



THE SUPREME COURT OF TEXAS

THE TEXAS COURT OF CRIMINAL APPEALS

Judicial Commission on Mental Health

September 14, 2022

Meeting Notebook



**September 14, 2022
Meeting Notebook**

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Tab 1
Agenda



Texas Judicial Commission on Mental Health
September 14, 2022
AGENDA

10:00	Welcome	Hon. Jane Bland Hon. Barbara Hervey
10:10	New Members	Hon. Barbara Hervey
10:20	Children's Mental Health Roundtable Report	Hon. Rebeca Huddle
10:30	Executive Director Report Report to the Commission Updated Strategic Plan Communications Budget and Grants Report 16.22 Guide and Summit Preview Technical Assistance	Kristi Taylor Hon. John J. Specia, Jr. Rose McBride Patrick Passmore Kama Harris Liz Wiggins
11:10	2022-23 Legislative Proposals Criminal Proposals Civil Proposals Juvenile Proposals	Professor Brian Shannon Judge Brent Carr Molly Davis
12:00	Networking Lunch Break	Hon. Barbara Hervey
12:30	Legislative Process and History	Hon. Joe Moody
1:30	Commissioner/Collaborative Council	Hon. Jane Bland
2:00	Adjourn	Hon. Jane Bland Hon. Barbara Hervey

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

Tarrant County, Criminal Court No. 9

Hon. Francisco Dominguez

Judge

El Paso County, 205th Judicial District Court

Hon. Camille DuBose

Judge

Real and Uvalde Counties, 38th Judicial District

Dr. Melisa 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 Hjaltman
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 (Fmr.)
Denton County Criminal Court No. 1

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

Major Mike Lee
Law Enforcement Command
Harris County Sheriff's Office

Hon. Elizabeth Byer Leonard
Judge
Midland County, 238th District Court

Hon. Pam Liston
Chief Integrity Officer
City of Dallas

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. Nathaniel Moran
County Judge
Smith County

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

James Rasmussen
Chief Public Defender
Wichita County Public Defender's Office

Hon. Renee Rodriguez-Betancourt
Judge
Hidalgo County, 449th District Court

Prof. Brian Shannon
Paul Whitfield Horn Professor
Texas Tech University School of Law

JUDICIAL COMMISSION ON MENTAL HEALTH
Executive Committee & Commissioners

Shelley Smith

Chief Executive Officer

West Texas Centers, Howard County

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

Trey Apffel

Executive Director
State Bar of Texas

Hon. Mark Atkinson

Chief Executive Officer
Texas Center for the Judiciary

Amy Befeld

Legislative Consultant
Texas Association of Counties

Catherine Bialick

Senior Advisor, Forensic Services
Office of Mental Health Coordination,
Texas Health and Human Services
Commission

Dr. Virginia Brown

Assistant Professor
Dept. of Population Health, Dell Medical
School, The University of Texas at Austin

Hon. Sarah Bruchmiller

Associate Judge
Williamson County

Sonja Burns

Mental Health Advocate

Hon. Nelda Cacciotti

*Judicial Staff Counsel and Mental Health
Magistrate*
Tarrant County

Dr. Diana Cantu

Chief Executive Officer
Texoma Community Center

Kathleen Casey-Gamez

Senior Policy Analyst
Texas Indigent Defense Commission

Alex Cogan

Licensed Master Social Worker

Armondo C. Colombo

President & CEO
The Menninger Clinic

Leah Davies

Project Manager
Strategic Health Alliance

Colleen Davis

Assistant County Attorney
Burnet County Attorney's Office

Scott Ehlers

Special Counsel
Texas Indigent Defense Commission

Lesli Fitzpatrick

Attorney
Law Office of Lesli Fitzpatrick

Chief Zachary Flores

Executive Director of Public Safety
City of Sherman

Gilbert Gonzales

Director
Bexar County Department of Behavioral and
Mental Health

Jennings Greer

DBT Implementation Leader (Fmr.)
Texas Juvenile Justice Department

Krishnaveni Gundu

Co-Founder & Executive Director
Texas Jail Project

Greg Hansch

Executive Director
NAMI Texas

Elizabeth Henneke

Executive Director
Lone Star Justice Alliance

Shannon Hoffman

Policy Program Specialist
Hogg Foundation for Mental Health

JUDICIAL COMMISSION ON MENTAL HEALTH Collaborative Council

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

Deputy Director
Texas Council of Community Centers, Inc.

Windy Johnson

Program Manager
Texas Conference of Urban Counties

Louise Joy

Partner
Joy & Young, LLP

Hon. Evelyn Keyes

Justice (Ret.)
First Court of Appeals

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

Joanna Mendez

Community Wellness Coordinator
Refugee Services of Texas

Hon. Kirk D. Noaker

*Senior Specialist, Mental Health & Criminal
Justice*
Arc of Texas

Hon. Rita Noel

Justice of the Peace
Grayson County, Pct. 4

Dr. Susan Palacios

Program Specialist
Texas Juvenile Justice Department

John Petrila

Senior Executive Vice-President of Policy
Meadows Mental Health Policy Institute

Hon. Daphne Previti-Austin

Judge (Fmr.)
289th Juvenile District Court
Law Office of Shawn C. Brown, P.C.

Terry Qualls

Crisis Intervention Coordinator
McKinney Police Department

Janis Reinken

Former Chief Clerk
House Committee on Corrections

Chris Ritter

In-House Counsel
State Bar of Texas

Michelle Romero

Associate Director
Texas Medical Association

Joe Ross

Mental Health Deputy
Grayson County Sheriff's Office

JUDICIAL COMMISSION ON MENTAL HEALTH

Collaborative Council

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 Defenders 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

Lt. Scott Soland

President
Texas CIT Association

Gloria Terry

Chief Executive Officer
Texas Council on Family Violence

Rick Thompson

Senior Legislative Manager
Texas Association of Counties

Jennifer Toon

Mental Health Peer Policy Fellow
Coalition of Texans with Disabilities

Hon. Ryan Kellus Turner

Executive Director
Texas Municipal Courts Education Center

Haley Turner

Associate Commissioner for IDD
Texas Health and Human Services Commission

Sally Uncapher

Assistant District Attorney
Bexar County Attorney's Office

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

Steve Wohleb

Senior Vice-President/General Counsel
Texas Hospital Association

Tab 3

Minutes from May 2022 Meeting

**JUDICIAL COMMISSION ON MENTAL HEALTH
MINUTES OF MEETING
May 20, 2022**

COMMISSIONER ATTENDEES:

Hon. Jane Bland, **Chair**, *Justice, Supreme Court of Texas*

Hon. Barbara Hervey, **Chair**, *Judge, Texas Court of Criminal Appeals*

Hon. Rebeca Huddle, **Deputy Liaison**, *Justice, Supreme Court of Texas*

Hon. Jesse F. McClure, III, **Deputy Liaison**, *Judge, Texas Court of Criminal Appeals*

Hon. Bill Boyce, **Vice-Chair**, *Justice (Fmr.), 14th Court of Appeals; Partner, Alexander, Dubose & Jefferson*

Hon. John J. Specia, Jr., **Jurist in Residence**, *Judge (Ret.); Plunkett, Griesenbeck & Mimari, Inc.*

Megan LaVoie, *Administrative Director, Office of Court Administration*

Dr. Connie Almeida, *Director, Fort Bend Co. Behavioral Health Svcs.*

Dr. Melissa Eshelman, *Associate Professor, UT at Austin, Dell Medical School*

David Evans, *Chief Executive Officer, Integral Care*

Sonja Gaines, *Deputy Executive Commissioner for Intellectual Developmental Disability and Behavioral Health Svcs.*

