



THE SUPREME COURT OF TEXAS

THE TEXAS COURT OF CRIMINAL APPEALS

Judicial Commission on Mental Health

March 12, 2021

Meeting Notebook



**March 12, 2021
Meeting Notebook**

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Tab 1
Agenda



Judicial Commission on Mental Health
Virtual Meeting, Zoom Conference
March 12, 2021

AGENDA

9:00	Welcome and Announcements	Justice Jane Bland Judge Barbara Hervey
9:10	Commissioner Introductions	JCMH Commissioners
10:45	Break	
11:00	Executive Director Report	Kristi Taylor
	I. Budget	Patrick Passmore
	II. JCMH Projects by Strategic Plan	
	<u>Collaborate</u>	
	<ul style="list-style-type: none">• 2021 JCMH Legislative Recommendations• Forms Committee	David Slayton Judge Dave Jahn
	<u>Educate</u>	
	<ul style="list-style-type: none">• Adult MH/IDD Bench Book• Juvenile Bench Book• Judicial Summit on Mental Health	Judge Camile DuBose Judge Cyndi Wheless Judge Brent Carr
	<u>Lead</u>	
	<ul style="list-style-type: none">• Jurist in Residence• Community Diversion Coordinator Pilot Project• Texas Mental Health Courts and Resources Website	Judge John Specia (Ret.) Dr. Jennie Simpson Kristi Taylor
12:00	Adjourn	Justice Jane Bland Judge Barbara Hervey

Tab 2

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

JUDICIAL COMMISSION ON MENTAL HEALTH
Executive Committee & Commissioners

Executive Committee

Hon. Jane Bland, Co-Chair

Justice
Supreme Court of Texas

Hon. Barbara Hervey, Co-Chair

Judge
Texas Court of Criminal Appeals

Hon. Bill Boyce, Vice-Chair

Justice (Former)
Fourteenth Court of Appeals
Alexander, Dubose & Jefferson, LLP

Hon. John Specia

Judge (Ret.)
Plunkett, Griesenbeck & Mimari, Inc.

David Slayton

Administrative Director
Office of Court Administration

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

District Judge
El Paso County, 205th Judicial District
Court

Hon. Camile DuBose

District 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 Managed Health

Sonja Gaines

*Deputy Executive Commissioner for
Intellectual and Developmental
Disability and Behavioral Health
Services*
Texas Health and Human Services
Commission

Kevin Garrett

Peer Fellow / Attorney
Cypress, Texas

Dr. Courtney Harvey

*State Mental Health Coordinator &
Associate Commissioner*
Office of Mental Health Coordination,
Texas Health and Human Services
Commission

Hon. Bonnie Hellums

District Judge (Ret.)
Harris County, Texas

Courtney Hjaltman

Policy Advisor
Office of the Governor

JUDICIAL COMMISSION ON MENTAL HEALTH
Executive Committee & Commissioners

Hon. Yolanda Huff

Judge

Bexar County Court at Law No. 12

Hon. Joan Huffman

Texas Senate

Senator, District 17

Hon. Dave Jahn

Associate Probate Judge

Denton County Probate Court

Hon. Oscar Kazen

Probate Judge

Bexar County Probate Court No. 1

Dr. Andrew Keller

President and CEO

Meadows Mental Health Policy
Institute

Adrienne Kennedy

Immediate Past President

National Alliance on Mental Illness

Hon. M. Sue Kurita

Judge

El Paso County Court at Law No. 6

Beth Lawson

Chief Executive Officer

StarCare Specialty Health System

Major Mike Lee

Mental Health & Jail Diversion Bureau

Harris County Sheriff's Office

Hon. Elizabeth Byer Leonard

District Judge

Midland County, 238th District Court

Hon. Pam Liston

Municipal Judge

Rowlett Municipal Court

Mike Maples

Deputy Executive Commissioner for

Health and Specialty Care System

Texas Health and Human Services
Commission

Dr. Octavio Martinez

Executive Director

Hogg Foundation for Mental Health

Hon. Stacey Mathews

District Judge

Williamson County, 277th District
Court

Beth Mitchell

Supervising Attorney

Disability Rights Texas

Hon. Joe Moody

Representative, District 78

Texas House of Representatives

Hon. Nathaniel Moran

County Judge

Smith County

Hon. Tamara Needles

District Judge

Travis County, 427th Criminal District
Court

Hon. Roxanne Nelson

Justice of the Peace

Burnet County, Precinct 1

Denise Oncken

Bureau Chief

Harris County District Attorney's
Office

Mental Health Bureau

Lee Pierson

Chief Mental Health Prosecutor

Dallas County District Attorney's
Office

JUDICIAL COMMISSION ON MENTAL HEALTH
Executive Committee & Commissioners

James Rasmussen

Chief Public Defender

Wichita County Public Defender's
Office

Hon. Renee Rodriguez-Betancourt

District Judge

Hidalgo County, 449th District Court

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

President

Texas Police Chiefs Association

Hon. Charles Stephens

Judge

Comal County Court at Law No. 2

Hon. Cynthia Wheless

District Judge

Collin County, 417th Judicial District
Court

Brandon Wood

Executive Director

Texas Commission on Jail Standards

Wayne Young

Chief Executive Officer

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

Collaborative Council

Hon. Devon Anderson

*Judge (Former)
President & CEO
Justice Forward*

Trey Apffel

*Executive Director
State Bar of Texas*

Hon. Mark Atkinson

*Judge (Ret.)
Chief Executive Officer
Texas Center for the Judiciary*

Amy Befeld

*Legislative Consultant
Texas Association of Counties*

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 Judge
Tarrant County*

Angel Carroll

*Emerging Adult Policy Associate
Lone Star Justice Alliance*

Leah Davies

*Project Manager
Strategic Health Alliance
Texas Center for Disability Studies
University of Texas at Austin*

