

How persons with Schizophrenia are fared in US court systems

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Among the problems faced by a person with schizophrenia is encountering the court system. Symptoms of schizophrenia may put them at a disadvantage when they need to appear in court. Moreover, they are likely to abuse alcohol and other substances, as a form of self-medication, which in turn, can lead to a greater likelihood of arrest. Research shows that a supportive work environment can have a positive effect in the stabilization of the illness, but there have been problems when disclosing the disability to the employer and resultant insufficient Americans with Disabilities Act accommodation (Jackson, 2010). This may necessitate their seeking relief in court from discrimination by their employers. The objective of this study is to provide an in-depth analysis of a random sample of over 3,500 cases litigated between 2010 and 2012 examining how persons with schizophrenia are fared in US courts. There are two categories of litigation at all court levels in the data set: civil and criminal. Investigated were characteristics of the cases, laws that were the basis of the litigation and whether a psychologist, psychiatrist, or public official was involved in the litigation. Also analyzed were characteristics of the individual, including employee status, in prison, veteran, homeless and substance abuser. Characteristics of the illness of schizophrenia examined included an analysis of comorbidity; symptomology, including suicidal ideation; and types of medication and medication-compliance. The analysis included case frequencies and multivariate analysis of when the individual with schizophrenia prevailed in court cases. Also included are recommendations to parties involved in litigation with persons with schizophrenia.

Biography

Melissa LaVan, MS, is a doctoral student in the Clinical Psychology program at The Chicago School of Professional Psychology. Her previous employment has been at a behavioral health hospital and at a clinical research site for trials in schizophrenia and depression. She has co-authored two conference papers in cognitive psychology.

Helen LaVan, Ph.D. is a Professor of Management at DePaul University in Chicago. She is the co-author of over 65 journal articles, primarily related to employee relations in the healthcare sector and employment litigation. Of special interest is how individuals with special needs or characteristics fare in the court system. She is a licensed professional counselor LPC in the State of Illinois.

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