Hon. Bonnie Hellums, *Judge (Ret.), 247th District Court, Harris Co.*

Hon. Oscar Kazen, *Presiding Judge, Bexar County Probate Court, No. 1*

Dr. Andy Keller, *President and CEO, Meadows Mental Health Policy Institute*

Adrienne Kennedy, *Past President, NAMI Texas*

Beth Lawson, *Executive Director, StarCare Specialty Health System*

Maj. Mike Lee, *Harris Co. Sheriff's Office*

Hon. Pam Liston, *Presiding Judge, City of Rowlett Municipal Court*

Dr. Octavio Martinez, *Senior Assoc. Vice President, Division of Diversity & Community Engagement, Executive Director, Hogg Foundation for Mental Health*

Beth Mitchell, *Senior Attorney, Disability Rights Texas*

Hon. Tamara Needles, *Judge, 427th District Court, Travis Co.*

Hon. Roxanne Nelson, *Justice of the Peace, Burnet Co. Pct. 1*

Denise Oncken, *Bureau Chief, Harris County District Attorney's Office, Mental Health Bureau*

James Rasmussen, *Chief Public Defender, Wichita Co. Public Defender's Office*

Hon. Renee Rodriguez-Betancourt, *Judge, 449th District Court, Hidalgo Co.*

Prof. Brian Shannon, *Paul Whitfield Horn Distinguished Professor, Texas Tech University School of Law*

Shelley Smith, *Chief Executive Officer, West Texas Centers*

Chief Stan Standridge, *Chief, San Marcos Police Department*

Hon. Charles A. Stephens, *Judge, Comal Co. Court at Law No. 2*

Brandon Wood, *Executive Director, Texas Commission on Jail Standards*

Wayne Young, *Chief Executive Office, The Harris Center*

MINUTES OF THE MEETING

WELCOME AND ANNOUNCEMENTS

Justice Jane Bland, Co-Chair, opened the meeting and welcomed the attendees to the meeting. Justice Bland gave a quick overview of the meeting's agenda, which includes a report from the Executive Director and JCMH Staff on ongoing projects and programs, as well as reports from the Committees on their work. Justice Bland also reminded the Commissioners and members of the Collaborative Council that registration for the 2022 Judicial Mental Health Summit has been opened.

Judge Barbara Hervey, Co-Chair welcomed the attendees and announced that since the Commission has been unable to meet in-person for almost two years, commissioner appointments will be extended by one year. Judge Hervey also informed the attendees that the JCMH Long-Term Planning Committee met on May 19 to create a new strategic plan. The Executive Committee looks forward to receiving their work and sharing the new strategic plan with the Commissioners for their input and comments. Judge Hervey then gave an update on the JCMH Collaborative Council.

Collaborative Council Updates and New Members

The JCMH Collaborative Council added two new members:

- Jennings Greer, Dialectical Behavior Therapy Implementation Leader, Texas Juvenile Justice Department
- Shannon Hoffman, Policy Program Specialist for the Hogg Foundation on Mental Health

The Council will meet three times in 2022. The first meeting was on March 1st and during that meeting members were asked to bring innovations from their counties and/or organizations. The Council reviewed the new JCMH innovations map and encouraged members to add their community initiatives to this list of mental health resources throughout the state. The next Collaborative Council meeting is June 6, and the final meeting of the year is scheduled for October 3. Both meetings will take place at noon.

Judge Hervey announced that today’s meeting will focus on children’s mental health and features presentations by **Judge Renee Rodriguez-Betancourt** and Dr. Scott LePor. Commissioner and Collaborative Council announcements will be heard after the presentations. Judge Hervey then introduced JCMH Executive Director so that she could give her report to the Commission.

EXECUTIVE REPORT AND PROJECT UPDATES

Kristi Taylor welcomed the attendees and directed them to review tab 4 of the meeting notebook, which includes the JCMH Report to the Commission. The Report is a summary all of the Commission’s projects and committee actions that are currently underway. Ms. Taylor also directed the attendees to the JCMH Annual Report and introduced JCMH Communications Director, Rose McBride, who gave a presentation on the Report and an update on the communication strategy for the JCMH.

Communications Update *(presented by Rose McBride, JCMH Communications Manager)*

Ms. McBride thanked all the Commissioners and Collaborative Council members who provided content for the Annual Report. She announced that there is a [digital copy](#) of the Report available on the JCMH website. The back cover of the commission meeting notebook has all the JCMH social media information, as well as a QR code that can be scanned to help attendees follow the Commission’s social media presence. Ms. McBride reminded the attendees that she is always looking for information to share on the JCMH’s social media accounts and she asked that attendees email her with any information, updates, or announcements that they would like to be shared.

Kristi Taylor thanked the JCMH staff who were invited to speak on mental health topics, specialty courts, and collaborative leadership at many conferences and events in the last few months. Such speaking engagements include:

- February: Staff Attorney, Molly Davis gave a presentation on Chapter 55 and the Juvenile Bench Book at the Juvenile Law Conference in San Antonio.
- April: Program Manager, Liz Wiggins moderated a panel on creating a mental health court and debuted the JCMH 10-Step Guide to Creating a Mental Health Court at the Texas Association of Specialty Courts Conference in Corpus Christi.

- May: Staff Attorney, Kama Harris moderated a panel of experts on the topics of 16.22 and early identification of individuals with mental illness or IDD at the Texas Association of Pretrial Services in San Antonio.

The JCMH also had the opportunity to assist with the planning of the Conference of Chief Justices and Conference of State Court Administrators Southern Regional Summit. The topic of the Summit was Improving the Courts' and Community Response to Mental Illness and Co-Occurring Disorders. Several people involved with the JCMH spoke at this event, including a panel on how other states can start a mental health commission. Special recognition is given to Dr. Andy Keller and the Meadows Mental Health Policy Institute who sponsored the reception and were instrumental in making the event a success.

Ms. Taylor then introduced Patrick Passmore, JCMH Grants Administrator, to give an update on the grants that the JCMH has awarded, as well as an overview of the JCMH operating budget.

Budget and Grants Update
(presented by Patrick Passmore, JCMH Grants Manager)

Mr. Passmore directed the attendees to tab 6 of the meeting notebook, which includes a breakdown of the JCMH's annual budget. He then gave an update on the grants that have been awarded.

- Community Diversion Coordinator Pilot Project: On March 30th the JCMH entered into an agreement with the National Center for State Courts for the duration of the pilot program. This agreement will help measure the success and efficacy of the coordinator position. On May 17th, JCMH and HHSC staff, NCSC evaluators, and the Community Diversion Coordinators from each of the three pilot counties participated in a kickoff meeting that addressed the project plan and expectations, as well as logistical details and responsibilities. The next step in the evaluation will consist of reviewing program materials and data related to the program's goal of enhancing coordination between courts and behavioral health providers to divert defendants with mental illness. This process is scheduled to start in June and continue through August.
- Mental Health Court Technology and Equipment Grant: For the fiscal year 2022, the JCMH awarded the Office of Court Administration a grant not to exceed \$65,000 to provide eight Texas courts with consultation based on needs addressed in their application and purchase of equipment to meet those needs. The OCA has consulted with all eight of the courts and the equipment purchases are almost complete.

Kristi Taylor introduced the next update on a recent SIM Mapping in Denton County. The SIM mapping was co-facilitated by the Chief of the Mental Health Division of the District Attorney's Office of Dallas County and JCMH Commissioner, [Lee Pierson](#). Ms. Taylor also thanked [Judge Dave Jahn](#), Judge Robin Ramsay, and Judge Chance Oliver who were instrumental in getting community leaders and stakeholders together for this important meeting. JCMH Staff Attorney Molly Davis gave a detailed summary of the SIM Mapping.

