Greetings! My name is Chris King, and I am the new Content Editor for the AP-LS Newsletter Legal Update column. For those of you whom I have not yet met, I am an Assistant Professor of Psychology at Montclair State University in Northern New Jersey.

As Content Editor, I have informally partnered with my colleague, Dr. Heather Zelle, Assistant Professor of Research with the University of Virginia Department of Public Health Sciences, and clinical psychologist with the UVA Institute of Law, Psychiatry, and Public Policy, who co-edits the mental health law news resource, Developments in Mental Health Law (DMHL). Dr. Zelle has kindly agreed to provide announcements in this column about upcoming or recently released content from DMHL. She also penned the following blurb about this free resource.

About Developments in Mental Health Law (HZ)

*Developments in Mental Health Law* (DMHL) is a quarterly publication produced by the University of Virginia’s Institute of Law, Psychiatry, and Public Policy. First published in 1981, DMHL is compiled and distributed as a public service by the Institute, with the support of the Virginia Department of Behavioral Health and Developmental Services. Although the main articles in issues of DMHL often focus on events and issues affecting mental health law concerns in Virginia, a range of topics of national interest are also addressed. An article about forensic psychiatry and community mental health by John Petrila headlined the first issue, for example, and the most recent issue included an article summarizing the gun violence restraining order laws passed in several states. Even Virginia-specific material may be of interest to non-Virginians: the spring 2017 issue provided a thorough overview of the wide array of mental health-related legislative proposals that were promulgated in Virginia’s 2017 General Assembly session, which may be of interest as an example of policy work in a state that is currently focusing on improving its mental health system.

In recent years, issues also include “Data Corners” that provide brief quantitative examinations of topics related to mental health law. Finally, each issue includes case law reviews for relevant United States Supreme Court, federal circuit, and state supreme court cases that concern a variety of mental health law topics. Cases are summarized with a focus on substantive details rather than legal procedural details so that they are more accessible to readers without law training. Recent cases have covered topics such as excessive force and unlawful seizure by law enforcement officers when encountering individuals who are in mental health crisis, the
constitutionality of certain criminal sentencing practices (e.g., death penalty and intellectual disability), involuntary commitment of sexually violent predators, the liability of treatment providers to third parties for harm caused by patients, and the intersection of involuntary commitment and the right to waive counsel.

Issues of DMHL can be found on the Institute’s website https://uvamanualhealthpolicy.org/, and interested readers can request to be notified via email when a new issue is posted: http://ilppp.virginia.edu/MailingList.

Feeling More Confident in Finding and Understanding the Context of Laws (CK and HZ)

I have observed that psychology–law students and colleagues without formal legal training often seem uncertain about legal research, and the completeness or currency of the law or laws that they have located. Confidence in opining about law and policy stems in part from instruction in finding the law and appreciating its context. For those working at the intersections of psychology and law, it is worth feeling comfortable with how to go about finding answers from both fields. While space restrictions preclude anything resembling comprehensive coverage of the topic, what follows is a short primer on legal research strategies and tools, and some interpretative pointers, that may prove useful to column readers who have never taken a formal legal research course.

Where to Begin?—Secondary Sources of Law

One of the first tips for legal research is to begin with secondary sources—resources that can provide you with an efficient overview of a particular area of law. I highlight those of which I believe are most useful for many psychology–law practitioners.

Legally trained colleagues. I cannot speak for everyone with dual- or joint-degree training, but I would be happy to provide some assistance to anyone who emailed me a question about the state of the law on something. I imagine many other legally trained persons working in our field would be glad to point a colleague in the right direction too. I often observe this occur on the PSYLAW discussion list (to contact the list’s moderator, see https://www.frederickwinsmann.com/). DMHL relies in part on the efforts of lawyer editors and law student assistants. Those involved with its production also generally remain in the midst of Virginia developments and report on them to stay current.

Continuing education. Scholars like Professor Michael Perlin offer continuing education courses on a variety of mental health law topics (see, e.g., http://www.mdlpa.net/).
**Professional literature.** Many of our field’s journals publish articles involving sophisticated legal analysis, such as *Psychology, Public Policy, and Law*. A resource like DMHL can be classified here, as the research process that goes into it often involves review and synthesis of available professional literature, and it also sometimes features secondary data analysis. There also exist useful mental health law books of varying levels of detail and areas of focus (see, e.g., Meyer & Weaver, 2006; Myers, 2016; Slobogin, Hafemesiter, Mossman, & Reisner, 2014).
Developments in Mental Health Law

December 31, 2016

Law and Mental Health
A Case-Based Approach

Robert G. Meyer and Christopher M. Weaver

December 15, 2005 • ISBN 9781593852214 • Price: $60.00 $51.00
394 Pages • Size: 6" x 9"

