



JLONGTIN LAW

COMMERCIAL REAL ESTATE ATTORNEYS

10 Ways to Help your Mentally Ill Loved One through the Criminal Process

1. Speak with their attorney as soon as possible, either private counsel or the Public Defender. Their attorney can't tell you anything without their permission; however, their attorney can listen to any information that you want to share. Also, if you are calling the Public Defender, leave them a detailed voicemail with as much information as possible; they may not have time to call you back, but you can still get critical details to them.
2. Don't give details about your loved one to the police, District Attorney, or other interested parties, without seeking counsel from your own attorney, or consulting with your loved one's attorney. Sometimes information that you think would help the one you care so much about can hurt them in the criminal process.
3. Make sure the jail is aware of any medications and illnesses. Jail facilities are required to provide medical care and medication to those in their custody. However, often individuals suffering from mental health issues are not their own best advocates. Call the jail or look at their website- talk through health concerns, and offer to drop off a medication supply, if possible.
4. Compile all the records you can. When defending an individual with mental health concerns, medical records are very valuable. Gather everything you have, either in paper or digital form, and get it to your loved one's attorney. It is also helpful to provide their attorney with a list of all current and prior treatment providers, and a list of prior in-patient hospitalizations.

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5. Make sure your loved one has counsel. When you are an individual suffering from mental illness, and likely using it as a piece of the defense in your case, you should not go it alone. If someone you love is in this situation, encourage them to seek an attorney through the Public Defender's Office, or help them to navigate the often-overwhelming task of finding private counsel that will suit their specific needs.
6. Be supportive, but be gracious to yourself. Being a care-giver to someone is never easy; the criminal process is traumatic, and any involvement in a case can involve you in that trauma. When you are helping your loved one through their crisis, it is often the case that you will put your own needs last. Please take time for yourself- you cannot care for your loved one if you are not caring for your own wellbeing.
7. Seek help- for you, as a caregiver, and for your loved one, as someone striving for mental health- NAMI Colorado has great support and classes (NAMIColorado.org).
8. Get your loved one out of jail if possible. Making bond is sometimes impossible for families; however, if there is any way to get your loved one out of jail and home, or into an appropriate hospital setting, it will likely improve the outcome of their case.
9. Be patient, encourage everyone involved to be patient too. Because of the amount of work and evaluation necessary for a mental health related criminal defense, these cases take, on average, 2 times as long as a general criminal defense case.
10. Be present and ADVOCATE! Many facing criminal prosecution have an extreme sense of isolation, rejection, and loneliness. Being a friend is essential to creating a better sense of wellbeing, which leads to better health and decision-making. Advocating is also essential, because those with mental illness often cannot advocate for themselves.

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