



Montgomery County

MCMHTC

Mental Health Treatment Court

Participant Handbook

Honorable Mary A. Turner

Honorable Lisa Michalk

Presiding Judges

Mission Statement

The mission of the Montgomery County Mental Health Treatment Court is to increase public safety, facilitate participation in effective mental health and substance abuse treatment, improve the quality of life for people with mental illness charged with crimes, and make more effective use of the community's limited criminal justice and mental health resources.

Introduction

Welcome to the Montgomery County Mental Health Treatment Court!!

This handbook has been designed for your personal use. It is meant to answer any questions, address concerns and provide you with detailed information about what is expected of you as a Mental Health Treatment Court participant.

A Mental Health Treatment Court is a problem-solving court in which defendants living with a mental illness are given the opportunity to participate in mental health treatment, make frequent appearances before the Judge and have regularly scheduled visits with a Case Manager and a specially trained Community Supervision Officer in place of a prolonged jail or prison sentence.

As a participant, you will be expected to comply with the treatment plan developed for you by the Clinician of the Mental Health Court Services. You will need to comply with the directives of your Case Manager and Community Supervision Officer. Most importantly, you will need to follow any instructions given to you by the Judges in the Mental Health Treatment Court.

The foundation of the Mental Health Treatment Court is based on and promotes the following essential values:

- 1. Dignity and Respect for self and others**
- 2. Taking personal responsibility**
- 3. Honesty**

Program Eligibility

Referrals – Initial referrals are accepted through a variety of sources, including law enforcement, jail staff, defense attorneys, prosecutors, mental health professionals, family and friends.

District Attorney Approval – **All** cases are reviewed by the District Attorney's office for initial approval.

The following criteria must be met for you to be eligible for Mental Health Treatment Court:

- Currently charged with a misdemeanor or felony offense (some exclusions do apply) (Assault cases will be considered on a case-by-case basis)
- Diagnosed with a significant mental illness
 - Bipolar Disorder
 - Major Depressive Disorder
 - Schizophrenia/Schizoaffective Disorder
 - IDD (Intellectual and Developmental Disability)
- May have a co-occurring substance abuse disorder
- Must be legally competent
- Must be willing to voluntarily participate in comprehensive clinical evaluation, commit to an individualized treatment plan, follow terms of Community Supervision and Mental Health Treatment Court standards
- Willing to plead guilty, if accepted into the court

In addition, there **must** be an identified relationship between the mental illness and the behavior which resulted in the criminal charge.

Program Acceptance

Intake Process - It is the policy of the Mental Health Treatment Court program that the intake be timely and clinically sound.

Once the case is approved, the defendant will be given a date and time for an intake appointment. The defendant's attorney and court of origin are notified of status at intake and at disposition.

The defendant will meet with the Director or Court Clinician of MHTC for a formal, comprehensive psychosocial assessment that is submitted to the District Attorney's office for final approval/denial. If approved, the defendant will be placed on the Mental Health Treatment Court Docket for introduction to the court.

Program Participation

The Mental Health Treatment Court treatment team is here to help you. The treatment team will consist of the Judge, the District Attorney, the Defense attorney, the Director of the Mental Health Treatment Court, your Case Manager, your Community Supervision Officer, mental health providers and **YOU!** Yes, you are part of the team. You will have an active role in developing and, of course following your treatment plan as well as adhering to the requirements of the Mental Health Treatment Court and Community Supervision.

The Mental Health Treatment Court treatment team will be here to support, encourage and help you stay focused as you work towards achieving your goals. Remember, it will be *your* motivation, *your* commitment and *your* dedication to *yourself* and to *your* goals that will ultimately determine *your* success in the Mental Health Treatment Court program.

The Mental Health Treatment Court treatment team will help you gain access to services and programs such as housing, employment opportunities, mental health services, substance abuse treatment and medical care.

As a Mental Health Treatment Court participant, you will be expected to:

- Follow all Mental Health Treatment Court requirements and Court recommendations
- Follow all of the Probation requirements
- Follow your Treatment Plan, which will include participating in mental health treatment
- Participate in substance abuse treatment, if needed
- Submit to random drug and alcohol testing
- Attend all Mental Health Treatment Court appearances
- Abstain from drugs and/or alcohol
- Follow the laws and not commit any new offenses

When you first start the program, you can expect more intensive treatment from your treatment providers and more rigorous supervision from the Court and your Community Supervision Officer. As you demonstrate to the Judge that you are successfully managing your treatment and conditions of supervision, the Judge may consider reducing the frequency and intensity of your court appearances. Your treatment providers will be responsible for determining the intensity of your treatment.