Hon. Rex Davis

*Justice
Tenth Court of Appeals*

Scott Ehlers

*Special Counsel
Texas Indigent Defense Commission*

Lesli Fitzpatrick

*Attorney
The Law Office of Lesli R. Fitzpatrick*

Gilbert Gonzales

*Director
Department of Behavioral and Mental
Health
Bexar County*

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.*

Windy Johnson

*Program Manager, IGR
Texas Conference of Urban Counties*

JUDICIAL COMMISSION ON MENTAL HEALTH

Collaborative Council

Louise Joy

Attorney/Partner
Joy & Young, LLP

Hon. Evelyn Keyes

Justice (Former)
First Court of Appeals

Chris Lopez

Assistant General Counsel
State Hospital
Health and Human Services
Commission

Mike Lozito

Judicial Services Director
Bexar County

Jennifer Yip Marshall

*Survivors of Trafficking Empowerment
Program (STEP) Supervisor*
Refugee Services of Texas

Hon. Lela Mays

District Judge
Dallas County, 283rd Judicial
District Court

Trish McAllister

Executive Director
Texas Access to Justice Commission

Joanna Mendez

Community Wellness Counselor
Refugee Services of Texas

Hon. Kirk D. Noaker, Sr.

Magistrate Judge
Burnet County

Hon. Rita Noel

Justice of the Peace, Pct. 4
Grayson County

John Petrila

Senior Executive VP of Policy
Meadows Mental Health
PolicyInstitute

Hon. Daphne Previti-Austin

Judge (Former)
Attorney
The Law Office of Shawn C. Brown,
P.C.

Officer Terry Qualls

Crisis Intervention Coordinator
McKinney Police Department

Janis Reinken

Chief Clerk
House Committee on Corrections

Michelle Romero

Associate Director
Texas Medical Association

Rachel Samsel

Deputy Associate Commissioner
Strategic Initiatives & Policy
State Hospital System
Health and Human Services
Commission

Melissa Schank

Executive Director
Texas Criminal Defense Lawyers
Association

Jonas Schwartz

Program Manager
Texas Workforce Commission

Brigid Sheridan

Associate General Counsel
University Health System

Dr. Jennie Simpson

Forensic Director
Health and Human Services
Commission

Matt Smith

Assistant Executive Director/ Director
of Mental Health Services Williamson
County Juvenile Services

JUDICIAL COMMISSION ON MENTAL HEALTH Collaborative Council

Lt. Scott Soland

Lieutenant

Fort Bend County Sheriff's Office

Sheriff Dennis Wilson

Limestone County

Sheriff's Association of Texas

Gloria Terry

Chief Executive Officer

Texas Council on Family Violence

Steve Wohleb

Senior Vice President/General Counsel

Texas Hospital Association

Haley Turner

Associate Commissioner for

Intellectual and Developmental

Disabilities Services

Health and Human Services

Commission

Rick Thompson

Senior Legislative Manager

Texas Association of Counties

Hon. Ryan Kellus Turner

Associate Municipal Judge

Executive Director

Texas Municipal Courts Education

Center

Sally Uncapher

Assistant District Attorney

Bexar County District Attorney's

Office

Julie Wayman

Mental and Behavioral Health

Manager, Interagency Liaison

Texas Education Agency

Nicole Weaver

Health Specialist

Child Protective Services Mental

Texas Department of Family and

Protective Services

Thea Whalen

Executive Director

Texas Justice Courts Training Center

Tab 3

Minutes from August 2020 Meeting

**JUDICIAL COMMISSION ON MENTAL HEALTH
MINUTES OF MEETING
August 7, 2020
9:00 a.m. – 12:00 PM
VIRTUAL MEETING**

Commissioners	Attended	Did Not Attend
Hon. Jane Bland, <i>Co-Chair, Supreme Court of Texas</i>	✓	
Hon. Barbara Hervey, <i>Co-Chair, Texas Court of Criminal Appeals</i>	✓	
Hon. Bill Boyce, <i>Vice-Chair, Justice, Fourteenth Court of Appeals</i>	✓	
Hon. John Specia, <i>Judge, 225th District Court (Ret.), Jurist-in-Residence</i>	✓	
David Slayton, <i>Administrative Director, OCA, ED, The Texas Judicial Council</i>	✓	
Hon. Brent Carr, <i>Judge, Tarrant County, County Criminal Court No. 9</i>	✓	
Terry Crocker, <i>Chief Executive Officer, Tropical Texas Behavioral Health</i>	✓	
Gerald Davis, <i>President and CEO, Goodwill Industries of Central Texas</i>	✓	
Hon. Francisco Dominguez, <i>Judge, El Paso County, 205th Judicial District Court</i>	✓	
Hon. Camile DuBose, <i>Judge, Medina County, 38th Judicial District</i>	✓	
Dr. Tony Fabelo, <i>Senior Fellow for Justice Policy, Meadows Mental Health Policy</i>	✓	
Sonja Gaines, <i>Deputy Executive Commissioner for Intellectual and Developmental</i>	✓	
Hon. Ernie Glenn, <i>Drug Court Magistrate, Bexar County</i>	✓	
Hon. Sid Harle, <i>District Court Judge, Bexar County, 226th Criminal District Court</i>	✓	
Courtney Hjaltman, <i>Policy Advisor, Office of the Governor</i>		✓
Hon. Joan Huffman, <i>Senator, District 17, Texas Senate</i>		✓
Dr. Andrew Keller, <i>President and CEO, Meadows Mental Health Policy Institute</i> <i>(John Petrila in his stead)</i>	✓	
Adrienne Kennedy, <i>President, National Alliance on Mental Illness</i>	✓	
Hon. M. Sue Kurita, <i>Judge, El Paso County Court at Law No. 6</i>	✓	
Beth Lawson, <i>Chief Executive Officer, StarCare Specialty Health System</i>	✓	
Major Mike Lee, <i>Mental Health & Jail Diversion Bureau, Harris County Sheriff's Office</i>	✓	
Mike Maples, <i>Deputy Executive Commissioner for Health and Specialty Care System</i>	✓	
Dr. Octavio Martinez, <i>Executive Director, Hogg Foundation for Mental Health</i>	✓	
Hon. Stacey Mathews, <i>Judge, Williamson County, 277th District Court</i>	✓	
Chief James McLaughlin, <i>Executive Director, Texas Police Chiefs Association</i>	✓	
Beth Mitchell, <i>Supervising Attorney, Disability Rights Texas</i>	✓	
Tom Mitchell, <i>Director of Jail Diversion Services, The Harris Center for Mental Health</i>	✓	
Hon. Joe Moody, <i>Representative, District 78, Texas House of Representatives</i>		✓
Hon. Roxanne Nelson, <i>Justice of the Peace, Burnet County Precinct 1</i>	✓	
Hon. Robert Newsom, <i>Judge, Hopkins County</i>	✓	
Denise Oncken, <i>Bureau Chief, Mental Health Bureau, Harris County District Attorney's Office</i>	✓	
Hon. Harriet O'Neill, <i>Justice (Ret.), Harriet O'Neill Law Office</i>		✓
Dr. William Schnapp, <i>Mental Health Policy Advisor, Harris County</i>	✓	
Prof. Brian Shannon, <i>Paul Whitfield Horn Professor, Texas Tech University School of Law</i>	✓	
Reginald Smith, <i>Policy Analyst, Texas Criminal Justice Coalition</i>	✓	
Hon. Polly Jackson Spencer, <i>Judge (Ret.), Bexar County Probate Court</i>	✓	
Hon. Cynthia Wheless, <i>Judge, Collin County, 417th Judicial District Court</i>	✓	

