



The Kids Are Not Alright:

Dealing with Juvenile Mental Health Issues

Judge Cynthia Porter-Gore

Municipal Judge, City of Allen

About Me

- Municipal Judge from Allen, Texas
- Juvenile Law Practitioner for 22 years
 - Former Prosecutor and Defense Attorney
 - Board Certified in Juvenile & Criminal Law
 - Chair of SBOT Juvenile Law Section
 - Juvenile Exam Commission Member, Texas Board of Legal Specialization
- Wife of a First Responder 26+ years
- Mother of two young adults





Building Your Toolkit



People First
Language


What is People First Language?

- It is an objective way of acknowledging, communicating and reporting on mental illness or disabilities. It eliminates generalizations, assumptions, and stereotypes by focusing on **the person** rather than the mental illness or disability.





Keys to Using People First Language

- Don't equate the person with the disability - these labels are simply a medical diagnosis.
 - Emphasize abilities not limitations.
 - Avoid negative words that imply tragedy (ex: afflicted with, suffers, etc.)
 - Recognize that mental illness is not a challenge to overcome.
 - Promote understanding, respect, dignity, and positive outlooks.
 - Call people by their name.
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Language Recommendations

- Instead of the *mentally ill*, say **someone who is currently experiencing...** or **someone who is being treated for...**
- Instead of *clean or dirty* when discussing drug testing, say **positive or negative**
- Instead of saying a person is *resistant to treatment*, say they are **choosing not to...**
- Avoid stigmatizing words like *psycho or crazy*



Recognizing Mental Health Issues in the Courtroom

Things to Pay Attention to



Appearance



Demeanor




Speech




Unusual Acts
or Outbursts



Specialized
Dockets &
Programs



Let's look at
the specialized
dockets in my
court to show
you how it can
work...

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1. How to identify those who could benefit from the specialized docket?
 2. Why do we call it a specialized docket?
 3. Court Process
 4. Costs

First a Little Bit About My Mental Health Dockets

- Juvenile Specialty Docket begins February 2018
- Kids successfully completed program.
 - Brandi C.
- Kids unsuccessfully discharged from program.
 - Derick P.
- Kids who declined program at time of plea. (17%)
- Program stats (Feb. 2018 - August 2023):
 - 16 kids have participated
 - 12 kids successfully completed program (75%)
 - 4 kids unsuccessfully completed program (25%)

Identifying Defendants Who Could Benefit

- **Staff contacts** - phone calls/emails with the parents
- **Juvenile Case Manager** (*if you have one*) - interviews with parents and juvenile (15-30 min.)
- **Prosecutor** - during negotiations with juvenile & parents (10 min.)
- **Judge** - taking plea and determining competency (10 min.)
- **Courtroom Observations** - remember what we talked about earlier? Use the conversation you have with the juvenile to dig a little deeper if you see indicators.

Why do We Call it a Specialized Docket?

- This is a docket where address defendants' needs in different areas.
- It might not meet the formal requirements to be called a Specialty Court
- Needs that might be addressed:
 - Mental health issues
 - Substance abuse issues
 - Veteran's issues with our Adults
 - Family court issues
 - Family violence issues

Specialty Docket Process

1

Identify
Participants

2

Assessment by
LMHA

3

Monthly
Check-ins with
the Court

4

Fines and
Court Costs
satisfied
through proof
of treatment

5

After 6 months,
final
disposition will
depend on
completion of
the program

A person in a blue swimsuit is performing a handstand in a swimming pool. The person is upside down, with their feet pointing towards the top of the frame and their hands resting on the water's surface. The pool is filled with clear blue water, and the surrounding area includes a tiled deck and a diving board. A white circular graphic with teal accents is overlaid on the right side of the image, containing the text.


**Let's Dive
Deeper into
the Process!**

How My Docket Functions

- 6-month deferrals
- Juvenile appears once a month to check-in (allow remote)
- Require an assessment by a LMHA or other medical professional
- Fines and costs satisfied through proof of treatment (\$12.50/hr)
- LMHA or other mental health professional attends dockets
- Tailor the supervision to the needs of the defendant (more on this later)




Remember...These Defendants Need a Different Approach to Be Successful

- We offer lots of “hand-holding” reminders - email, phone, etc.
 - Be a cheerleader!
 - Rewards are helpful in the first few months to help them continue the process.
 - Have all defendants present, so they can see both rewards and sanctions.
 - Spend enough time with each defendant (10-15 minutes) - often you showing interest and that you care can go a long way
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Utilize Trust-Based Relational Intervention

- “TBRI® is an attachment-based, **trauma-informed intervention** that is designed to meet the complex needs of vulnerable children. TBRI® uses **Empowering Principles** to address physical needs, **Connecting Principles** for attachment needs, and **Correcting Principles** to disarm fear-based behaviors.” Karyn Purvis Institute of Child Development
- Connect – listen and take notes, then use those notes
- Empower – let them suggest solutions or choose options
- Correct – have a “redo” and discuss better solutions; focus on behavior not the person



Conditions &
Orders Tailored
to Individuals

Tips for Success



Don't put up roadblocks.



