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THE SUPREME COURT OF TEXAS

THE TEXAS COURT OF CRIMINAL APPEALS

# Judicial Commission on Mental Health

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February 10, 2022

Meeting Notebook



**February 10, 2022  
Meeting Notebook**

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**Tab 1**  
**Agenda**



## Texas Judicial Commission on Mental Health

Virtual Meeting, Zoom Conference

February 10, 2022

### AGENDA

9:00	<b>Welcome</b>	Hon. Jane Bland Hon. Barbara Hervey
9:10	<b>Announcements</b> Introduction of Hon. Rebeca Huddle Introduction of Hon. Jesse McClure, III Introduction of Megan LaVoie, OCA Introduction of Timothy Bray, HHSC	Hon. Barbara Hervey
	<b>Collaborative Council Announcements</b> Introduction of new Collaborative Council members: <ul style="list-style-type: none"><li>- Dr. Diana Cantu</li><li>- Colleen Davis</li><li>- Chief Zachary Flores</li><li>- Hon. James Henderson</li><li>- Dr. Charles Mathias</li><li>- Jennifer Toon</li><li>- Hon. Grace Uzomba</li></ul>	
9:20	<b>Executive Director Report</b> Budget and Grants Report Conference of Chief Justices Eliminate the Wait JCMH Website, Innovations Map & Communications Plan Technical Assistance Report	Kristi Taylor Patrick Passmore Molly Davis Kama Harris Rose McBride  Kristi Taylor
9:40	<b>2021 JCMH Committees</b> Bench Book Committee Juvenile Bench Book Committee Summit Curriculum Committee Legislative Research Committee	Hon. Barbara Hervey Hon. Camile DuBose Hon. Cynthia Wheless Hon. Brent Carr Hon. Bill Boyce

Forms Committee  
Long-Term Planning Committee  
Data Committee

Hon. Dave Jahn  
Hon. John Specia  
Dr. Connie Almeida

9:50 **Break**

10:00 **Commissioner Input**

- What is one innovation or best practice that has been helpful in your county or community?
- What is one underutilized resource from your organization?

Hon. Jane Bland

12:00 **Adjourn**

Hon. Jane Bland  
Hon. Barbara Hervey

**Tab 2**

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

# JUDICIAL COMMISSION ON MENTAL HEALTH

## Executive Committee & Commissioners

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### 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 (Former)*

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 Deputy 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

**Camille Cain**

*Executive Director*

Texas Juvenile Justice Department

**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. Camile DuBose**

*Judge*

Medina County, 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**

*Advocate/Attorney*

Austin, Texas

**Dr. Courtney Harvey**

*State Mental Health Coordinator & Associate Commissioner*

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

**JUDICIAL COMMISSION ON MENTAL HEALTH**  
**Executive Committee & Commissioners**

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**Hon. Bonnie Hellums**

*Judge (Ret.)*  
Harris County, Texas

**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

**Chief Mike Lee**

*Mental Health & Jail Diversion Bureau*  
Harris County Sheriff's Office

**Hon. Elizabeth Byer Leonard**

*Judge*  
Midland County, 238<sup>th</sup> District Court

**Hon. Pam Liston**

*Judge*  
Rowlett Municipal Court

**Dr. Octavio Martinez**

*Executive Director*  
Hogg Foundation for Mental Health

**Hon. Stacey Mathews**

*Judge*  
Williamson County, 277<sup>th</sup> 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, 427<sup>th</sup> 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, 449<sup>th</sup> District Court

**JUDICIAL COMMISSION ON MENTAL HEALTH**  
**Executive Committee & Commissioners**

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**Prof. Brian Shannon**

*Paul Whitfield Horn Professor*

Texas Tech University School of Law

**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, 417<sup>th</sup> 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

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**Hon. Devon Anderson**

*President & CEO*  
Justice Forward

**Trey Apffel**

*Executive Director*  
State Bar of Texas

**Hon. Mark Atkinson**

*Chief Executive Officer*

**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

**Sonja Burns**

*Mental Health Advocate*

**Hon. Nelda Cacciotti**

*Mental Health Magistrate*  
Tarrant County

**Dr. Diana Cantu**

*Chief Executive Officer*  
Texoma Community Center

**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 Leslie Fitzpatrick

**Chief Zachary Flores**

*Chief of Police*  
Sherman Police Department

**Gilbert Gonzales**

*Director*  
Bexar County Department of Behavioral and  
Mental Health

**Krishnaveni Gundu**

*Co-Founder & Executive Director*  
Texas Jail Project

**Greg Hansch**

*Executive Director*  
NAMI Texas

**Elizabeth Henneke**

*Executive Director*  
Lone Star Justice Alliance

**Colleen Horton**

*Policy Program Officer*  
Hogg Foundation for Mental Health

**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.

# JUDICIAL COMMISSION ON MENTAL HEALTH

## Collaborative Council

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**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. 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**

*Judge (Fmr.)*  
289<sup>th</sup> 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

**Michelle Romero**

*Associate Director*  
Texas Medical Association

**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  
Defenders Office

**Dr. Jennie Simpson**

*Forensic Director*  
Texas Health and Human Services  
Commission

**JUDICIAL COMMISSION ON MENTAL HEALTH**  
**Collaborative Council**

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**Matt Smith**

*Assistant Executive Director, Director of  
Mental Health Services*  
Williamson County Juvenile Services

**Nicole Weaver**

*Child Protective Services Mental Health  
Specialist*  
Texas Dept. of Family Protective Services

**Lt. Scott Soland**

*President*  
Texas CIT Association

**Thea Whalen**

*Executive Director*  
Texas Justice Courts Training Center

**Dr. Jonathan Stevens**

*Assistant Professor*  
Department of Psychiatry and Behavioral  
Sciences, Baylor College of Medicine

**Hon. Deborah Wigington**

*Judge*  
Comal County Court at Law No. 3

**Gloria Terry**

*Chief Executive Officer*  
Texas Council on Family Violence

**Sheriff Dennis Wilson**

*Limestone County*  
Sheriff's Association of Texas

**Rick Thompson**

*Senior Legislative Manager*  
Texas Association of Counties

**Steve Wohleb**

*Senior Vice-President/General Counsel*  
Texas Hospital Association

**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

**Hon. Grace Uzomba**

*Judge*  
Bexar County Court at Law No. 2

**Julie Wayman**

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

**Tab 3**

**Minutes from August 2021 Meeting**

**JUDICIAL COMMISSION ON MENTAL HEALTH  
MINUTES OF MEETING  
AUGUST 13, 2021  
VIRTUAL MEETING**

**COMMISSIONER ATTENDEES:**

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

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

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

David Slayton, *Administrative Director, Office of Court Administration*

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

Hon. Brent Carr, *Judge, Tarrant Co. Criminal Court No. 9*

Hon. Camile G. DuBose, *Judge, 38<sup>th</sup> Judicial District, Real Co. & Uvalde Co.*

Dr. Melissa Eshelman, *Associate Professor, UT 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 Attorney, Collin Co. Mental Health Managed Counsel*

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

Kevin Garrett, *Peer Support Advocate*

Dr. Courtney Harvey, *Associate Commissioner, Texas HHSC*

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

Hon. Dave W. Jahn, *Judge, Denton Co. Criminal Court No. 1*

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

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, 427<sup>th</sup> 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*  
Lee Pierson, *Chief of Mental Health Division, Dallas Co. District Attorney's Office*  
James Rasmussen, *Chief Public Defender, Wichita Co. Public Defender's Office*  
Hon. Renee Rodriguez-Betancourt, *Judge, 449<sup>th</sup> 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*  
Hon. Cynthia Wheless, *Judge, 417<sup>th</sup> District Court, Collin Co.*  
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. She stated that even though the meeting had to be conducted virtually instead of in-person, she is hopeful that the Commissioners will be able to meet in October during the Summit.

Justice Bland also touched briefly on the JCMH's legislative work, which included 10 legislative proposals that were put into passed bills, S.B. 49 and H.B. 3774. She asked that the Commission think about what went right and what went wrong regarding legislative proposals, and to keep that in mind as the Commission starts framing proposals for the next regular legislative session.

Justice Bland thanked Rep. Joe Moody, Rep. Jeff Leach, Sen. Joan Huffman, and Sen. Judith Zaffirini, who were instrumental in supporting the JCMH's legislative proposals.

### **Welcome and New Staff Introductions**

**Judge Barbara Hervey, Co-Chair**, welcomed the attendees and thanked them for their flexibility regarding the resetting of the meeting to an all-virtual format. She hopes to see everyone in person at the Summit in October.

## **Congratulating Commissioner Mike Maples**

On behalf of the Commission and the two High Courts, Judge Hervey congratulated Commissioner Mike Maples on his retirement and recognized him for his years of service to the State, to the Commission, and to the areas of mental health and substance abuse. Mr. Maples was the Health and Specialty Care System Deputy Executive Commissioner for HHSC. During his tenure with HHSC, Mr. Maples was responsible for 10 state hospitals and 13 state supported living centers across Texas. He previously served as Assistant Deputy Commissioner for the Texas Department of State Health Services. Altogether Mr. Maples has served 30 years in public mental health and substance abuse service delivery operations and policy development. He has also served as the President of the National Association of State Mental Health Program Directors.

**Judge Hervey** then welcomed new members of the Collaborative Counsel. The new members include:

1. *Hon. Devon Anderson, Former Presiding Judge of Harris County Drug Court,, current CEO and President of Justice Forward.* [Justice Forward](#) is an organization that funds essential programs for individuals in the Harris County Specialty Courts to help them become independent and productive members of the community. Judge Anderson was also the founding director of Probation Works, a nonprofit organization that assists adults on probation.
2. *Armando Colombo, President and CEO, Menninger Clinic.* Prior to joining the [Menninger Clinic](#), Mr. Colombo served at Shepherd Pratt Health System, the nation's largest private nonprofit provider of mental health and substance use, developmental disability, and social services. Mr. Colombo has spent most of his career in healthcare management and is experienced in other specialty hospitals, health insurance, and other health services.
3. *Dr. Jonathan Stevens, M.D., Vice President of Growth and Innovation, Medical Director of Outpatient Services and Admissions, Menninger Clinic.* In addition to his roles at the [Menninger Clinic](#), Dr. Stevens is an Assistant Professor in the Department of Psychiatry and Behavioral Sciences at Baylor College of Medicine. His clinical interests include improving the outcomes of psychiatric care, understanding the effects of ADHD medications, and managing the metabolic burdens of psychiatric medications.

Judge Hervey also welcomed one new JCMH staff member and a summer law-student intern:

4. *Liz Wiggins, Program Manager.* Ms. Wiggins is an attorney with diverse experience serving the community, both in the private and public sectors, including working as both a prosecutor and a criminal defense attorney.
5. *Alyse Munrose, Summer Intern.* Ms. Munrose is a 2<sup>nd</sup> year student at the UT School of Law. Ms. Munrose is a former CPS caseworker and has been a great asset to the JCMH staff this summer.

Judge Hervey then announced that the remaining Collaborative Counsel meetings for 2021 will take place on September 7th and November 2nd. She asked that members please note that the December 7th meeting has been cancelled and rescheduled for November 2nd, 2021.

## **EXECUTIVE REPORT & JCMH UPDATE:**

Kristi Taylor cited the Report to the Commission, which sets out the work of the committees, as well as other projects that are going on behind the scenes. Ms. Taylor gave highlights on two new websites that the JCMH is developing. One website is meant to replace the current JCMH website. The hope is that it is more user friendly and easier to navigate, so that Commissioners, stakeholders, and interested individuals can have more efficient access to the JCMH's content. The second website is one that is being developed in conjunction with the OCA. This website will be an extension of the JCMH website but will also be an independent webpage. The webpage will have three main objectives. The first objective is to allow for collaboration and communication between courts, attorneys, and service providers. The second objective is to create a means for courts to request technical assistance, whether that means hands-on training from the JCMH staff or guidance on best practices, or another form of assistance. The third objective is to create peer connections that would allow professional networking opportunities.

Ms. Taylor also stated that the JCMH is hoping to focus on courts and attorneys and for the Commission to become a repository for best practices and be able to go into communities and courts. She also mentioned that there will be another opportunity for SIM mapping facilitator training this December 2021. Ms. Taylor asked that any interested judges and/or attorneys should contact her to sign up.

