



THE SUPREME COURT OF TEXAS

THE TEXAS COURT OF CRIMINAL APPEALS

Judicial Commission on Mental Health

January 26, 2023
Meeting Notebook



**January 26, 2023
Meeting Notebook**

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Tab 1
Agenda



Texas Judicial Commission on Mental Health
January 26, 2023
AGENDA

10:00	Welcome	Hon. Jane Bland
10:10	New Members	Hon. Jane Bland Hon. Rebeca Huddle
10:20	Executive Director Report Report to the Commission Strategic Plan Budget and Grants Report Communications ED Roundtable Technical Assistance	Kristi Taylor Hon. John J. Specia, Jr. Willette Sedwick Rose McBride Judge Dave Jahn Kama Harris
	Committee Updates Summit Bench Book Adult Bench Book Youth Data Long-Term Planning	Judge Brent Carr Judge Camile DuBose Judge Cyndi Wheless Dr. Connie Almeida Judge John Specia
11:15	2023 Legislative Status Update Criminal Proposals Civil Proposals Juvenile Proposals	Megan LaVoie Professor Brian Shannon Judge Brent Carr Molly Davis
11:45	Networking Lunch Break	Hon. Rebeca Huddle
12:15	Education on Motivational Interviewing	Matt Smith
1:00	Commissioner/Collaborative Council Announcements (Please submit a card)	Hon. Jane Bland
2:00	Adjourn	Hon. Rebeca Huddle

Tab 2

**Executive Committee,
Commissioners,
& Collaborative Council**

JUDICIAL COMMISSION ON MENTAL HEALTH

Executive Committee & Commissioners

Executive Committee

Hon. Jane Bland, Co-Chair

Justice

Supreme Court of Texas

Hon. Barbara Hervey, Co-Chair

Judge

Texas Court of Criminal Appeals

Hon. Bill Boyce, Vice-Chair

Justice (Fmr.)

Fourteenth Court of Appeals

Alexander, Dubose & Jefferson, LLP

Hon. John J. Specia, Jr.

Judge (Ret.)

Plunkett, Griesenbeck & Mimari, Inc.

Megan LaVoie

Administrative Director

Office of Court Administration

High Court Liaisons

Hon. Rebeca Huddle

Justice

Supreme Court of Texas

Hon. Jesse F. McClure, III

Judge

Texas Court of Criminal Appeals

Commissioners

Dr. Connie Almeida

Director of Behavioral Health

Fort Bend County Behavioral Health Services

Hon. Cory Carlyle

Justice

Fifth Court of Appeals, Dallas

Hon. Brent Carr

Judge (Ret.)

Tarrant County, Texas

Hon. Francisco Dominguez

Judge

El Paso County, 205th Judicial District Court

Hon. Camile DuBose

Judge

Real and Uvalde Counties, 38th Judicial District

Dr. Melissa Eshelman

Associate Professor

University of Texas at Austin, Dell Medical School

David Evans

Chief Executive Officer

Integral Care

Dr. Tony Fabelo

Senior Fellow for Justice Policy

Meadows Mental Health Policy Institute

Alyse Ferguson

Chief Counsel

Collin County Mental Health Managed Counsel

Sonja Gaines

Deputy Executive Commissioner for

Intellectual and Developmental Disability and Behavioral Health Services

Texas Health and Human Services Commission

Kevin Garrett

Attorney

Austin, Texas

Dr. Courtney Harvey

State Mental Health Coordinator & Associate Commissioner

Office of Mental Health Coordination, Texas Health and Human Services Commission

Hon. Bonnie Hellums

Judge (Ret.)

Harris County, Texas

JUDICIAL COMMISSION ON MENTAL HEALTH

Executive Committee & Commissioners

Courtney Hjaltnan

Policy Advisor
Office of the Governor

Hon. Yolanda Huff

Judge
Bexar County Court at Law No. 12

Hon. Joan Huffman

Senator, District 17
Texas Senate

Hon. Dave Jahn

Judge
Denton County Probate Court

Hon. Oscar Kazen

Judge
Bexar County Probate Court No. 1

Dr. Andrew Keller

President and CEO
Meadows Mental Health Policy Institute

Adrienne Kennedy

Past President
National Alliance on Mental Illness

Hon. Sue Kurita

Judge
El Paso County Court at Law No. 6

Beth Lawson

Chief Executive Officer
StarCare Specialty Health System

Chief Mike Lee

Chief Deputy Sheriff
Harris County Sheriff's Office

Hon. Elizabeth Byer Leonard

Judge
Midland County, 238th District Court

Hon. Pam Liston

Magistrate Judge
Senior Attorney
Messer, Fort & McDonald, PLLC

Dr. Octavio Martinez

Executive Director
Hogg Foundation for Mental Health

Hon. Stacey Mathews

Judge
Williamson County, 277th District Court

Beth Mitchell

Supervising Attorney
Disability Rights Texas

Hon. Joe Moody

Representative, District 78
Texas House of Representatives

Hon. Tamara Needles

Judge
Travis County, 427th Criminal District Court

Hon. Roxanne Nelson

Justice of the Peace
Burnet County, Precinct 1

Denise Oncken

Bureau Chief
Harris County District Attorney's Office

Lee Pierson

Chief Mental Health Prosecutor
Dallas County District Attorney's Office

Hon. Renee Rodriguez-Betancourt

Judge
Hidalgo County, 449th District Court

Scott Schalchlin

Deputy Executive Commissioner for the HHSC
Health and Specialty Care System
Texas Health and Human Services
Commission

Prof. Brian Shannon

Paul Whitfield Horn Professor
Texas Tech University School of Law

Shelley Smith

Chief Executive Officer
West Texas Centers, Howard County

JUDICIAL COMMISSION ON MENTAL HEALTH
Executive Committee & Commissioners

Chief Stan Standridge

Chief of Police

San Marcos Police Department

Hon. Charles Stephens

Judge

Comal County Court at Law No. 2

Hon. Cynthia Wheless

Judge

Collin County, 417th District Court

Brandon Wood

Executive Director

Texas Commission on Jail Standards

Wayne Young

Chief Executive Office

The Harris Center

April Zamora

Director

Reentry and Integration Division, Texas
Correctional Office on Offenders with Medical
or Mental Impairments, Texas Department of
Criminal Justice

