

County Mental Health Law Plan Mental Health Courts

Kristi Taylor, J.D.

Hon. James Henderson

Hon. Tamara Needles

Hon. Leon Grizzard

Feb. 23, 2024



Honorable Guest Speakers



James Corley Henderson
Grayson County Court at Law



Tamara B. Needles
427th District Court, Travis County



Leon Grizzard
Travis County Magistrate Court

Why Mental Health Courts?

Why Mental Health Courts?



Mental Health Court Analysis

Typically Use Drug Court Model

- Data
- Anecdotes

Early Intervention AND Mental Health Courts

- Space for both

Flexible

- Court or docket
- Focus on: Veterans, First Responders, Trafficked Persons, Adults, Children, co-occurring IDD or SUD

Research on Mental Health Court Effectiveness

- ▶ [Weighted meta-analytic results](#) indicate that MHC participation corresponds to a 74% decrease in recidivism.
- ▶ [Study of effectiveness of mental health court in reducing recidivism for severely mentally ill defendants with comorbid substance use disorders](#) found that when compared to participants in the traditional adversarial court, enrollment in mental health court was associated with a greater length of time to rearrest and fewer participants were rearrested in the mental health court than the traditional court.

Mental Health Courts in Texas

52

Total Counties
with 1 or more
Specialty
Court

25

Total Counties
with 1 or more
MHC Program
(adult & juvenile combined)

27

Total Adult
MHC
Programs

11

Total Juvenile
MHC
Programs

Counties with an Adult MH Court



Bexar	Hidalgo
Bowie	Kaufman
Cameron	McLennan
Collin	Medina
Comal	Midland
Dallas	Montgomery
El Paso	Potter
Fort Bend	Tarrant
Galveston	Travis
Harris	Uvalde
Hays	Val Verde

Counties with a Juvenile MH Court



Cameron	Fort Bend
Collin	Grayson
Dallas	Harris
Denton	Hidalgo
El Paso	Jefferson

MHC Ten Step Guide

MHC Step 1: Understand the Concept

Break the cycle by connecting people to appropriate treatment, resources & ongoing judicial monitoring

Pre- or Post-adjudication

Texas defines Mental Health Courts in Tex. Gov't. Code § 125.001

Judges: Please tell us about
your mental health court
programs.

MHC Step 2: Collect the Data

What data already exists?

What data is needed?

Develop a data plan:

- What data will we collect?
- Where will the data come from?
- Who will collect it?
- Where will we store the data and how do we keep it safe?

Types of Data

Participants

How many people did the court serve, and what are their characteristics?

- Number of individuals screened
- Number of individuals eligible (according to program criteria)
- Number of individuals accepted
- Relevant characteristics of the individuals who were eligible but not accepted (including demographics, charges, prior criminal history, diagnosis)
- Reasons not accepted (including legal or clinical reasons)
- Relevant characteristics of the eligible defendants who decline to participate
- Reasons for declining to participate (e.g., requirements too strict, supervision time too long)
- Relevant characteristics of those who were accepted into the court (e.g., demographics, charges, prior criminal history, diagnosis)
- Length of time between key decision points (e.g., screening to acceptance, acceptance to case termination)
- Reasons for termination (e.g., drop-out, completion, revocation)

Services

What services/what type of services did the court participants receive? How often did they receive them (e.g., once a week)? For how long did they receive them (e.g., six months)? These services might include:

- Assessment
- Case management
- Medication appointments
- Outpatient treatment
- Intensive outpatient treatment
- Psychosocial rehabilitation
- Housing
- Residential substance abuse treatment
- Integrated treatment for co-occurring disorders
- Supported employment, other vocational or employment training
- Education, GED preparation and testing
- Self-help groups
- Enrollment in Medicaid, Supplemental Security Income (SSI), and Social Security Disability Income (SSDI)
- Other locally important services

Criminal Justice Outcomes

What were the effects of these services on participants' criminal justice involvement?

- Number of arrests during program participation and subsequent to participation
- Type of charge (e.g., violent, property, drug, etc.)
- Number of admissions to jail or prison during program participation and subsequent to participation
- Reason for admission (e.g., new charge, technical violation)
- Number of days in jail or prison for new crimes
- Number of days in jail because of sanctions for nonadherence to court conditions

Mental Health Outcomes

What were the effects of the services on participants' mental health symptoms and overall functioning?