Attending JCMH Staff

Kristi Taylor, Executive Director
Molly Davis, Staff Attorney
Kama Harris, Staff Attorney
Patrick Passmore, Grants Administrator

Welcome and Announcements

Justice Jane Bland, Chair, opened the meeting and welcomed all in attendance. She noted that the agenda included an update on plans for the upcoming Summit, and a presentation on the proposals that are contained in the 2020 Legislative Recommendations and Reports document. Commissioner terms are temporarily extended, and moving forward, the Collaborative Council will meet bi-monthly. More information can be found in the Annual Report: [JCMH 2020 Annual Report](#).

Judge Barbara Hervey, Chair, thanked everyone for attending. She recognized the eight organizations who received CCA grants for education courses, programs, and technical assistance projects, many of which have been delivered virtually. Those grantees are: Texas Center for the Judiciary, Texas Municipal Courts Education Center, Texas Justice Courts Training Center, The Center for American and International Law, Texas Association of Counties, Texas District and County Attorneys Association, Texas Criminal Defense Lawyers Association, and the Texas District Court Alliance. Judge Hervey requested updated information for the CCA's Mental Health Resource Guide.

Commissioner Updates

Dr. Tony Fabelo, Senior Fellow for Justice Policy, Meadows Mental Health Policy Institute, asked everyone to consider that the next legislative session will have significant budget cuts.

Dr. Octavio Martinez, Executive Director, Hogg Foundation for Mental Health, stated that due to Covid-19, the Hogg Foundation increased operating expenses for grantees from 10% to 20% to allow flexibility in helping their communities. Seven food banks representing 92 counties received additional funding from the Hogg Foundation to combat food insecurity. Grief centers offered mental health services for families and children. Broadband capability will be expanded in Bastrop and Morris Counties to support telemedicine and telepsychiatry in rural areas. Dell Medical School is providing mental health resources to first responders. Additional funds were given to grantees who are assisting with the 2020 Census. Finally, the 5th edition of the Mental Health Guide will be ready soon.

Mike Maples, Deputy Executive Commissioner for Health and Specialty Care System, HHSC, advised that due to Covid-19, state hospitals reduced capacity to create isolation space while ensuring that patients' needs were met. That reduction impacted the waiting list for people in jail awaiting competency restoration. Mr. Maples noted that sheriffs and jails are coordinating transportation with the state hospitals, which is helpful, as is the courts' willingness to hold mental health hearings on Zoom. State hospital capacity will expand by 350 beds over the next few years.

John Petrila, Senior Executive Vice President of Policy, Meadows Mental Health Policy Institute, reported that several communities are rethinking initial encounters of people with mental illness following a 911 call. RIGHT Care is a medical-facing crisis response in Dallas that sends a paramedic, a mental health professional, and a law enforcement officer out to mental health 911 calls. Meadows has seen a lot of interest in such an approach from cities in Texas and around the country. Resources can be found through their website, <https://www.texasstateofmind.org/covid-19/>. They have done a series of analyses on the impact of unemployment on substance use and suicide, and the ameliorative effect of interventions like collaborative care and medication assisted therapy.

Prof. Brian Shannon, Professor, Texas Tech University School of Law, stated that most of the legislative recommendations proposed by the Commission are not budgetary, but rather substantive improvements to existing statutes. He suggested that it might take several sessions to pass all of the proposed legislation, and there are opportunities to advise the legislature on smart spending, such as diversion programs and expanding capacity in outpatient programs.