Ms. Taylor then discussed the July Juvenile SIM Mapping in Denton County, which was hosted by the JCMH and Judge Jahn. Facilitators came in from the National Center for Youth Opportunity and Justice. It was a two-day event in which various members and stakeholders in the community gathered to map how an individual flows through the juvenile system. The mapping occurred on the first day, and the second day was dedicated to creating an action plan, coming up with the main goals of the community, and making concrete plans for movement towards a solution or solutions. Ms. Taylor hopes that Denton is a model that can be incorporated into the JCMH's wider strategies and can be brought to more communities and courts throughout Texas.

## **BUDGET AND GRANT PROJECTS UPDATE:**

Ms. Taylor then introduced Patrick Passmore, JCMH Finance Manager, to give an update on the current JCMH budget and grants.

### **Budget Overview:**

Mr. Passmore gave an overview of the current JCMH budget. He stated that the JCMH currently has outstanding obligations of \$364,082, and that most of these funds are obligated. In 2020, the JCMH did have a committed lapse of \$34,000, since there was not a UB for the biennium. JCMH has encumbered a majority of fiscal year 2020 grant awards to allow grantees an opportunity to complete their programs in fiscal year 2021, due to COVID-19. The JCMH will provide those grantees an option to request a no-cost extension from 2021 through fiscal year 2022 to give them the opportunity to complete the projects. Currently the JCMH is projected to have an end balance

of \$12,681 and that is anticipated to be the maximum lapse for fiscal year 2021. Mr. Passmore then took questions about the budget from Commissioners. Professor Shannon asked if the unused funds were coming from the difficulties encountered during the COVID crisis. Mr. Passmore confirmed that the surplus is from the JCMH's inability to travel this past year for trainings, as well as venue costs for in-person conferences and meetings.

### **Technology and Court Improvement Grants**

The grant applications closed in July. There was an overwhelming response with over 50 applications filed. The JCMH staff is currently reviewing those applications and compiling recommendations to present to the Executive Committee. We hope to get the award statements signed and out the door before the start of the fiscal year.

### **Community Diversion Coordinator Pilot Project**

The JCMH partnered with HHSC to develop and launch this opportunity. There were many excellent applications. Ultimately, three communities were selected as test sites: Denton County, Grayson County and Smith County. The JCMH anticipates hiring the coordinators in the Autumn of 2021. Mr. Passmore thanked all who applied and reiterated that it was a difficult decision to make, he hopes that the JCMH will be able to partner with all of the applicants in different projects in the near future. Mr. Passmore then introduced Dr. Jennie Simpson of HHSC to speak about the Jail In-reach Program that kicked off this week.

### **HHSC Jail In-reach Program**

Dr. Simpson stated this new program is an initiative of HHSC and is designed to be a learning collaborative, which also offers participating county teams with an opportunity to receive technical assistance from the state hospital forensic waitlist in-reach team. The in-reach team is led by Dr. Felix Torres, Chief of Forensic Medicine for the State Hospital System. County teams will include representation from courts, jail administration and LMHAs and they are geographically spread across the state. HHSC is excited to partner with the JCMH and have the Community Diversion Coordinator pilot sites join the learning collaborative. As part of the collaborative, teams are participating in a four-week training program starting in September and they will receive in depth training on monitoring individuals in the local jail who have been placed on the forensic clearinghouse waitlist, processes for requesting consultation regarding complex cases, court ordered medications and competency re-evaluations, if necessary. Teams will also be trained in monitoring individuals who have been returned to jail after being discharged from a state hospital. The kickoff meeting is today (8/13) and the three pilot sites will join the county teams. Starting in October and over the course of the next year the teams that are participating will do monthly technical assistance calls with learning collaborative members and HHSC. Teams will be able to receive one-on-one technical assistance upon request. HHSC will also be conducting a process evaluation and utilizing a data collection strategy to ensure that they capture what works, lessons learned and how to replicate and scale the program. Dr. Simpson reiterated that she believes this HHSC program dovetails perfectly with the JCMH's Community Diversion Coordinator pilot program.

## **COMMITTEE REPORTS**

**Justice Bland** introduced Committee Chairs so that they might give reports and updates on their committee's work. The updates are as follows:

### **Bench Book Committee, Judge Camile Dubose, Chair**

Judge DuBose reported that since last April, the Adult Bench Book Committee has met twice and circulated multiple drafts of the 3<sup>rd</sup> edition. On August 2<sup>nd</sup> the final draft was submitted to the designers, and they will return the designed draft to us in a few weeks for final edits and printing. The 3<sup>rd</sup> edition added seventy-two pages of information and now includes intercepts four and five, as well as additional sections on risk assessments, insanity, expunctions and non-disclosures that were added to the earlier intercepts. Judge DuBose thanked the Adult Bench Book Committee and the JCMH staff for their outstanding work. She added that the Committee met all deadlines and exceeded new content expectations. The finished product should be unveiled at the Summit in October.

### **Juvenile Bench Book Committee, Judge Cynthia Wheless, Chair**

Judge Wheless began by thanking JCMH Staff Attorney Molly Davis for her tireless work on the 2<sup>nd</sup> edition of the Juvenile Bench Book. The 2<sup>nd</sup> edition identifies points at which youth can be diverted from the juvenile justice system and into community-based services. This edition includes a detailed section on lack of responsibility, sample motions and orders, and guidance on reducing disproportionality in the juvenile justice system.

### **JCMH Summit Committee, Judge Brent Carr, Chair**

Judge Carr reported that the Committee has published the agenda for the Summit. He stated that the Summit should touch on subjects and topics that are compelling for everyone in attendance. The Summit has benefitted from the JCMH's Commissioners and Collaborative Counsel members in that several members of both are presenting at this year's summit. The Committee most recently met in May and will meet again in August. Judge Carr reminded everyone that the Summit dates are October 14<sup>th</sup> and 15<sup>th</sup>, and it will be held in Georgetown. Judge Carr mentioned that Commissioners should be sure to mention the livestream to their peers and colleagues as it does count towards certain CLE hours, and it is free. Judge Carr then listed some of the topics that will be presented at the Summit: a legislative update, Texas-specific competency restoration action plan, civil law issues and AOT, risk assessments, veterans' initiatives, lived experiences and examples of programs that deeply involve helping individuals with mental illness. Judge Carr urged all attendees who have not registered for the Summit to register as soon as possible. He also stated that an in-person reception for Commissioners and Collaborative Counsel members is planned for Thursday, October 13<sup>th</sup> at 5:30 p.m. (reception time subject to change) at the Georgetown-Austin Sheraton.

**Justice Bland** mentioned a rule change, which added a comment to Canon 3 of the Texas Code of Judicial Conduct. Judge Carr was instrumental in developing and gaining approval of the comment by the Supreme Court of Texas. The comment states that it is not a violation of a judge presiding in a statutory specialty court to initiate, permit, or consider ex parte communications in a matter

pending in that court. Judge Carr will be discussing this topic at the October 2021 Judicial Summit on Mental Health. The order adopting comment can be found [here](#).

### **Legislative Committee, Justice Bill Boyce, Chair,**

**Justice Bill Boyce, as reported by Prof. Brian Shannon:** Prof. Shannon cited the JCMH legislative proposals chart that is included in the meeting notebook. The chart shows which proposals were adopted and inserted into passed bills and those proposals that were not passed by the Legislature. Prof. Shannon mentioned that the JCMH did quite well regarding legislative proposals and briefly discussed the legislative proposals that passed:

1. Relating to acceptance of plea in justice and municipal courts, codifies the requirement that an individual be competent to plead guilty in matters before justice and municipal courts, included in H.B. 3774.
2. Change to CCP 16.22, passed by S.B. 49, states that the individual conducting the 16.22 interview is no longer required to find and interview individuals who have already been released from jail. This proposal came about due to the work of Dr. Tony Fabelo of Meadows Mental Health. It was in a prior meeting that Dr. Fabelo mentioned the high volume of individuals for whom a 16.22 interview was necessary, and part of that process is to identify people who might be able to be released from jail while charges are pending. It seemed to make sense to not have to find these individuals post-release in order to conduct a 16.22 interview.
3. Oath as a condition of release on personal bond: this provision removes the requirement and condition for individuals with mental illness, included in SB 49.
4. Time periods for competency orders: this provision creates uniformity and relates to when the court starts counting the days for 120-day or 60-day period after a competency restoration order has been entered. The starting date is the later of the date the order is signed or the date when restoration services begin. This amendment was included in S.B. 49. This does not relate to the date where an individual might time-out with respect for total period of being involved in competency proceedings.
5. Jail-based competency restoration: provisions that in amendment align the statutory requirements for both county and HHSC JBCR programs, and sunsets the HHSC programs, These were included in S.B. 49.
6. Jail-based competency restoration: provisions that eliminated the 60-day cap for JBCR, allowing individuals to continue JBCR services as they wait for an inpatient placement, included in S.B. 49.
7. Relating to a step-down from inpatient competency restoration to an outpatient program: this provision creates that step-down and in included in S.B. 49. Prof. Shannon added that Beth Mitchell was instrumental in getting this proposal included and ultimately passed.
8. Relating to expert qualifications: this provision cleaned up and parallel the expert qualification statutes between 46B (competency) and 46C (insanity) and removed the 5-year legacy provision from 46C.102, included in S.B. 49.
9. Relating to the continuity of prescriptions for psychiatric stabilization at the jail, this provision ensures that patients are able given psych stabilization medication at the jail, included in S.B. 49.

Prof. Shannon also touched on some of the provisions that did not pass, including:

1. Authorizing good-time credits for individuals who receive outpatient competency restoration services;
2. Emergency detention proposals; and
3. Authority for Justice Courts and Municipal courts to dismiss Class C misdemeanors if a defendant lacks capacity.

**Justice Bland** thanked Professor Shannon for the legislative overview and committee report. She also introduced David Slayton, Administrative Director of the Office of Court Administration (OCA). Justice Bland thanked Mr. Slayton for his efforts regarding the JCMH legislative proposals and also informed the Commission that Mr. Slayton is leaving his position at OCA in order to take a position with the National Center for State Courts. Justice Bland asked Mr. Slayton to give a brief overview of his most recent work and upcoming projects and events.

### **David Slayton's Update and Farewell**

David Slayton stated that about 18% of bills that are filed during a legislative session pass, and it is much easier to kill a bill than it is to pass a bill. In light of this statistic, Mr. Slayton reiterated JCMH's accomplishment in having so many of its legislative proposals passed during the most recent regular session. He believes that JCMH's greatest strength is its multidisciplinary composition, which allows it to vet issues from multiple points of view. He echoed Justice Bland's sentiments that there is not really a resistance to the issues/proposals that did not pass, but the legislature just needs further education. Mr. Slayton also mentioned that a lot of the resistance to some of the proposals came from the Lt. Governor's office because there was not enough time to allow for further education on the issues.

Mr. Slayton pointed out that no other state has anything similar to the JCMH and many states are looking to Texas as an example. He also stated that there is a national task force on mental health, which involves a number of stakeholders from the judiciary, including a couple of representatives from Texas. He urged Commissioners to watch the national task force closely for recommendations on best practices. Mr. Slayton also mentioned that the Conference of Chief Justices will be taking place in Austin in January, which will include a focus on mental health. There will be an opportunity to share some of what Texas has been doing in that regard and we are likely to tap members of the JCMH to contribute. Mr. Slayton thanked members of the Commission for the opportunity to work with them during his tenure at OCA.

### **Forms Committee, Judge Dave Jahn, Chair**

Judge Jahn reiterated the mission of the Forms Committee is to examine common mental health forms, with the goal of producing a set of standardized forms that can be used in any county throughout the state. The Committee met regularly throughout 2020 via Zoom and continued working through the early part of 2021. The Committee has completed forms related to emergency detention, orders of protective custody, court ordered mental health and IDD services, jail and magistration related to 16.22s, competency, psychoactive medication, and IDD proceedings. The most recent meeting was August 12th. Judge Jahn also stated that he believes that the project will be finalized in time for the Summit.

Judge Jahn also congratulated fellow Commissioner, Judge Nelda Cacciotti, who has been awarded the Texas A&M University Law School's Judge Joe Spurlock legacy award, for her outstanding work in the Tarrant County Magistrate Court and mental health docket.