Denton County SIM Mapping
(presented by Molly Davis, JCMH Staff Attorney)

JCMH held a two-day SIM Mapping Workshop in Denton County, which is one of our diversion coordinator pilot counties. Participants had a great conversation with county leaders from all points on the sequential intercept model. JCMH staff are almost finished with the report that will allow community leaders to create a plan of action. Rose McBride made a video presentation that highlights the Denton SIM Mapping. Future SIM mappings include Grayson County in June and Smith County in August.

Eliminate the Wait Initiative
(presented by Kama Harris, JCMH Staff Attorney)

JCMH attended the Texas Association of Pretrial Services Conference in San Antonio. Kristi Taylor, Dr. Jennie Simpson (HHSC), and Simone Salloum (HHSC) spoke on a panel about Eliminate the Wait. During that discussion, they debuted the pretrial services specific checklist. The checklist includes ideas such as “considering the 16.22 report” and “touching base with the LMHA before offering bond conditions or pretrial release.” This checklist is just an initial draft; JCMH asks that anyone with a special interest or expertise to review it and offer feedback before it will be published.

Technical Assistance Update
(presented by Liz Wiggins, JCMH Program Manager)

JCMH greatly expanded its technical assistance offerings in 2022. The JCMH provides connections for peer networking and expert consultations, and JCMH requests that judges who are interested or willing to share any specialized knowledge let the staff know so they can be added to the peer network. SIM Mapping workshops fall under technical assistance, as well as assisting courts that want to establish a mental health court. JCMH released a [10-Step Guide](#) at the Texas Association of Specialty Courts Conference. There are currently fourteen counties in Texas that have a specialty court program for mental health, which are courts that connect defendants with long-term community-based treatment. Mental health courts come in various shapes and sizes, and they use assessments, individual treatment plans, and judicial monitoring to address both the health needs of the individual and public safety concerns. The structure of the mental health court is decided by the community needs and available resources. Those who are thinking about creating a program should contact us at jcmh@txcourts.gov for assistance. JCMH hopes to release a full mental health court toolkit in the fall. More information about our technical assistance programs by visiting the [website](#).

Justice Bland reiterated the importance of a focus on mental health courts. One of the JCMH's goals is to target the 20 most populous counties in the state that haven't formally established a mental health court and determine how JCMH can offer assistance in establishing a program, because they can then become a hub for additional resources that can be made available to individuals who are encountering the justice system. Commissioners who can share their expertise will be instrumental in assisting counties that do not have mental courts. Justice Bland then asked JCMH Staff Attorney Molly Davis to speak about the upcoming roundtable event with the Children's Commission.

Molly Davis informed the attendees that thanks to the inspiration and direction from **Justice Huddle**, the JCMH will be partnering with the Children's Commission in June to focus on the children's mental health crisis. There are increased numbers of children without placement in foster care and increased commitments to the Texas Juvenile Justice Department due to complex, unmet mental health needs in children. The Roundtable will provide a forum for stakeholders from child welfare, juvenile justice, mental health, and court systems to identify strategies to collaborate and support children's mental health. The Roundtable will also be a jumping off point for new projects for both commissions. Space is limited and the event is by invitation only.

COMMITTEE REPORTS

Bench Book Committee, Hon. Camile DuBose, Chair
(presented by Kama Harris, JCMH Staff Attorney)

In 2021, JCMH published the 3rd edition of the Texas Mental Health and Intellectual and Developmental Disabilities Law Bench Book. So far, 900 hard copies have been distributed. A [hyperlinked digital copy of the book](#) is available on the JCMH website and through the LawBox application. The Bench Book Committee is currently on hold but plans to reconvene in 2023 to correspond with the upcoming legislative session.

Juvenile Bench Book Committee, Hon. Cynthia Wheless, Chair
(presented by Molly Davis, JCMH Staff Attorney)

In 2021, JCMH published the 2nd edition of the Juvenile Bench Book. Over 600 copies have been distributed to judges and stakeholders. It is also available for [download on the JCMH website](#) and through the LawBox application.

Summit Curriculum Committee, Hon. Brent Carr, Chair
(presented by Kama Harris, JCMH Staff Attorney)

The Summit Curriculum Committee convened on May 6th and started working on the 5th Annual Judicial Summit on Mental Health. The Summit will be held at the Great Wolf Lodge in Grapevine, Texas. Registration is currently open. This year the Summit will begin on Wednesday, November 2nd, in the afternoon, continue with a full day on Thursday, and conclude with a half day on Friday. There will be plenty of breaks between sessions for networking. There will also be a virtual option because of the limited in-person capacity. Proposed topics include a mental health court Q&A,

information on AOT programs featuring the newly published [AOT practitioner's guide](#) from the Treatment Advocacy Center. There will also be sessions on the practicalities of litigating mental health and IDD cases. Thursday will be divided into two tracks, one with a focus on the juvenile system and another with a focus on the adult system.

Attendees of the last commission meeting saw a map of the primary county of work for registrants at last year's summit. This year's goal is to have at least one person from every county in Texas registered and attend the summit. JCMH launched the "Whole Texas Campaign" in order to get the word out about the Summit and promote attendance statewide. Assistance in targeting colleagues in neighboring counties and underrepresented counties is welcome. JCMH staff will be tracking registration and updating the map on a weekly basis and hope to have the entire map filled with color by the time of the Summit.

Forms Committee, Hon. Dave Jahn, Chair
(presented by Molly Davis, JCMH Staff Attorney)

In 2021, the Forms Committee completed work on standardized forms related to emergency detention, orders of protective custody, court-ordered mental health proceedings, jail and magistration forms, incompetency proceedings, and applications for psychoactive medications. The forms are currently on the JCMH website in the [forms bank](#). The Committee was also asked to make recommendations to the Supreme Court's Rules Committee on whether any of the forms should be made mandatory.

Long-Term Planning Committee, Hon. John Specia, Jr., Chair and JCMH Jurist-in-Residence

On May 19, the Long-Term Planning met to discuss a new strategic plan. The Committee began by developing a vision statement and looking at the last strategic plan, which was developed in 2018. The Committee decided that there would be some overarching principles of collaboration, emphasis on peer support, data collection and sharing, and an increased focus on children and families. Once the new plan is developed, it will be sent to the entire Commission for review and suggestions for revisions and/or amendments.

Data Committee, Dr. Connie Almeida, Chair

The Data Committee has had two meetings this year. The Committee is working to determine what data is available, whether we need to go through OCA or another agency, and what judges are collecting and how it is being made available. The next step is to determine what kind of data we can collect and how to use that data. We have two subcommittees. One subcommittee focuses on the 16.22 process and the types of information that is collected, as well as the types of assessments that are performed, and the percentage of the jail population. The 16.22 subcommittee is being chaired by Judge Yolanda Huff. The other subcommittee is focused on competency restoration and the competency restoration waitlist. The subcommittee is chaired by John Petrilá and will be working with HHSC and the Joint Commission on Access to Forensic Services to identify waitlist and restoration data and explore solutions to the current problem.

Legislative Research Committee, Hon. Bill Boyce, Chair

The Legislative Research Committee (LRC) will be making legislative proposals for the upcoming legislative session that begins in 2023. The LRC proposals will be presented to the Texas Judicial Council in August or September. The proposals will go through a few rounds of development prior to their presentation to the Judicial Council. The Judicial Council will then vote on which proposals to move forward with, on behalf of the judiciary as a whole. The LRC has divided into two subcommittees. The civil law subcommittee is chaired by [Judge Brent Carr](#) and the criminal law subcommittee is chaired by [Professor Brian Shannon](#). The longer time frames that the LRC has in developing and reviewing proposals allows the LRC to have a more thoughtful approach across multiple sessions so that larger themes and goals can be identified. The Commission and the LRC have been focused on improving the competency restoration process, clarifying the 16.22 identification process, and coming up with alternatives to arrest for individuals who are experiencing an acute mental health crisis. Many of the proposals are facets of these larger goals and programs. These proposals are in the initial discussion stage and it should be assumed that all of the following proposals will be presented in the fall.