Sonja Gaines Deputy Executive Commissioner for Intellectual and Developmental Disabilities and Behavioral Health Services, Texas Health and Human Services Commission (HHSC), provided an HHSC program update:

- LMHAs experienced a more than 100% increase in telehealth services, and a 300% increase in audio mental health services.
- There is no waitlist for services for children, and fewer than 100 adults are on a waiting list for services.
- A 24-hour Covid-19 Mental Health Support Line became available on March 31 for anyone in need of live, professional mental health support. The support line has responded to approximately 6,000 calls since inception. For more information, please visit: <https://hhs.texas.gov/services/mental-health-substance-use>
- The support line led to the creation of a virtual support group for frontline workers. For more information, please visit: <https://hhs.texas.gov/services/mental-health-substance-use/mental-health-substance-use-resources>
- HHSC secured a \$5.8 Million FEMA grant to provide crisis counseling services through the LMHAs in all 254 counties, which has provided 3000 individual encounters, 1500 group encounters, and over 2 million social media contacts so far.
- HHSC also provided \$1 million to 13 LMHAs to provide contracted inpatient care with local hospitals.

Denise Oncken, Bureau Chief, Harris County District Attorney, Mental Health Bureau, reported on developments in Harris County. Harris County has been holding tele-hearings for a long time, so they were able to quickly adapt proceedings during Covid-19. The waiting list for admission to state hospitals continues to increase, but Harris County has several initiatives to avoid the waiting list. The LMHA will now pay for GPS monitors for individuals in outpatient competency restoration programs, increasing the number of people who can participate. Over 3000 people have been diverted pre-charge in the last two years. A team of Harris County assistant district attorneys have been working on a mental health book for TDCAA. The Houston Bar Association will hold a virtual Criminal Trial and Appellate Bench Bar Conference in September, featuring a mental health panel.

Beth Mitchell, Supervising Attorney, Disability Rights Texas, had concerns that the forensic waiting list increased to 1200 people, from 800 people in February. More work can be done to move people through the system in a timelier manner. Some courts are not holding hearings, opting to extend commitments instead, which slows the movement of people through the system. Ms. Mitchell noted that Zoom hearings are only helpful if clients have the technology to participate in virtual hearings.

Beth Lawson, Chief Executive Officer, StarCare Lubbock, shared that the LMHA system in Lubbock is working diligently to support people during Covid-19 with curbside visits and providing cell phones to clients. New users are contacting the LMHA, including first responders and teachers seeking support during the panemic. Clients are responding well to virtual services, and “no-shows” have decreased.

Maj. Mike Lee, Harris County Sheriff’s Office, takes pride in the programs that intercept and divert people with mental illness from the criminal justice system, such as the Harris County Diversion Center and the crisis drop-off center. Following a successful pilot program, 100 Harris County patrol deputies now carry an iPad, allowing a direct connection to a mental health professional in the field and resolving up to 70% of calls for service. Major Lee also sees an opportunity to provide a non-law enforcement response to the 80% of 911 calls that do not involve violence.

Dr. Octavio Martinez, Executive Director, Hogg Foundation for Mental Health, highlighted three Texas initiatives: the JCMH, the Texas Children’s Mental Health Care Consortium, and the state hospital redesign. Dr. Martinez proposed that these three initiatives, along with the Hogg Foundation, collaborate during the

upcoming legislative session. He also expressed concern for the disproportionate impact of Covid-19 on the Black and Latinx communities and proposed the creation of a Health Equity Office at HHSC.

Executive Director Report

Kristi Taylor turned attention to the annual Report to the Courts, highlighting the accomplishments of the Commission in its first two years. Next, Ms. Taylor summarized the Commission's projects under the Strategic Plan. A current strategy focus is the examination of the prevalence and impact of racial disparities for people with mental health needs, substance use disorders, and IDD in the court system.

Collaborate

Justice Bill Boyce delivered an overview of the JCMH 2020 Legislative Recommendations and Reports, which will be presented to the Judicial Council as proposals for the upcoming legislative session. Eleven legislative proposals were presented, as well as a summary of the services recommendations. Justice Boyce invited comments and feedback on the proposals.

Kristi Taylor detailed the work of the Senate Bill 362 Task Force, which also developed recommendations for legislation, technology solutions, and forms.

Educate

Judge Camile DuBose touted the success of the second edition of the Bench Book, which included new information on competency restoration. Copies of the Bench Book are still available for distribution by emailing JCMH@txcourts.gov.

Judge Cynthia Wheless advised that the Juvenile Bench Book committee, comprised of over 30 of the top experts in juvenile law and mental health, is hard at work writing the Juvenile Bench Book. Like the Bench Book, it follows the Sequential Intercept Model and identifies the points at which children and adolescents can be diverted from the justice system and into community-based services. The Juvenile Bench Book should be available in print by the end of 2020. Judge Wheless also praised the many Commissioners who have championed early intervention at the juvenile justice level.

Kama Harris stated that planning for the 2020 Summit is underway. This year, the Summit will be virtual and over 500 attendees have already registered. The Curriculum Committee has organized programming for a half-day spotlight on juvenile mental health issues, and a half-day spotlight on IDD issues, as well as a full day of topics related to the intersection of criminal justice and mental health issues.

Lead

Judge John Specia (Ret.), announced that NAMI-San Antonio is planning the faith-based Pathways to Hope virtual conference on August 21 and 22. Judge Specia reported two new projects that the Commission has under consideration: a pilot project to launch Community Forensic Coordinators, and a grant to OCA for programming and web support, which would develop an online "one-stop shop" resource that will give the user detailed information about their local courts, diversion programs, and service providers. Judge Specia also reminded the Commission that he publishes Jurist in Residence letters several times per year.

Financial Report

Patrick Passmore gave an overview of the JCMH budget. JCMH was not subjected to a budget reduction. Many conferences were canceled, so some of the funds that would have been used for conferences and related travel have been repurposed for grants.

Judge Hervey thanked everyone for attending.

Justice Bland thanked everyone for attending and adjourned the meeting.

Meeting adjourned.