### **Long Term Planning Committee, Judge John Specia, Chair**

Judge Specia began by congratulating Judge Jahn on completing the Denton Youth SIM mapping. He reiterated that events like the Denton Youth SIM mapping provide for critical interactions with the schools. He continued with his update on the Long-Term Planning Committee by stating the inaugural meeting was held on July 20th. The Committee looked at the JCMH's strategic plan and discussed where the JCMH will go in the future. A number of themes emerged from the discussion, specifically judges requesting more support and collaboration in creating specialty courts, more work on diversion practices, an increase in coordination of mental health training and providing it in the smaller communities. Members also want to work on overcoming duplication and efficiency and efficacy of service distribution.

Judge Specia also gave a brief update on his work as the Jurist in Residence (JIR). As the Jurist in Residence, Judge Specia will be involved in technical training. There have been two JIR letters published this year, and he anticipates that two more will be published by the end of the year. The JIR letters are informational and are available on the [JCMH website](#). Judge Specia also mentioned that he was able to participate in a two-day conference about the intersection of mental health courts and mediation. He attended and spoke, along with Prof. Shannon. Judge Specia that he hopes these types of trainings will continue into the future.

### **Data Committee, Dr. Connie Almeida, Chair**

Dr. Almeida began by stating the goal of the Data Committee is to educate stakeholders on the importance of gathering appropriate data and how to apply that data to communicate about people with mental illness and IDD who are in our jails and courts. The Committee also hopes to improve outcomes for these individuals. It is a newly formed committee, and it is a challenging subject, but very much needed. Dr. Almeida asked that any Commissioners who have an interest in data or technology and would like to join the committee to reach out to her or to JCMH Program Manager Liz Wiggins at [liz.wiggins@txcourts.gov](mailto:liz.wiggins@txcourts.gov). The first meeting of the Data Committee is scheduled for September 9th.

**Justice Bland** echoed that the work of the Data Committee is to facilitate the work of educating individuals about the importance of collecting data. She stated that it is possible that the work of the Data Committee could be used to help the JCMH draft legislative proposals and report to the legislative committee.

## **COMMISSIONER ANNOUNCEMENTS**

**Judge Hervey** welcomed Commissioners back from a 10-minute break and continued the meeting by introducing the commissioner announcement segment. Judge Hervey informed the attendees that for this meeting each commissioner is asked to recommend areas of priority focus for the JCMH. Their suggestions are as follows:

**Dr. Connie Almeida:** Dr. Almeida stated that an important area of focus is website development as well as the facilitation of access to information. There is a lot of good work going on in the state, but it is very diverse, and she believes that the role of the JCMH is to help pull all that information together and to share it where there is a need. She also recommended information portals and peer learning collaboratives.

**Camile Cain, as reported by Sean Grove, Chief of Staff, TJJD:** Mr. Grove stated that one issue that he would like the JCMH to focus on is court education on using validated risk assessments. The Family Code and Human Resources Code require TJJD to develop a risk and needs assessment and there is a provision in the Family Code that the courts should use a validated risk and needs assessment, but there is nothing TJJD, as an executive agency, can do to enforce that. Mr. Grove hopes that the JCMH can help to focus courts on this very useful tool for juvenile cases. Mr. Grove believes that focusing on this would help courts and probation departments identify better alternatives to incarceration and better alternatives for older children, as well as assist in the sharing of information regarding mental health needs, and identifying childhood trauma at every stage of the process. Mr. Grove stated that he believes risk and needs assessments should be uniformly used in juvenile courts and probation departments. **Judge Wheless** echoed these sentiments in the chat, commenting that she appreciated TJJD requiring PACT assessments and would appreciate if TJJD would also require CSE-IT assessments for all juvenile respondents.

**Judge Brent Carr:** Judge Carr stated he would like the JCMH to consider creating breakout sessions during the annual Summit, which would allow for topic specialization as opposed to generalization. He would also like the JCMH, possibly in conjunction with another group or stakeholder, to develop a traveling show for jurisdictions that need onsite technical assistance in developing specialty courts.

**Judge Francisco X. Dominguez:** Judge Dominguez focused on the importance of funding: funding for medication, funding for staff, etc. He would like the JCMH to focus on this issue, specifically regarding legislative funding and support.

**Judge Camille DuBose:** Judge DuBose echoed the need for technology in rural courts and areas. She mentioned that innovation in the use of technology can improve access to the courts and services.

**Dr. Melissa Eshelman:** Dr. Eshelman agreed with the suggestions about the focus on technology development, specifically for the dissemination of information and support.

**David Evans:** Mr. Evans highlighted the issue of early access to mental health treatment. In Travis County they now have over six months of data from embedding LMHA staff into the 911 call center and doing dispatched mobile crisis outreach. Mr. Evans is currently shifting focus to an alignment of city, county, and state resources to determine how to apply the model to larger systems. He would also like the JCMH to focus on helping to increase state funding for outpatient competency restoration programs.

**Dr. Tony Fabelo:** Dr. Fabelo echoed the need to focus on pre-trial risk assessments, especially considering legislation that is currently pending in the special legislative session.

**Alyse Ferguson:** Ms. Ferguson would like the JCMH to stay focused on legislative work, especially bills proposed by the JCMH that did not pass this session. She stated that she would like the JCMH to increase their working relationship with HHSC, specifically regarding the forensic competency restoration process. She believes that increased collaboration could make the process simpler for both HHSC and the counties.

**Sonja Gaines:** Ms. Gaines stated that there is a need for training and technical assistance for behavioral health and criminal justice professionals. She highly recommends that the JCMH focus on training and technical assistance at the intercept 3 through 5. Dr. Gaines also stated that early intervention and diversion should be an increased focus.

**Kevin Garrett:** Mr. Garrett cited research he had recently conducted which asked stakeholders what services they would like to see from the mental health system. He reported his findings as 21.4% would like some type of live assistance, 19.7% would like an increase in collaboration opportunities, 15.4% would like to see an increase in peer-to-peer support, and 12% (rural partners) would like an increase support services that are tailored for rural communities. He summarized stating that 2/3 of responses from stakeholders including wanting to see hands on legal assistance.

**Greg Hansch:** Mr. Hansch, of NAMI TX, provided his update in the chat. He said that as we head toward 88(R), NAMI Texas would encourage JCMH and the LRC to study and make recommendations on improving the criteria for court—ordered inpatient mental health services found Health and Safety Code Ch. 574, They have heard various concerns about criteria from judges, families, peers, and other advocacy organizations. He believes that JCMH is the right entity to convene stakeholders and build consensus on this challenging issue.

**Dr. Courtney Harvey:** Dr. Harvey agreed with the suggestions for a greater focus on training, technical assistance, and legislative changes. She also stated that there should be an increased focus on data and information sharing. Dr. Harvey indicated that there should be specialized training in the administration of Article 16.22, the follow-up Article 17.032, as well as training relevant to Article 46B and competency restoration. She also mentioned the importance of the standardization of forms, standardization of bond release conditions, and standards for competency evaluators.

**Judge Bonnie Hellums (Ret.):** Judge Hellums would like to see a focus on training, specifically relating to trauma, and especially in juvenile populations. She emphasized the importance of trauma awareness at every level of the system. She praised Wayne Young and the Harris Center for what they are accomplishing. Judge Hellums also mentioned that new legislation now requires ad litem be trained about trauma, and she would like to see judges have an increased awareness and sensitivity towards trauma. Judge Hellums would also like to see a focus on sex trafficking and the trauma involved in that issue. **Dr. Almeida** commented in the chat that legislation was passed, possibly S.B. 904, which requires 3 hours of trauma training for attorneys representing children in CPS cases. Her department is working with the family court judges and has scheduled a training on October 8<sup>th</sup>.

**Judge Yolanda Huff:** Judge Huff spoke about her county’s effort to streamline the 16.22 report process and how that effort was informed by the JCMH summit and other conferences regarding the 16.22 report. Judge Huff informed the Commissioners that the Bexar County Commissioner’s Court formed the Criminal Justice and Behavioral Health Taskforce. The taskforce will gather input and create approaches for improving administration of justice in cases involving mental illness and substance abuse. The taskforce consists of 20 people, including Commissioner Judge Oscar Kazen. Judge Huff will be chairing the Justice System Committee of that taskforce. Judge Huff provided the [2021 Bexar County Specialty Courts Coalition Resource Guide](#) to the Commission.

**Judge Dave Jahn:** Judge Jahn stated that data analysis is essential because that is what drives the funding. He mentioned education on quality of outcomes as an area of increased focus for the JCMH. Judge Jahn echoed the need for risk assessment training and also added that an increase in evaluating potential outpatient therapies is also an important area on which to focus.

**Dr. Andy Keller:** Dr. Keller spoke about the benefits of the multidisciplinary response teams (MDRT) that have been created. These teams consist of a paramedic, mental health professional, and a specially trained non-uniformed law enforcement officer. Dr. Keller provided the [Meadows 2021 Multi-Disciplinary Response Team Report](#) to the Commission, which discusses the RIGHT Care program out of Dallas. MDRTs, unlike a mobile crisis team, can respond when there is a public safety threat. The data out of the RIGHT Care program, discussed in the report, is taken from all service calls, unlike other programs which cherry-pick calls that do not present a public safety threat. Dr. Keller mentioned this is particularly important for certain segments of the population, specifically people of color who encounter a higher amount of public safety calls than other segments of the population. Further, the majority of calls for mental health issues are made by members of the public calling about safety concerns. Dr. Keller is hopeful about the existence of similar programs in Austin and San Antonio, and he hopes they will be a model for programs in other communities.

**Judge Sue Kurita:** Judge Kurita echoed the need for a greater focus on immigration and mental health. She also stated that a focus on veterans’ mental health is important, especially in the areas that have a large military population.

**Beth Lawson:** Ms. Lawson stated that education of the judiciary on mental health topics should have an increased focus, specifically about the role of the LMHA in the community and in relation to the courts (e.g., what LMHAs can and cannot do, and what their limitations are).

**Maj. Mike Lee:** Maj. Lee echoed the suggestion for breakout sessions at the Summit, specifically one for law enforcement. He also echoed the importance of legislation and would like the JCMH to reassert the proposals regarding emergency detentions and the concomitant issues of firearms and authority to apply for an emergency detention warrant. He specifically proposed that there should be legislation dictating the authority of non-law enforcement response teams. Maj. Lee informed the Commissioners that the Harris County Commissioner’s Court has recently created the Division of Community Public Safety and Violence Intervention. It is a division of the Harris County Public Health Department and will house non-law enforcement response teams. The Division is the result of Harris County’s work with the Harvard Government Performance Lab.

Maj. Lee concluded by informing the Commissioners that the Harris County tele-health program has received the national award for private-public partnership from the International Association of Chiefs of Police.

**Judge Pamela Liston:** Judge Liston stated that there should be a focus on training for the 16.22 process, specifically early intervention. She thinks that legislation would also be helpful in this area. Judge Liston proposed legislation so that all magistrates would have the ability to appoint legal counsel. Currently not all magistrates have the ability to appoint legal counsel and it is creating a gap in services. She mentioned that there is a procedure under Chapter 26 that needs to be legislatively reviewed and updated so that **all** magistrates have the ability appoint legal counsel. Judge Liston also emphasized the importance of an abundance of resources made available during the magistration stage of the process. She reiterated that courts often operate on scarcity, which impacts the courts' ability to meet the mental health needs of defendants. Judge Liston stated that there is a need to focus on the role of law enforcement during the magistration phase, specifically in transporting patients/defendants to treatment facilities. There is at times resistance on this issue from law enforcement and Judge Liston believes that education might alleviate this problem.

**Dr. Octavio Martinez:** Dr. Martinez stated that the JCMH should elevate their objective, as stated in the strategic plan, of examining the prevalence and impact of racial disparities for people with mental health needs, substance use disorders and IDD in the court systems. Dr. Martinez also stated that there should be a focus on exploring potential partnerships to promote earlier wellness and education about mental health and substance use disorders. Dr. Martinez believes these issues are especially important now that the CDC is about to administer \$45.2 million dollars of funding to engage targeted communities disproportionately impacted by COVID-19. This endeavor is currently under the Office of Health Equity, Policy and Performance. This is an excellent opportunity to address prevalence and impact which additional helps inform the Commission's work on the sequential intercept model, specifically intercepts 0 and 1. Dr. Martinez also noted that he supports the suggestions of other commissioners – David Evans 988 program, Dr. Keller and MDRTs, Sonja Gains on the forensic strategic plan, and Judge Hellums regarding training on trauma.

