

## Creating a Mental Health Court: Texas Toolkit

### Speakers

#### **Judge Brent Carr**



Judge Carr became the presiding judge of Tarrant County Criminal Court 9 in 1991. To fulfill a need to appropriately resolve cases involving mentally ill defendants, he established the Tarrant County Mental Health Court in 2003. He subsequently established the Tarrant County Veterans Treatment Court in 2010 and the Tarrant County RISE program for sex-trafficked female felony offenders in 2011. These programs have produced well over 1,000 graduates and significantly enhanced the lives of the participants.

Since 2015, Judge Carr has served as the supervising judge of the Enhanced Mental Health Services Docket which addresses the needs of high risk, frequently incarcerated mentally ill offenders. He has served as a consultant for numerous specialty courts around the state.

#### **Jason Steans (Prosecutor)**

Jason Steans began working with mental health and specialty courts in 2007 when he became Mental Health Court Lead for the Travis County Attorney's Office. Jason served as a prosecutor for the mental health docket in Travis County from 2007 through 2018. He subsequently served as the Assistant Director of Behavioral Health, Diversion Courts, and Special Programs in the Travis County Attorney's Office until 2021.

Jason is now the Mental Health Court Lead at the Williamson County Attorney's Office. He currently oversees operation of the Mental Health Diversion Program for the Williamson County Attorney's Office and handles cases involving mental health issues in the county courts.



#### **Todd Ver Weire (Defense Attorney)**



Todd Ver Weire began practicing law in 1993 and for the last 12 years his practice has primarily focused on representing individuals accused of crimes, with an emphasis on those suffering from a mental illness.

He worked with Hon. Donna King, of the 26<sup>th</sup> Judicial District, representatives from Bluebonnet Trails, and the District Attorney's office in organizing a felony mental health docket in Williamson County, Texas. He also serves as one of two program defense attorneys for the Williamson County Veterans' Treatment Court that is overseen by the Hon. Laura Barker, of County Court at Law Number 2.

#### **Liz Wiggins (Moderator)**

Elizabeth "Liz" Wiggins is the Program Manager with the Judicial Commission on Mental Health. She is a former prosecutor with the Williamson County Attorney's Office and a former criminal defense attorney. As an attorney with diverse experience serving the community in both the public and private sectors, Liz has worked with key stakeholders, including judges, prosecutors, defense counsel, local mental health authorities, probation, and community representatives to help improve the lives of people with mental health and IDD needs in the justice system. She is the JCMH staff member leading the project on creating the Texas Mental Health Court toolkit and the [10-Step Guide](#).



## *Top 5 Presentation Points*

**1. Texas law rules.** MHC programs can be used in various court settings, including, but not limited to, criminal, civil, and family law. MHC programs can also have varying goals, target participants, program conditions, treatment options, and can address mental health challenges in criminal courts either pre- or post-adjudication. [Tex. Gov't Code § 125.001](#) defines a mental health court as one with 9 essential characteristics. [Tex. Gov't Code § 121.002\(d\)](#) requires the program to comply with the Specialty Courts Advisory Council's programmatic best practices to receive state or federal grant funds administrated by a state agency.

**2. Your time is necessary, funding is optional.** To successfully create a local Mental Health Court (MHC) program, judges, and other key stakeholders, should expect to dedicate additional time, beyond the time spent for regular duties and standard dockets. You'll need time to develop a program that outlines the referral and intake process, the treatment plan options, and the program conditions. You'll also need time to collect data to justify starting, continuing, or expanding a MHC program. This data can be used to advocate for funding. There are various funding sources that may help with your MHC program, but funding is not required to get started. MHC programs can start small, focus on available capacity and resources.

**3. You are not alone.** There are Mental Health Court programs across the nation. Texas has a list of active specialty courts, which includes active Mental Health Court programs. Find a mentoring court and connect with judges who have the experience of starting their own MHC program. These judges can share details about what did or didn't work and why. Several agencies offer technical assistance and training at no cost.

**4. Teamwork makes the dream work!** Collaborating with stakeholders and community providers will inform the characteristics of your MHC program. Consider hosting a SIM Mapping Workshop to develop a list of resources and gather feedback from key stakeholders. The type of MHC program you have will inform the makeup of your team. For MHC programs in criminal courts, the team should include a judge, defense attorney, prosecutor, supervision officer (pretrial/probation/parole officer), and a case manager or representative from the local mental health authority. If appropriate for your type of program, you can include a representative from the sheriff's office or county jail medical, a social worker, a psychiatrist, a resource coordinator (check with your local NAMI chapter), a peer support specialist, and a person with lived experience to assist with the MHC program. Having certain knowledge or experience can be useful to the team but is not nearly as important as having the right heart and mindset.

**5. 10-Step Guide.** JCMH is currently working on the first Texas-specific mental health court toolkit. This toolkit will help judges and other key stakeholders develop their own MHC program or help expand or improve programs that already exist. JCMH released the [10-Step Guide](#), a companion to the toolkit. The guide is a quick reference for starting a program and is full of links to resources.