

December 11, 2009
The Honorable Daniel E. Shearouse
Clerk of Court
Supreme Court of South Carolina
P.O. Box 11330
Columbia, South Carolina 29211

Dear Mr. Shearouse:

MHASC is an affiliate of National Mental Health America, founded by former psychiatric patient and Yale graduate Clifford W. Beers, 100 years ago, to expose and correct the injustices he experienced and observed during hospitalizations for a diagnosis of bipolar disorder. Mental Health America of South Carolina (MHASC) has served the state of South Carolina since 1954 as a private, not for profit, 501(c) 3 organization. We have twenty three affiliates throughout the state of South Carolina,

On behalf of MHASC, and our twenty three affiliates, I am writing to object to the proposed new rule 141(C):

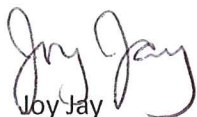
141(C): After a jury or juror has been dismissed, no person or entity, including but not limited to counsel, defendants, witnesses, victims, or anyone acting on their behalf shall initiate contact with, directly or indirectly, any juror regarding that juror's service on any case. However, upon a motion and hearing showing the necessity of contacting or interviewing one or more jurors, the court may permit such contact upon specified terms and conditions.

People with mental illnesses are at a significant disadvantage during a trial by jury. The stigma of mental illness, and the fear that mental illnesses can lead to violence, has the potential to influence the decision of a jury even when the facts of the case do not support the decision.

Proposed rule 141(C) would place substantial roadblocks to determine whether juror bias led to an unfair conviction and thus place people with mental illnesses at an even greater disadvantage if found guilty during a trial by jury.

MHASC and our statewide affiliates respectfully request that proposed rule 141(C) not be adopted. I am also requesting for the opportunity to be heard during the January 5th public hearing.

Respectfully submitted,



Joy Jay
President/CEO