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HISTORY AND COMMITTEE CHARGE

Task Force on Fair Justice for All

Subcommittee on Mental Health & the Criminal Justice System

Committee on Mental Health and the Justice System

Stakeholders

Workgroups

SMEs

AO 2018-71 - 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.

Committee on Mental Health and the Justice System

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INTERIM REPORT OCTOBER 2019

- LEGISLATION, POLICY AND PROCEDURE
- TRAINING AND EDUCATION
- DATA RESOURCES AND ANALYSIS
- COURT IMPROVEMENT
- COMMUNITY SERVICES AND SUPPORTS
- DIVERSION AND EARLY INTERVENTION
- ACCESS TO TECHNOLOGY
- ACCOUNTABILITY

Progress on the Interim Report Recommendations is provided in the Final Report.



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Committee on Mental Health and the Justice System

RECOMMENDATIONS



The Committee's Recommendations emphasize the Judiciary's leadership role in driving change. Five areas of emphasis for 30 recommendations:

- **EDUCATION AND TRAINING** - #s 2, 20 AND 26
- **CASE PROCESSING AND MANAGEMENT** –#s 3, 5, 6, 8, 13, 18, 19, 21, 23, 24 AND 28
- **COMMITTEES** – #s 4 AND 30
- **STATUTE AND RULE UPDATES** – #s 10, 11, 12, 17, 22 AND 27
- **COLLABORATION AND INFORMATION SHARING** – #s 1, 7, 9, 14, 15, 16, 25 AND 29

"Court leaders can and must...address the impact of the broken mental health system on the nation's courts – especially in partnership with behavioral health systems."
- Conference Of State Court Administrators



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IMMEDIATE RESPONSE

- EVALUATE THE IMPACT OF JURISDICTIONS' IMPLEMENTATION OF THE SEQUENTIAL INTERCEPT MODEL AND UTILIZE DATA TO MAKE RECOMMENDATIONS ON HOW POLICIES, PRACTICES AND FUNDING CAN BE IMPROVED AND REDIRECTED TO AREAS IDENTIFIED AS HIGH NEED.
- DEVELOP A FRAMEWORK FOR EDUCATING JUDGES AND COURT STAFF FROM INITIAL ORIENTATION THROUGHOUT THE CAREER SPAN, IN THE AREAS OF UNDERSTANDING TRAUMA, BEHAVIORAL HEALTH, CRISIS RESPONSE, DE-ESCALATION TECHNIQUES, AND IN EXISTING JUDICIAL OVERSIGHT MECHANISMS FOR PEOPLE WITH MENTAL HEALTH CONDITIONS.
- CONVENE A TASK FORCE TO CREATE A SET OF MENTAL HEALTH RULES FOR PURPOSES OF IMPROVING CONSISTENCY, CLARITY AND COORDINATION AMONG COURTS THAT OVERSEE MATTERS INVOLVING INDIVIDUALS AND FAMILIES LIVING WITH MENTAL ILLNESS.



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IMMEDIATE RESPONSE

- SUPPORT THE CREATION OF JUSTICE SYSTEM/BEHAVIORAL HEALTH POSITION(S) IN EACH COUNTY FOR THE SUPERIOR COURT, AND IN LIMITED JURISDICTION COURTS THAT SERVE A HIGH VOLUME OF PEOPLE LIVING WITH MENTAL ILLNESS, TO ENSURE CONTINUITY OF CARE FOR INDIVIDUALS INVOLVED IN RULE 11, TITLE 36 AND TITLE 14 PROCESSES. THIS INCLUDES ELEVATING, REQUIRING AND FUNDING A DEDICATED CLINICAL LIAISON (SEE [A.R.S. §13-4501](#)) TO ENSURE OVERSIGHT AND COORDINATION OF SERVICES AND SUPPORT WITH AHCCCS AND PROVIDERS.
- AMEND THE FOUR-DECADES' OLD DEFINITION OF *MENTAL DISORDER* IN A.R.S. §36-501, AS DESCRIBED IN THE "RECOMMENDATIONS" SECTION, BY CONVENING A MULTI-DISCIPLINARY TEAM TO ENSURE THAT PERSONS WHO ARE LIVING WITH A MENTAL DISORDER CO-OCCURRING WITH DEMENTIA, TRAUMATIC BRAIN INJURY OR INTELLECTUAL DISABILITY CAN GET NEEDED TREATMENT WHILE ENSURING INDIVIDUALS' RIGHTS ARE PROTECTED, AND THAT PEOPLE ARE NOT SUBJECTED TO INAPPROPRIATE, PROLONGED AND UNNECESSARY INPATIENT TREATMENT.



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IMMEDIATE RESPONSE

- ADVOCATE FOR STATUTORY CHANGE TO STRENGTHEN JUDICIAL AUTHORITY TO ORDER DEFINED SERVICES FOR INDIVIDUALS IDENTIFIED AS NOT HAVING RECEIVED CONSISTENT, SUSTAINED OR PROPER TREATMENT FOR THEIR MENTAL ILLNESS AND WHO CONTINUE TO CYCLE IN AND OUT OF THE CRIMINAL JUSTICE, PROBATE, AND CIVIL MENTAL HEALTH SYSTEMS.
- UTILIZE TELE-HEALTH FOR MENTAL HEALTH EVALUATIONS AND RESTORATION TO COMPETENCY PROCESSES, PROVIDED PRACTICES NOTED BY THE COMMITTEE ARE IN PLACE. THE AOC SHOULD PURSUE A STATEWIDE CONTRACT FOR PROVIDERS TO DELIVER SPECIFIC TELESERVICES.
- IMPROVE THE UNIFORM QUALITY OF MENTAL HEALTH EVALUATORS IN TITLE 36 PROCESSES, IN RESTORATION TO COMPETENCY PROCESSES, AND IN SERIOUS MENTAL ILLNESS DETERMINATIONS. MECHANISMS INCLUDE UP-TO-DATE TRAINING IN BEST PRACTICES; STANDARDIZED REPORTING FORMATS; CLEAR EXPECTATIONS; AND PERIODIC, REGULAR EVALUATIONS.



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FEEDBACK AND SUPPORT

COMMENTS/QUESTIONS:

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