**Jen Mudge:** Ms. Mudge is the Policy Coordinator with the Texas Council on Family Violence; she provided her update in the chat. She said that her organization has two webinars at the end of August for their Summer Legal Series, which can be found on the [events page](#) of her organization's website. [jmudge@tcfv.org](mailto:jmudge@tcfv.org)

**Beth Mitchell:** Ms. Mitchell echoed the sentiments of the Commissioners who would like an increased focus on using mental health providers in emergency detention situations and the ability to divert from the criminal justice system. Ms. Mitchell reminded the Commissioners that there is still currently a waitlist of 1,500 individuals who are waiting in jail for mental health services. Ms. Mitchell also agreed with Maj. Lee's suggestion for an increased focus on law enforcement's role in the process.

**Judge Nathaniel Moran:** Judge Moran mentioned collaboration with K-12 educational institutions and the TEA as area of increased focus for the JCMH. Judge Moran cited the statistic that 70% of juveniles in the Smith County juvenile justice system have mental health needs. Judge

Moran has also had conversations with local school superintendents who have expressed a need for support in this area. Also, there are more and more children dealing with mental health issues because of the increasing prevalence in social media.

**Judge Tamara Needles:** Judge Needles would like to see an increase in the focus of data and information, as well as education of the general public and wider community about the work of the JCMH and counties, what services are needed, and why we need to spend money on these things.

**Judge Rosanne Nelson:** Judge Nelson echoed Judge Liston's comments regarding the ability for all magistrates to appoint legal counsel. Judge Nelson mentioned her concern about the pending bail reform bill and would like the JCMH to remain focused on the issues that the passage of the bill will create in regard to personal bonds under 17.032. She also emphasized the importance of regional support programs for individuals who are incarcerated, and on the issue of jail diversion, Judge Nelson would like to explore the possibility of increasing access to private psychiatric facilities.

**Denise Oncken:** Ms. Oncken reiterated the need to concentrate heavily on education and training. She agreed with suggestions regarding the website, data, legislative agenda items, and the technology that exists. Ms. Oncken mentioned the strength of the Pre-charge Diversion Program in Harris County, which has diverted about 4,000 individuals who have committed low-level, nonviolent offenses from the criminal justice system. She said that a driving force of this is the continuous education. Ms. Oncken also supported the idea of breakout rooms at the annual Summit.

**Lee Pierson:** Mr. Pierson would like to see an expansion of the JCMH website. He also mentioned a greater collaboration with HHSC to conduct trainings. It would be beneficial to have a bank of doctors that focus on competency issues and maybe focus on telemedicine in order to make it more available. Mr. Pierson would like to see a focus on pre-plea substance abuse treatment beds. It would be nice to have a means to get people on treatment without having to place them on probation. Mr. Pierson believes these efforts will get individuals out of the justice system and reduce recidivism rates.

**James Rasmussen:** Mr. Rasmussen supported the comments of Judge Nelson and Ms. Mitchell regarding competency restoration and the waiting times for treatment beds. Mr. Rasmussen also thinks there should be a focus on training and technical assistance in implementing jail-based competency restoration. He further stated a desire for collaboration, education, and technical assistance on early intervention and diversion programs.

**Janis Reinken:** Ms. Reinken provided her update in the chat. She emphasized that the JCMH needs to continue its advocacy for helping youth with MH/BH issues. The better the state and counties can connect juveniles with MH and BH resources, the better the changes their MH/BH issues can be resolved or mitigated before they reach adulthood and wind up in the jails and correction systems.

**Judge Renee Rodriguez-Betancourt:** Judge Rodriguez-Betancourt stated that there should be a continued focus on education for judges, county officials, and the general population about the juvenile justice system. Judge Rodriguez-Betancourt also stated that she would like a legislative proposal that requires counties of a certain size to have a juvenile mental health specialty court or a mental health specialty court.

**Prof. Brian Shannon:** Prof. Shannon would like to continue the JCMH focus on judicial education and education of attorneys. On the topic of competency restoration, Prof. Shannon spoke about an opportunity to explore options to divert individuals to outpatient services and consider the possibility of dismissal and referral to a civil treatment course.

**Shelley Smith:** Ms. Smith stated that the work that goes on between law enforcement and an LMHA is essential. Ms. Smith would like to see an increased focus on jail diversion, specifically funding of jail diversion programs.

**Chief Stan Standridge:** Chief Standridge stated that we need better partnerships and technical assistance from the JCMH and HHSC to address issues that impact enforcement. Some of those issues are:

1. Removing any perceived requirement to obtain medical clearance before providing inpatient treatment, regardless of insurance status;
2. Giving Texas police officers access to the Client Assignment and Registration System (CARES) so that officers can identify least harm solutions before applying handcuffs,
3. Identifying funding for mental health clinicians to work alongside mental health police officers,
4. Creating and using multidisciplinary response teams,
5. Focusing on intercept 1.

**Judge Charles Stephens:** Judge Stephens echoed the comments made by Prof. Shannon and Chief Standridge. Judge Stephens also announced that Comal County has a new Mental Health Court, which will be presided over by Judge Deborah Wiginton. The county is additionally going to fund a court coordinator and a mental health prosecutor. Comal County is continuing their work on creating a community response platform, with funding from the JCMH. Judge Stephens stated that the JCMH should focus on community resources and data collection.

**Judge Cynthia Wheless:** Judge Wheless would like the JCMH to focus on data and website information as a central clearinghouse for what we are tacitly and formally endorsing. The JCMH can become a data center clearinghouse so that LMHAs and local managed assigned counsel can get information about the waitlist and local treatment providers. This data would support the waiting lists, diversion statistics, the LMHA capacity and services, etc. Additionally, focus on including education/ISDs/TEA.

**Wayne Young:** Mr. Young stated that he would like the JCMH to focus on creating a continuum of response and diversion options as opposed to discrete program components. He would also like to see the JCMH embrace the SIM map that came about as a result of statewide strategic behavioral health plan. He concluded by stating that he would also like to see an expansion of the focus on youth.

## **CONCLUSION**

**Justice Bland** thanked the Commissioners for their comments. She congratulated Judge Carr on his 1000<sup>th</sup> specialty court graduate. She thanked the Commissioners and members of the Collaborative Council for their time and attendance and hopes to see everyone in October. **Judge Hervey** also thanked the attendees, and she looks forward to meeting everyone in person in October at the Summit.

**Tab 4**

**Report to the Commission**



TEXAS JUDICIAL COMMISSION  
ON MENTAL HEALTH

**REPORT TO THE COMMISSION**

February 10, 2022

[www.texasjcmh.gov](http://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

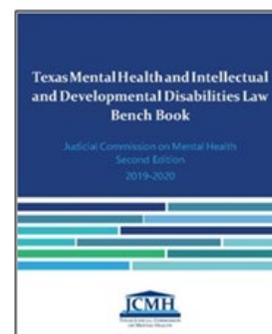
JCMH Commissioners provide a deep well of collaboration through their diverse backgrounds and experiences. Commissioners meet at least three times a year, providing information to promote best practices and improve the function of the judiciary for those with mental health, substance use, or IDD needs. The Commissioners often participate in additional collaborative events when needed.

#### 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 2022 Collaborative Council virtual meetings will be held on March 1st, June 6th, and October 3rd 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.

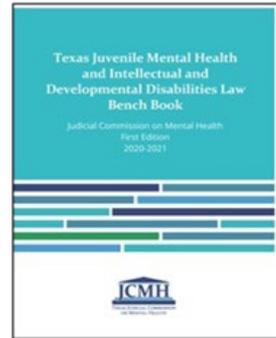
#### 3. JCMH Bench Book Committee

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. This year, the Committee worked diligently on a 3<sup>rd</sup> edition of the book, ultimately adding 72 pages of new information, including information on Intercepts 4 and 5, and additional sections on Risk Assessments, Insanity, and Expunctions/Non-Disclosures. The Committee published the 3<sup>rd</sup> Edition in print and [online](#) in October 2021. So far, 500 copies of the 3<sup>rd</sup> edition have been distributed to stakeholders, and another 400 books have been printed.



#### 4. Juvenile Bench Book Committee

The Juvenile Bench Book Committee is chaired by Judge Cynthia Wheless. The Committee began in 2020 to help launch the Texas Juvenile Mental Health and Intellectual and Developmental Disabilities Law Bench Book (commonly called the Juvenile Bench Book). The Committee reconvened in 2021 to advise on content, provide editing, and offer feedback on the 2<sup>nd</sup> Edition. The 2<sup>nd</sup> edition features a detailed section on Lack of Responsibility, sample forms, and guidance on reducing disproportionality in the juvenile justice system. The Committee published the 2<sup>nd</sup> edition in print and [online](#) in October 2021. 400 copies of the 2<sup>nd</sup> edition have been distributed to stakeholders, and another 250 books have been printed.



#### 5. Summit Curriculum Committee

JUDICIAL SUMMIT ON MENTAL HEALTH	
1800 DOWNEY AVENUE, SUITE 1000 DALLAS, TEXAS 75201-2709 OCTOBER 14-15, 2021	
JCMH Summit 2021 AGENDA	
Pre-Conference: Wednesday, October 13, 2021 8:00 am - 5:00 pm <b>Forensic Mental Health: Best Practices</b>	
Day 1: Thursday, October 14, 2021	
8:00 am - 8:30 am	Check-In
8:30 am - 9:00 am	Breakfast
9:00 am - 9:30 am	The Future of Mental Health
9:30 am - 10:00 am	Mental Health Law Legislative Update
10:00 am - 10:30 am	Break
10:30 am - 11:00 am	Advances in Self-Help, with Intellectual and Developmental Disabilities
11:00 am - 11:30 am	Break
11:30 am - 12:00 pm	Break + Luncheon Speaker
12:00 pm - 12:30 pm	Break
1:00 pm - 1:30 pm	Call on & Reporting Inquiries to National Organized Trialman (NOT)
1:30 pm - 2:00 pm	National Health Services and Support when Calling 911
2:00 pm - 2:30 pm	Emergency Detention: Working for Law Enforcement and Court Judiciary & Collaboration Between the JCMH & JJD
2:30 pm - 3:00 pm	Break
3:00 pm - 3:30 pm	Break: Luncheon: Overview
3:30 pm - 4:00 pm	Virtual Initiative for the Division from the Criminal Justice System

The Summit Curriculum Committee, chaired by Judge Brent Carr, advises on speakers and curriculum for the Summit. The Committee started its work in early 2018 and is composed of representatives from several judicial education agencies, including the Texas Association of Counties, and the Texas Municipal Courts Education Center, as well as representatives from the Texas Indigent Defense Commission and the Texas Criminal Defense Lawyers Association. The Committee works to ensure that the presentation topics promote the JCMH mission and lead the way in this ever-changing legal field.

The 2021 Summit was held on October 14 & 15, 2021, in Georgetown, Texas. In person attendance was limited to 400 registrants, but virtual attendance exceeded 1000 participants. Next year’s Summit will happen on November 2 - 4, 2022 in Grapevine, Texas. The Curriculum Committee will begin meeting again in the Spring of 2022.

#### 6. Legislative Research Committee

The current JCMH Legislative Research Committee (LRC) is the combination of the two legislative task forces appointed in 2019. Justice Bill Boyce is the chair of the LRC, which is divided into two sub-committees: Civil and Criminal. The LRC and subcommittees have started to meet about proposals for the 2023 Legislative Session. In June 2022, the LRC will report to the Texas Judicial Council’s Criminal Justice Committee about proposals for the 2023 Legislative Session.

#### 7. Forms Committee

The Forms Committee is 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. The completed forms will be made available on the JCMH website soon.

### **8. Long-Term Planning Committee**

The Long-Term Planning Committee is chaired by Judge John Specia and focuses on long-term goal setting and offering input on possible new JCMH projects. The committee started meeting in 2021 to discuss JCMH goals and had many suggestions to steer the work of the commission. The next long term planning meeting is scheduled for April 6, 2022.