JUDICIAL COMMISSION ON MENTAL HEALTH

Collaborative Council

Hon. Devon Anderson

President & CEO

Justice Forward

Kathleen Casey-Gamez

Senior Policy Analyst

Texas Indigent Defense Commission

Hon. Mark Atkinson

Chief Executive Officer

Texas Center for the Judiciary

Alex Cogan

Community Engagement Specialist

City of Austin

Erica Baldwin

Community Diversion Coordinator

Denton County

Armondo C. Colombo

President & CEO

The Menninger Clinic

Hon. Laura Barker

Judge

Williamson County Court at Law No. 2

Leah Davies

Project Manager

Strategic Health Alliance

Kelsey Bernstein

Legislative Consultant

Texas Association of Counties

Colleen Davis

Assistant County Attorney

Burnet County Attorney's Office

Catherine Bialick

Senior Advisor, Forensic Services

Office of Mental Health Coordination,

Texas Health and Human Services

Commission

Shawn Edwards

Regional Director

Central Texas Law Enforcement Peer

Network; Texas CIT Association

Alison Mohr Boleware

Director of Policy

Hogg Foundation for Mental Health

Lesli Fitzpatrick

Attorney

Law Office of Lesli Fitzpatrick

Dr. Virginia Brown

Assistant Professor

Dept. of Population Health, Dell Medical

School, The University of Texas at Austin

Chief Zachary Flores

Executive Director of Public Safety

City of Sherman

Hon. Sarah Bruchmiller

Judge

Williamson County, 368th District Court

Hon. Neal Franklin

County Judge

Smith County

Sonja Burns

Mental Health Advocate

Gilbert Gonzales

Director

Bexar County Department of Behavioral and

Mental Health

Hon. Nelda Cacciotti

Judicial Staff Counsel and Mental Health

Magistrate

Tarrant County

Jennings Greer

DBT Implementation Leader (Fmr.)

Texas Juvenile Justice Department

Dr. Diana Cantu

Grayson County

Krishnaveni Gundu

Co-Founder & Executive Director

Texas Jail Project

JUDICIAL COMMISSION ON MENTAL HEALTH
Collaborative Council

Rachel Hampton

Chief Mission Officer

Lone Star Justice Alliance

Greg Hansch

Executive Director

NAMI Texas

Hon. James C. Henderson

Judge

Grayson County Court at Law No. 1

Angelita Hunter

Municipal Court Supervisor

City of McKinney Municipal Court

Trina K. Ita

Associate Commissioner

Medical & Social Services Division,
Behavioral Health Services, Texas Health and
Human Services Commission

Lee Johnson

Chief Executive Officer

Texas Council of Community Centers, Inc.

Windy Johnson

Program Manager

Texas Conference of Urban Counties

Kathy Johnston

Rural Health Specialist

State Office of Rural Health, Texas
Department of Agriculture

Louise Joy

Partner

Joy & Young, LLP

Hon. Evelyn Keyes

Justice (Ret.)

First Court of Appeals

Yolanda Lewis

Executive Vice President for Justice and Health
Meadows Mental Health Policy Institute

Chris Lopez

Assistant General Counsel

Policy Department, Legal Services Division,
Texas Health and Human Services
Commission

Mike Lozito

Judicial Services Director

Office of the County Manager, Bexar County

Dr. Charles Mathias

Associate Professor

University of Texas Health Science Center-
San Antonio

Hon. Lela Mays

Judge

Dallas County, 283rd District Court

Trish McAllister

Executive Director

Access to Justice Commission

Rosie Medina

Chief Juvenile Probation Officer

El Paso County Juvenile Probation
Department

Trooper Bianca Morales

Highway Patrol

Texas Department of Public Safety

Magdalena Morales-Aina

Director

El Paso County Community Supervision and
Corrections Department

Jennifer Mudge

Public Policy Director

Texas Council on Family Violence

Hon. Kirk D. Noaker

*Senior Specialist, Mental Health & Criminal
Justice*

Arc of Texas

Hon. Rita Noel

Grayson County Justice of the Peace (Ret.)

Denison Independent School District

JUDICIAL COMMISSION ON MENTAL HEALTH
Collaborative Council

Dr. Susan Palacios

Program Specialist

Texas Juvenile Justice Department

John Petрила

Senior Executive Vice-President of Policy

Meadows Mental Health Policy Institute

Hon. Daphne Previti-Austin

Judge (Fmr.)

Bexar County, 289th Juvenile District Court

Law Office of Shawn C. Brown, P.C.

Officer Terry Qualls

Crisis Intervention Coordinator

McKinney Police Department

Janis Reinken

Former Chief Clerk

House Committee on Corrections

Chris Ritter

In-house Legal Counsel

State Bar of Texas

Michelle Romero

Associate Director

Texas Medical Association

Deputy Joe Ross

Mental Health Deputy

Grayson County Sheriff's Office

Rachel Samsel

Deputy Associate Commissioner for Strategic

Initiatives & Policy, State Hospitals

Texas Health and Human Services

Commission

Melissa Schank

Executive Director

Texas Criminal Defense Lawyers Association

Jonas Schwartz

Program Manager

Texas Workforce Commission

Melissa Shearer

Director

Travis County Mental Health Public Defender's
Office

Dr. Jennie Simpson

Forensic Director

Texas Health and Human Services
Commission

Matt Smith

*Assistant Executive Director, Director of
Mental Health Services*

Williamson County Juvenile Services

Hon. Mike Smith

Judge

Brown County, 35th District Court

Dr. Sandra Smith

Peer Programs Manager

Via Hope

Lt. Scott Soland

President

Texas CIT Association

Gloria Terry

Chief Executive Officer

Texas Council on Family Violence

Jennifer Toon

Mental Health Peer Policy Fellow

Coalition of Texans with Disabilities

Haley Turner

Deputy Executive Commissioner for

Community Services

Texas Health and Human Services
Commission

Hon. Ryan Kellus Turner

Executive Director

Texas Municipal Courts Education Center

Sally Uncapher

Assistant District Attorney

Bexar County District Attorney's Office

JUDICIAL COMMISSION ON MENTAL HEALTH
Collaborative Council

Hon. Grace Uzomba

Judge (Fmr.)

Bexar County Court at Law #2
Law Office of Grace M. Uzomba

Julie Wayman

*Mental and Behavioral Health Manager,
Interagency Liaison*
Texas Education Agency

Nicole Weaver

*YES Waiver Manager, Mental Health
Programs, Policy and Planning*
Texas Health and Human Services
Commission

Thea Whalen

Executive Director

Texas Justice Courts Training Center

Hon. Deborah Wigington

Judge

Comal County Court at Law No. 3

Sheriff Dennis Wilson

Limestone County

Sheriff's Association of Texas

Thomas Wilson

Assistant District Attorney, Civil Division
Smith County District Attorney's Office

Steve Wohleb

Senior Vice-President/General Counsel
Texas Hospital Association

Tab 3

Minutes from September 2022

Meeting

**JUDICIAL COMMISSION ON MENTAL HEALTH
MINUTES OF MEETING
September 14, 2022
10:00 A.M. – 2:00 P.M.
Stephen F. Austin Building, RM 170
Austin, Texas 78701**

Welcome and Announcements

Justice Jane Bland opened the meeting and welcomed all in attendance. She stated that during the business meeting, updates on committee work, including the Legislative Research Committee, will be provided. Justice Bland reminded everyone that the 2022 Judicial Summit on Mental Health will be held November 2-4 in Grapevine.