Tab 4

2021 Report to the Commission



REPORT TO THE COMMISSION

March 12, 2021

201 W. 14th St.
Austin, TX 78701
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. Legislative Research Committee

The JCMH Legislative Research Committee, Chaired by Justice Bill Boyce, began its work in October 2019. The Committee divided its work into three workgroups: Competency Restoration, Diversion, and Services. The Committee submitted its recommendations to the Texas Judicial Council on August 26, 2020 where the recommendations were unanimously approved and adopted as part of the [Texas Judicial Council's Criminal Justice Committee's 2020 Report and Recommendations](#) to the Legislature.

2. Supreme Court SB 362 Task Force

The Supreme Court established the Task Force for Procedures related to Mental Health to adopt rules to streamline and promote the efficiency of court processes under Chapter 573 of the Health and Safety Code and adopt rules or implement other measures to create consistency and increase access to the judicial branch for mental health issues. The Chair of the Task Force is Judge Brent Carr.

The Task Force concentrated its efforts in four areas:

- Recommendations regarding a possible technology solution to address some of the problems faced in the emergency detention process;
- Legislative recommendations for the 87th Legislative Session;
- Long-term policy and legislative recommendations; and
- The standardization of some common mental health forms.

The Task Force provided its legislative recommendations to the Legislative Research Committee to the Texas Judicial Council in August 2020, which were also adopted as part of the [Texas Judicial Council's Criminal Justice Committee's 2020 Report and Recommendations](#). The Task Force

submitted a Status Report to the Supreme Court in December 2020. A subcommittee dedicated to the standardization of some common mental health forms continues its work into 2021 and will submit a report in August 2021.

The work of the Legislative Research Committee and the SB 362 Task Force can be found in the 2020 JCMH Legislative Recommendations and Reports.

3. JCMH Bench Book Committee

The Bench Book Committee is chaired by Judge Camile DuBose and last met in 2019. The Committee advised on content, provided editing, and offered feedback on the previous two editions. Plans for the 3rd Edition are underway, and the Committee will reconvene in 2021.

4. JCMH Juvenile Bench Book Committee

The Juvenile Bench Book Committee is chaired by Judge Cynthia Wheless. The Committee advised on content, provided editing, and offered feedback on the 1st Edition. The last meeting of the Committee was on August 13, 2020. Plans for the 2nd Edition are underway, and the Committee will reconvene in 2021.

5. Judicial Summit on Mental Health Curriculum Committee

The Curriculum Committee, chaired by Judge Brent Carr, advises on speakers and curriculum for the Summit. The Committee 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.

In 2020, the Committee discussed goals for the Summit, which included a focus on intellectual and developmental disabilities issues, a spotlight on juvenile law, and the inclusion of people with lived experience. In response to the Covid-19 pandemic, the Committee adapted the Summit curriculum and agenda to a virtual format, attracting 1,564 registrants from across Texas and the country.

6. Commission Meetings

JCMH staff facilitates three Commission meetings per year, collecting information from the JCMH Commissioners to promote best practices and improve the function of the judiciary for those with mental health, substance use, or IDD needs.

7. Collaborative Council Calls

The Executive Director leads quarterly calls updating the Council members about current projects and encouraging Council members to share information about their conferences, projects, and best practices around the state. The 2021 Collaborative Council calls will be held on March 2, May 4, September 7, and December 7 at noon. JCMH staff produce minutes from the calls that highlight upcoming trainings from partner organizations, as well as links to resources.

8. JCMH Executive Committee

The Executive Committee is comprised of Justice Jane Bland, Judge Barbara Hervey, Justice Bill Boyce, Judge John Specia, and David Slayton. 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 JCMH hosted the third annual Judicial Summit on Mental Health October 9 and 10, 2020. This year's Summit was virtual and drew 1,564 judges and stakeholders from across Texas and the United States to discuss and develop solutions to the many challenges faced by individuals in the court system with mental illness or IDD. Attendees included judges from all levels of the judiciary, academia, 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.

The 4th Annual Judicial Summit on Mental Health, October 14-15, 2021 at the Sheraton Georgetown Hotel & Conference Center. The Summit will be in-person and virtual. JCMH has issued a Call for Abstracts for the Summit, which can be found [here](#).

2. Texas Mental Health and Intellectual and Developmental Disabilities Law Bench Book

The Bench Book is a 165-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 second edition of the Bench Book was released at the 2019 Judicial Summit on Mental Health. Print copies of the Bench Book and

all other JCMH publications can be ordered by sending an email to JCMH@txcourts.gov, and a digital version is available on the JCMH website, [here](#). Plans for the third edition are underway, which will cover insanity, incarceration, and re-entry.

3. Texas Juvenile Mental Health and Intellectual and Developmental Disabilities Law Bench Book

The Juvenile Bench Book is a 134-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 Juvenile Bench book was released at the Judicial Summit on Mental Health on November 9, 2020. The JCMH is currently distributing the initial run of 500 copies. The Juvenile Bench Book is also available in digital form on the JCMH website, [here](#). Plans for the second edition are underway, which will cover lack of responsibility, TJJD, and re-entry.

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, [here](#). The Mental Health Code Book will be 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.

6. Mental Health Law Forms

Currently, JCMH hosts an online sample forms bank from various Texas counties, available [here](#). There is also a Forms Committee that is developing sample forms which will be submitted to the high court Rules Committees by August 2021.

7. 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](#).

8. JCMH Website

The JCMH developed and regularly updates the JCMH website, www.texasjcmh.gov, to provide and share tools and resources on key concepts and court procedures related to mental health, substance abuse, and IDD.

9. Legislative Materials

The JCMH prepares tools and resources regarding mental health and IDD legislation. During the 87th Legislature, these bills will be tracked, and a legislative update will be published by September 1, 2021.