### **9. Data Committee**

The Data Committee, chaired by Dr. Connie Almeida, began meeting in 2021. The Committee's focus is on the collection and utilization of court data as it pertains to individuals that encounter the justice system who have a mental health issue or IDD. Since its first meeting, the Committee has formed a subcommittee that will concentrate on the issue of 16.22 data collection and reporting.



### **10. JCMH Executive Committee**

The Executive Committee is comprised of Justice Jane Bland, Judge Barbara Hervey, 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. Annual Judicial Summit on Mental Health**

The Judicial Commission on Mental Health (JCMH) hosted the fourth annual Judicial Summit on Mental Health on October 14th and 15th, 2021, in Georgetown, Texas and livestreamed on a virtual platform. This year's Summit drew 1400 judges and stakeholders from across Texas including judges from all levels of the judiciary, academics, law enforcement, advocacy groups, prosecutors, defense attorneys, mental health and IDD service providers, representatives from various state agencies, policymakers, persons with lived experience, and many others.

Each Summit attendee was provided access to over sixty resources, including the newly released 2021 editions of the JCMH Texas Mental Health IDD Law Bench Book and JCMH Texas Juvenile Mental Health and IDD Law Bench Book; the Eliminate the Wait Toolkit, which debuted at the Summit; and all presenter supporting slides, websites, and reports. All resources and recorded sessions from the Summit are available on the JCMH website. The 2021 Summit Report is available in the Commission Meeting Notebook.

The 2022 Summit will take place on November 2-4, 2022, in Grapevine, Texas. If you would like to speak at the 2022 Summit, the [Call for Proposals application](#) is now available and due back to [JCMH](#) by April 1, 2022.

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

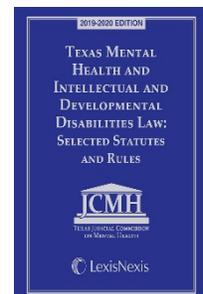
The Bench Book is a 255-page book for Texas judges hearing cases regarding persons with mental illness and/or IDD. Each section contains applicable statutory processes, relevant best practices and guidance, and cross-references to mandatory forms. The third edition of the Bench Book was released at the 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](mailto:JCMH@txcourts.gov), and a digital version of the 3<sup>rd</sup> Edition is currently available on the JCMH website.

## 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. Print copies of the Juvenile Bench Book can be ordered by sending an email to [JCMH@txcourts.gov](mailto:JCMH@txcourts.gov), and a digital version of the 2<sup>nd</sup> edition is currently available on the JCMH website.

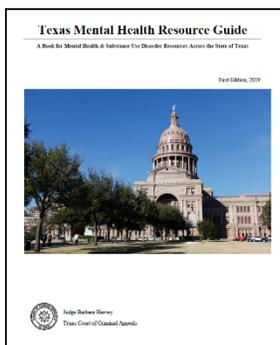
## 4. Mental Health [Code Book](#)

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](mailto:JCMH@txcourts.gov). The Mental Health Code Book has been updated following the 87th Legislative Session.



## 5. Texas Mental Health Resource Guide

Judge Barbara Hervey had a vision for a statewide, comprehensive resource guide with practical information to improve the lives of those in the criminal justice system who might be better served through alternatives to incarceration. With assistance from grantee organizations, the Court of Criminal Appeals brought this vision to fruition and released the [Texas Mental Health Resource Guide](#). The Resource Guide 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](mailto: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. All previously released Jurist-in-Residence letters are available on our website, [here](#).

## **7. JCMH Website**

The new and improved JCMH website went live on January 22, 2022. It features a user-friendly interface that showcases the mission and work of the JCMH. New sections of the website include a comprehensive [technical assistance](#) menu and [state innovation map](#), which will soon provide details on each county's mental health court programs and resources.

## **8. Legislative Materials**

The JCMH prepares tools and resources regarding mental health and IDD legislation. You can find summaries of the bills passed from JCMH proposals [here](#).

## **9. Scholarships**

The JCMH provides scholarships for judges, attorneys, Commissioners, and Collaborative Council members to attend national conferences. For example, in March 2021, the JCMH provided scholarships to six attorneys and judges to attend the virtual conference on juvenile law sponsored by the National Center for Juvenile and Family Court Judges. Future scholarship opportunities can be found on our [grants page](#).

## **10. Presentations to Partner Organizations**

In January 2022, JCMH Co-Chairs Justice Jane Bland and Judge Barbara Hervey, Executive Director Kristi Taylor, and Commissioners Judge Brent Carr and Judge Dave Jahn, presented a panel discussion at the Conference of Chief Justices Midyear Conference, which was moderated by JCMH Deputy Liaisons Justice Rebeca Huddle and Judge Jesse McClure III.

# **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. Mental Health Court Grants**

The JCMH has granted 10 local court improvement grants for judicial training using the Sequential Intercept Model, for technology to assist with remote hearings, and for the purchase of case management software for better collaboration.

## **2. Texas County Innovations in Mental Health Map Website**

Building on the success of the [Texas Court of Criminals Appeals' Texas Mental Health Resource Guide](#), the JCMH designed a comprehensive [website](#) that will contain county-specific information

regarding courts that hear mental health cases, mental health treatment courts, and diversion programs, for all 254 Texas counties. JCMH is developing local relationships to foster the supply and entry of local information. Training for local administrators will be provided.

### 3. Community Diversion Coordinator Pilot Project

The JCMH, in partnership with HHSC, is granting 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. The coordinator position will be funded by JCMH for at least two years, and JCMH will have the project evaluated by a third party. A Committee of judges and other stakeholders was convened in December 2020 to determine the direction and scope of the project. The Committee met twice per month, last meeting on February 24, 2021. Three test sites were selected for implementation: Denton County, Grayson County, and Smith County. Each county hired a Coordinator in Fall 2021.

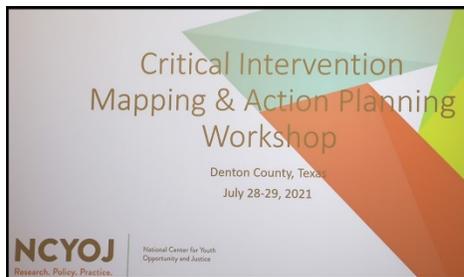


### 4. Round Table Series

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 and legal 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.

### 5. Technical Assistance for Courts and Communities

In December 2021 JCMH hosted another Train the Trainer for Sequential Intercept Mapping to allow JCMH staff, judges, and partner organizations to bring SIM mapping and hands-on training to local courts. 27 facilitators were trained. This work was begun in December 2019, when JCMH staff and 15 partners from judicial training organizations, judges, and other stakeholders participated in a two-day training session facilitated by Policy Research Associates.



To bring this mapping work to the juvenile system, the JCMH hosted a Critical Intervention Mapping in July of 2021 facilitated by the National Center for Youth Opportunity and Justice and JCMH. The workshop assisted the Denton County juvenile system to help build capacity through collaboration and connection to best practices and underutilized resources.

**Tab 5**

**JCMH Strategic Plan**



*Strategic Plan*

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**Developed June 18, 2018**

**Adopted January 25, 2019**

As gatekeepers for families and individuals in crisis, courts must make life-altering decisions that require knowledge of multiple complex issues. However, too often, courts lack the training and resources needed to make well-informed decisions.

Recognizing that improving the lives of Texans who are affected by mental health issues and are involved in the justice system requires judicial leadership at the highest level, the Supreme Court of Texas and the Texas Court of Criminal Appeals sat as one court for a historic hearing on January 11, 2018. Together, they heard from people with lived experience, judges, psychiatrists, psychologists, attorneys and law enforcement. Following the historic joint hearing, the two highest courts in Texas established the Judicial Commission on Mental Health (JCMH) and appointed 33 commissioners from across the state in April 2018.

**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, or intellectual and developmental disabilities (IDD).**

On June 18, 2018, the JCMH Executive Committee developed 23 specific strategies to accomplish this mission. The strategies are divided into the overarching goals of collaboration, education, and judicial leadership.

- **Collaboration**

Collaboration among court systems—including the legal community, mental health professionals, law enforcement, state agencies, and court participants—is essential for achieving the best possible outcomes for Texans.

- **Education**

Education—including specialized training, resources, and tools—for judges, attorneys, and court personnel is essential to fair and efficient resolution of cases involving individuals with mental health needs, substance use disorders, or IDD.

- **Leadership**

Judicial leadership is essential to serving individuals with mental health needs, substance use disorders, and IDD in Texas courts.

**I. Collaborate:** To further the goal of collaboration, the Commission will:

- A. Collaborate with stakeholders to collect and analyze data, practices, law, and policy with the goal of improving court functioning for people with mental health needs, substance use disorders, or IDD (*Order, Planning Committee*);
- B. Identify and assess current and future needs of the judiciary to improve courts' ability to serve people with mental health needs, substance use disorders, or IDD (*Order*);
- C. Improve collaboration and communication among courts, agencies, and community partners (*Order*);
- D. Encourage sharing of appropriate information to enhance judicial efficiency (*Priorities Survey*);
- E. Explore potential partnerships to promote early awareness and education about mental health, substance use disorders, or IDD in the court system (*Priorities Survey, JCMH Exec. Comm.*);
- F. Examine the prevalence and impact of racial disparities for people with mental health needs, substance use disorders, or IDD in the court system (*National Center for State Courts*);
- G. Assess data collection, reporting, and sharing for projects receiving Commission support (*Admin. of Children, Youth and Families Continuous Quality Improvement*);
- H. Identify funding and resource options available to facilitate the Commission's efforts to serve the state (*Order*);  
and
- I. Endeavor to increase resources and funding and maximize the effective and efficient use of available judicial system resources (*Order*).

**II. Educate:** To further the goal of education, the Commission will:

- A. Develop high-quality, multi-disciplinary education in coordination with state and national training experts and raise awareness of best practices and areas requiring improvement (*similar language to Order*);
- B. Create and provide tools and resources on key concepts and court procedures related to mental health, substance use, or IDD *Planning Committee Report, similar language to Order*);
- C. Promote best practices that are data-driven, evidence-based, and outcome-focused (*Order*); and
- D. Educate the judiciary and stakeholders on the importance of collecting and sharing data (*Exec. Comm.*).

**III. Lead:** Judicial leadership is essential to serving individuals with mental health needs, substance use disorders, or IDD in Texas courts. To promote leadership in the judiciary, the Commission will:

- A. Promote innovative projects, as well as policy and procedural changes that improve court functioning (*Exec. Comm.*);
- B. Serve as a resource in the development of policy, legislation, and practice recommendations, including policy recommendations for consideration by the Texas Judicial Council (*Exec. Comm.*);
- C. Explore technological solutions to assist the courts, including the statewide implementation of a computerized case-management system and expanded data-sharing between stakeholders (*Order*);
- D. Promote improved court performance and accountability (*Planning Committee*);
- E. Assist judges in leading local and regional initiatives to improve mental health, substance use disorders, and IDD service delivery and capacity (*Priorities Survey*);

- F. Promote appropriate consideration of mental health, substance use disorders, and IDD needs expressed by children, youth, and families in the judicial process (*Order*);
- G. Elevate awareness of mental health, substance use, and IDD as an important area of expertise within the legal and judicial community (*Priorities Survey* and *Exec. Comm.*);
- H. Strive to serve as both a statewide and national leader in mental health, substance use, and IDD law and practice (*Exec. Comm.*);
- I. Oversee the administration of funds appropriated and granted to the Commission (*Order*); and
- J. Provide progress reports to the Supreme Court of Texas and the Texas Court of Criminal Appeals (*Order*).