Hon. Jesse F. McClure, III welcomed everyone.

Justice Jane Bland welcomed new members to the Collaborative Council: Chris Ritter, in-house legal counsel for the State Bar of Texas; and Judge Sarah Bruchmiller, Associate Judge for Williamson County.

Roundtable Report

Justice Rebecca Huddle reported that at the February Children’s Commission meeting, several of those Commissioners planted the seed for the Round Table by expressing urgent concerns regarding the mental health needs of children involved in the child welfare system. She discussed the Roundtable, which was the beginning of the conversation on supporting the mental health needs of children in care and in the juvenile system. About 40 experts in child welfare, juvenile law, and mental health attended and contributed to the dialogue. Justice Huddle then directed everyone to the screen for a video about the event.

Commission Report

Molly Davis thanked the staff who assisted in putting the Commission meeting together. She gave an update on the Forms Committee, which discussed and developed about 70 standard forms related to mental health. From those forms, seven were chosen to be reviewed by the Supreme Court Advisory Committee, and Supreme Court Rules Attorney Jackie Daumerie revised the seven forms to be easier to understand and more accessible for pro se defendants. The revised forms were discussed in the August 19th SCAC meeting, where a recommendation was made to the Supreme Court to adopt a new rule of judicial administration that would prohibit a judge from rejecting these forms if they were substantively correct.

Hon. John Specia stated that the Long-Term Planning Committee met and discussed a new strategic plan for the JCMH in May. During the meeting, the Committee agreed on the underlying tenets of collaboration, education, and leadership. He discussed a vision statement that had been drafted. The overarching goals, strategic plan, and yearly operational plan are being finalized and will be submitted to the JCMH Executive Committee for review. Then the plans will be shared with the Commission and Collaborative Council for comment and approval.

Rose McBride reported that the 5th Annual Judicial Summit is approaching, with a new Whole Texas campaign that seeks to register an attendee from every county in Texas. People from 153 counties are registered, with 101 counties remaining unrepresented. She also updated everyone about a new page added to the website and new navigation features. She stated that a new Beyond the Bio on Judge Rita Noel is out and that a feature on Beth Mitchell will be up soon. She stated that a training video on mental health courts is on the horizon and referenced Judge Elizabeth Byer Leonard and Judge Brent Carr, who explained how they started in their courts.

Kama Harris reported that the Summit registration reached capacity for in-person attendees and that there was a waiting list of people who wanted to switch from livestream to in-person attendance. She reported approximately 800 registrants, representing 152 Texas counties as well as out-of-state attendees. She reported on the 16.22 Guide, which was created in conjunction with the Data Committee. The goal is that more counties will utilize the law and, as a bonus, that OCA may start to receive more accurate monthly reporting numbers for section 16.22 reports. She thanked the Summit Curriculum Committee and the Data Committee for shaping and leading these projects.

Liz Wiggins greeted everyone and directed everyone to the Technical Assistance tab and referenced the pilot program, mental health courts, and SIM Mappings updates. She reported that Denton, Grayson, and Smith Counties were granted funds to hire a community diversion coordinator, and it has been nearly a full year since the coordinators were hired. She reported that all three counties participated in HHSC's Jail In-Reach Learning Collaborative. Liz reported on the Texas SIM Mappings document, which showed the counties that have had a mapping of some sort in the past five years. Out of 254 counties, it appears that only about 48 have been mapped in some form during that time frame. She directed everyone to the Texas Mental Health Courts document and reported her coordination with the Office of Court Administration, the Specialty Court Resource Center, and the Texas Association of Specialty Courts to compile information about our operating mental health courts across the state. There appear to be about 38 mental health court programs operating across 25 counties in the state.

Kama Harris reported that legislative proposals have been submitted to the Judicial Council ahead of the 88th Legislative Session starting in January. The Legislative proposals are part the Commission's work in the Legislative Research Committee. The Committee studies and recommends improvements to laws and rules relating to mental health and intellectual and developmental disabilities. The Committee is comprised of judges at all levels of the judiciary, law enforcement officials, physicians, and mental health providers. Kama also reported that the committee divided its work into two subcommittees: criminal laws relating to adults with mental illness or intellectual disability and civil commitment law. Additionally, the work of the Chapter 55 Advisory Committee, which sought to improve the civil laws involving children and youth with mental illness or intellectual disability, is included in the JCMH legislative report.

Professor Brian Shannon greeted everyone and introduced himself. He reported the submission of seven criminal law proposals to the Judicial Council for their review for the upcoming legislative session. He commented that discussion of mental health topics has increased among rural and urban judges alike and credited the Commission for the change. To help with the competency restoration crisis, the competency restoration subcommittee proposed legislation that would amend 46B to limit or create alternatives to the use of competency restoration services or competency proceedings in certain misdemeanor cases. He explained what those recommended changes would be to the bill and some clarifying provisions as well.

Judge Brent Carr reported on the civil subcommittee that submitted four proposals to the Texas Judicial Council. The four proposals are: Electronic Application for Emergency Detention Warrants by Qualified Professionals at Hospitals and Mental Health Facilities, Security of Firearms Found in

Possession of Persons in Emergency Detention Under a Warrant, Authorization for Blood Draws for Patients Receiving Court-Ordered Medication and Clarification of a Law Enforcement Officer's Duties upon Presenting an Individual for Mental Health Services. Judge Carr reported that in 2021, the JCMH experienced a high degree of success at the legislature and that ten of the proposals were passed into law.

Molly Davis stated the need for a comprehensive revision to make Chapter 55 more appropriate and specific for children and youth. The Committee aimed to streamline processes in fitness to proceed and lack of responsibility proceedings, to strengthen the value of expert examinations and reports, and to expand the use of outpatient restoration and services when appropriate and available. She reported that the Committee recommended making several small changes to Chapter 55 that encourage the use of outpatient services whenever available. She reported recommendations to other parts of the of Chapter 55 were made. She thanked the committee and chairs for their leadership, knowledge, and vision.