MENTAL HEALTH TREATMENT COURT TEAM

Under the leadership of Judge MaryAnn Turner and Judge Lisa Michalk, a team of professionals have been assembled to help you make positive changes in your life. Your Mental Health Treatment Court Team is comprised of the following people:

Honorable MaryAnn Turner

Judge of Misdemeanor Dockets

Honorable Lisa Michalk

Judge of Felony Dockets

Gloria Kessler, M.Ed., LPC, NCC, LCDC

Director of Mental Health Court Svcs

Demetricia E. Dement

Court Clinician

Andra Symmonds

Case Manager

Emily Daniel

Case Manager

Courtney Matheny

MH Community Supervision Officer

Mike Shirley

Assistant District Attorney

Kathryn Watson

Defense Attorney

Jarrold Walker

Defense Attorney

LENGTH OF PROGRAM

Each participant in the Mental Health Treatment Court program is required to participate at least 12 -24 months for misdemeanor cases and 18-36 months for felony cases. After that, the Judge will review your case every 3 months to see if graduation is appropriate. Some participants complete the Mental Health Treatment Court program before the end of their sentence and some serve their entire sentence with the Court in order to receive the additional support from the Judge and the Mental Health Treatment Court Team.

PROGRAM PHASES

The Mental Health Treatment Court requires a minimum participation period of 12-24 months for misdemeanor cases and 18-36 months for felony cases. Participation in the Mental Health Treatment Court is comprised of four (4) distinct phases and once completed will result in a graduation ceremony for the participants. The length of each phase depends on the participant's progress, as well as their individual strengths and needs. Movement through each phase is completely individual and is not based upon the length of time a participant has participated in a phase.

The four phases are as follows:

PHASE 1: ORIENTATION & ENGAGEMENT

PHASE 2: PARTICIPATION IN ACTIVE TREATMENT

PHASE 3: STABILIZATION

PHASE 4: REINTEGRATION

Phase 1: ORIENTATION & ENGAGEMENT

During this phase, you will become oriented to how the Mental Health Treatment Court works and what is expected of you in this program. You will then be engaged in a higher level of court activity as we make every effort to get to know you better. We consider getting to know you and you getting to know us as one of our most important initial activities. Our hope is to create an environment of trust and develop an open dialogue with you. In order to achieve this, we will work with you during your court appearances and are available to meet with you on non-court days as well.

Minimum Requirement for Phase 1 Mental Health Treatment Court Participants

- Abstain from alcohol and drug use
- Abide by ALL rules and regulations of the Montgomery County Community Supervision and Corrections Department and follow ALL conditions ordered by the Judge
- Follow ALL rules and recommendations of the Mental Health Treatment Court Program
- Attend ALL appointments, sessions, and meetings as scheduled and on time
- Meet with Mental Health Treatment Court Team as directed
- Attend monthly court appearances on time
- Adhere to your Individual Treatment Plan (ITP) and let your treatment provider and Mental Health Treatment Court Team know if you think that the plan needs adjusting
- Submit to random drug and alcohol testing
- Demonstrate compliance with your medication treatment

- Work with Mental Health Treatment Court Case Managers in obtaining services which may include: housing, mental health care, medical care, substance abuse treatment, benefits, employment, pro-social activities and/or educational options
- Identify and begin attending a support group of your choice, if stipulated in your ITP or directed by the Judge
- Communicate with Mental Health Treatment Court Team if missing appointments or court proceedings

Advancement Criteria from Phase 1 to Phase 2

For 2 consecutive months, the Mental Health Treatment Court Participant will have documentation confirming all of the following:

- All NEGATIVE alcohol and drug tests
- Only excused absences from Mental Health Treatment Court
- Only excused absences from scheduled appointments with Mental Health Treatment Court Case Managers
- Only excused absences from appointments with MH treatment providers and community supervision officer
- Positive reports from MH Treatment providers and CSO
- Medication compliance
- Start working on your Personal Crisis Plan (should be completed by end of Phase 2)
- Complete Phase 1 Promotion Worksheet

Phase 2: PARTICIPATION IN ACTIVE TREATMENT

During this phase we will continue to deepen our working relationship with you. You will be actively engaged with your treatment and service providers. Based on your individual progress, the Judge will determine the frequency of your Mental Health Treatment Court appearances. The overall goal of this phase is for you to begin to experience a sense of well-being and empowerment.