Civil Law Legislative Proposals:

1. Amend the Health and Safety Code to allow an employee of a LMHA to submit an electronic application for emergency detention for an individual who is already in a medical or mental health facility. This would adjust the current statute that only allows a physician to make an electronic application for emergency detention.
2. Amend the Health and Safety Code to allow for law enforcement to seize any firearm found in the possession of a person who is the subject of a warrant for emergency detention. This would be a technical adjustment that would take an existing procedure and apply it more broadly. Currently law enforcement is allowed to seize a firearm from who is subject to an apprehension by a peace officer without a warrant for emergency detention. This proposal would allow law enforcement the same authority to make the situation safe regardless of whether the emergency detention was by warrant or was by law enforcement.
3. Amend the Health and Safety Code to allow blood to be drawn from patients who are in custody or already under a court order to receive inpatient mental health services. This would allow evaluations for the proper administration of psychoactive medications.
4. Amend the Health and Safety Code to clearly state that law enforcement has no duty to remain at a facility or an emergency department after they have transported an individual in need of emergency mental health services. This proposal was discussed prior to the last legislative session and continues to address the roles of police departments and emergency medical services which an individual is brought in that is in crisis. This proposal will provide clarity as to whether a law enforcement officer is required to stay in the emergency medical facility and what their responsibility is for the individual that is brought in for services.

5. Amend the Health and Safety Code to clearly that law enforcement is not required to get a patient medically cleared before a mental health facility will treat them. This proposal goes hand-in-hand with proposal four and is meant to provide clarity as to law enforcement's role and responsibility in regard to an individual who receives emergency mental health treatment. This proposal and proposal four are aimed at addressing circumstances that have been identified in rural areas.
6. Expand the number of Assisted Outpatient Treatment (AOT) courts. This could be accomplished by possibly characterizing AOT as specialty courts, or through establishing a grant funding program.
7. Require Crisis Receiving Centers to reduce the burden on local emergency departments to provide care for individuals experiencing acute mental health symptoms. There is federal legislation that could guide state legislation as well as provide several models from other states.

Commissioner Discussion on Civil Law Legislative Proposals

Prof. Brian Shannon stated that proposal six, which recommends expanding AOT courts, is a concept that could assist in diversion from criminal court and thus help in mitigating the current forensic services waitlist.

Beth Mitchell voiced a concern about the availability of services at the LMHAs and how expanding AOT courts could displace individuals who are voluntarily seeking services through the LMHA.

Justice Bland stated that maybe there should more focus more on the crisis receiving center proposal (proposal seven) and how the JCMH might support HHSC and other agencies in increasing access to outpatient treatment. Justice Bland also asked whether AOT courts could be under the umbrella of mental health courts and whether the Commission should focus on one proposal more than the other.

Prof. Brian Shannon stated the Commission could recommend both the AOT proposal and the diversion center proposal because they address different aspects of the crisis. Appropriate crisis response from a divergence center would address front-end issues of care and AOT courts would act to divert people out of inpatient care and/or the criminal court.

Judge Oscar Kazen stated that the AOT recommendation is important because defining AOT courts as specialty courts allows for more funding through state grants. AOT has been institutionalized in statute for decades and as such should be recognized as a specialty court. Judge Kazen also stated that almost all individuals who are in an AOT program are already receiving services from a LMHA and so displacement of individuals from LMHA services should be minimal. Asking for more funds from the legislature for AOT courts, by adding them as specialty courts, will ultimately allow for the LMHA to expand their services.

Justice Bland asked if AOT could be included as a designated mental health court, with a descriptor that identifies it as a civil court.

Judge Kazen stated that expanding the legislation so that AOT can be included as a specialty court would allow the statutory probate courts and the AOT programs to have a role in the discussions about increasing resources. He added that AOT is also important because it keeps many cases from getting to the criminal courts and it is important for the LMHA because the individuals who are not accessing AOT are same individuals who are frequently using LMHA and jail services.

Dr. Andy Keller stated that someone needs to lean into the issue of expanding the treatment system. When the Commission was formed the forensic waitlist included approximately six hundred individuals and currently it includes over two thousand. Unless the treatment systems is expanded, accomplishments will be limited.

Judge Kazen stated that the forensic waitlist is the criminal waitlist, and this issue is an example of competing interests. The forensic waitlist isn't really affected by AOT. AOT serves people who are waiting to come into commitment or are taken in on emergency detention. It is important that the Commission try to bring as much legislative change and resource funding to the issue without necessarily arguing that this issue is more important.

Criminal Law Legislative Proposals

1. *Amend 46B to restate that competency restoration should only be used for misdemeanors in extraordinary circumstances.*
2. *Amend CCP 46B.084 to address individuals whose condition degrades in the interim between determination of competency and resumption of adjudicative proceedings.*
3. *Allow good-time credits for defendants who are released to Outpatient Competency Restoration Programs (OCR).*
4. *Expand and/or clarify CCP 16.23 that mandates law enforcement to make a good faith effort to divert.*
5. *Amend CCP 16.22 to include Class C misdemeanors.*
6. *Create statutory authority for justices of the peace and municipal court judges to dismiss Class C misdemeanors when it is determined that the defendant lacks capacity.*
7. *Clean up last legislative session's bail reform bill (S.B. 6) to clarify release for offenses on CCP 17.03 personal bond vs. CCP 17.032 mental health personal bonds.*
8. *Create authority for all magistrates to appoint counsel to defendants during the magistration process. (under discussion, no statutory language drafted yet)*

9. *Require that municipal jails and any other place where an accused is detained, meet current jail standards and regulations.* (under discussion, no statutory language drafted yet)
10. *Create statutory authority to delay the arrest of a mental health patient, detained under emergency detention or a protective order, who engages in conduct that may subject them to arrest for assault or other low-level offense, until the mental health condition has been stabilized.* (under discussion, no statutory language drafted yet)
11. *Clarify or expand Health and Safety Code 614.017 to promote further information sharing and diversion of mental health offenders pretrial.* (under discussion, no statutory language drafted yet)
12. *Amend Health and Safety Code, Sec. 574.037 regarding out of county outpatient services.* (under discussion, no statutory language drafted yet)

Commission Discussion on Criminal Law Legislative Proposals

Prof. Shannon expanded on the first proposal by stating that in some states, notably New York, if an individual is accused only of a misdemeanor and is found incompetent to stand trial, they are diverted to an outpatient commitment proceeding. Other states have bits and pieces of the same concept. In regard to the second proposal that addresses what happens when an individual is restored and then deteriorates while waiting for trial and/or disposition, the state is starting to see an increase in these types of cases due to the pause on trials due to COVID and this proposal would help the courts deal with that issue.

Judge Kazen suggested that the legislation include a mandate that dispositions and/or trials for individuals who get restored should take place within a set number of days from their restoration date, e.g., thirty-days after they are restored. This could potentially prevent deterioration of the individual back into incompetency. Judge Kazen also suggested establishing a visiting judges fund that would pay for the visiting judges to assist district judges in disposing of cases for those who have been restored.

Beth Mitchell stated that the other issue is what we do with individuals who are not going to be tried right away and whether or not they should be kept at the state hospital or if they should return to jail where they are likely to decompensate. She emphasized that there is a staffing component that disallows a more expedient track for restored individuals to face a trial and/or disposition of their case.