Justice Bland announced a break for a working lunch. The Meeting reconvened at 12:30. Justice Bland welcomed everyone back and stated the privilege of hearing from JCMH Commissioner and State Representative Joe Moody. Representative Moody, a lifelong El Pasoan, followed the example of public service set by his father, District Judge William Moody, and his mother, El Paso schoolteacher Magdalena Morales-Moody. The Commission welcomed Rep. Joe Moody.

Presentation

Hon. Joe Moody welcomed everyone and gave a presentation on understanding the legislative process.

Judge Bland thanked Rep. Joe Moody for his presentation.

Patrick Passmore gave the Budget and Grants Report and other financial updates.

Announcements

Justice Bland invited Commissioners and the Collaborative Council to make announcements. The meeting recording was of poor quality, so unfortunately the announcements were not accurately preserved for the purpose of these Minutes. She announced the upcoming Commission meeting on January 26, 2023 and thanked everyone for attending.

Meeting adjourned.

Tab 4

Report to the Commission



TEXAS JUDICIAL COMMISSION
ON MENTAL HEALTH

REPORT TO THE COMMISSION

January 26, 2023

www.texasjcmh.gov

Report of the Executive Director

The mission of the Judicial Commission on Mental Health is to engage and empower court systems through [collaboration](#), [education](#), and [leadership](#), thereby improving the lives of individuals with mental health needs, substance use disorders, and intellectual and developmental disabilities. The following report will provide an overview of the projects the JCMH has undertaken to further these objectives.

Collaboration

The JCMH has many initiatives created to bring together experts to solve systemic problems. The JCMH legislative committees are an example of multi-disciplinary stakeholders working together to create legislation recommendations for the Texas Judicial Council. Below are descriptions of the legislative committees as well as other collaborative efforts of the JCMH.

1. Commission

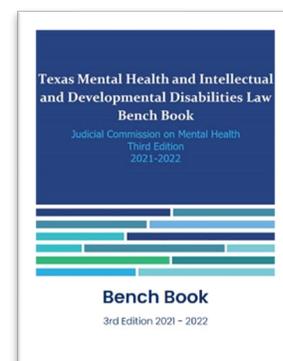
JCMH Commissioners provide a deep well of collaboration through their diverse backgrounds and experiences. Commissioners meet at least three times a year, providing information to promote best practices and improve the function of the judiciary for those with mental health, substance use, or IDD needs. The Commissioners often participate in additional collaborative events when needed. Commissioners typically serve two-year renewable terms, but the current terms were extended to three-year terms due to the challenges of meeting during the pandemic.

2. Collaborative Council

The Collaborative Council keeps the JCMH updated on emerging issues in the field. JCMH staff holds quarterly calls where the collaborative council members share their organization's conferences, projects, and best practices around the state. The Collaborative Council met virtually three times in 2022. After each meeting, JCMH staff produced a detailed summary that highlighted upcoming trainings from partner organizations, as well as links to resources that were mentioned during the meeting. [Materials](#) from past meetings and upcoming scheduled meetings are provided on the JCMH website.

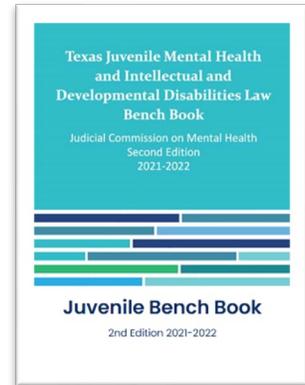
3. JCMH Bench Book Committee

The JCMH Bench Book Committee is chaired by Judge Camile DuBose. The Committee began its work in early 2018 to develop the first edition of the Texas Mental Health and Intellectual and Developmental Disabilities Law Bench Book. In 2021, the Committee published its 3rd Edition in print and [online](#). So far, almost 900 printed copies of the 3rd edition have been distributed to stakeholders. The Committee paused in 2022 and will reconvene its work in 2023.



4. Juvenile Bench Book Committee

The Juvenile Bench Book Committee is chaired by Judge Cynthia Wheless. The Committee began in 2020 to launch the Texas Juvenile Mental Health and Intellectual and Developmental Disabilities Law Bench Book (commonly called the Juvenile Bench Book). In 2021, the Committee published the 2nd edition in print and [online](#). Over 600 copies of the 2nd edition have been distributed to stakeholders, and a handful remain available. The Committee will reconvene in 2023 to create the 3rd edition.



5. Summit Curriculum Committee

The Summit Curriculum Committee, chaired by Judge Brent Carr, advises on speakers and curriculum for the Annual Judicial Summit on Mental Health. The Committee works to ensure that the presentation topics promote the JCMH mission and lead the way in this ever-changing legal field. The Committee met on May 6, and August 2, 2022, to work on the 5th Annual Judicial Summit on Mental Health. See tab 7 of this notebook for detailed information on the Summit.

6. Legislative Research Committee

In September 2022, the JCMH Legislative Research Committee (LRC) completed a report detailing seven criminal law proposals, four civil law proposals, and a proposed revision of Texas Family Code Chapter 55 that was submitted by an outside committee of juvenile law experts. This 88th Legislative Session Report was submitted to the Texas Judicial Council, which voted to approve all of the proposals.

Justice Bill Boyce is the chair of the LRC, which is divided into two sub-committees: Civil and Criminal, chaired by Judge Brent Carr and Professor Brian Shannon, respectively. The LRC and subcommittees met numerous times throughout 2022 to write and refine legislative proposals for the 2023 Legislative Session.

7. Forms Committee

The Forms Committee developed over 60 [forms](#) related to mental health, which are available on the JCMH website. Recently, the Supreme Court Advisory Committee considered seven forms related to mental health and are in the process of formulating a rule that prohibits the rejection of these seven forms if they are properly completed. A [report](#) of all Commission activities related to S.B. 362 (86th Reg. Sess. (2019)), including that of the Forms Committee, is available on the website.

The Forms Committee, chaired by Judge Dave Jahn, was established in December 2019. Tasked with examining common mental health forms, the Committee sought to produce a set of standardized forms that could be used in any county in the state. The Committee met regularly in 2020 and completed their work in 2021 on forms related to Emergency Detention, Order of Protective Custody, Court-Ordered Mental Health and IDD services, Jail and Magistration,

Incompetency, Psychoactive Medication, and Intellectual and Developmental Disabilities proceedings.