Minimum Requirement for Phase 2 Mental Health Treatment Court Participants

- Abstain from alcohol and drug use
- Abide by ALL rules and regulations of the Montgomery County Community Supervision and Corrections Department and follow ALL conditions ordered by the Judge
- Follow ALL rules and recommendations of the Mental Health Treatment Court Program
- Attend ALL appointments, sessions, and meetings as scheduled and on time
- Meet with Mental Health Treatment Court Team as directed
- Attend monthly court appearances on time
- Continue to adhere to your Individual Treatment Plan (ITP) and let your treatment provider and Mental Health Treatment Court Team know if you think that the plan needs adjusting
- Submit to random drug and alcohol testing
- Continued compliance with your medication treatment
- Develop a relapse prevention plan (mental health and substance use) and obtain a sponsor, if needed
- Develop a support system for your mental health and substance abuse treatment needs
- Attend NAMI Group at least once per month
- Provide proof of attending a support group of your choice, if stipulated in your ITP or directed by the Judge

- Obtain and maintain services which may include: housing, mental health care, medical care, substance abuse treatment, benefits, employment, pro-social activities and/or educational options. Report any needs to your Mental Health Treatment Court Case Manager.
- Communicate with Mental Health Treatment Court Team if missing appointments or court proceedings
- Make payments towards court fees and/or restitution unless otherwise indicated by the Judge
- Begin working on your Wellness Action Plan
- Begin weekly participation in Moral Reconciliation Therapy (MRT)

Advancement Criteria from Phase 2 to Phase 3

For 3 consecutive months, the Mental Health Treatment Court Participant will have documentation confirming all of the following:

- All NEGATIVE alcohol and drug tests
- Only excused absences from Mental Health Treatment Court
- Only excused absences from scheduled appointments with Mental Health Treatment Court Case Managers
- Only excused absences from appointments with MH treatment providers and community supervision officer
- Maintain adherence to Mental Health Treatment Court directives
- Positive reports from MH Treatment providers and CSO
- Medication compliance
- Completed your Personal Crisis Plan
- Rough draft of your Wellness Action Plan
- Complete Phase 2 Promotion Worksheet

Phase 3: STABILIZATION

Entering this phase, you will have demonstrated to the Judge, the Mental Health Treatment Court Team, your Treatment providers and YOURSELF that you are working hard to achieve your goals. During this phase, our collective goal will be to help you maintain your focus and your progress. As long as you continue to follow your Individual Treatment Plan (ITP) and court directives, your court appearances will be reduced to once per month, then once every six weeks and then once every eight weeks, as the Judge directs you.

Minimum Requirement for Phase 3 Mental Health Treatment Court Participants

- Abstain from alcohol and drug use
- Abide by ALL rules and regulations of the Montgomery County Community Supervision and Corrections Department and follow ALL conditions ordered by the Judge
- Follow ALL rules and recommendations of the Mental Health Treatment Court Program
- Attend ALL appointments, sessions, and meetings as scheduled and on time
- Meet with Mental Health Treatment Court Team as directed
- Attend monthly court appearances on time
- Continue to adhere to your Individual Treatment Plan (ITP)
- Submit to random drug and alcohol testing
- Continued compliance with your medication treatment
- Continue attending NAMI Groups monthly
- Maintain your support system for your mental health and substance abuse treatment needs
- Provide proof of attending a support group of your choice, if stipulated in your ITP or directed by the Judge
- Follow your relapse prevention plan and maintain contact with your sponsor

- Maintain services which may include: housing, mental health care, medical care, substance abuse treatment, benefits, employment, pro-social activities and/or educational options. Report any needs to your Mental Health Treatment Court Case Manager.
- Communicate with Mental Health Treatment Court Team if missing appointments or court proceedings
- Continue making payments towards court fees and/or restitution unless otherwise indicated by the Judge
- Continue to develop your Wellness Action Plan
- Continue weekly participation in Moral Reconciliation Therapy (MRT)

Advancement Criteria from Phase 3 to Phase 4

For 4 consecutive months, the Mental Health Treatment Court Participant will have documentation confirming all of the following:

- All NEGATIVE alcohol and drug tests
- Only excused absences from Mental Health Treatment Court
- Only excused absences from scheduled appointments with Mental Health Treatment Court Case Managers
- Only excused absences from appointments with MH treatment providers and community supervision officer
- Maintain adherence to Mental Health Treatment Court directives
- Positive reports from MH Treatment providers and CSO
- Medication compliance
- NAMI meeting verification
- Completed your Wellness Action Plan

- Draft your Graduation Application Packet
- Complete Phase 3 Promotion Worksheet

Phase 4: REINTEGRATION

You are now nearing Mental Health Treatment Court Graduation!! Reaching this phase indicates that you've accomplished the primary goals that you and the Mental Health Treatment Court Team identified when you entered the program. During this phase our goal is to ensure that you have all of the necessary skills and tools to maintain your progress even after you have completed the Mental Health Treatment Court program. During this phase, you will attend Court monthly so that we are confident that you are fully prepared for life beyond Mental Health Treatment Court graduation.