10. Scholarships

The JCMH provides scholarships for judges, attorneys, Commissioners, and Collaborative Council members to attend national conferences. For example, in March 2020, the JCMH provided scholarships to three judicial teams for registration and travel to the National Center for State Courts Workshop on Decriminalizing Mental Illness in Miami. Currently, JCMH is offering scholarships to the virtual conference on juvenile law sponsored by the National Center for Juvenile and Family Court Judges. For more information or to apply for a 2021 scholarship, click [here](#).

11. Presentations to Partner Organizations

The Executive Director and Staff Attorneys present at various conferences including the Lubbock Office of Dispute Resolution Mental Health Workshop (January 9, 2020), the Texas Municipal Courts Education Center Mental Health Summit (August 12-14, 2020), and the HHSC Interdepartmental Forensics and Diversion Meeting (September 16, 2020).

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 Mental Health Courts and Resources Website

Building on the success of the [Texas Court of Criminals Appeals' Texas Mental Health Resource Guide](#), the JCMH is building a comprehensive website that will contain county-specific information regarding courts that hear mental health cases, mental health treatment courts, diversion programs, and other local mental health and IDD resources, for all 254 Texas counties. JCMH is developing local relationships to foster the supply and entry of local information. Training for local administrators will begin the Fall of 2021.

3. Community Diversion Coordinator Pilot Project

The JCMH, in partnership with HHSC, is preparing to launch 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. Two test sites will be selected: one urban community and one rural community. A Committee of judges and other stakeholders was convened in December 2020 to determine the direction and scope of the project. The Committee meets regularly and held its most recent meeting on February 24, 2021. JCMH anticipates selecting test sites in May 2021 and hiring the Coordinators by July 1, 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 2019, 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, under a grant from the Texas Court of Criminal Appeals. The session trained participants to become certified facilitators for Sequential Intercept Mapping. The JCMH is currently developing a plan to provide hands-on training to Texas courts using the Sequential Intercept Model. JCMH staff and selected judges will provide technical assistance to targeted courts seeking help with implementing best practices. In June of 2021, the JCMH is hosting a virtual Critical Intervention Mapping by the National Center for Youth Opportunity and Justice. The workshop will work with the Denton County juvenile system to help build capacity through collaboration and connection to best practices and underutilized resources.

Tab 5
Financial Report

Supreme Court of Texas - Court Improvement Projects
Judicial Commission on Mental Health FY2021
February 2021 Financial Report

FY2021 Available Funds

FY2020-2021 State Appropriation	
FY2020 A.1.1 (UB)	250,000
FY2020 Strategy B.1.2 (Encumbered)	231,005
FY2021 Strategy A.1.1	250,000
FY2021 Strategy B.1.2	1,000,000
Total State Appropriation	1,731,005

FY2021 Budget vs. Actuals

	Actual	Budget
Operating	\$ 235,687	\$ 597,234
Staff Directed Projects	\$ 30,006	\$ 293,845
Scholarships	\$ 0	\$ 15,000
Grants	\$ 0	\$ 680,423
Total Expenditures	\$ 265,693	\$ 1,586,502

Financial Status as of February 2021

State Appropriation	
A.1.1	500,000
B.1.2	1,231,005
Expenditures to Date	265,693
State Appropriation Balance	1,465,312
- FY2021 Outstanding Obligations	1,320,809
FY2021 Projected End Balance	144,503

Tab 6
Grantee Report



Grantee Report
Executive Summary

September 2020 Reporting
Updated January 28, 2021

Grantee	Project	Grant Amount	Funds Spent Yet	Final Report Received
Bluebonnet Trails Community Services <i>Fayette and Lee Counties: A Regional Partnership</i>	Funds used to purchase tele-med stations, tablets, and protective cases for the tablets to expand the capacity for behavioral health services to the courts and jails in Fayette and Lee Counties, rural counties located in Central Texas.	\$14,060	Yes	Not yet
Tarrant County Mental Health Diversion Program: Program Development & Court Improvement	<p>Mental Health Diversion Program Development & Court Improvement: The Program Evaluation has been completed and will be shared with several other counties and any interest party. Evaluation showed that what mental health courts are doing is working for participants and the community, while saving taxpayer money.</p> <p>Equipment: The 2-in-1 laptop/tablet has helped significantly with mobility, improved efficiencies with conducting virtual dockets, etc. The color LaserJet printers have enabled us to print some program brochures, print our specialized docket, completing research, etc.</p> <p>Training: Has been delayed due to Covid-19, the training has not yet been rescheduled. A no-cost extension was granted, allowing the project (and spending of the grant) beyond the original award end dates due to the pandemic.</p>	\$25,000	Partially	Not yet

<p>Pecan Valley Centers <i>Hood County Sequential Intercept Model Training</i></p>	<p>Funds will eventually be used to conduct a sequential intercept model training by Policy Research Associates, the creators of the model. Due to the Pandemic, the awarded funds have not been used, and Hood County 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.</p>	<p>\$23,487.56</p>	<p>No</p>	<p>Not yet</p>
<p>Williamson County <i>Tele-Justice: Compassionate Process to Improve Court Interaction</i></p>	<p>Tele-Justice Equipment to allow individuals in a mental health crisis to attend hearings virtually instead of requiring transportation to the courtroom. The result has been an increase in participation from the patients due to the decrease in stress and anxiety.</p>	<p>\$25,000</p>	<p>Yes</p>	<p>Yes</p>
<p>Lone Star Justice Alliance <i>Capacity Building</i></p>	<p>This grant funded the entire technology package for LSJA's Transformative Justice Program, allowing us to achieve basic functioning. It allowed us to provide technology to our partners so that we could effectively engage in data collection and utilize our new multi-disciplinary case management system and provide field-based delivery of services – highly beneficial in the era of covid-19. Also purchased services from a local technology company, who fit it to suit LSJA's needs, including installing high quality HIPAA and other security systems, and assure a smooth network between the offices.</p>	<p>\$23,926.57</p>	<p>Yes</p>	<p>Yes</p>
<p>Harris County Probate Court Three <i>Technological Remote Access for Patients to Court Hearings</i></p>	<p>Partially used the 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 fostering the due process required for patients.</p>	<p>\$11,458.33</p>	<p>Partially</p>	<p>Not yet</p>