8. Long-Term Planning Committee

The Long-Term Planning Committee, chaired by Judge John Specia, Jr., has focused on long-term goal setting and offering input on possible new JCMH projects. Specifically, the Committee discussed how to support judicial leaders in their work: (i) as judicial leaders within with their communities; (ii) creating and augmenting mental health courts and dockets; (iii) incorporating best practices for youth; and (iv) including best practices related to improving disparate outcomes for diversities such as race, geography, gender, and economic factors. On May 19, 2022, the Long-Term Planning Committee met to create an updated JCMH strategic plan with these topics at the forefront. The day-long meeting was facilitated by Dr. Charles Mathias, Associate Professor at the University of Texas Health Center. During the meeting, members framed a more comprehensive and focused strategic plan that will guide the work of the JCMH. The new Strategic Plan will be accompanied by an Operational Plan, which will both be reviewed by the Executive Committee and then will be sent out to the Commissioners for comment.

9. Data Committee

The Data Committee, chaired by Dr. Connie Almeida, met in 2022 to continue work on the 16.22 Data Project.

The 16.22 Data Project began with an educational campaign to encourage counties to utilize the 16.22 process for early identification of individuals with mental illness or IDD in the local criminal justice system and to ensure proper reporting to OCA. The Committee has helped to create a 16.22 Step-By-Step Guide which is now available [here](#) on the JCMH website and in print. This Committee will also assist in the creation of an education video on the 16.22 process.



The Competency Restoration Data Project will allow the JCMH and the Data Committee to connect judges with competency restoration data for their county. JCMH will partner with HHSC to access this data dashboard and create a process for sharing the data with judges. HHSC has requested that this project be put on hold until after the legislative session.

10. JCMH Executive Committee

The Executive Committee is comprised of Justice Jane Bland, Judge Barbara Hervey, Justice Rebeca Huddle, Judge Jesse McClure III, Justice Bill Boyce, Judge John Specia, Megan LaVoie, and Kristi Taylor. It meets at least quarterly, or more if needed, to advise on JCMH operations, projects, and policy.

Education

The JCMH creates specialized training, resources, and tools for judges, attorneys, court personnel, and other stakeholders.

1. 5th Annual Judicial Summit on Mental Health

The 2022 Summit took place on November 2-4, 2022, at the Great Wolf Lodge in Grapevine, Texas. Topics included a Mental Health Court *Stump the Experts Q&A* session, information on AOT Programs and the new AOT Guide, and practical tips for litigating MH and IDD cases. In 2022, JCMH launched the *Whole Body, Whole Mind, Whole Texas* Challenge, in which JCMH challenged every county in Texas to be represented at the Summit. 187 Texas counties, 18 states, and two countries enjoyed representation at the 5th Annual Summit.



2. Texas Mental Health and Intellectual and Developmental Disabilities Law [Bench Book](#)

The Bench Book is a 255-page book for Texas judges hearing cases regarding persons with mental illness and/or IDD. Each section contains applicable statutory processes, relevant best practices and guidance, and cross-references to mandatory forms. The third edition of the Bench Book was released at the 2021 Judicial Summit on Mental Health. Print copies of the Bench Book and all other JCMH publications can be ordered by sending an email to JCMH@txcourts.gov, and a digital version of the 3rd Edition is currently available on the [JCMH website](#) and on the LawBox app.

3. Texas Juvenile Mental Health and Intellectual and Developmental Disabilities Law [Bench Book](#)

The Juvenile Bench Book is a 150-page book for Texas judges hearing cases regarding youth and adolescents with mental illness and/or IDD. Each section contains applicable statutory processes, relevant best practices and guidance, equity considerations, and suggested forms. The second edition of the Juvenile Bench book was released at the 2021 Judicial Summit on Mental Health. A handful of print copies of the Juvenile Bench Book remain and can be ordered by sending an email to JCMH@txcourts.gov; a digital version of the 2nd edition is currently available on the [JCMH website](#) and on the LawBox app.

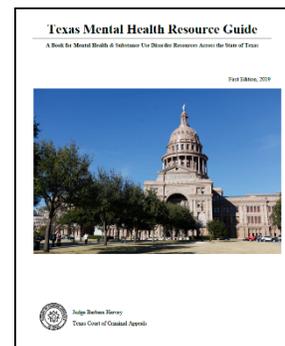
4. Mental Health [Code Book](#)



The JCMH, building on the work of Chris Lopez at HHSC, created the *Texas Mental Health and Intellectual and Developmental Disabilities Law: Selected Statutes and Rules*, a collection of Texas statutes related to mental health and IDD in one convenient volume. The digital version is available on the JCMH website, and a printed copy can be ordered by sending an email to JCMH@txcourts.gov. The Mental Health Code Book was updated following the 87th Legislative Session.

5. Texas Mental Health Resource Guide

The [Texas Mental Health Resource Guide](#) was created from Judge Barbara Hervey's vision and provides an explanation of mental health services and lists resources indexed by type, region, and county. The Resource Guide is intended to be continually updated, and information or resources for the benefit of those with mental health challenges can be sent to the Court of Criminal Appeals at Mentalhealthresource@txcourts.gov.



6. Jurist in Residence Letters

Judge John Specia, Jr., Senior District Judge (Ret.) distributes letters throughout the year to keep judges, attorneys, and other stakeholders updated on relevant changes to the law and share helpful resources and tools. Five JIR letters were sent in 2022, and recent topics include information on Behavioral Health Leadership Teams, a survey on Mental Health Commitments from partner organizations HHSC and TIEMH, and Summit registration details. All previously released Jurist-in-Residence letters are available on our website, [here](#).

7. Resource Letters

In December 2022, JCMH issued its first Resource Letter. Resource Letters are short communiques designed to quickly disseminate information and announcements about resources and training opportunities for stakeholders. The first two letters included information on a suicide prevention webinar, the comment period for a proposed rule regarding the use of restraints for juveniles, HHSC's Suicide Care Initiative, and a grant opportunity from STEP UP Texas.

8. JCMH [Website](#)

The new and improved JCMH website continues to be more functional and has greater capacity for JCMH's expanded body of work. The site features a user-friendly interface to access several resources in one place. The site also showcases JCMH's [events](#) with illustrative pictures and, in some cases, [videos](#). Requests for [technical assistance](#) have been streamlined to allow the user to make a request directly from the page. Our [Beyond the Bio](#) page adds a unique touch by sharing personal information about our commissioners and collaborative council members.

9. Legislative Materials

The JCMH prepares tools and resources regarding mental health and IDD legislation. JCMH is currently preparing summaries of proposals submitted to the Texas Judicial Council for the current 88th Legislative Session. You can find summaries of the bills passed in the last legislative session from JCMH proposals [here](#).