Minimum Requirement for Phase 4 Mental Health Treatment Court Participants

- Abstain from alcohol and drug use
- Abide by ALL rules and regulations of the Montgomery County Community Supervision and Corrections Department and follow ALL conditions ordered by the Judge
- Follow ALL rules and recommendations of the Mental Health Treatment Court Program
- Attend ALL appointments, sessions, and meetings as scheduled and on time
- Meet with Mental Health Treatment Court Team as directed
- Attend monthly court appearances on time
- Maintain adherence to your Individual Treatment Plan (ITP)
- Submit to random drug and alcohol testing
- Maintain compliance with your medication treatment
- Continue attending NAMI Groups monthly
- Maintain your support system for your mental health and substance abuse treatment needs

- Provide proof of attending a support group of your choice, if stipulated in your ITP or directed by the Judge
- Follow your relapse prevention plan and maintain contact with your sponsor
- Maintain services which may include: housing, mental health care, medical care, substance abuse treatment, benefits, employment, pro-social activities and/or educational options.
- Make a verbal commitment to remain law abiding
- Complete payments of all court fees and/or restitution unless otherwise indicated by the Judge
- Complete, submit and present your Wellness Action Plan to the Court
- Complete Moral Reconciliation Therapy
- Complete, submit and present your Mental Health Treatment Court Graduation Application packet to the Court

Advancement Criteria from Phase 4 to Phase 5 (Graduation)

For 6 consecutive months, the Mental Health Treatment Court Participant will have documentation confirming all of the following:

- All NEGATIVE alcohol and drug tests
- Only excused absences from Mental Health Treatment Court
- Only excused absences from scheduled appointments with Mental Health Treatment Court Case Managers
- Only excused absences from appointments with MH treatment providers and CSO
- Maintain adherence to Mental Health Treatment Court directives
- Positive reports from MH Treatment providers and CSO
- Medication compliance
- No new law violations within last 6 consecutive months

- NAMI Group attendance
- Completed payments of all court fees and/or restitution unless otherwise indicated by the Judge
- Successful completion of Individual Treatment Plan (ITP)
- Completed Wellness Action Plan
- Completed Graduation Application

LEGAL REPRESENTATION

Each participant will be represented by a Defense Attorney that is assigned solely to the Mental Health Treatment Court. You will meet with the defense attorney after you enter your plea and become a Mental Health Treatment Court participant. This attorney will be present at court staffing's with the Mental Health Treatment Court Team and at your court appearances when you meet with the Judge. Your defense attorney will represent your interest if you request changes to your treatment plan, will advocate for you if the Court is considering sanctions, will request modified Conditions of Supervision or early termination of probation, and should it be necessary, will represent you at a hearing to revoke probation or adjudicate guilt. You may hire your own attorney if you have the funds to do so.

CONFIDENTIALITY AND YOUR RECORDS

In order to ensure that we have all of the information that is necessary to provide you with the most effective Treatment and Supervision Plan, we will be requesting copies of your medical, mental health and psychological records throughout the course of your participation in the Mental Health Treatment Court. In order to guard your privacy, the Mental Health Treatment Court Team will ensure that no one outside of the Mental Health Treatment Court Team will have access to your protected health information. Only court orders and official documents (such as conditions of probation, motions to adjudicate guilt or revoke

probation and judgement and sentences) will be placed in the court’s public file. Protected Health Information (such as medical records) will be filed in a separate Mental Health Treatment Court file, which will only be available to the Mental Health Treatment Court Team.

STAFFINGS

Before each Mental Health Treatment Court appearance, your case will be staffed by the Mental Health Treatment Court Team. The Mental Health Treatment Court Team members will give the Judge a progress report that will address how you are doing in between court appearances—such as how things are going for you at home, school, work and with your family. The progress report will also cover how you are doing in treatment – your medication compliance, group attendance and other treatment requirements. Lastly, the progress report will give an update to the Judge on how you are doing with your Conditions of Supervision.