Denise Oncken stated that she supports the criminal legislative proposals. In regard to the proposals that address the competency waitlist, Harris County has 220 people on the waitlist and 20 of those individuals are participating in jail-based competency restoration. Ms. Oncken reiterated the importance of examining the waitlist numbers in order to focus on the individuals who are participating in jail-based competency restoration while at the same time occupying a spot

on the waitlist. Also, a great way to cut the waitlist is to focus on cutting misdemeanors from competency restoration. Harris County accomplished a reduction in this manner through focusing on pre-charge diversion and post-charge diversion. Ms. Oncken also stated that jail-based competency restoration is an effective way to reduce the waitlist, with a 93% restoration rate and an approximate average duration of 60 days to restoration.

Dr. Almeida pointed out that it is important that jails have access to the correct medication so that they can properly treat individuals who have been prescribed medication. This could reduce the occurrences of decompensation. Fort Bend County is looking at expanding their jail-based competency program and it has been suggested that a regional jail-based competency restoration program be established to help small and medium sized counties benefit from a JBCR program.

Judge Dominguez raised a concern about the effect that S.B. 6 (87th Reg. Sess. (2021)) will have on the jail population numbers. It is expected that because of S.B. 6 the jail population will increase, and that increase will negatively impact the individuals who will need JBCR and/or other mental health interventions and treatments. Judge Dominguez stated that jail populations are already increasing due to the abolition of judicial discretion and the inability to release individuals on PR bond.

Beth Mitchell replied that she supports the legislative proposal that defers arrest of individuals that commit offenses while being detained under an emergency detention warrant or apprehension without warrant for a civil commitment (proposal 10). This proposal would also help alleviate the need for competency restoration, specifically jail-based restoration, by keeping people in treatment facilities where they can get the help that they need.

Justice Boyce stated that during the last legislative sessions there were ten JCMH legislative proposals that were placed into bills that were passed into law. This achievement was made possible through the type of discussion we are having today as well as by the hard work of Prof. Shannon, Beth Mitchell, Judge Carr, and all of the members of the LRC.

Prof. Shannon stated that the LRC is exploring the possibility of creating a carveout of S.B. 6 that would exclude 17.032 and restore that tool for diversion and treatment of individuals with mental health issues.

Kristi Taylor asked why prosecutors are not included in the information sharing carveout created by legislative proposal 11.

Beth Mitchell replied to Ms. Taylor's question by stating that the information carveout is only intended to include professionals and/or agencies who are involved in the continuing treatment of the individual. Prosecutors are not involved in continued treatment; therefore, they are excluded from the carveout. Ms. Mitchell also stated that the individual/defendant can always give permission for the prosecutor to access and share treatment information.

Judge Kazen brought up the adversarial nature of justice system as to why some might be opposed to including prosecutors in the conversation and information sharing in regard to continuing treatment.

Denise Oncken replied that the environment has changed in regard to the adversarial nature of the system, especially concerning mental health issues, which are typically seen as a mitigating factor by prosecutors. Ms. Oncken added that any defense attorney that does not raise a mental health issue or communicate to the prosecutor about the problem is doing a disservice to their client.

Office of Court Administration Update

(presented by Megan LaVoie, Administrative Director, Office of Court Administration)

The court system is facing a significant backlog of cases due to the COVID pandemic. At the district court level, the backlog is approximately 157,000 cases statewide and at the county court level the backlog is just over 30,000 cases. 70% of the total backlog is in 20 counties. OCA recently received 7 million dollars from the legislature to assist in clearing the case backlog. OCA is focusing on the top twenty counties and have sent them requests for an action plan. Those plans will be reviewed by the regional presiding judges, Chief Justice Hecht, and Judge Sharon Keller. OCA is also looking to contract with the National Center for State Courts to do case flow management training with judges across the state.

The OCA launched the Public Safety Report System (PSR System). The PSR System was part of S.B. 6 and it compiles a report that contains a defendant's criminal history and whether they are eligible for personal bond. Magistrates must use this report in setting bail. The Bill also requires judges who set bail to receive eight hours of judicial education. S.B. 6 further requires that OCA post on its website a completed bail form. Bail forms list the defendant's name, the charge, the bond amount, and who set the bond. There are over 55,000 completed bail forms on the OCA website.

OCA is developing a uniform case management system, from the 86th legislative session. Having a uniform case management system will make it easier to report and collect case-level data. The system is currently focused on counties with a population under 20,000. The first two counties should be on the system in the autumn.

The Judicial Council met in-person for the first time in two years. The Council has four committees: civil justice, criminal justice, data, and public trust and confidence. Most of the recommendations that come from the JCMH will most likely be routed through the criminal justice or civil justice committees. The Council has been charged with several issues this year, including remote proceedings, court backlogs, and data collection.

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FOCUS ON CHILDREN IN THE JUSTICE SYSTEM

The afternoon session was facilitated by JCMH Commissioner **Judge Renee Rodriguez-Betancourt**, presiding judge of the 449th District Court, a juvenile court that serves the children and families of Hidalgo County. Judge Betancourt introduced Dr. Scott LePor, Medical Director of the Texas Juvenile Justice Department. Dr. LePor then gave a presentation on trauma informed care as a framework of child engagement and behavior modification.

Trauma Informed Care in The Texas Juvenile Justice Department

Presentation by Dr. Scott LePor, Medical Director, Texas Juvenile Justice Department

Dr. Scott LePor, Medical Director of the Texas Juvenile Justice Department gave a presentation on the application of trauma informed care in the Texas Juvenile Justice Department. The presentation touched on:

- adverse childhood experiences (ACEs)
- fundamental brain development and function
- attachment styles
- the effects of trauma on development and attachment,
- integrated treatment for behavioral disorders and illnesses
- crisis stabilization units
- the Neurosequential Model of Therapeutics

A copy of the presentation can be viewed [here](#).

Judge Rodriguez-Betancourt stated that as a juvenile judge in a growing county she understands the traditional model of juvenile courts is no longer practical or effective. Judge Rodriguez-Betancourt instead opts for a non-punitive model of juvenile justice that considers trauma, mental health, and family influences in deciding the disposition of a case. Juvenile judges should not only be judicial but should also act as advocates for what they see in their courts and talk to their communities about those issues. She reiterated the importance of family support in positive outcomes for children in the justice system. Judge Rodriguez-Betancourt thanked Justice Bland and Judge Hervey for allowing her to speak on this critical topic and stressed the need for the Commission to be proactive and not reactive so that the mental health crisis can be properly addressed.

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COMMISSIONER AND COLLABORATIVE COUNCIL MEMBER ANNOUNCEMENTS

Lee Pierson (*Mental Health Division Chief, Dallas County District Attorney's Office*): The ribbon cutting ceremony of the Dallas County Diversion Center took place today.

Adrienne Kennedy (*Past President, NAMI*): Ms. Kennedy announced that NAMI's annual report has been published and is available. The report highlights the steps that NAMI has taken to address the mental health crisis and adjustments that have been made in regard to diversity and inclusion. Additionally, because of the momentum created by Texas and the JCMH, NAMI has increased their focus on the judiciary's role in building effective relationships for treatment.

Judge Oscar Kazen (*Presiding Judge, Bexar County Probate Court, No. 1*): There will be an AOT conference in November that will have a section on how to set up an AOT program that diverts individuals into civil court, either to prevent inpatient hospitalization or jail. There is also an AOT manual available, *Texas AOT Practitioner's Guide*, that details the steps in creating an

effective AOT program. The manual can be viewed on the JCMH [website](#). Also, the national AOT conference will take place in October.

Dr. Andy Keller (*President and CEO, Meadows Mental Health Policy Institute*): Yolanda Lewis has been named as the new Director for Justice and Health the Meadows Mental Health Policy Institute. Also, Tim Bray has been named as VP for Justice and Health Policy.