- Number of inpatient hospitalizations and length of stay
- Number of emergency room admissions and type of treatment received
- Changes in symptoms (using, for example, the Modified Colorado Symptom Index)³
- Number of days homeless
- Number of victimizations (e.g., domestic violence, assault, robbery)
- Level of satisfaction with services offered
- Changes in quality of life (using, for example, Lehman's Quality of Life Interview)⁴
- Number of days clean/sober, or number of positive urinalysis tests
- Number of days employed or in school during a specified period (e.g., 10 out of the last 30 days)
- Level of compliance with psychotropic medication plan

Effectiveness

- ▶ Center for Court Innovation states that data can show:
 - How specialty courts work
 - For what population
 - For how many people
 - What changes might lead to program improvement
- ▶ Cost efficiency
- ▶ Data can show over time the impact on:
 - Recidivism
 - Health outcomes
 - Quality-of-life metrics (housing status, job stability)

Tracking Data on Race

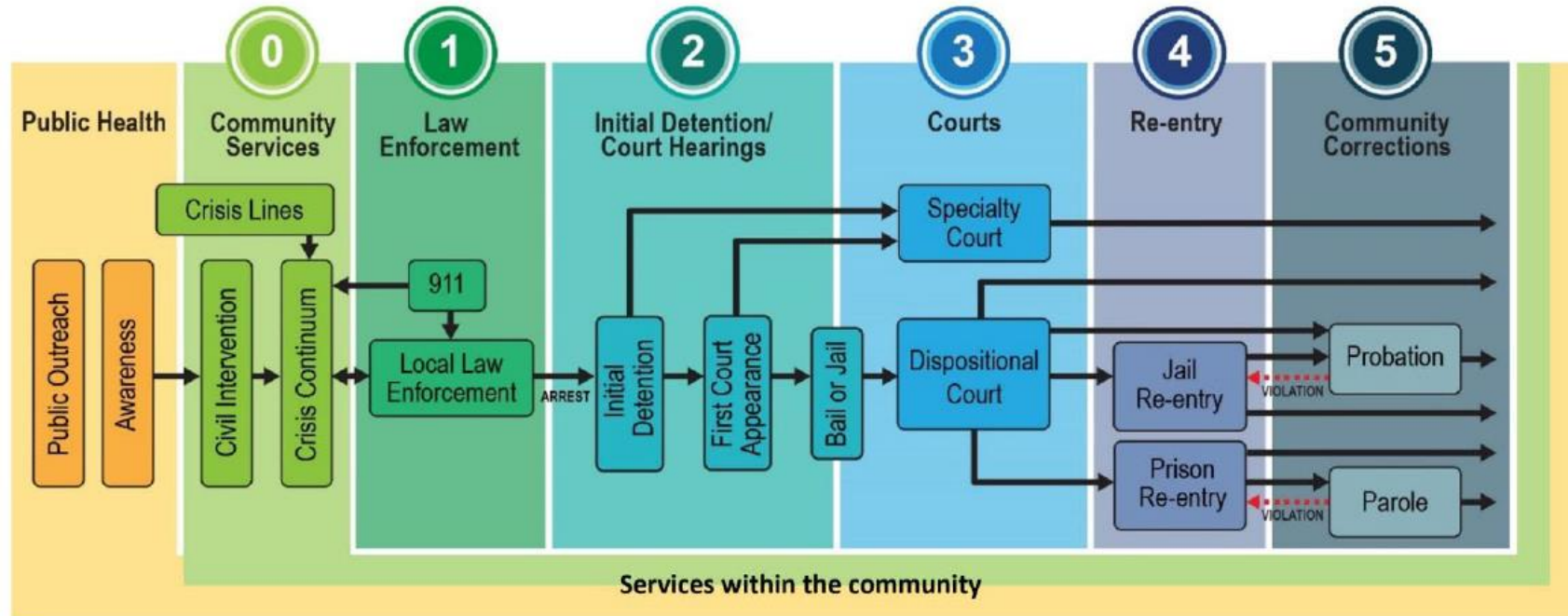
- ▶ Research is showing there may be significant racial disparities in MH court participation and outcomes
 - Awareness is first step and may lead to changes

https://www.prisonpolicy.org/blog/2023/03/07/diversion_racial_disparities/

<https://law.marquette.edu/facultyblog/2021/08/problem-solving-courts-can-produce-better-outcomes-for-participants-but-do-white-defendants-benefit-more-than-black/>