**Tab 6**

**FY 2022 Budget**

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

**FY2022-2023 Available Funds**

<b>FY2020-2021 State Appropriation</b>	
FY2022 Strategy B.1.4	\$ 1,250,000
FY2022 Strategy B.1.4 (UB)	\$ 92,011
FY2023 Strategy B.1.4	\$ 1,342,011
<b>Total State Appropriation</b>	<b>\$ 2,684,022</b>

**FY2022 Budget vs. Actuals**

	Actual	Budget	Balance
Operating	\$ 194,959	\$ 667,630	\$ 472,671
Commission Projects	\$ 51,112	\$ 302,250	\$ 251,138
Scholarships	\$ 0	\$ 6,000	\$ 6,000
Grants	\$ 3,242	\$ 182,109	\$ 178,867
<b>Total Expenditures</b>	<b>\$ 249,312</b>	<b>\$ 1,157,989</b>	<b>\$ 908,677</b>

**Financial Status as of January 2022**

<b>State Appropriation FY2022-2023</b>	
FY2022 Strategy B.1.4	\$ 1,250,000
FY2023 Strategy B.1.4	\$ 1,250,000
<b>FY2022-2023 Funds Available</b>	<b>\$ 2,500,000</b>
FY2022 Expenditures to Date	\$ 249,312
<b>FY2022 Appropriation Balance</b>	<b>\$ 1,000,688</b>
FY2022 Outstanding Obligations	\$ 908,677
<b>FY2022 Projected UB to FY2023</b>	<b>\$ 92,011</b>

**Tab 7**

**2021 Summit Report**



# Fourth Annual Judicial Summit on Mental Health

*Final Report*

October 14-15, 2021

Georgetown, Texas



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<b>Top 10 Learning Points .....</b>	<b>8</b>
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## **2021 Judicial Summit on Mental Health Executive Summary**

The Judicial Commission on Mental Health (JCMH) hosted the fourth annual Judicial Summit on Mental Health on October 14th and 15th, 2021, in Georgetown, Texas and livestreamed on a virtual platform.

This year's Summit drew 1400 judges and stakeholders from across Texas and the U.S. to discuss and develop solutions to the many challenges faced by individuals in the court system with mental health or intellectual and developmental disabilities (IDD). Attendees included judges from all levels of the judiciary, academics, law enforcement, advocacy groups, prosecutors, defense attorneys, mental health and IDD service providers, representatives from various state agencies, policymakers, persons with lived experience, and many others.

Each Summit attendee was provided access to over sixty resources, including the newly released 2021 editions of the JCMH Texas Mental Health IDD Law Bench Book and JCMH Texas Juvenile Mental Health and IDD Law Bench Book; the Eliminate the Wait Toolkit, which debuted at the Summit; and all presenter supporting slides, websites, and reports. 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.

### **First Day Morning Sessions**

The first day of the Summit began with addresses from the two highest Texas Courts. Attendees were welcomed by JCMH Chairs, Supreme Court of Texas Justice Jane Bland and Texas Court of Criminal Appeals Judge Barbara Hervey, as well as the JCMH deputy liaison, Justice Rebeca Huddle. JCMH Executive Director Kristi Taylor introduced Thursday's morning host, Judge Renee Rodriguez-Betancourt.

The morning speakers addressed the future of mental health and mental health law. JCMH Commissioner, Dr. Octavio Martinez, gave an insightful presentation on the future of mental health, which touched on the challenges of equity in mental health treatment and care. Following Dr. Martinez, JCMH Commissioner Professor Brian Shannon provided a legislative update. Professor Shannon gave a detailed overview of the progress of the JCMH's legislative proposals for the 87th Legislative Session, the legislature's updates to mental health and IDD law, and legislation likely to be proposed in the future.

The morning session pivoted to the important topic of Intellectual and Developmental Disabilities with a panel discussion on Resources for Individuals with IDD. The panel included behavioral healthcare professionals from HHSC, The Arc of Texas, Tarrant County START Program, and the Andrews Center. The panel detailed the variety of resources that are available to individuals with IDD and the effort to improve the delivery system of services in order to produce sustainable outcomes.

The morning session ended with a focus on justice-involved youth. Staff from HHSC held a panel presentation that discussed available mental health resources for youth involved in the juvenile justice system. The discussion gave attendees a deeper understanding of the juvenile justice system and the mental health programs and services available to individuals within the system.

### **Keynote Speaker Presentation**

The lunchtime session featured keynote speaker Dr. Wendy Ellis, who presented *A Pair of Aces: Adverse Childhood Experiences (ACEs) and Adverse Community Experiences (ACEs)*. Dr. Ellis described the evidence of systemic inequity within the public healthcare system and the community at large, and how these inequities affect an individual's attitude towards, and interactions with, behavioral health services. Dr. Ellis also discussed building community resilience and provided a document in her resources on how to create that resilience within one's own community.

### **First Day Afternoon Sessions**

JCMH Commissioner Judge Dave Jahn hosted the afternoon sessions, which shifted the focus to civil mental health law. JCMH Commissioner Judge Oscar Kazen and Erika von Loewe began with an explanation of Assisted Outpatient Treatment (AOT). They gave an informative overview of the AOT process in Texas probate courts and guided attendees through the use of AOT as a potential for diversion and early intervention for individuals with mental health issues.

The afternoon sessions then moved into highlighting advancements in law enforcement. A panel consisting of two representatives from Integral Care, Marisa Aguilar and Colleen McCollough, and Austin Police Department's Emergency Communications Division Manager, Lt. Kenneth Murphy, discussed the recent implementation and results of Austin's new practice of offering mental health services to individuals who call 911 for emergency services. Integral Care and APD's presentation showed attendees the benefit of emergency mental healthcare intervention, specifically in diverting individuals away from the criminal justice system.

The second presentation that focused on law enforcement, featured Dr. Diana Cantu and Loren Hervey of Texoma Community Center, along with Chief Zachary Flores of the Sherman Police Department. This panel led a discussion on the low-cost, high impact training they created for their community law enforcement and local judiciary on emergency detentions.

Next, Carey Green, Director of the Texas Department of Criminal Justice-Community Justice Assistance Division, talked about the importance and relevance of risk assessments in the justice

system and in community supervision programs. Attendees were given an overview of the processes used to determine an individual's risk to reoffend and their potential for success in community supervision programs.

The last presentation of the day was a panel discussion on initiatives to divert veterans from the criminal justice system. The panel included Sean Hanna, Senior Director of Veteran Initiatives at the Meadows Mental Health Policy Institute; Tracie Dick, Justice Veterans Outreach Specialist from Central Texas Veterans Affairs Healthcare System; Tim Keesling, Director of Veterans Services Coordination for Texas Health and Human Services Commission, and David Pelletier, Project Director for Justice for Vets. The panel highlighted the many diversion services available to veterans, but also discussed service gaps and potential steps to address those gaps. Attendees gained an understanding of the national and statewide initiatives that seek to provide essential diversion services for our veterans.

After the final presentation, the JCMH showcased a short documentary film about the TILT Performance Group. The TILT Performance Group is a theater troupe that consists entirely of individuals with disabilities. TILT is guided by the values of inclusive theater, artistic originality, meaningful employment, impactful education, strategic collaborations, and fun. Attendees learned about this engaging and dynamic group's important work in Central Texas. The full documentary can be viewed on the JCMH website.

### **Second Day Morning Sessions**

Led by host and JCMH Commissioner Judge Pamela Liston, the second day began with a presentation by JCMH Commissioner Judge Brent Carr on ethical considerations in specialty courts. Judge Carr is the presiding judge of the Tarrant County Criminal Court No. 9, the Tarrant County Mental Health Court, Tarrant County Veterans Treatment Court, and the Tarrant County RISE Program for victims of sex trafficking. Judge Carr illustrated the ethical conundrums that practitioners and judges face when trying to assist an individual with mental health issues. Attendees were given a detailed and insightful analysis of the current law, as well as pathways to resolving ethical issues as they arise.

Judge Carr's presentation was followed by a panel discussion on shoestring budget innovations. Judge Roxanne Nelson, Justice of the Peace for Burnet County moderated the panel consisting of: Colleen Davis, Assistant Burnet County Attorney; Jonathan Lemuel, Director of Jail Diversion at Bluebonnet Trails Community Services; and Michelle Moore, the Chief Public Defender for Burnet County. They discussed their no-cost or low-cost innovations for their clients in the criminal justice system and how collaboration between the four speakers created the space for innovation in the treatment and diversion of individuals with behavioral health or mental health needs. Attendees were given real-world examples of effective programs and processes that have little to no impact on community budgets.

Damon Parrish, II, Assistant Public Defender with the Harris County Public Defender's Office followed the Burnet County panel. Mr. Parrish's presentation informed practitioners about the intricacies of representing individuals who have behavioral health, mental health, or IDD needs.

The next presentation was a panel discussion of the Tarrant County RISE Program. Tarrant County Magistrate Judge Sheila Wynn and RISE program manager Tre'Naisha McGuire gave an informative and uplifting overview of the very successful RISE Program. Attendees learned about the transformative changes in the lives of women who have experienced trauma from sex trafficking through this use of this post-adjudication specialty program.

After a break, Dr. Clete Snell, Professor of Criminal Justice at the University of Houston-Downtown, spoke about mental health program evaluations. Dr. Snell detailed the factors that create an effective and results driven program and corresponding evaluation. Additionally, Dr. Snell discussed the benefits of using a cost-benefit analysis of a court program to inform commissioner court funding decisions. Dr. Snell's presentation helped attendees to better understand not only program evaluation, but how to create a program that produces discrete and measurable results.

### **Second Day Afternoon Sessions**

The second day's lunchtime presentation was given by Mr. Chris Orton. Mr. Orton is a veteran and a former Travis County Sheriff's Deputy. His presentation was a poignant and moving recitation of his lived experience as a first responder coming to grips with PTSD, depression, and anxiety, how EMDR helped him acknowledge and move through this trauma, and how he was able to create a career helping other first responders cope with their mental health struggles in a trauma informed way.

Next, afternoon host and JCMH Commissioner, Dr. Courtney Harvey, introduced the issue of competency restoration. The first segment discussed the national perspective on the competency restoration crisis, and was given by Judge Nan Waller, Judge of the Multnomah County Circuit Court, and Rick Schwermer, consultant for the National Center for State Courts and the National Association of Drug Court Professionals. Judge Waller and Mr. Schwermer outlined national initiatives in regard to competency restoration and detailed the efforts of the NCSC to address the growing crisis of competency restoration.

A Texas specific action planning panel followed, which discussed the role each profession has in contributing to combatting the inpatient state hospital competency restoration services waitlist. This was the Summit's most comprehensive panel, which included: Dr. Jennie Simpson, the State Forensic Director for Texas HHSC; Kristi Taylor, Executive Director of the JCMH; Alyse Ferguson, Chief Attorney of the Collin County Mental Health Managed Counsel Program; Judge Dave Jahn, former presiding judge of Denton County Criminal Court No. 1; Adrienne Kennedy, Past President of NAMI; Lee Pierson, Chief of the Mental Health Division of the Dallas County District Attorney's Office; Sheriff Kelly Rowe, Sheriff of Lubbock County; Shelley Smith, CEO of West Texas Centers; Chief Stan Standridge, Chief of the San Marcos Police Department; and Dr. Felix Torres, Chief of

Forensic Medicine for Texas HHSC. This expansive panel presented and discussed issues relating to competency restoration in Texas and introduced the joint JCMH and HHSC initiative entitled ***Eliminate the Wait***. Attendees learned about the new initiative, and how to use the [toolkit](#) as a starting point for comprehensive and systemic change to the competency restoration processes.

After the competency restoration panel discussion, the focus was shifted to the important topic of data collection and utilization. Alex Villareal, Program Manager for Integral Care's ANEW Clinic, Brittany Whittington, Population Health Administrator for Integral Care, and Laura Wilson-Slocum, Practice Administrator for Crisis Services and Justice Initiatives for Integral Care, shared an in-depth presentation on the methods of data collection pertaining to behavioral health services. Attendees also learned how this LMHA utilized data to make programmatic changes and better serve the individuals in their community.

Dr. Matt Faubion was the next presenter. Dr. Faubion spoke about community transition for individuals who have been found not guilty by reason of insanity (NGRI). Dr. Faubion highlighted the issues faced by individuals who have been found not NGRI in regard to long-term treatment and re-assimilation into the community after leaving inpatient treatment. Attendees were treated to a detailed and insightful examination of how Texas handles NGRI aquittees within the greater statewide behavioral healthcare systems.

The final presentation of the Summit was given by JCMH Commissioner April Zamora, Director of the Reentry and Integration Division of the Texas Department of Criminal Justice. Ms. Zamora's session informed the attendees about the important work of the Texas Correction Office on Offenders with Medical or Mental Impairments (TCOOMMI). Ms. Zamora detailed the role of TCOOMMI within the Department of Criminal Justice as care provider to inmates and parolees who have behavioral health challenges.