Prof. Brian Shannon (*Horn Distinguished Professor, Texas Tech University School of Law*): Texas Tech Law School held its annual Mental Health Law Symposium on April 8, 2022. Over 500 people attended virtually. Several Commissioners were able to attend and present, including Dr. Keller, Beth Mitchell, and Chief Stan Standridge. The symposium is still available [online](#) and CLE credit can be earned.

CONCLUSION

Justice Bland thanked the Commissioners for their attendance and participation. She reminded attendees that there will be another meeting in the fall.

Tab 4

Report to the Commission



REPORT TO THE COMMISSION

September 14, 2022

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

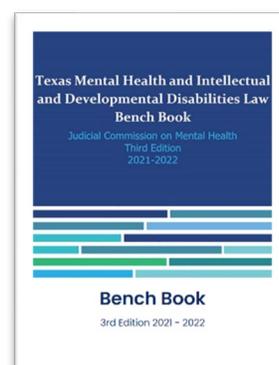
JCMH Commissioners provide a deep well of collaboration through their diverse backgrounds and experiences. Commissioners meet at least three times a year, providing information to promote best practices and improve the function of the judiciary for those with mental health, substance use, or IDD needs. 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 final 2022 Collaborative Council virtual meeting will be held on October 4th at noon. After each meeting, JCMH staff produce a detailed summary that highlights upcoming trainings from partner organizations, as well as links to resources that are mentioned during the meeting.

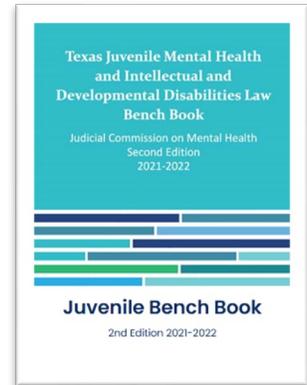
3. JCMH Bench Book Committee

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 paused in 2022 and will reconvene in 2023.



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 pages 4-5 of this report 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 will be submitted to the Texas Judicial Council for their consideration.

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 have met several times 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.

The Forms Committee has been chaired by Judge Dave Jahn. The Committee was established in December 2019 and was tasked with examining common mental health forms with the goal of producing 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 on July 14, 2022, to continue work on the Committee's two projects: the Competency Restoration Data Project and the 16.22 Data Project.

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.



The 16.22 Data Project has begun 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. A draft of the 16.22 Step-By-Step Guide was reviewed by the committee and a final draft of the document is underway. This Committee will also assist in the creation of an education video on the 16.22 process.

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 will take place on November 2-4, 2022, at the Great Wolf Lodge in Grapevine, Texas. Topics proposed for the 2022 Summit include 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. New this year, JCMH has launched the *Whole Body, Whole Mind, Whole Texas* Challenge; JCMH is challenging every county in Texas to be represented at this year's Summit. Look for weekly updates on the JCMH website to see which counties have met this challenge. Please check out the current map with our progress and recommend the Summit to a colleague in an unrepresented county.

We have reached capacity for in-person registrations, but we are still accepting registration for online attendance. If you haven't already, you may register through the [JCMH website](#). Consider creating what some trailblazing-counties are doing--getting together for watch parties to share the experience!



Let's make the 5th Annual Summit a resounding success like the 2021 Summit with 1400 judges and stakeholders in attendance. The full [2021 Summit Report](#) is available on the JCMH website.

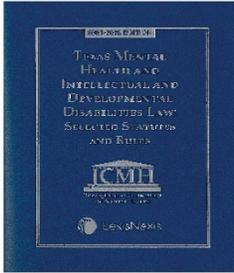
2. Texas Mental Health and Intellectual and Developmental Disabilities Law [Bench Book](#)

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.

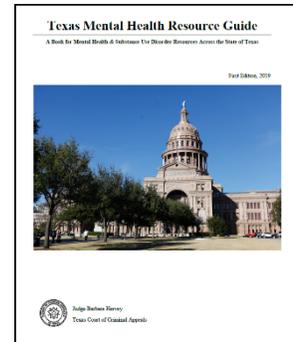
4. Mental Health [Code Book](#)



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. Recent topics include the Mental Health Court 10-Step Guide, 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. 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.

8. 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](#).

9. 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 July, JCMH Chair Judge Barbara Hervey opened the Texas Justice Court Training Center and Texas Association of Counties Mental Health Conference in Round Rock. Later in the conference, Executive Director Kristi Taylor presented strategies of the *Eliminate the Wait* initiative and Staff Attorney Molly Davis presented on SIM Mapping.
- In July, Executive Director Kristi Taylor and Dr. Jennie Simpson presented on the Sequential Intercept Model at the National Association of Drug Court Professionals Conference in Nashville, Tennessee;
- In July, Executive Director Kristi Taylor and Staff Attorney Kama Harris provided a 3-hour Mental Health Law Training to stakeholders in Liberty County, Texas;
- In July, Staff Attorney Kama Harris presented on Mental Health Bonds to the Texas Indigent Defense Coordinators; and
- In August, Executive Director Kristi Taylor presented on *How to Get Started on SIM Mapping* at the Texas Municipal Courts Education Center's Mental Health Conference in Corpus Christi.

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. JCMH hosted a SIM workshop for Denton County in March, for Grayson County in June, and is scheduled to host a workshop for Smith County at the end of September. 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. The most recent Round Table was held on July 24; it examined children’s mental health issues and was co-hosted by the Supreme Court Children’s Commission. The report from this Children’s Mental Health Round Table will be published soon and available on both commissions’ websites.

4. Technical Assistance for Courts and Communities

JCMH has continued to roll out Technical Assistance services, which include connecting judges with experts and peers, and providing assistance with creating mental health court programs. As of July, JCMH staff now provides half-day Mental Health Law Education to communities upon request.

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
September 15-16, 2022	SIM Workshop	Hays	HHSC
September 22-23, 2022	SIM Workshop	Smith	JCMH
October 20-21, 2022	SIM Workshop	Fannin	TJCTC & JCMH
October 27-28, 2022	SIM Workshop	Comal	HHSC
November 15-16, 2022	SIM Workshop	Potter/Randall	HHSC
December 1, 2022	ETW Regional	Central Texas	HHSC & JCMH

5. Innovations Map

The County Innovations in Mental Health Map (Innovations Map) was published earlier this year. Since its release, JCMH has engaged two contractors to enter data into the map, completing about one-third of the county pages. 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. These features enhance the site’s functionality for long-term viability; however, the recent changes will require the Innovations Map to be inaccessible until early November for the Summit.

Tab 5
Budget

Supreme Court of Texas - Court Improvement Projects
Judicial Commission on Mental Health FY2022
September 2022 Financial Report

FY2022-2023 Available Funds

FY2022-2023 State Appropriation	
FY2021 Strategy B.1.2 (Encumbered)	\$ 33,323
FY2022 Strategy B.1.4	\$ 1,250,000
FY2023 Strategy B.1.4	\$ 1,250,000
Total State Appropriation	\$ 2,533,323

FY2022 Budget vs. Actuals

	Actual	Budget	Balance
Operating	\$ 670,098	\$ 690,726	\$ 20,628
Commission Projects	\$ 186,939	\$ 378,228	\$ 191,290
Scholarships	\$ 756	\$ 756	\$ 0
Grants	\$ 38,479	\$ 173,328	\$ 134,849
Total Expenditures	\$ 894,003	\$ 1,243,037	\$ 349,035

Financial Status as of August 31, 2022

State Appropriation FY2022-2023	
FY2021 Strategy B.1.2 (Encumbered)	\$ 33,323
FY2022 Strategy B.1.4	\$ 1,250,000
FY2023 Strategy B.1.4	\$ 1,250,000
FY2022-2023 Funds Available	\$ 2,533,323
FY2022 Expenditures to Date	\$ 894,003
FY2022 Appropriation Balance	\$ 355,997
FY2022 Encumbered Expenditures	\$ 349,035
FY2022 UB to FY2023	\$ 6,963

Tab 6

Technical Assistance Updates



**Community
Diversion Coordinator
PILOT PROGRAM
September 2022**



A YEAR LATER

Since September 2021, the pilot counties have been hard at work implementing this new role. Each county completed the required reports and participated in HHSC's Jail In-Reach Learning Collaborative. JCMH continues to provide technical assistance, including access to resources, education, and SIM mapping workshops. Our team also welcomed the coordinators to the 2021 Summit. The National Center for State Courts (NCSC) is currently reviewing the program and preparing to offer recommendations.