10. Presentations to Partner Organizations

JCMH leaders have been featured speakers at national and statewide events. Also, JCMH staff have been invited to speak on mental health topics, specialty courts, and collaborative leadership at many conferences and events in the past few months:

- In November, Executive Director Kristi Taylor and Staff Attorney Kama Harris spoke at the South Texas Justice of the Peace & Constables Association Conference about mental health issues in magistration including 16.22 procedures.
- In October, Kristi Taylor spoke about the sequential intercept model at the Correctional Management Institute of Texas's Ninth Annual Mental Health Conference.
- Also in October, Kama Harris gave a JCMH update at the Texas Hospital Association's Quality & Behavioral Health Conference.
- Each month throughout the 2022-2023 training year, Kama Harris has been teaching a Primer on Emergency Apprehensions and Detentions to municipal judges across Texas through the Texas Municipal Court Education Center's Regional Judges Seminars.

To request a JCMH staff member to speak at your event, please complete the [speaker form](#) on our website.

Leadership

The JCMH recognizes that judicial leadership is essential to furthering our mission and supports statewide and local initiatives to provide courts with the tools and resources they need.

1. Technology Grants

For Fiscal Year 2023, JCMH has granted one grant to the Office of Court Administration to make improvements to the County Innovations in Mental Health Map.

2. Community Diversion Coordinator Pilot Project

The JCMH, in partnership with HHSC, granted funds to three counties for a pilot project intended to divert individuals with mental illness who are charged with nonviolent misdemeanor offenses from the criminal justice system. Three test sites were selected for implementation: Denton County, Grayson County, and Smith County. Each county hired a Coordinator in Fall 2021. In 2022, JCMH hosted SIM workshops for all three counties. Action plan reports have been provided

to both Denton and Grayson counties for the coordinators to utilize. The program evaluation for all three counties by the National Center for State Courts is underway.

3. Round Table Series

Round Table discussions are designed to address key issues affecting mental health and IDD law and the courts that hear those cases. The discussions are usually a half-day program facilitated by a subject-matter expert. The topics vary year to year and the number of Round Tables hosted each year also varies according to the interest of stakeholders and issues demanding attention. A Round Table on children’s mental health issues was co-hosted by the Supreme Court Children’s Commission in June 2022; the [report](#) is available on both commissions’ websites. In December 2022, a Round Table on complex issues in Emergency Detention proceedings was held; the forthcoming report will be published on the JCMH website once it is available. Plans are underway for a Round Table on Mental Health Courts to be held in 2023.

4. Technical Assistance for Courts and Communities

JCMH continues to provide Technical Assistance services, including connecting judges with experts and peers, and assisting in the creation of mental health court programs. In July 2022, JCMH began offering half-day Mental Health Law Education to communities upon request, starting with Liberty County and McLennan County. The next half-day training will be January 31, 2023 in Burnet County.



JCMH continues to provide courts with access to Sequential Intercept Model (SIM) Mapping Workshops. JCMH has participated in facilitating and planning numerous workshops, and partners and consults with various agencies and contractors to expand capacity and reach more communities. There are several upcoming workshops scheduled and JCMH continues to receive requests for additional workshops.



DATE	Type	COUNTY	AGENCY LEAD
pending	SIM Workshop	El Paso	JCMH
pending	SIM Workshop	Hidalgo	JCMH
March 2 and 3, 2023	SIM Workshop	Jack	JCMH
April 27 and 28, 2023	SIM Workshop	San Patricio	JCMH

5. Innovations Map

The County Innovations in Mental Health Map (Innovations Map) was published in 2022. Since its release, JCMH engaged two contractors to enter data into the map. On August 18th, new and improved features for the site were released, including the ability to access each county page directly, a statewide resource page that automatically feeds into each county page, and the ability to print (or save to PDF) the displayed information. The new features also customized how data is entered and then displayed to the public. In the fall of 2022, three additional contractors began adding data to the map.

Tab 5
Budget

Judicial Commission on Mental Health FY2023

January 2023 Financial Report

FY2022-2023 Available Funds

FY2022-2023 State Appropriation	
FY2022 Strategy B.1.4	\$ 1,250,000
FY2023 Strategy B.1.4	\$ 1,250,000
Total State Appropriation	\$ 2,500,000

FY2023 Budget vs. Actuals

	Actual	Budget	Balance
Operating	\$ 268,668	\$ 770,999	\$ 502,331
Commission Projects	\$ 4,836	\$ 387,000	\$ 382,164
Scholarships	\$ 1,002	\$ 4,000	\$ 2,998
Grants	\$ 0	\$ 119,000	\$ 119,000
Total Expenditures	\$ 274,507	\$ 1,280,999	\$ 1,006,492

Financial Status as of January 17, 2023

State Appropriation FY2022-2023	
FY2022 Strategy B.1.4	\$ 1,250,000
FY2022 Expenditures	\$ (1,162,086)
FY2022 Encumbered Expenditures	\$ (26,445)
FY2023 Strategy B.1.4	\$ 1,250,000
FY2023 Funds Available	\$ 1,311,469
FY2023 Expenditures to Date	\$ (274,507)
FY2023 Current Balance	\$ 1,036,962

Tab 6

Summit 2022 Report



5th Annual Judicial Summit on Mental Health

November 2-4, 2022

2022 Judicial Summit on Mental Health Executive Summary

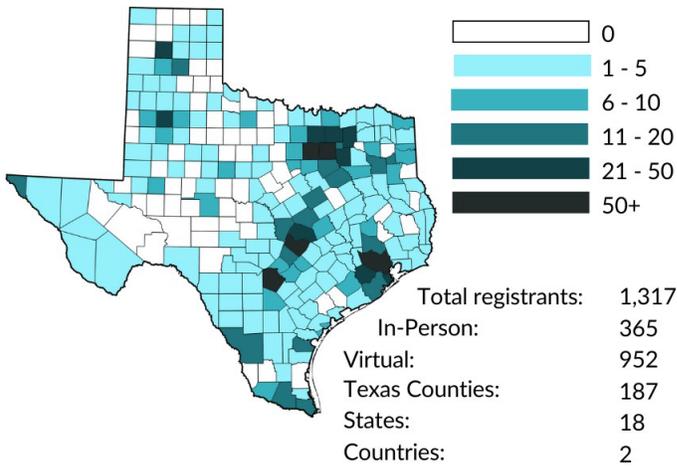
The Fifth Annual Texas Judicial Summit on Mental Health on November 2-4, 2022, was a resounding success, bringing together 1,400 key stakeholders from the criminal justice system, mental health community, and legal experts to address critical issues at the intersection of mental illness and the criminal justice system. The Texas Judicial Commission on Mental Health (JCMH) featured keynote speakers, panel discussions, and breakout sessions focused on the adult and youth-serving systems with topics such as using Assisted Outpatient treatment courts, best practices for early identification of mental health issues, and strategies for reducing reliance on the competency restoration system. Overall, the focus of the summit remained new ideas to reduce recidivism and improve outcomes for individuals with mental illness and intellectual disability who are involved in the criminal justice system. The many speakers provided new and innovative resources toward this goal. All resources are available on the JCMH website, [TexasJCMH.gov](https://www.texasjcmh.gov). All sessions from the Summit were recorded and are available on the JCMH website. The summit provided valuable insights and practical tools for judges, attorneys, law enforcement officials, and other criminal justice professionals to better serve individuals with mental illness and intellectual disability in the criminal justice system. Below are ten of the most poignant moments at the Summit:

1. **“Violence is not a mental illness. Violence is a human condition.”** [Dr. Andy Keller](#), President and CEO of the Meadows Mental Health Policy Institute, reminded us not to conflate violent behavior and mental illness. In fact, most mental health conditions are associated with a comparable or lower risk of violence than the general public.
2. **Trauma’s effect is real, but relationships can heal.** While explaining the link between trauma, physical health, and mental health, and how relationships can build resilience, [Dr. Scott LePor](#), Medical Director of the Texas Juvenile Justice Department, stated “Your childhood biography will determine your adult biology,” and “When a child is loved in a healthy way, the brain perceives itself as lovable; it’s implicit, it’s felt within.”
3. **“You don’t have to wait for crisis.”** [Judge Milton Mack](#), State Court Administrator Emeritus of the Michigan Supreme Court, challenged us to intervene early on. Citing the proverbial train heading towards a broken bridge, Judge Mack urged that we radio the engineer instead of sending an ambulance to the bottom of the ravine.
4. **Assisted Outpatient Treatment (AOT) Courts can save lives.** In a moving tribute to AOT courts and judges, AOT graduate [Eric Smith](#) declared that “AOT, in particular Judge Kazen’s brand of AOT, saved my life,” and “You are heroes with the power to create progress.”
5. **Tailor the case plan for the client.** While speaking about decision-making supports for people with IDD or cognitive impairment, attorney [Cicely Reid](#) implored us to view each individual as a person—not a case—and to start “thinking about a person-centered approach to coming up with a solution for each [individual].”
6. **Language matters.** [Adrienne Kennedy](#), past president of NAMI, advised that our words have weight: “The shame of mental illness is what brings the stigma to have any bearing at all. But the antidote for that is education and understanding.”
7. **Diversion ideas exist for every budget.** On a panel discussing the second year of the [Eliminate the Wait](#) initiative, JCMH Executive Director [Kristi Taylor](#) affirmed that making

something out of nothing is possible. “If you hear about this type of program and you think, ‘that’s for the [large counties],’ we created another column of ideas called [Informal Diversion Programs](#) where you can duplicate the program on a smaller scale that is just as effective.”

8. **Think different.** [Colleen Davis](#), a prosecutor from a rural part of Texas, has found success in creative collaboration with all parties in a case. She advised, “Do not get stuck with tunnel vision or in the box of ‘I am a prosecutor, my job is to get a conviction,’ ‘I’m a defense attorney, my job is to get a dismissal.’ You have to be openminded to all sorts of solutions.”
9. **Start small.** “This is a completely overwhelming thing that we’re trying to tackle,” counseled [Judge Rebecca DePew](#) of Bell County as she spoke about diverting people with mental health needs from jail. “If you try to take it on all at once... it’s going to be a dismal fail, so I’m a firm believer in taking things small.”
10. **Take care of yourselves and each other.** Attorney [Terry Bentley Hill](#), who frequently speaks on lawyer wellness, shared the effect that secondary trauma had on her personal and professional lives and admonished: “We have got to stop minding our own business. We can all ask: ‘are you okay?’” When it comes to people who are struggling, know that asking that one question can save a life.

2022 SUMMIT STATISTICS



Compared to 2021

- Total Attendees: 1392 (345 in person / 1047 live stream)
- Total Texas Counties: 113

POST-SUMMIT SURVEY RESPONSES

The following information is based on the Survey Responses of 305 Respondents

Overall, how would you rate the event?

- 92.74% Excellent or Very Good
- 6.93% Good
- 0.33% Fair or Poor

How would you rate the organization and format of the event?

- 93.07% Excellent or Very Good
- 5.28% Good
- 1.65% Fair or Poor

Which track did you attend on Day 2 of the Summit?

- 58.55% Adult
- 22.37% Children, Youth, and Young Adult
- 19.08% A combination of both

Attendees were asked to choose their top 3 sessions of the Summit. All Sessions were chosen at least 7 times. The most highly rated sessions were:

- Dr. Scott LePor - Trauma-Responsive Approach to the Justice System
- Judge Kazen, Judge Mack, Prof. Shannon, Ms. Chisolm - Assisted Outpatient Treatment Courts
- Joe Stephens - Mental Health Stigma
- Eric Smith - AOT Courts Saved My Life
- Terry Bentley-Hill - An Attorney's Biggest Foe is Not Opposing Counsel: Understanding Secondary Tr

PARTICIPANT FEEDBACK

Top Takeaways

- To make a difference in our communities, we have to start small and take those baby steps. Look for our local resources and begin there.
- The effectiveness of collaboration between agencies. Working together for a common goal and being open to share their resources.
- Exploring alternatives to incarceration and competency restoration, advocacy early on and effectively managing dockets can lead to better outcomes.
- There are options available to help these communities. Reach out and make connections.
- We have a lot of work to do as far as a judicial system dealing with mental health and/or IDD. This conference is great because it brings together the perspectives of those involved in trying to find solutions, share ideas, and work together.
- Trauma informed care and mental health awareness and action in state should be a priority in all branches of government. But the judicial branch of government needs to continue to lead in this area. Well done to the JSMH team. Every speaker was very interesting and subject matter experts. Every speaker had one or two takeaways for improvement in our community.
- That as small or large a county is, we have to work with what we have and collaborate with one another to help individuals get the help they need to find recovery.
- The need for mental health resources is at an emergency level. The continued partnership with the courts and providers is critical. This event was a great collaborative opportunity.
- This area has been substantially overlooked since I became an attorney and certainly since becoming a judge. It affects all segments of law and the judiciary. Should be a top priority.
- That there is a lot to learn, and we have a long way to go, but we are making a difference with each change.

Most Liked Parts of the Summit:

- The Programing & Topics
 - I am impressed by the comprehensive programming for mental health being developed across systems.
 - Good to get a summit to "level the field" across the state.
 - Candid discussions of strengths and weaknesses/frustrations.
 - Stories of lived experience and how content experts work with these context experts to create system change from practice through policy.
 - I've never been a fan of peer support services. The presentation has made me a believer. I have not been valuing what a peer truly has to add.