Keep things consistent.



Understand that relapse is part of recovery.

Think Outside the Box!

- GED programs as alternative to regular school setting
- Help build not only a treatment support system but a social support system.
- Positive social activities can have a major impact on kids with either MH or substance abuse issues.
- Find a way to incorporate their interests/hobbies.

Conditions That Should be Consistent

- Defendant should appear monthly - have a set date and time
- Require proof of prior *recent* assessment or order defendant to submit to assessment and follow recommendations
- If in treatment, require the defendant to follow and complete all recommendations of the treatment provider
- Medication management by the child's doctor (*if applicable*)




Did You Know?

The child's school may have available resources.

Check if the child is under a 504 plan or ARD (Admission, Review, and Dismissal).



This Sounds
Expensive!!



Let's explore how you can
accomplish your goals with
the resources you already
have.

We are all under budget
constraints!

How Much Does it Cost?

- Largest cost is the **judge's time** - you will need to spend 1-2 hours per month on the docket.
- **Staff Participation** - time to handle correspondence between the court and defendant. In our office, they also make bi-weekly phone calls/emails to the defendant for the first 2 months of the program
- **LMHA/Local Provider** - free!

More on the next few slides!

Attorney Costs

- **Prosecutor** - 1-2 hours of their time.
 - Full-time - this is included in their salary
 - Part-time - the county would have to pay them additionally for this.
 - If you don't have their support, they don't have to participate - could send the case to the program after a pretrial plea docket.
- **Defense Attorney** - usually around \$100/hour for this type of thing.
 - Might find someone to do it pro bono (for free!)
 - Not required unless you want to be a certified specialty court, but definitely helpful.

Remember, registered specialty courts can apply for state and federal grants to pay for these salaries

Cost of Materials

- **Drug Testing** - can be ordered for the defendant to pay.
 - Rapid tests are only \$4 - \$6.
- **Incentives/Rewards** - Think simple - candy bar, chips, small gift card, etc. \$1 - \$10
- **Graduation Gifts** - Again, think simple! Under \$10
 - We order \$8 keychains - "Always remember you were given this life because you are strong enough to live it!"
 - Even a printed certificate is nice!

Local businesses & Civic organizations might also want to donate to the program to pay for these items.



**More
Information &
Resources**

TJCTC & TMCEC Resources

- Upcoming webinars on **Trauma Informed Courts** and **Mindfulness**
- **SIM Workshops**
- Recordings for credit, flowcharts, etc.
 - <https://www.tjctc.org/Mental-Health.html>



Sequential Intercept Mapping (SIM)

- A SIM workshop can help stakeholders in your community identify resources and gaps in services for people with mental illness or intellectual development at each stage of the criminal justice system.
- These workshops are offered through various agencies in Texas and nationwide.
- If you think this sounds like something you would be interested in, please email TJCTC Staff Attorney Amber Myers at A_M1814@txstate.edu



Find Your Local Mental Health Authority (LMHA)

- Use this tool provided by Texas Health and Human Services to find the LMHA that serves your area.
- <https://bit.ly/3geh9qB>



Mental Health TX

- A website where Texans can find providers, learn basics about common mental health issues, etc.
- <https://mentalhealthtx.org/>
- *Sponsored by the Texas Statewide Behavioral Health Coordinating Council and Texas Health & Human Services Commission (HHSC).*

Do You Want More Information About the Formal Process to Become a Specialty Court?



Check out OCA's website.



<https://www.txcourts.gov/about-texas-courts/specialty-courts/>

Other Texas Resources

- **Judicial Commission on Mental Health (JCMH)** – benchbooks, training and technical assistance, etc.
 - <http://texasjcmh.gov/>
- **Texas Association of Counties (TAC)** – training, legislative, grants, etc.
 - www.county.org/
- **Office of Court Administration (OCA)** – research, data and tools, training, etc.
 - <https://www.txcourts.gov/publications-training/training-materials/mental-health/>

National Resources

- **Substance Abuse and Mental Health Services Administration (SAMHSA)** – grants, training and technical assistance, etc.
 - <https://www.samhsa.gov/criminal-juvenile-justice>
- **Council of State Governments Justice Center** – research, data and tools, videos, training, etc.
 - <https://csgjusticecenter.org/>
- **National Center for State Courts (NCSC)** – research, data and tools, videos, training, etc.
 - <https://www.ncsc.org/>
 - https://www.ncsc.org/data/assets/pdf_file/0028/79309/TF-Publications-and-Resources.pdf

More National Resources

- **National Alliance on Mental Illness (NAMI)** – education, training, support, etc.
 - <https://www.nami.org/Home>
- **Meadows Mental Health Policy Institute** – research, data and tools, training, etc.
 - <https://mmhpi.org/topics/category/educational-resources/>



Thank You

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