DENTON

Coordinator: *Erica Baldwin*

Role Focus: 16.22 Process

Mapping: March 3-4, 2022

Report: Completed

NCSC Site Visit: August 24, 2022



GRAYSON

Coordinator: *Elizabeth Grayson*

Role Focus: MH Bond Conditions
& Judicial Procedures

Mapping: Jun 9-10, 2022

Report: Completed

NCSC Site Visit: August 25, 2022



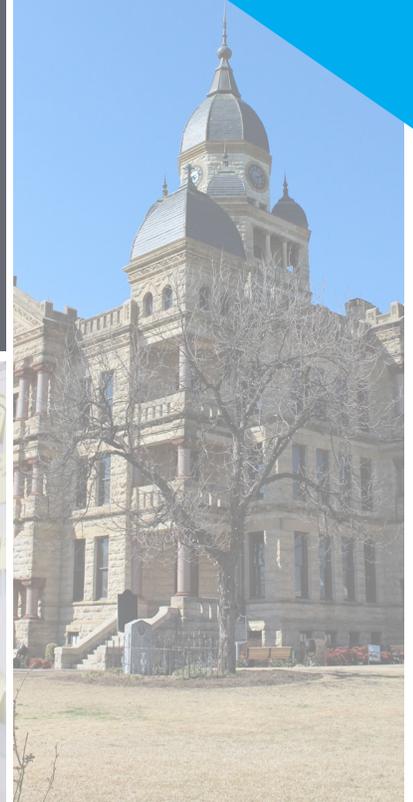
SMITH

Coordinator: *Sandra Brazil-Hamilton*

Role Focus: Community
Resources & MH Awareness

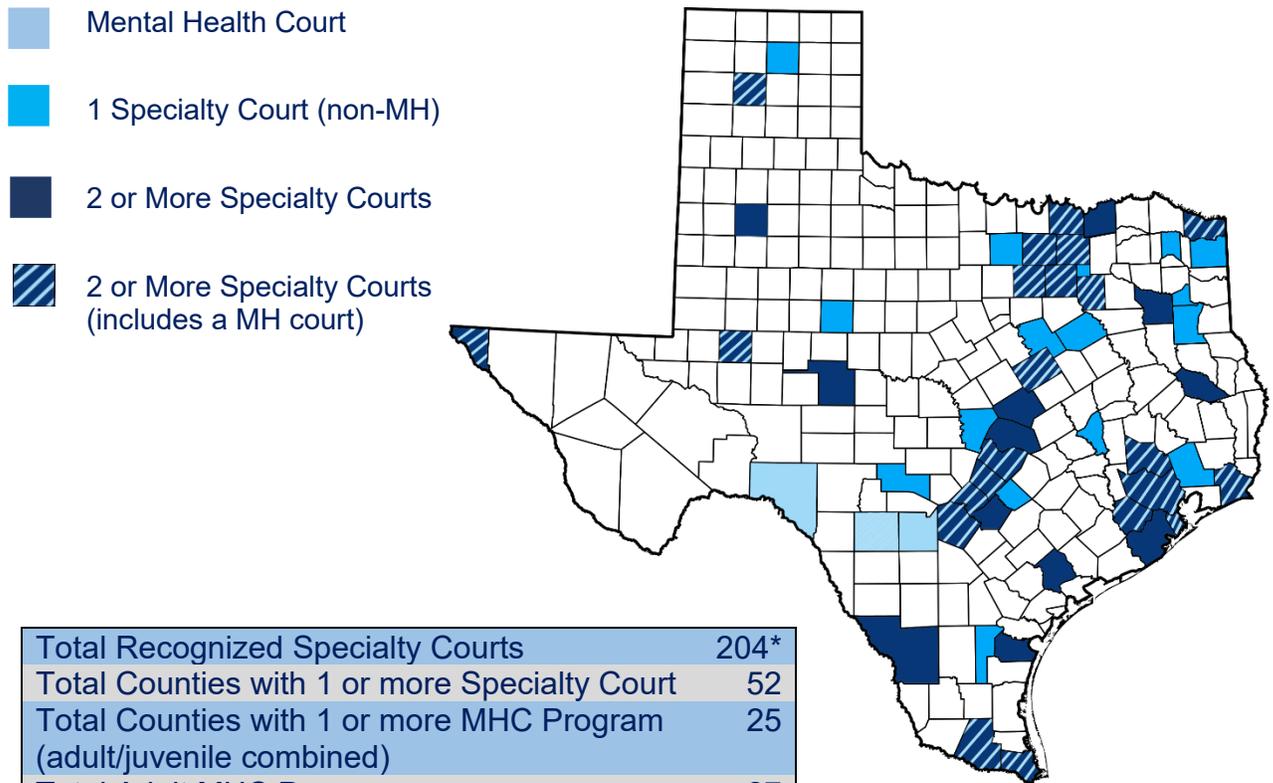
Mapping: September 22-23, 2022

NCSC Site Visit: August 26, 2022



TEXAS MENTAL HEALTH COURTS

September 2022



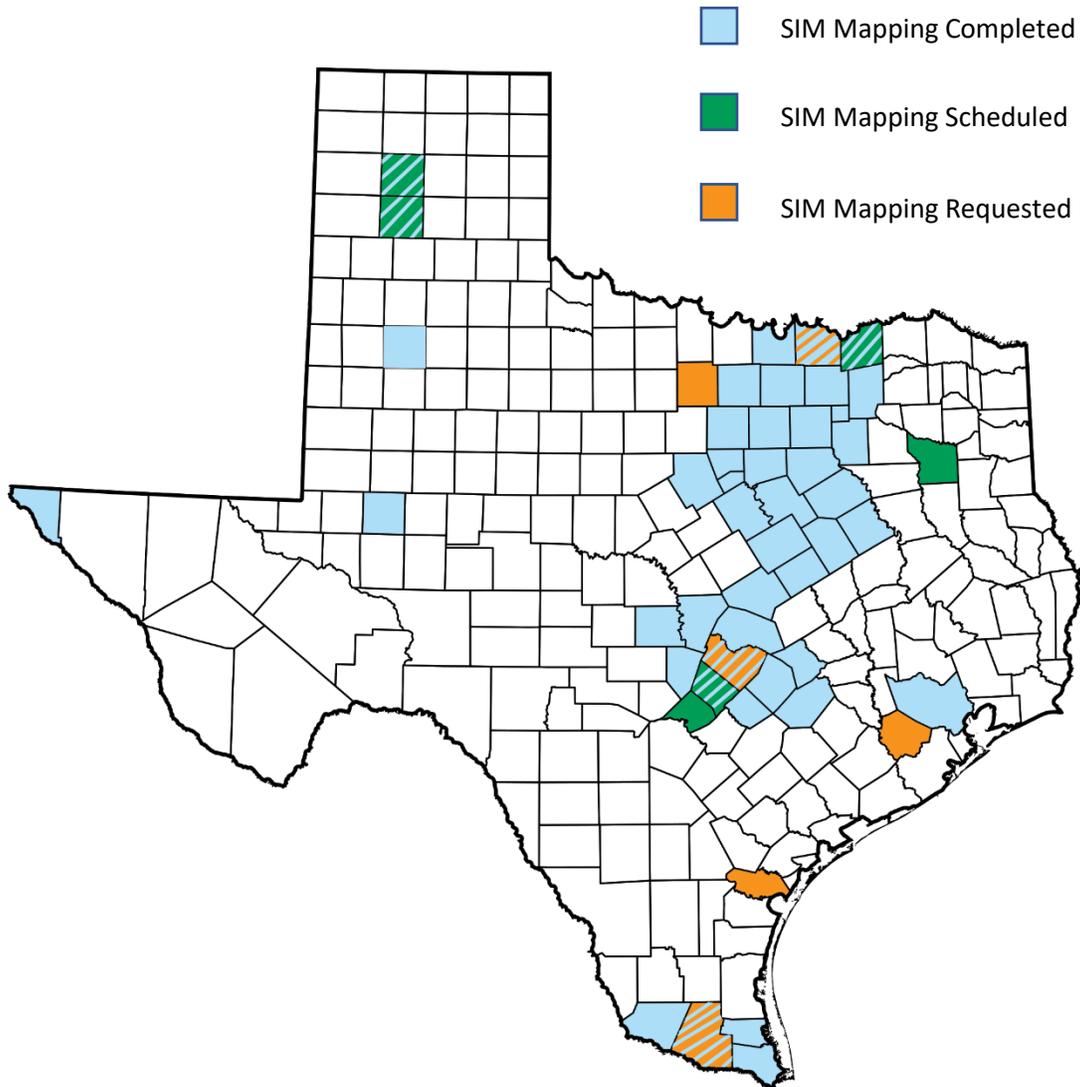
Total Recognized Specialty Courts	204*
Total Counties with 1 or more Specialty Court	52
Total Counties with 1 or more MHC Program (adult/juvenile combined)	25
Total Adult MHC Programs	27
Total Juvenile MHC Programs	11

Counties with an Adult MH Court (20)	
Bexar	Kaufman
Bowie	McLennan
Cameron	Medina
Comal	Midland
Dallas	Montgomery
Fort Bend	Potter
Galveston	Tarrant
Harris	Travis
Hays	Uvalde
Hidalgo	Val Verde

Counties with a Juvenile MH Court (10)
Cameron
Collin
Dallas
Denton
El Paso
Fort Bend
Grayson
Harris
Hidalgo
Jefferson

**Note: This document is intended to be a brief overview of the location of MHC programs in Texas. The data captured here is an accumulation of information from several sources (including data from the Office of Court Administration and the Specialty Court Resource Center). JCMH has reason to believe these are all courts operating in Texas but may not all be registered with OCA and may not receive funding from CJD.*

Texas SIM Mappings (2018-2022)



48 Counties Total
Over a 5-Year Period

County	Date	Agency	Joint?
Bastrop	2021	CAPCOG	Travis County Regional
Bell	March 2022	HHSC	
Blanco	2021	CAPCOG	Travis County Regional
Bosque	May 2022	HHSC	McLennan Regional
Burnet	2021	CAPCOG	Travis County Regional
Caldwell	August 2021	MMHPI (grant funded by JCMH)	
	2021	CAPCOG	Travis County Regional
Collin	March 2021 (Youth & Family)	MMHPI	DFPS Regions 3W (Non-CBC) & 3E
	August 2019	PRA	
	2019	NTCHC	North Texas Regional
	2019	NTCHC	North Texas Regional
Comal	October 2022	HHSC	
Cooke	March 2021 (Youth & Family)	MMHPI	DFPS Regions 3W (Non-CBC) & 3E
Dallas	March 2021 (Youth & Family)	MMHPI	DFPS Regions 3W (Non-CBC) & 3E
	March 2020 (Youth & Family)	PRA	
	2019	NTCHC	North Texas Regional
Denton	March 2022	JCMH	