- The Speakers
 - The expertise, passion, and real-life experiences of the speakers.
 - The quality of the speakers speaks to the level of commitment to the work.
 - The variety of speakers and how mental illness has affected them personally or in their careers.
 - Diversity of Speakers (and their backgrounds) and Topics.
 - The passion for justice and mental health apparent in all of the speakers.
 - The variety of practitioners (legal and MH), academics and those with lived experience giving various perspectives on the key issues.
 - Hearing from persons who have experience. Attorneys, judges, behavioral health and IDD professionals and very importantly, persons with lived experience. It is wonderful to learn from people who have first-hand knowledge of what works and what doesn't.
- The Format / Organization
 - The ability to attend online.
 - The sessions flowed smoothly from one to the other. Also, the sessions started promptly ran according to schedule.
 - The Tracks and ability to go between them AND the working lunch TABLE TALK
 - I appreciated the online option. Hybrid events can be challenging. This was well done.
 - I truly like the availability of being able to have my whole office do it free of charge via stream. THANK YOU!! We have no money for training, so this was a huge help to my staff.
 - The focus on educating professionals that lack a clinical expertise about the effects of trauma on people and how that could parlay into criminal defense work.
- The Networking
 - Ability to network with others from across the state and the interaction with the highly competent JCMH staff
 - Ability to collaborate and network with local stakeholders and partners in a more informal setting with the ability to brainstorm after sessions.
- Resources
 - Statistics and programs implemented by several Texas counties.
 - Resources were included from all over Texas.

Suggestions for Improvements:

- Increase the Attendance & Participation across Texas
 - We need more involvement of prosecutors who are aware of the responsibility to find ways to divert people toward mental health help when it is both reasonable and responsible to do so.
 - I wish there was a way that counties were required/strongly encouraged to participate. I have attended all summits and each year there's more LMHA involvement than legal professionals from my catchment area (hardly any)

- Improving turnout for families of loved ones with a mental health, IDD, and/or SUD.
- Longer Sessions / Longer Event
 - Expand the event to 4 days and create more breakout sessions where subject matter experts teach participants how to complete some of the documents and work on mock exercise together.
- More Networking
 - Get creative with online options for networking. Perhaps zoom breakouts, or moderated chats by topic that both in-person and virtual participants could engage in.
 - Report backs after Lunch & Learn Sessions

Additional Comments and Feedback:

- I was beyond impressed with the summit. It was way beyond my expectations.
- It seems every year this conference gets better and more relevant. Thank you for all the hard work in providing this amazing conference!
- As I was a first-time attendee, I was blown away by the amount of information. At times it was overwhelming, and I am grateful there will be videos to review at a later date versus trying to absorb it all right then and there. I did appreciate having access to the slides and how it was very structured.
- Cadence of sessions was good. They were long enough for information sharing but not too long that people get bored. The opportunity for frequent breaks was also helpful.
- Really strong summit; loved the integration of topics, great job at incorporating voices with lived experience.... THANK YOU!
- Thank you so much for this summit! it was the best one I've attended in a while!

Tab 7

JCMH Technical Assistance

Overview

Technical Assistance Deliverables 2022

Overview:

✓ Counties that requested Technical Assistance	23
✓ Counties served through T.A. projects	33

SIM Mappings - 40%

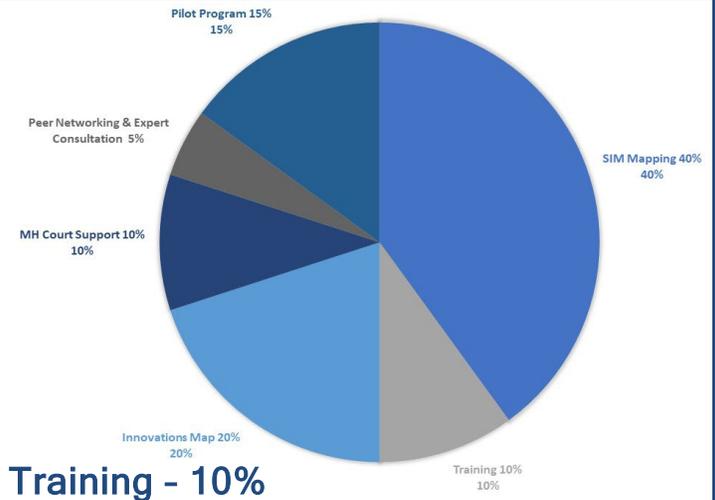
✓ Consultations for requests completed	9
✓ JCMH lead, co-facilitated, or funded mappings completed	6
✓ HHSC mappings completed <ul style="list-style-type: none"> ○ JCMH offers T.A. services 	10
✓ Juvenile specific mappings requested	3
✓ 2019 & 2021 trained facilitators	40
✓ JCMH created materials/tools: <ul style="list-style-type: none"> ○ Trained facilitator information and materials web page ○ Court systems/processes mapping 	1

Innovation Map Website - 20%

✓ Site launch	January
✓ New features & functionality	August
✓ Statewide resources added	August
✓ Contractor hours of data entry	>700
✓ Statewide resources added	Yes
✓ Local county data added	112 of 254

MH Court Support - 10%

✓ Identified MHC programs in the state	38
✓ Program consultations completed with courts/judges	8
✓ JCMH created materials/tools: <ul style="list-style-type: none"> ○ <i>10-Step Guide for Creating a TX MHC Program</i> ○ Began development of toolkit/guidelines for maintaining court/docket ○ Began work on educational videos 	1



Training - 10%

✓ MH law education training requested	3
✓ MH law education training completed	2
✓ MH First Aid Training	1
✓ Eliminate the Wait Regional Forum	1
✓ Speaking engagements (awareness, education, training, and networking)	17
✓ JCMH created materials/tools: <ul style="list-style-type: none"> ○ Web page with resources/tools for after the training 	1

Pilot Program Support - 15%

✓ SIM Mapping Workshops	3
✓ Monthly Support Meetings	2
✓ Interim progress reports completed	3
✓ Year-end reports completed	3
✓ Quarterly finance reports completed	12
✓ NCSC on-site visits	3
✓ NCSC virtual meetings	5
✓ Peer connections to other coordinators in similar roles across the state	4
✓ Access to JCMH staff point person	
✓ Access to relevant materials and resources	

Peer Networking & Expert Consultation - 5%

✓ Connections completed	8
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Note: Additional connections have been made informally, such as during the Summit or other events, but have not been tallied for this report.

Follow JCMH on social media!

Scan the QR codes to follow us on Twitter, Facebook, YouTube, LinkedIn, and Instagram