	The rest of the funds have not been spent yet. Due to the Pandemic, Harris County Probate Court Three 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.			
Comal County <i>Comal County Data Sharing Project</i>	<p>At this time, we have received a draft RFP from our IT and Purchasing Departments within the County. We are in the process of reviewing it with the necessary parties, including other committee members, and the Comal County District Attorney. We anticipate placing the RFP on the Commissioner's Court Agenda in the near future for approval. Once approved, it will go out the requisite period. Once the time has passed, we will review those proposals, select one, and proceed with the purchase, design, and implementation.</p> <p>Due to the Pandemic, Comal County 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.</p>	\$60,000 (over two years)	No	Not yet
Caldwell County <i>Caldwell County SIM Mapping</i>	The funds are intended to be used to do a SIM mapping of Caldwell County. Due to COVID-19, this has not occurred and will be rescheduled as soon as feasible. Due to the Pandemic, Caldwell County 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.	\$8,350	No	Not yet

<p>38th Judicial District CSCD <i>Specialty Court Case Management Software</i></p>	<p>The Community Supervision and Corrections Department purchased case management software with the JCMH grant funds.</p> <p>The software allowed CSCD staff to improve collaboration between criminal justice and mental health Team members, to expedite screening of individuals into the program and to share data regarding referrals, treatment outcomes, the use of sanctions and incentives, and program participation.</p>	<p>\$8,736</p>	<p>Yes</p>	<p>Not yet</p>
<p>NAMI Texas <i>Texas Criminal Justice Guide Distribution</i></p>	<p>This grant allowed NAMI to distribute the remaining 1,194 copies of an updated edition of the guide, "Texas Criminal Procedure and the Offender with Mental Illness: An Analysis and Guide." 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, among others. We have successfully distributed all copies of the book. The guidebook's wide distribution to the courts and attorneys who practice in Texas has better assured that important laws regarding offenders with mental illness are being understood and applied in a fair and appropriate manner.</p>	<p>\$4,437.92</p>	<p>Yes</p>	<p>Yes</p>

Tab 7

Summit 2020 Report



2020 Judicial Summit on Mental Health Executive Summary

The Judicial Commission on Mental Health (JCMH) hosted the third annual Judicial Summit on Mental Health on November 9 – 10, 2020 on a virtual platform.

This year's Summit drew over 1500 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 JCMH Texas Mental Health IDD Law Bench Book; the newly released JCMH Texas Juvenile Mental Health and IDD Law Bench Book; *Criminal Procedure and the Offender with Mental Illness* by Whitfield Horn Professors, the late Daniel H. Benson and Summit presenter Prof. Brian Shannon, published by NAMI Texas; supporting slides and one pagers created by the presenters; and reports, websites, and videos referenced by the speakers during their presentations. These resources are available on the JCMH website, 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 Supreme Court of Texas Chief Justice Nathan Hecht, Texas Court of Criminal Appeals Presiding Judge Sharon Keller, as well as the JCMH Chairs, Supreme Court Justice Jane Bland and Court of Criminal Appeals Judge Barbara Hervey

The morning sessions then turned to the issue of juvenile law as it pertains to mental illness and intellectual and developmental disabilities. Judge Cynthia Wheless hosted the morning of panels, facilitated discussions on new psychiatric resources for Texas children and youth with Dr. Andy Keller, discussed the intricacies of Texas Family Code Chapter 55 Subchapter B with attorney Bill Cox, and highlighted some innovative juvenile mental health courts and diversionary practices being implemented across the state. Keynote speaker Dr. Laurence Steinberg, a psychologist and professor whose research has been cited in every major juvenile U.S. Supreme Court case, concluded the morning with an engaging presentation on adolescents and brain development.

First Day Afternoon Sessions

Upon returning from lunch, the Summit offered a focus on Intellectual and Developmental Disabilities (IDD) as attendees walked through the many opportunities throughout the Sequential Intercept Model to divert individuals with IDD away from the justice system. Moderated by Haley Turner, the distinguished panel of experts examined situations that an individual with IDD might face, including accessing and using services, contacts with police, utilizing possible diversions, interactions with the judicial system, and facing competency restoration services.

Documentary Screening

In the late afternoon, attendees watched a screening of the film, *The Definition of Insanity*, a documentary on the Miami-Dade County Criminal Mental Health Project and Judge Steven Leifman. The film was introduced by Dr. Norman Ornstein and Judith Harris Ornstein, who produced the film. After tragically losing their son to mental illness, the Ornsteins created a foundation for mental health research and advocacy. Judge Leifman's court was a beacon of hope for them to help other counties create the best diversionary courts. After the film, Judge Leifman answered questions from the audience.

Second Day Morning Sessions

Throughout the second day, the audience heard from lived experience experts. These individuals provided insight and information for the audience and a unique perspective on the work that our stakeholders do daily. First, attendees heard from Kevin Garrett, who was previously incarcerated, and who has gone on to attend law school, sit for and pass the 2020 Texas bar exam. The audience also heard from Claudia Chihadi, a non-binary autistic individual, who discussed growing up with autism, searching for a diagnosis, and the difficulties of being neurodivergent in a society built for neurotypical people. They discussed ideas for how to facilitate an environment and culture beneficial for both neurodivergent and neurotypical individuals. In the late morning, Adrienne Kennedy told her heart wrenching personal story as a mother to a son with mental health issues, his involvement in the system, and how it motivated her to become a mental health advocate. Lastly, the audience heard from Mary Wright, a graduate from Judge Carr's mental health specialty court. She discussed how she ended up in his specialty court, and how her life has transformed due to her involvement in the court.

