

#### 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





# 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.

#### 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...

- 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



#### 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

#### 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







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).



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 biweekly 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.

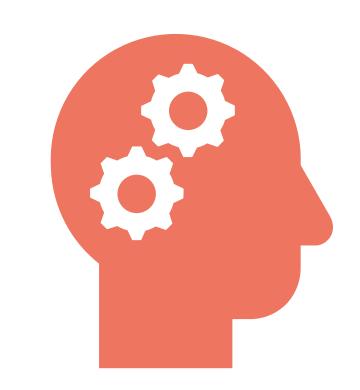


#### TJCTC & TMCEC Resources

 Upcoming webinars on Trauma Informed Courts and Mindfulness

#### SIM Workshops

- Recordings for credit, flowcharts, etc.
  - https://www.tjctc.org/Ment al-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

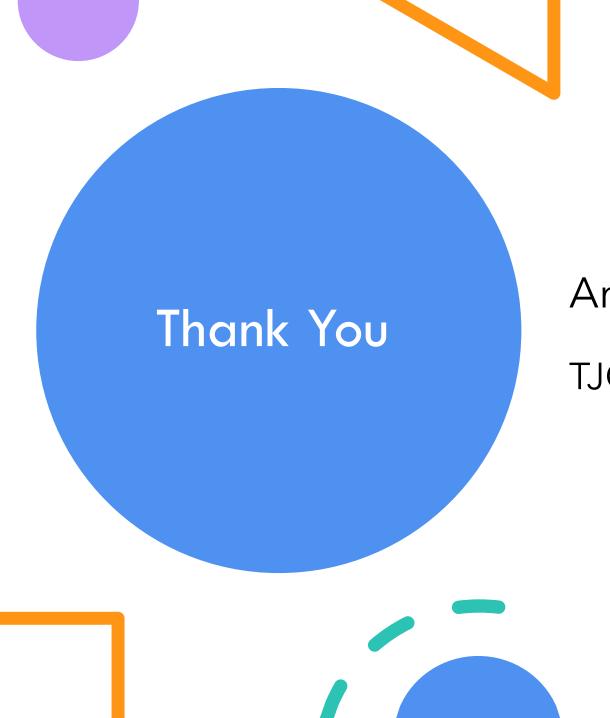
- Judicial Commission on Mental Health (JCMH) benchbooks, training and technical assistance, etc.
  - http://texasjcmh.gov/
- Texas Association of Counties (TAC) training, legislative, grants, etc.
  - www.county.org/
- Office of Court Administration (OCA) research, data and tools, training, etc.
  -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

#### National Resources

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

#### More National Resources

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



Amber Myers

TJCTC Staff Attorney

## Contact Info:

Cyndi Porter Gore cgore@cityofallen.org