

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
ESTABLISHMENT OF THE) Administrative Order
COMMITTEE ON MENTAL HEALTH) No. 2018 - 71
AND THE JUSTICE SYSTEM AND)
APPOINTMENT OF MEMBERS)

Administrative Order No. 2016-16 established the Task Force on Fair Justice (Task Force), and Administrative Order No. 2017-120 extended the term of the Task Force through June 30, 2018. The Subcommittee on Mental Health and the Criminal Justice System, a subcommittee of the Task Force, presented its final report to the Arizona Judicial Council in June 2018.

The Subcommittee’s report recommended that the Court continue the Subcommittee’s work by establishing a committee comprised of justice and mental health stakeholders to identify and recommend ways to address the issues and challenges faced by justice system involved individuals with mental and behavioral healthcare needs. The charge of this committee is to develop and recommend comprehensive, evidence-based best practices and cross-agency protocols to improve the administration of civil and criminal justice for persons with mental illness.

The Conference of State Court Administrators published a Policy Paper: “*Decriminalization of Mental Illness: Fixing a Broken System.*” In it, the judiciary is described as “the ideal organizing force to convene the entities that must come together to develop better protocols to evaluate the impact of the mental health crisis” on the courts and our communities. The Court recognizes that cases involving individuals with mental health issues have posed challenges to the justice system, as well as to the persons involved and their families. Moreover, the judiciary is in a unique position to bring community stakeholders together to develop solutions to improve the administration of justice for those with mental and behavioral healthcare needs.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the Committee on Mental Health and the Justice System (“Committee”) is established as follows:

1. **Purpose:** The Committee shall study and make recommendations as follows:
 - a. Continue to identify ways for the courts and other justice system stakeholders to effectively address how the justice system responds to persons in need of behavioral health services.

- b. Oversee the development of a model guide to help presiding judges develop protocols to work with justice system involved individuals with mental and behavioral healthcare needs. Coordinate a statewide Summit to share the Guide with judges, court personnel, mental health professionals, and justice system stakeholders.
 - c. Review Arizona's Mental Health Court Standards to determine whether current performance measures should be adjusted to capture additional data and to examine how that data should be analyzed. Examine how other courts and stakeholders collect data and whether improved communications between behavioral health and justice system stakeholders could result in a more effective delivery of services to those who are mentally ill.
 - d. Review court rules and state statutes for changes that can result in improved court processes in competency proceedings and court-ordered treatment hearings and other hearings where a litigant may need mental health treatment.
 - e. Identify ways the court can work collaboratively with other stakeholders to educate the public on the use of advance healthcare directives.
 - f. Oversee, as necessary, the implementation of recommendations of the Fair Justice Task Force relating to the courts and mental health approved by the Arizona Judicial Council.
 - g. Identify opportunities to educate the public on court processes involving individuals involved in the justice system who have behavioral health treatment needs.
2. **Membership:** The individuals listed in Appendix A are appointed as members of the Committee beginning upon entry of this Order and ending December 31, 2020. The Chief Justice may appoint additional members as necessary.
 3. **Meetings:** The Committee shall meet as necessary, and meetings may be scheduled, cancelled, or moved at the discretion of the Committee chair. All meetings shall comply with the Arizona Code of Judicial Administration § 1-202: Public Meetings.
 4. **Administrative Support:** The Administrative Office of the Courts shall provide administrative support and staff for the Committee who may, as feasible, conduct or coordinate research as requested by the Committee.
 5. **Reporting:** The Committee shall submit an interim report with findings and recommendations to the Arizona Judicial Council at the October 2019 meeting. The Committee shall submit a final report with findings and recommendations to the Arizona Judicial Council at the October 2020 meeting. Each report shall include any recommendations for necessary statutory changes.

Dated this 8th day of August, 2018.

SCOTT BALES
Chief Justice

Appendix A

Committee on Mental Health and the Justice System Membership List

Chair

Kent Batty
Pima Superior Court Administrator (Ret.)

Members

The Honorable Elizabeth Finn
Presiding Judge
Glendale City Court

The Honorable Michael Hintze
Judge
Phoenix Municipal Court

The Honorable Cynthia Kuhn
Judge
Superior Court in Pima County

The Honorable Barbara Spencer
Commissioner
Superior Court in Maricopa County

The Honorable Christopher Staring
Judge
Court of Appeals, Division One

Ms. MaryLou Brncik
Director
David's Hope

Mr. Brad Carylton
County Attorney
Navajo County

Ms. Amelia Cramer
Chief Deputy
Office of the Pima County Attorney

Ms. Shelly Curran
Director of Crisis, Prevention & Court
Programs
Mercy Maricopa Integrated Care

Mr. Jim Dunn
Executive Director
National Alliance on Mental Illness –
Arizona

Chief Kathleen Elliott
Chief of Police
Gila River Indian Community

Ms. Josephine Jones
Deputy Public Advocate
Maricopa County Office of the Public
Advocate

Ms. Dianna Kalandros
Director of Treatment Services
Pinal County

Chief Chris Magnus
Chief of Police
City of Tucson

Mr. James McDougall
Attorney
Ryan Frazer Goldberg & Arnold

Dr. Carol Olson
Medical Director
Desert Vista Hospital

Mr. Ron Overholt
Court Administrator
Superior Court in Pima County

Captain David Rhodes
Chief Deputy
Yavapai County Sheriff's Office

Ms. Michal Aimee Rudnick
Project Management Administrator
Arizona Health Care Cost Containment
System

Ms. Fanny Steinlage
Deputy Public Defender
Coconino County Public Defender

Dr. Michael Shafer
Professor
Arizona State University

Mr. Paul Thomas
Court Administrator
Mesa Municipal Court

Staff

Ms. Jodi Jerich
Senior Court Policy Analyst
Administrative Office of the Court