Dr. Rita Cameron-Wedding gave the keynote presentation on the morning of day two of the Summit. She compellingly discussed the systemic impact of implicit bias and the social determinants of mental health and incorporated videos and book suggestions in her presentation.

Professor Brian Shannon and Judge Ryan Turner dove into Texas Mental Health law with practical tips regarding the requirements and options under Texas Code of Criminal Procedure § 16.22, opportunities for diversion, emerging alternatives for competency restoration, and opportunities for coordination between the courts and local mental health authorities.

Before lunch, the audience heard from a panel of experts on data collection, moderated by Dr. Octavio Martinez. Dr. Virginia Brown started out the presentation discussing the importance of data collection for communities of color, and Judge Tamara Needles advised on the legal

requirements for collection and reporting of mental health data for counties in Texas. The other panelists, Danny Smith, Jerry Freshour, and Dr. Connie Almeida discussed how their counties procedurally collect the data, setbacks and difficulties of getting started, how things have changed due to Covid-19, and how other counties can start or continue to successfully collect data to report to the Office of Court Administration.

Second Day Afternoon Sessions

Judge John Specia moderated the afternoon of the second day of the summit. He facilitated the discussion of four Texas Judges who have either started a mental health court or started proactive mental health diversionary practices in their courts. Panelists each discussed their individual courts, and how they created their courts. Panelists also provided documents and blueprints to our audience on how to start a mental health court.

Judge Stacey Matthews discussed the SB 362 Task Force, which convened with the JCMH to create legislative proposals as well as write what is commonly referred to as the Services Report. Judge Matthews summarized the Services Report and highlighted services that are available for Judges to utilize for their litigants in Texas, what services are successful and should be increased, and where service deficits remain.

The last presentation of the 2020 Summit was provided by David Slayton, who gave an overview of how the judicial landscape has shifted since the Covid-19 pandemic, and how jury trials might proceed as the pandemic continues.

Bill Boyce provided closing remarks that reflected on the themes of the past two days and adjourned the Summit.

Top Ten Learning Objectives for the 2020 Summit

1. **Consider creating a Mental Health Court or Docket.** These courts and dockets are specialized, treatment-oriented, problem-solving courts that divert mentally ill offenders away from the criminal justice system and into court-mandated, community-based treatment programs.¹ In Texas, there is a need for more mental health courts for adults and juveniles. If your community would like to create a new court, there are resources, blueprints, and mentors available.
2. **Communication Between the Disciplines is Essential.** Best practices, such as developing multidisciplinary collaborative team meetings, can impact lives and provide access to care and resources for individuals with Mental Illness (MI) or Intellectual and Developmental Disabilities (IDD) within the local judicial system. Breaking down the silos between organizations and professions creates a more efficient and successful system.
3. **Texas Juvenile Mental Health Care Access has been Expanded.** Increased access to mental health care for children and youth prevents further entanglement with the justice system as adults. It is estimated that up to 70% of youth who enter the juvenile justice system meet the criteria for a mental health disorder.² The Texas Child Mental Health Care Consortium has created a hotline for pediatricians to call for consultation on their juvenile mental health clients and has partnered with public school districts to deliver treatment to children via telemedicine.
4. **Individuals with IDD are Prevalent in the Criminal Justice System.** These individuals have distinct challenges, which require separate time and attention, but are often overlooked or grouped with people with mental health challenges.
5. **IDD Resources Require Further Development in Texas.** IDD resources are not as well developed as Mental Health (MH) resources. Unlike Local Mental Health Authority (LMHA) information, Local IDD Authority (LIDDA) information was only incorporated into the TLETS Continuity of Care Query (CCQ) in the jails in August 2020. The relationships between LIDDAs and courts are just beginning, and the two systems must work together to forge more concrete relationships, which may be separate and apart from the Courts' relationships with the LMHAs.
6. **The Competency Restoration System is Not Mental Health Treatment.** When possible, and especially for low-level offenses, consider diversion or dismissal rather than initiating lengthy competency proceedings, as misdemeanor competency restoration backlogs the system and further extends the waitlist length.
7. **Recognize Implicit Bias.** Understanding and acknowledging individual implicit biases helps professionals bring possible injustice to the forefront of their mind, thereby

¹ *Mental Health Courts*, NAMI TEXAS, <https://namitexas.org/mental-health-courts/> (last visited Dec. 21, 2020).

² Lee A. Underwood & Aryssa Washington, *Mental Illness and Juvenile Offenders*, INT'L J. OF ENVTL. RES. AND PUB. HEALTH 13, NO. 2, 228 at 3 (2016).

recognizing it when it inevitably but inadvertently occurs. When individuals recognize their own biases, they can proactively create a culture of fairness and equity.

8. **Include Lived Experience Perspectives.** The voices of those with lived experience are invaluable in developing procedures that will increase positive outcomes and create a culture of de-escalation throughout the Sequential Intercept Model. Remember, “nothing about us without us.”
9. **Data is Our (Required) Friend.** The collection and analysis of data helps us measure how efficiently our laws are working, which groups may be disproportionately affected by the laws and services (or lack thereof). All counties are statutorily required to provide the Office of Court Administration with data regarding CCP § 16.22; however, most counties are not doing so. Collecting this data and reporting to OCA is necessary and data collection can be started by putting pen to paper and then building the system to a more sophisticated one as the data collection grows. A thousand-mile journey begins with a single step.
10. **Commit, Communicate, Collaborate. Take Action.** Nearly every speaker focused on the message that change begins with you—just start somewhere. Most sought help from those who had forged the path before them, but even with all the possible planning, they knew there would inevitably be challenges and decisions to be made in the middle of the process. Taking the first step of beginning the process was by far the greatest step.