<https://nij.ojp.gov/funding/awards/15pnij-21-gg-04708-nijb>

MHC Step 3: Map Community Resources



- ▶ Consider a Sequential Intercept Model Mapping
 - Convenes stakeholders
 - Identifies available resources, service gaps, and opportunities for diversion
 - Prevents duplication of efforts

MHC

Step 4: Select the Team

Judge

Defense Attorney

Prosecutor

Supervision Officer

Case Manager

Treatment Provider

Judges: Who is on your
MHC team?

MHC Step 5: Train the Team

- ▶ Shadow other courts
- ▶ [Council on State Governments](#)
- ▶ [NPC Research](#)
- ▶ [Center for Court Innovation](#)
- ▶ [All Rise \(NADCP\)](#)
- ▶ JCMH [Summit](#)
- ▶ [Texas Association of Specialty Courts \(TASC\)](#)

MHC Step 6: Identify Participants



Offense type & level



Screening and Risk Assessment Tools



Mental Health Evaluation



Diagnosis



Referral Process



Final Eligibility

MHC Step 7: Plan the Program



Judges: What creative incentives have you used?

MHC Step 8: Document the Work

- ▶ Policy and Procedures Manual
- ▶ Participant Handbook
- ▶ Referral and Screening Procedures (HIPAA release)
- ▶ Eligibility Criteria
- ▶ MOUs
- ▶ Incentives and Sanctions
- ▶ Integrated Case Plan Template
- ▶ Program Goals and Measurable Objectives
- ▶ Program History and Partners
- ▶ Case Staffing and Status Hearing Procedures

Webinar on How to Apply for BJA Grants

The Federal Funding Process: The First Steps to Applying, How to Prepare Now, & Other Considerations

This webinar will help prepare applicants for Bureau of Justice Assistance (BJA) funding opportunities.

Prior to the release of a solicitation, there are a number of steps that applicants can take. In this webinar, attendees will learn what registrations are necessary to apply, how to navigate Grants.gov and JustGrants, and what resources are available for applicants, such as the Office of Justice Programs' Funding Resource Center. A Q&A session will follow at the end of the presentation.

Live captioning will be available.

Presenters:

- Elizabeth Wolfe, Special Assistant to the Director, BJA
- Olivia "Sunny" Schnitzer, Senior Advisor to the Director, BJA

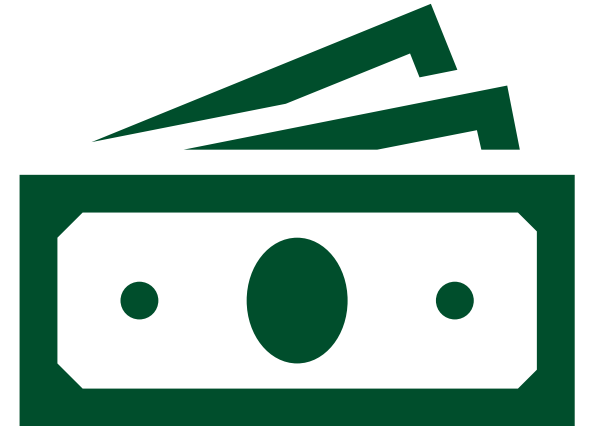
Monday, February 26, 2024

3 p.m. ET

[Register](#)

MHC Step 9: Find Funding

- ▶ Many start with little or no funding
- ▶ Start small and use existing resources
- ▶ Gather data to present to Commissioner's Court or community organizations
- ▶ Don't be intimidated by state or federal grants



Apply for State Funding

JCMH has a Toolkit outlining the process to apply for grants from the Office of the Governor

APPLY FOR A GRANT TO START OR EXPAND YOUR SPECIALTY COURT

What is a specialty court?

Specialty Courts are problem-solving courts or dockets designed to address the root causes of criminal behavior by coordinating efforts of the judiciary and many stakeholders. Together, they maintain a critical balance of authority, supervision, support, and encouragement. For example, a mental health court links offenders who would typically be sentenced to jail or prison with long-term treatment, which can include mental health assessments, individualized treatment plans, and judicial monitoring through check-ins.

