

Committee on Mental Health and the Justice System Minutes

Tuesday, October 30, 2018

10:00 a.m. – 3:00 p.m.

State Courts Building • 1501 W. Washington St. • Phoenix, Arizona • Conference Room 119 A/B

Present: Kent Batty (Chair), Mary Lou Brncik, Brad Carlyon, Amelia Cramer, Shelley Curran, Jim Dunn, Chief Kathleen Elliott, Judge Elizabeth Finn, Judge Michael Hintze, Josephine Jones, Dianna Kalandros, Judge Cynthia Kuhn, Chief Chris Magnus, James McDougall, Dr. Carol Olson, Ronald Overholt, Captain David Rhodes, Michal Rudnick, Commissioner Barbara Spencer, Judge Christopher Staring, Paul Thomas

Telephonic: Patti Tobias, Principal Management Consultant, National Center for State Courts

Absent/Excused: Dr. Michael S. Shafer, Fanny Steinlage

Guests/Presenters: Robin Hillyard, Arizona County Board of Supervisors; Don Jacobsen, AOC Senior Special Projects Consultant; Josh Sprunger, Magellan Complete Care of Arizona; Mamuna Ahmad, M.D. (with Dr. Olson)

Administrative Office of the Courts (AOC) Staff: Jennifer Albright, Theresa Barrett

Regular Business

Welcome and Opening Remarks

Mr. Kent Batty (Chair), introduced himself and asked that members give a brief introduction of themselves. Guests and observers were also asked to identify themselves. The Chair then provided reminders on parking, lunch cost, and use of microphones.

Approval of Minutes

Members were asked to review minutes, noting they were in the meeting packet and provided electronically in advance of the meeting. The Chair asked if there were any changes or amendments. A member sought a change, which was noted and read back by staff. A motion to approve the minutes as amended was made by Mr. Overholt and seconded by Chief Elliott. Motion was approved unanimously.

Business Items and Potential Action Items

Status Report on the Implementation of Certain Recommendations of the Subcommittee on Mental Health and the Criminal Justice System

Don Jacobson, AOC Consultant gave a presentation on what has been referred to as the model protocol guide to assist County Presiding Judges in addressing locally the issues identified by this committee and its predecessor. He shared a document titled *Fair Justice for Persons with Mental Illness: Improving the Court's Response*. Mr. Jacobson recounted the history of the Fair Justice For All task Force and its Subcommittee on Mental Health and the Criminal Justice System recommendations that were informative of the protocol guide effort. Mr. Jacobson shared that the Arizona Judiciary, with the assistance of the National Center for State Courts (NCSC) had applied for a grant to assist in statewide efforts to roll-out the guide. A statewide

summit in the spring of 2019 to kick off the roll-out process is in the beginning stages of planning.

AOC staff Theresa Barrett and Jennifer Albright informed the members that a central database for Rule 11 documents and court to court sharing was not yet in development but was among the list of projects for the AOC ITD department. Currently, there are only two municipal courts conducting Rule 11 matters and there was a workable manner of sharing documents. Once more municipal courts are handling Rule 11 cases or as other higher priority projects are addressed, ITD would revisit the request for a central database for Rule 11 documents.

Staff also shared the following:

- there were no updates on the topic of NICS Rule 11 reporting by municipal courts,
- If the committee identified a workgroup of subject matter experts, work to develop materials for the AZHelp.org website on Title 36 and possibly Mental Health Advance Directives could begin,
- Similarly, a workgroup of the committee to assist in developing RTC best practices and in reassessing evaluator training was needed, and
- Finally, the Education Services Unit of the AOC was seeking input from the Committee on topics and content for judicial training related to mental health matters.

Establishing Workgroups

The Chair, Mr. Batty, led a discussion on the formation of workgroups during the tenure of the committee to tackle various goals of the committee. Discussion was had on potential workgroups and the topics they might address.

Using SIM to Structure Issues Discussions

Mr. Batty shared that he had thought through a suggestion that the committee utilize the SIM to structure its work. He expressed concern that such a model for structuring the committee's work, due to the vastness of topics to address, may mean the committee could get bogged down in the issues concomitant to a single intercept. He suggested that as the committee in this meeting and the next few meetings narrowed in on topics to tackle in light of the committee's charge, that the members keep the SIM in mind as they worked through various aspects of any given topic.

Input on Topics for Consideration by Committee for Future Action

The committee spent significant time discussing topics for consideration for action by the committee. The discussion involved members sharing ideas in varying degrees of detail as well as discussing whether those ideas were (a) within the scope of the committee's charge and ((b) whether they were topics wholly within the judiciary's purview or topics of significant merit that extend beyond the judiciary's control into the other aspects of the system or into the community.

Two members had drafted detailed lists and proposals on topics. Those lists were reviewed and discussed by all members. At the end of the discussion it was determined that an additional

workgroup to address continuity of care-related topics would be created. In addition, the topic of housing and its impact on mental health treatment as well as its impact on the courts was identified as an item to place on the November meeting agenda. Staff to the committee will arrange presentations from subject matter experts.

During the discussion on topics that merit action by the committee, it was agreed the first workgroup to be formed would be focused on several topics that involve statutory or rule changes. Mr. McDougall agreed to lead the workgroup and members interested in participating identified themselves.

Preparation for the Next Meeting, Next Steps of the Committee

Staff will work with Mr. McDougall on getting the workgroup started. Staff will also assist in identifying potential presenters for the November meeting.

Other Business

Good of the Order / Call to the Public

No comments from the public.

Adjournment

The meeting was adjourned at 2:26 p.m. by order of the Chair.

Next Meeting: **November 29, 2018**
 10:00 a.m. – 3:00 p.m.
 Arizona State Courts Building
 Conference Room