View larger

Professors: free copies available for adoption consideration
Download an e-book copy now or order a print copy
Myers' Mental Health Law in a Nutshell

Format
Softbound

ISBN-13
9781834586897

Price: $45.00

Add to Cart

Slobogin, Hafemeister, Mossman, Reisner’s Law and the Mental Health System, Civil and Criminal Aspects, 6th

Format
Hardbound

ISBN-13
9780314297290

Price: $233.00
Internet searching. Helpful mental health law resources put out by agencies and organizations (see, e.g., goo.gl/zcNn3a) or individual contributors (see, e.g., https://goo.gl/X5oPY9) can often be located via a quick web search. Examples organizations include the MacArthur Foundation Research Network on Law and Neuroscience (http://lawneuro.org/index.php), Juvenile Law Center (http://jlc.org/legal-docket), and Judge David L. Bazelon Center for Mental Health Law (http://www.bazelon.org/resource-library).
The Research Network on Law and Neuroscience, supported by the John D. and Catherine T. MacArthur Foundation, addresses a focused set of closely-related problems at the intersection of neuroscience and criminal justice: 1) investigating...
Online subscription services. Subscription-based online legal research services like WestlawNexis and Lexis Advance (user-friendly packages of Westlaw and LexisNexis products) have extremely powerful searching tools, such as precise terms-and-connectors searching (also known as Boolean searching), and excellent scope of coverage for secondary sources useful to psychology–law professionals. Ordered by level of detail, these resources include legal encyclopedias (e.g., American Jurisprudence 2d, Corpus Juris Secundum [CJS]), American Law Reports (ALR) annotations, and law review articles. HeinOnline is also known for its exhaustive database of law review publications, among other resources. Because these options are expensive, the best way to access them is through college and university libraries with which you are affiliated as an alumnus or part-time or full-time faculty member. Note, however, that the scope of respective library subscriptions to these services varies widely. As there is a learning curve in using these services, librarians and video guides are helpful (e.g., https://goo.gl/NkjGjz, https://goo.gl/XPTfBV, https://goo.gl/ktFiiu).
AN OFFENDER REGISTRATION AND NOTIFICATION LAWS AT HOME AND ABROAD: IS AN INTERNATIONAL MEGAN'S LAW GOOD POLICY?

Christopher King†

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“Black Letter” Law—Primary Sources of Law

While an oversimplification, in the United States, there are basically three types of law that correspond to the three branches of government: case law (judicial), statutes (legislative), and administrative regulations (executive). In essence, the legislature sets forth the broad outlines of the law; the executive branch (the President of the United States, governors, and their respective agencies) implements and enforces it (and in doing so is often permitted to fill in its gaps to make it functional); and the judicial branch resolves disputes or uncertainties concerning the law. In general, this basic organizational structure is replicated at different layers of the governmental onion—at the local level (e.g., towns and cities), at the state level, and at the national (federal) level. When it comes to international law, one first thinks about international agreements, which includes treaties, that often involve some interplay of the executive and legislative branches. As for foreign law, it is helpful to understand the basic structure of the government and laws in the United States as a point of reference for how the law might be organized and operate in another country.

Internet searching.

Google Scholar. Google Scholar includes coverage of state appellate court decisions and federal trial and appellate court decisions. The platform also features some limited advanced search options for somewhat more precise searching (see, e.g., https://goo.gl/BTkCSp, https://goo.gl/Swi2Gv).
Government-operated websites. Internet search engines can also be used to locate primary law maintained on government-operated websites, especially collections of pending legislation (e.g., proposed bills), enacted statutes, and issued administrative regulations and decisions. Often the laws published on these websites are organized via tables of contents, and the websites frequently feature simplistic text searching functionality. If retrieving a primary source of law from a non-government-maintained website (e.g., http://law.justia.com/), ensure that the date of the law is current.
Online subscription services.

**Westlaw and LexisNexis.** Some of the most powerful features of these services are precision searching, massive scope of coverage of reliably current as well as historical laws, ease of multi-jurisdiction research, interpretative aids for case law, and interconnectivity among all of the primary and secondary legal sources. Regarding interconnectivity, bundled products like Shepard’s Citations Service help confirm whether a primary law is still “good law” (i.e., has not been rescinded or superseded by some other legal development).
**HeinOnline.** While not as fully featured as the biggest services like Westlaw or LexisNexis, HeinOnline has nevertheless distinguished itself on several fronts, including for comprehensive historical coverage of government and academic legal periodicals, and good scope of coverage of international laws.

**Additional Strategies or Resources?**

If you have additional tools you use to stay abreast of the law in your areas of interest in psychology–law, please share them by emailing me at chris.king@montclair.edu. I will gladly reproduce and credit you for them in future columns.
References

