is one in a series designed to train defense attorneys for better understanding of how to best represent a client with mental illness. The initial interview with your client is where to begin your due diligence. If you suspect mental illness may be at play.

Mental illness is not always obvious to spot, but here are a few behavioral clues to look for when trying to identify whether your client is affected. While talking with your client, you may notice that he or she doesn't follow a logical train of thought and is unable to get from point A to point B. If your client has been in treatment, he or she may talk about a counselor or caseworker or maybe about medications.

Pay attention to these clues. Your client may make paranoid statements or accusations. You may notice signs of phobias or irrational fears, such as a fear of leaving the jail cell. Your client may experience hallucinations or hear voices, or they may perceive a harmless image as threatening. He or she may seem disoriented and confused about people and surroundings. Do you notice things like incoherence, nonsensical speech, or use of a made up language?

Your client may be easily distracted or may substitute inappropriate words for other words. You may notice a limited attention span or selective inattention to emotionally charged issues. This could also be a sign of a head injury. You may see periods of emotional instability ranging from anxiety and suspicion to hostility and irritability. Watch for these signs. If you suspect your client may not be competent, it's your responsibility to explore the situation further.

Many defendants try to hide any indications that they are mentally ill. Others may not even realize they have mental illness. Be familiar with mental health providers in your area. Be patient and understanding with your client.