JCMH Jurist-in-Residence Judge John Specia closed with remarks that reflected on the themes of the past two days and adjourned the Summit. To watch the full session videos, or see any resources, please visit the JCMH website 2021 Summit page.

## 2021 Judicial Summit on Mental Health

### Top 10 Learning Points

1. **Consider the Whole Person.** When diverting individuals away from the criminal justice system, strive to understand each person’s past and present circumstances, lived experiences, family background, trauma, and systemic barriers. Build trust by meeting basic needs and connecting them with services. And don’t forget to consider the effects of traumatic stress, or vicarious traumatization, on yourself. Understanding and addressing secondary trauma will build resiliency and prevent burnout, allowing you to do your best work.
2. **Outcomes are Tied to Environments.** Increase the resiliency of your community by recognizing Adverse Community Environments in your area and working to change them. Connect systems and policies to community characteristics and population health outcomes. The “Pair of ACEs” – meaning adverse community environments and adverse childhood experiences – plays a key role in how a person bounces back from adversity.
3. **Assisted Outpatient Treatment**, a proven best practice, allows individuals with severe mental illness to receive treatment in the community. The “Black Robe Effect” is the heart of an AOT program and uses the influence of a caring judge to promote treatment engagement, compliance, and treatment outcomes. Personal connection with a judge is an opportunity for marginalized individuals to be heard, to feel important, and to heal trauma from prior interactions with the justice system.
4. **Risk Assessments Make a Difference.** By using a validated Risk-Need-Responsivity assessment and individualizing services, people can be successful on supervision. People who are identified as having low risk to reoffend and low needs should be diverted from the system so that resources are used by people who are identified as having moderate or high risk and needs.
5. **Individuals with IDD** are overrepresented in the criminal justice system and have distinct challenges, which require dedicated time, training, and resources. The [Local Intellectual and Developmental Authority](#), or LIDDA, is the front door to services for in-home and out-of-home crisis intervention, outpatient care and transition support teams.
6. **Youth Interventions Take Many Forms.** [Local Mental Health and Behavioral Health Authorities](#) (LMHAs/LBHAs) offer crisis services and access to specialized care; the [Residential Treatment Center Project](#) provides intensive mental health care in a residential setting; [Coordinated Specialty Care](#) serves adolescents and young adults experiencing their first episode of psychosis; and [YES Waiver](#) provides intense

community-based services to children and youth with serious mental, emotional and behavioral needs.

7. **Use Resources for Veterans.** The Veterans Reentry Search Service ([VRSS](#)) enables those who work in criminal justice to identify inmates or defendants who have served in the military. The Department of Veterans Affairs makes this service available as outreach to veterans, and to inform the development of veteran-specific programs in the criminal justice system. Using this program can help veterans in the system find each other, and potentially uncover new services or resources.
8. **Competency Restoration is Not Mental Health Treatment.** When possible, and especially for low-level offenses, consider alternatives such as diversion or dismissal with connections to services, as competency restoration in misdemeanor cases backlogs the system and further extends the waitlist length. Through collaboration and a concerted effort to work on the problems “upstream” from competency services, we can decrease the waitlist and prevent more individuals from waiting for competency restoration services. Get your Eliminate the Wait toolkit [here](#).
9. **Go Local and Start a Mental Health Court or Docket.** New training or collaborative programs don’t have to be expensive. Many experts are willing to share their knowledge and resources if you ask. In return, think about what expertise you can share with others. Program evaluations don’t have to be complicated
10. **Be bold.** Rather than doing business “the way it has always been done,” challenge the system, adjust programs and policies to accomplish stated goals, and act with purpose to solve the real problem. Breaking down the silos between organizations and professions creates a more efficient and successful system.

**2021 Judicial Summit on Mental Health**  
**Statistics – from the attendees who participated in the post-event survey**

**Total Attendees:** 1392 (345 in person / 1047 live stream)

Judges: 213

Attorneys: 377

**Overall, how would you rate the event?**

- 88.29% Excellent or Very Good
- 9.52% Good
- 1.9% Fair (0% said it was poor)

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

- 89.21% Excellent or Very Good
- 9.52% Good
- 1.27% Fair or Poor

**How did you feel about the length of the event?**

- 80.19% Just Right
- 16.61% Too Long
- 3.19% Too Short

**What is the population of the county in which the attendees work?**

- 75.80% 100,000 or more
- 11.78% 30,0001 to 100,000
- 6.05% 10,001 to 30,000
- 2.55% Less than 10,000
- 3.82% N/A

**What is the role the attendees hold?**

- 18.63% Judiciary
- 7.98% Law Enforcement
- 3.04% Advocate, CASA, or Peer Support
- 21.67% Defense Attorney
- 8.75% Prosecutor
- 6.46% Probation and Corrections
- 19.01% Community Providers
- 5.32% Hospitals, including SSLCs and SHs
- 1.52% Academia
- 4.56% Legislative or Policy
- 3.04% Person with Lived Experience

**Tab 8**

**Forms Report**

# **Final Report of the Task Force for Procedures Related to Mental Health Forms Subcommittee**

## **I. Introduction**

The Supreme Court of Texas and the Texas Court of Criminal Appeals created the Judicial Commission on Mental Health to examine court practices and the administration of justice in our state courts and the ways they relate to behavioral and mental health challenges in Texas. In the Fall of 2019, the Supreme Court created a JCMH task force in accordance with Senate Bill 362.<sup>1</sup> The 362 Task Force was directed to adopt rules to streamline and promote efficiency in court processes under Chapter 573 of the Texas Health and Safety Code (emergency detention) and to implement measures relating to mental health and intellectual and developmental disabilities to create consistency and access to the judicial branch.<sup>2</sup>

The 362 Task Force met on December 2, 2019, and divided its work into three subcommittees: (i) Legislative Recommendations; (ii) Technology Solutions for Emergency Detention Warrants; and (iii) Forms. In this report, the Forms Committee provides a review of the Committee's progress.

## **II. Forms Committee**

**Hon. Brent Carr, Chair 362 Task Force**  
Fort Worth, TX

**Hon. Guy Herman**  
Austin, TX

**Hon. Dave Jahn, Chair Forms Subcommittee**  
Denton, TX

**Hon. Roxanne Nelson**  
Burnet, TX

**Melinda Brents**  
Houston, TX

**Hon. Robin Ramsay**  
Denton, TX

**Hon. Nelda Cacciotti**  
Fort Worth, TX

**Steve Wohleb**  
Austin, TX

**Hon. Clay Harrison**  
Sulphur Springs, TX

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<sup>1</sup> Order of the Supreme Court of Texas Creating Task Force for Procedures Related to Mental Health at 1, (Misc. Docket No. 19-9094) (2019).

<sup>2</sup> See Act of May 15, 2019, 86th Leg., R.S. ch.582 §26 (S.B. 362).

### **III. Identified Forms**

The Committee identified six categories of forms to review:

#### **1. Emergency Detention Forms**

- Notification of Emergency Detention
- Application for Emergency Detention
- Magistrate's Order and Warrant for Emergency Detention
- Advisement to Patient Under Emergency Detention

#### **2. Order of Protective Custody Forms**

- Duties of Attorney
- Motion for Protective Custody
- Order for Protective Custody
- Notification of Probable Cause Hearing
- Probable Cause Hearing Elections/Motions/Orders

#### **3. Court-Ordered Mental Health and IDD Services Forms**

- Mental Health General Information Form
- Application for Court-Ordered Mental Health Services
- Certificate of Examination for Mental Illness
- Order Transferring Venue
- Motion to Have Patient Examined/Order to Submit
- Order Setting Hearing on Application for Extended Commitment
- Notice to Patient of Extended Commitment Hearing
- Patient's Elections & Attorney's Certification to Court for Extended/Temporary Commitment Hearings
- Motion for Continuance
- Judgment and Orders for Court-Ordered Mental Health Services
- Writs of Commitment
- Motion/Orders for Modification/Transfer
- Motion to Dismiss
- Application/Order for Inspection of Records
- Application for Placement/IDD & Residential Commitment Order

#### **4. Jail and Magistration Forms**

- Screening Forms
- 16.22 Interview Orders

#### **5. Incompetency to Stand Trial Forms**

- Certificate of Medical Examination for Mental Illness
- Certification of Competency Evaluator Credentials (TCOOMMI Form)
- Order to Determine Eligibility for Outpatient Competency Restoration
- Order of Commitment for Restoration to Competency

- 60-Day Extension of Commitment for Restoration to Competency
- Temporary Order of Civil Commitment: Charges Pending

## **6. Court-Ordered Administration of Psychoactive Medication Forms**

- **Criminal Court:**
  - Order on State's Motion to Compel Involuntary Administration of Court-Ordered Medication
- **Probate Court:**
  - Non-Forensic:
    - Application for Court-Ordered Psychoactive Medication
    - Order Setting Hearing on Application for Court-Ordered Psychoactive Medication
    - Notice to Patient of Hearing on Court-Ordered Psychoactive Medication
    - Patient's Elections & Attorney's Certification to Court
    - Result of Hearing on Court-Ordered Psychoactive Medication
    - Order to Administer Psychoactive Medication
    - Motion for Writ of Attachment
    - Order Denying Application to Administer Psychoactive Medication
  - Forensic:
    - Application to Authorize Administration of Psychoactive Medication
    - Certification of Medical Examination
    - Order Authorizing Administration of Forced Medication
    - Writ of Attachment

## **IV. Recommended Forms**

The Committee met several times in 2020 and 2021 to review and discuss forms from the following categories. Approved forms have been converted to a consistent format and standardized for use across the state.

### **Emergency Detention Forms**

The Committee found that the Notification of Emergency Detention and the Advisement to Patient Under Emergency Detention are statutory forms, and no changes were needed. The Committee agreed on an Application for Emergency Detention, Magistrate's Order and Warrant for Emergency Detention.

### **Order of Protective Custody Forms**

Because the Duties of Attorney form is statutory, the Committee suggested that courts copy it to the back of an order appointing the attorney or setting the hearing. Both a Motion for Protective Custody and an Order of Protective Custody were adopted by the Committee. The Notification of Probable Cause Hearing proved to be too jurisdictionally specific to standardize, so the Committee will include a basic sample Notification that local courts can tailor to their needs.

### **Court-Ordered Mental Health and IDD Services Forms**

The Committee adopted an Application for Court-Ordered Mental Health Services and a Motion to Have Patient Examined/Order to Submit. The Committee included two Certificates of Examination for Mental Illness (CMEs) and updated them to require only an unsworn declaration instead of notarization, which will assist the growing number of doctors who treat patients by telemedicine. Additionally, the Committee found that the Order Setting Hearing on Application for Extended Commitment was not required by law and there was no reason to standardize the Order Transferring Venue.

### **Jail and Magistration Forms**

Following the 87th legislative session and the passage of S.B. 49, the Committee updated an Order for the Collection of Information Regarding Mental Illness or Disability to include all of the individuals entitled to receive the 16.22 report: counsel for both parties, the trial court, the sheriff or other person who is responsible for the defendant's medical records, and the personal bond office or director of the department responsible for supervision of a defendant on bond with mental health or IDD conditions.

### **Incompetency to Stand Trial Forms**

The Committee found that there was not a need to approve additional CMEs after having approved the CMEs under Court-Ordered Mental Health and IDD Services Forms. The Certificate of Competency Evaluator Credentials was standardized by the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI). The Committee approved Orders of Commitment to the State Hospital (SH), to Jail-Based Competency Restoration (JBCR) and to Outpatient Competency Restoration (OCR) for both felony and misdemeanor cases. An Order of Extension, and a Temporary Order of Civil Commitment were also approved.

### **Court-Ordered Administration of Psychoactive Medication Forms**

A criminal court Order to Compel Involuntary Administration of Court-Ordered Medication was approved. Various non-forensic probate court forms were also approved: an Application and Order Setting Hearing on Application for Court-Ordered Psychoactive Medication; Notice to Patient of Hearing on Court-Ordered Psychoactive Medication and Patient's Elections and Attorney's Certification to Court; and Result of Hearing on Court-Ordered Psychoactive Medication, Order to Administer Psychoactive Medication, and Motion for Writ of Attachment. Three forensic probate court forms were approved: an Application to Authorize Administration of Psychoactive Medication, an Order Authorizing Administration of Forced Medication, and a Writ of Attachment.