How much funding is available?

The minimum amount you can ask for is \$10,000 and there is no maximum.

When do I have to apply?

Applications will open December 11, 2023 and close February 8, 2024. The application will take time to fill out, so start early. These five steps should keep you on track!

TO GET STARTED...

1 Visit the Office of the Governor's [eGrants site](#) and look for the "Specialty Courts Grant Program" announcement under "Funding Opportunities."

2 Read the announcement and answer these questions:

- Is my court program eligible? (A county government affiliated with a specialty court authorized under Chapters 121 through 130 of the Texas Government Code can apply.)
- What level of funding am I hoping to receive? (Minimum: \$10,000, Maximum: none)
- Does my court program meet all of the requirements in Texas Government Code, Section 121.002?
 - Written notice of the program
 - Any resolution or other official declaration under which the program was established
 - A copy of the applicable community justice plan that incorporates duties related to supervision that will be required under the program.
- Have I completed the BeST Assessment (Best Practices Self-Assessment Tool) within the last two years? In order to access the BeST Assessment, please contact the SCRC Project Manager at agregory@shsu.edu.
- Which judge will run our court?
- Have I read and do I understand the instructions about what must be included in my Specialty Court Program Narrative? (*under Special Application Procedures Addendum*)

Current and Upcoming Federal Funding Opportunities

AGENCY	SOLICITATION	ELIGIBILITY	GRANT TYPE/AMOUNT	WEBINAR	DEADLINE
SAMHSA	<u>Expand Substance Abuse Treatment Capacity in Adult and Family Treatment Drug Courts</u>	Adult, veterans, family, reentry	Expansion: \$400,000/yr (up to \$2,000,000 total)	<u>Webinar Recording</u>	4/1/24
BJA	<u>Adult Treatment Court Program</u>	Adult	Planning/Implementation: \$900,000 Enhancement: \$1,000,000 Statewide: \$2,500,000	<u>2/22 at 2:30 p.m. ET</u>	Grants.gov: 5/2/24 JustGrants: 5/9/24
BJA	Veterans Treatment Court Discretionary Grant Program	Veterans	TBD	TBD	TBD
OJJDP	Juvenile Drug Treatment Court Program	Juvenile	TBD	TBD	TBD
OJJDP	Family Treatment Court Program	Family	TBD	TBD	TBD

Funding Available for Mental Health Courts, Webinar March 19

Grants.gov deadline: May 9, 2024

JustGrants deadline: May 14, 2024

The U.S. Department of Justice Bureau of Justice Assistance (BJA) announces its [Justice and Mental Health Collaboration Program](#) for fiscal year (FY) 2024. **Creating or expanding mental health courts is one of the priority areas.**

The grant program provides grant funding to help organizations plan, implement, or expand comprehensive collaboration programs to improve public safety and public health for preliminarily qualified individuals with mental health disorders (including people with traumatic brain injury and post-traumatic stress disorder) or co-occurring mental health and substance use disorders who come in contact with the justice system.

Applicants are required to complete a **two-step submission process**; more information can be found on pages 5-6 of the [Notice of Funding Opportunity](#).

- Grants.gov deadline: May 9, 2024
- JustGrants deadline: May 14, 2024

Solicitation Webinar

BJA will host a webinar to assist with applications on **Tuesday, March 19 at 2:00 p.m. ET**. Registration is required; [click here to register now](#).

About the Grant Program

The BJA Justice and Mental Health Collaboration Program is designed to support applicants in the following categories:

- **Category 1: Criminal Justice System Collaboration: Pretrial, Prosecution, Courts, Behavioral Health**
 - Award amount: \$550,000 each
 - Award period: 36 months
- **Category 2: Community Justice and Collaboration: Jails/Prisons, Probation/Parole, Behavioral Health**
 - Award amount: \$550,000 each
 - Award period: 36 months

Judges: How did you fund
your program to start?

Any funding plans for the
future?

MHC Step 10: Register the Court



MHC Programs should be registered with the Office of Court Administration



Programs must meet requirements of Tex. Gov't. Code § 125.001 to register

Judges: Parting Tips?

Contact Information

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