	July 2021 (Juvenile)	PRA (grant funded by JCMH)	
	March 2021 (Youth & Family)	MMHPI	DFPS Regions 3W (Non-CBC) & 3E
	2019	NTCHC	North Texas Regional
	May 2018	PRA	
El Paso	April 2021	MMHPI	
Ellis	March 2021 (Youth & Family)	MMHPI	DFPS Regions 3W (Non-CBC) & 3E
	2019	NTCHC	North Texas Regional
Erath	2019	NTCHC	North Texas Regional
Falls	May 2022	HHSC	McLennan Regional
Fannin	October 2022	JCMH & TJCCTC	
	March 2021 (Youth & Family)	MMHPI	DFPS Regions 3W (Non-CBC) & 3E
	March 2020	MMHPI	w/Grayson
Fayette	2021	CAPCOG	Travis County Regional
Fort Bend	REQUESTED 2022	---	
Freestone	May 2022	HHSC	McLennan Regional
Grayson	REQUESTED 2022 (Juvenile)	---	
	June 2022	JCMH	
	March 2021 (Youth & Family)	MMHPI	DFPS Regions 3W (Non-CBC) & 3E
	March 2020	MMHPI	w/Fannin
	2019	NTCHC	North Texas Regional
Harris	2018	PRA	

Hays	September 2022	HHSC	
	2021	CAPCOG	Travis County Regional
Hidalgo	<i>REQUESTED 2021 (Juvenile)</i>	---	
Hill	May 2022	HHSC	McLennan Regional
Hood	April 2022	PRA (grant funded by JCMH)	
	2019	NTCHC	North Texas Regional
Hunt	April 2022	HHSC	
	March 2021 (Youth & Family)	MMHPI	DFPS Regions 3W (Non-CBC) & 3E
	2019	NTCHC	North Texas Regional
Jack	<i>REQUESTED 2022</i>	---	
Johnson	2019	NTCHC	North Texas Regional
Kaufman	March 2021 (Youth & Family)	MMHPI	DFPS Regions 3W (Non-CBC) & 3E
	2019	NTCHC	North Texas Regional
Lee	2021	CAPCOG	Travis County Regional
Limestone	May 2022	HHSC	McLennan Regional
Llano	2021	CAPCOG	Travis County Regional
Lubbock	December 2019	MMHPI	
McLennan	May 2022	HHSC	McLennan Regional
Midland	May 2022	HHSC	
Navarro	March 2022	HHSC	
	March 2021 (Youth & Family)	MMHPI	DFPS Regions 3W (Non-CBC) & 3E
	2019	NTCHC	North Texas Regional
Nueces	June 2020	MMHPI	
Parker	2019	NTCHC	North Texas Regional
Potter	November 2022	HHSC	w/Randall
	May 2019	PRA	w/Randall
Randall	November 2022	HHSC	w/Potter
	May 2019	PRA	w/Potter
Rockwall	March 2021 (Youth & Family)	MMHPI	DFPS Regions 3W (Non-CBC) & 3E
	2019	NTCHC	North Texas Regional
San Patricio	<i>Requested 2022</i>	---	
Smith	September 2022	JCMH	
Somervell	2019	NTCHC	North Texas Regional
Tarrant	2019	NTCHC	North Texas Regional
Travis	<i>Requested 2022</i>	---	
	2021	CAPCOG	Travis County Regional
	2021	TCJP	
Williamson	2018	TCJP	
	March 2022	HHSC	
	2021	CAPCOG	Travis County Regional
Wise	October 2018	PRA	
	March 2021 (Youth & Family)	MMHPI	DFPS Regions 3W (Non-CBC) & 3E
	2019	NTCHC	North Texas Regional

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