## **V. Conclusion**

The Committee has achieved its goal of compiling a collection of forms that courts and attorneys can use to streamline and promote efficiency in court processes. The model forms will be uploaded to a Forms Bank on the JCMH website, where users can download them for use in their practice.

**Tab 9**

**Technical Assistance Report**



# Technical Assistance

January  
2022

## MAPPING WORKSHOPS

JCMH’s vision is to provide accessible mapping and training with the *Sequential Intercept Model* to all Texas counties. JCMH will accomplish this through working with partner organizations and sharing information.

JCMH offers both traditional SIM Mapping workshops and specialized workshops that utilize the Sequential Intercept Model (SIM) mapping concepts and strategies to conduct *Court Mental Health Action Planning* (Court MHAP) workshops that focus on Intercepts 2 & 3. These Court MHAP workshops are designed to identify gaps in court and legal procedures and processes.

JCMH’s workshops typically run 1.5 days, during which time, JCMH will bring together local partners, including judges, county leaders, prosecutors and defense attorneys, mental and behavioral health service providers, and other key stakeholders. JCMH facilitates these workshops at no cost to local communities.

Following the workshop, JCMH provides a tailored report that can be used to implement next steps in improving the lives of people with mental health needs or IDD.

To request a workshop for your community or court, send an email to [jcmh@txcourts.gov](mailto:jcmh@txcourts.gov).

## INNOVATIONS MAP

JCMH’s Texas County Innovations in Mental Health Map highlights the efforts of courts to improve their local mental health challenges by implementing new or using existing local programs. These innovative strategies are available for anyone interested in replicating or improving their own community.



**EXPERT CONSULTATION:** JCMH facilitates consultations between judges and attorneys with experts in mental health policies, procedures, and law.

**PEER NETWORKING:** JCMH connects judges, prosecutors, and defense attorneys with peers to foster peer support and mentoring.

**RESOURCES:** JCMH maintains a repository of stakeholder resources including presentations, guides, books, and more.

**TRAINING:** JCMH develops curriculum for training on mental health law or partners with other agencies to develop training materials for judges and attorneys.

**VIDEO LIBRARY:** JCMH preserves an archive of videos available to provide education and awareness of laws and policies relating to the intersection of mental health and the justice system.

## MENTAL HEALTH COURTS

JCMH can assist counties who want to create, expand, or improve a mental health court. Assistance includes guidance, training, connecting to mentor courts and grant opportunities.

**Tab 10**  
**Grants Report**



**GRANTEE REPORT**  
*Executive Summary*

**December 2021 Reporting**

## **Caldwell County**

### *Caldwell County Sequential Intercept Model Mapping by MMHPI*

Grant Number: 201-20-061

Contact Person: Dennis Engelke

**Funds Granted: \$8,000.00**

#### Summary of Status

The funds will be used to reimburse the Meadows Mental Health Policy Institute for a SIM mapping of Caldwell County. Due to COVID-19, the training was delayed until August 3, 2021. A final report was produced by MMHPI and is attached. The SIM training brought together key stakeholders -- County government, Sheriff's Office, Municipal Justices, County Jail, and local community law enforcement representatives. Issues that came forth included: transporting individuals, accessing mental health professional services, communication technology barriers, and disposition of clients through the current criminal justice system.

## **Harris County Probate Court No. 3**

### *Technological Remote Access for Patients to Court Hearings*

Grant number 201-20-06

Contact Person: Judge Jason A. Cox

**Funds Granted: \$11,458.33**

#### Summary of Status

Grantee used award funds to purchase 3 iPad Pros, 1 laptop with auxiliary monitors, and supplies related to technology hardware, including Apple Care subscriptions. The increased remote hearing access, especially in the time of COVID19, has allowed for mental health commitment proceedings to occur along statutorily mandated timelines, while also ensuring compliance with due process rights and expectations.

Anecdotal data collection shows that approximately 50 to 60 remote hearings were conducted. The types of hearings included, but were not limited to probable cause hearings, final commitment hearings, and forced medication hearings.

Grantee reports an overall improvement in access to the court via remote hearings and also in increased participation of those receiving services. It is anticipated that increased utilization of remote hearing technology will create a greater familiarity and comfort with the technology which will further improve participation and outcomes.

**Hill Country MHDD Centers**  
Mental/Behavioral Health Electronic Access

Grant Number: 201-21-217  
Contact Person: Beverly Smith  
**Funds Granted: \$5,000**

Summary of Status

Grantee used funds to purchase twenty-five tablets to be used by inmates for video conferencing, tele-health visits and virtual 16.22 screenings. Of the twenty-five tablets that have been purchased, nine have been distributed to nine county jails. The counties that received a table are Bandera County, Balco County, Hays County, Kendall County, Kerr County, Kimble County, Uvalde County, and Val Verde County.

Grantee is making efforts to engage the remaining counties in order to provide them with a tablet. One county jail refused a tablet, citing a concern of staff responsibility for the technology.

As a result of the purchased tech, Grantee reports a decrease in travel time for MHDD Centers' staff, which has resulted in higher productivity and reduced costs associated with travel. There has also been an improvement in access to individuals in the jails that require mental healthcare and screenings. Grantee anticipates improved outcomes as soon as the remaining counties are supplied with tablets.

Data collection is anticipated to begin when all counties have received a tablet.

**Pecan Valley Centers**  
*Hood County Sequential Intercept Model Training*

Grant Number: 201-20-058  
Contact Person: Coke Beatty  
**Funds Granted: \$23,487.56**

Summary of Status

Funds will be used to conduct a sequential intercept model training in Hood County. Due to the Pandemic, the awarded funds have not been used, and Grantee received a no-cost extension which extends the project period beyond the original award end date. No additional funding will be forthcoming, but the extension will allow additional time to spend down existing funds and ensure that all deliverables can be met.

## **Tarrant County**

### *Mental Health Diversion Program: Program Development & Court Improvement*

Grant Number: 201-20-055

Contact Person: Judge Brent Carr

**Funds Granted: \$25,000**

#### Summary of Status

The Tarrant County Mental Health Diversion Program purchased a tablet and printers, which improved access to tele-conferences and virtual hearings for individuals in the court program who do not have a means to get to their court appointments.

Additionally, the Grantee was able to obtain a program evaluation from Dr. Clete Snell, Ph.D., from the University of Houston-Downtown.

Grantee also used funds to send program staff to the Texas Association of Specialty Courts training conference, which allowed program staff to learn from state leaders in specialty court implementation and application. Additional trainings through the National Association of Drug Court Professionals, BJA, CJD, TASC, NIMH, JCMH and NDCI were also be funded with the award.

## **38th and 45th Judicial Districts CSCD**

### *Mental Health Court Software and Tech*

Grant Number: 201-21-255

Contact Person: Todd Winslow

**Funds Granted: \$8,736**

#### Summary of Status

Funds were awarded to assist Grantee in the continued use of the CSS Specialty Court Application, as well as the purchase of hardware (Microsoft Surface tablet) that would allow the Specialty Court to utilize shared software in the field.

Grantee reports an improved collaboration between criminal justice and mental health team members of the 38th and 45th Mental Health Court Program, as well as an improvement in the screening and acceptance of individuals into the program. Data sharing between the Probation Department, the Court, and the mental health team improved, as each department had access to updated case information and participant data. Grantee also reports a vast improvement in the process of screening and onboarding program participants. Overall, the Application software combined with the portable technology has allowed the Grantee to improve services and outcomes. Data collection is anticipated to include reports on administration of drug tests, hearings, appointment listings, phase movements, incentives/sanctions, and placement and referral listings. Due to COVID-19 data collection has been limited, but Grantee anticipates a larger sample set and improved data collection as the Court transitions back to in-person settings.

**NAMI Texas**  
*Texas Criminal Justice Guide Distribution*

Grant Number: 201-20-325  
Contact Person: Greg Hansch  
**Funds Granted: \$5,000**

Summary of Use of Funds

Grantee was able to distribute 1,194 copies of an updated edition of the guidebook *Texas Criminal Procedure and the Offender with Mental Illness: An Analysis and Guide*. The guidebooks were distributed to the Supreme Court of Texas, Texas Court of Criminal Appeals, Justices of the Peace, County Courts at Law, and County Public Defenders.

**Williamson County**

*Tele-Justice: Compassionate Process to Improve Court Interaction with the Mentally Ill*

Grant Number: 201-20-063  
Contact Person: Judge John McMaster  
**Funds Granted: \$25,000**

Summary of Use of Funds

Judge McMaster's court requested the funding for tele-justice equipment, with the belief that it would be in the best interest of individuals that were in a mental health crisis. After using the tele-justice system that allows virtual hearings, this belief has been confirmed. The patients attending hearings from hospital settings are more comfortable and less anxious, as opposed to when they were required to be transported to the court room. With more comfort and less anxiety, there has been more participation from patients in the hearings. Judge McMaster and Williamson County are grateful for the funding for tele-justice equipment that was extremely beneficial during the COVID-19 pandemic.

There were 43 virtual hearings that took place between April and August of 2020, even during the COVID-19 pandemic. As other courts shut down during the pandemic, these vital mental health hearings continued in County Court at Law #4. The hearings helped to ensure individuals wellbeing was addressed and that they received the appropriate level of care, while protecting the patient's privacy and civil liberties.

**Comal County**  
*Comal County Data Sharing Project*

Grant Number 201-20-057

Contact Person: Judge Charles A. Stephens, II

**Funds Granted: \$60,000**

Summary of Status

Judge Stephens is using award funds to contract with a health systems administrator that could assist in the creation of a data sharing portal. The County approved and published a Request for Proposals and after a selection process the Grantee contracted with Signify Health. Final contract negotiations with Signify Health are currently ongoing. The Grantee has also sought the assistance of Southwest Texas Regional Advisory Council (STRAC) to assist in developing an approach that will best suit the needs of the Grantee.

Data collection is anticipated to begin when the portal is operational.

Due to the Pandemic, Grantee received a no-cost extension which extends the project period beyond the original award end date. No additional funding will be forthcoming, but the extension will allow additional time to spend down existing funds and ensure that all deliverables can be met.

**Office of Court Administration (OCA)**  
*JCMH-OCA Technology Grant*

Grant Number: 2021-21-079

Contact Person: Charlotte Velasco/Mena Ramon

**Funds Granted: \$184,218.34**

Summary of Status

Funds were granted to develop an interactive website that would act as a portal for mental health resources. The website would include comprehensive information on available resources and would allow county representatives to enter/update resource information directly. It is anticipated that the site will eventually include mental health resource information for all 254 counties in Texas. Initial challenges created by staffing needs within the project team have been addressed and a beta test website has been developed. It is expected that the website will go live in early 2022.

## The University of Texas Rio Grande Valley

Grant Number:

Contact Person: Judge Villalon

**Funds Granted: \$21, 407.03**

### Summary of Status

Office for Victim Advocacy and Violence Prevention (OVAVP) collaborates with community partners to provide resources for victims and survivors of interpersonal violence as well as provides educational activities. OVAVP is collaborating with the School of Rehabilitation Services and Counselling (SRCS) to use grant funds from the JCMH to offer two training opportunities. The first event occurred in the Fall 2019 semester, and provided stakeholders introductory co-education to judges, attorneys, licensed chemical dependency counselors, and other mental health service providers on shared and adjacent processes. The second event was delayed due to the pandemic. Originally intended to be a cross-training with multi- disciplinary stakeholders with a special focus on strengthening collaborations formed and initiatives undertaken following the first event, this event turned into four virtual events. These events had 400 attendees total and were later able to be developed into short videos, in English and Spanish, to encourage children to have their voices heard in the CPC.

They were able to offer the following four virtual seminars free of charge:

1. Stakeholder Seminar: Trauma, Mental Health, and Addiction Issues in Child Welfare Cases;
2. Watch Party for the documentary *From Place to Place*, about aging out of foster care, followed by a panel discussion featuring a foster parent, one of the stars of the documentary who aged out of care, and the documentary filmmaker;
3. TBRI training, with CEUs for Social Workers and Counselors and CLEs for attorneys; and
4. TBRI training for educators with CEUs.