COURT APPEARANCES

Initially, you will attend court on a monthly basis. As you demonstrate to the Judge and Mental Health Treatment Court Team that you are adhering to the rules of the Court and Conditions of Supervision, the frequency of your court appearances will be reduced. Attending court is a vital component of participation in the Mental Health Treatment Court program. You will need to schedule meetings, appointments or work obligations around your court hearings. You will need to be in court as scheduled, unless otherwise directed by the Judge.

Mental Health Treatment Court differs a little from a regular court appearance in that the goal of the court is to help you succeed with your treatment and probation. Therefore, the Judge takes a special interest in your treatment and probation experiences and will ask you at each court appearance how you think you are doing and if you want to discuss any problems you might be having. You are given the opportunity to tell the Judge about any concerns you have so that your concerns can be addressed and a course of action determined. If you are meeting your treatment goals and following your Conditions of Supervision, you

may be eligible for an incentive. If you are not meeting your treatment goals or following your Conditions of Supervision, the next course of action may include a clinical intervention or sanction.

Good behavior in court is very important and can show the court that you can demonstrate respect and follow court rules. Shown below are several ways that you can show respect to the court:

- Attend all Mental Health Treatment Court appearance – all absences require prior approval from the Mental Health Treatment Court Team. Failure to appear in court may result in a warrant being issued for your arrest.
- Be on time to Mental Health Treatment Court
- Check in with the Bailiff when you arrive
- Turn your cell phone OFF and do not use any portable electronic devices in the courtroom
- Once court is in session, any talking without the Judge’s consent is unacceptable and may result in removal from the courtroom and a sanction
- Wear appropriate clothing and remove your hat while inside the courtroom

INCENTIVES

Incentives for behavior are an important part of the Mental Health Treatment Court program. In order to help you change the behaviors that get you in the most trouble, the Judge and the Mental Health Treatment Court Team will work with you on developing and applying meaningful rewards and consequences (sanctions). Program compliance and positive behavior changes are rewarded with incentives. Incentives are responses to positive progress in the program. The type of incentive will vary depending on the behavior that we want to recognize and the things that motivate you as an individual.

Incentives for compliance with the Mental Health Treatment Court program rules may include, but are not limited to:

- Named in the “Compliance Club” list
- Spinning the “Compliance” wheel
- Acknowledgement and praise from the Judge
- Reduced frequency of court appearances
- Fewer meetings with Community Supervision Officer
- Reduced frequency of drug testing
- Granting of privileges (e.g., travel permit, lift curfew restrictions)
- Early advancement to next Phase
- Early Graduation from Mental Health Treatment Court Program
- Early Termination of Probation

SANCTIONS

Non-Compliant and undesirable behaviors are addressed immediately through the application of sanctions. The Judge applies the principle of “graduated and least restrictive” sanctions based on both current and previous behavior. Similar to the concept that we apply to incentives, the type of sanction that the Judge selects will vary depending on the behavior that needs to be addressed and the things that motivate you as an individual.

Sanctions for non-compliance with the Mental Health Treatment Court program rules may include, but are not limited to:

- Exclusion from the “Compliance Club” list
- Judicial reprimands
- Increased frequency in court appearances
- Rotated to the bottom of the docket (last to be seen by Judge)
- Behavior contract or change to Individual Treatment Plan
- Delay in phase advancement or repeat of prior phase
- Written assignments
- More frequent meetings with Community Supervision Officer
- Increased frequency of drug testing
- Loss of privileges (e.g., travel permit, curfew restrictions)
- Community Service Hours (CSR)

- Jail remand (jail time)
- Termination from the Mental Health Treatment Court program/sentencing

TERMINATION/SENTENCING

In applying sanctions and determining whether your case should be set for a hearing to adjudicate guilt or revoke probation, the Judge will consider many factors including, but not limited to:

- Your attitude throughout your participation in the Mental Health Treatment Court
- Your compliance history
- Severity of your mental illness or drug/alcohol addiction
- Your criminal history
- Whether you are stable enough to participate in the Mental Health Treatment Court Program
- Whether you have become legally incompetent
- Likelihood of serious physical harm to yourself or others that is unmanageable in a community setting

GRADUATION

Once your participation with the Mental Health Treatment Court Program has come to an end, you and your family will be invited to join in celebration as the Judge congratulates you on successfully completing the program and achieving your goals and establishing stability in your life. The Judge will review your case for dismissal or early termination of probation. If you continue on probation, you may be moved from the more intensive MH caseload to a less intensive standard caseload, where the requirements are less rigorous.

IMPORTANT CONTACT INFORMATION

| | |
|--|----------------|
| Mental Health Court Services | (936) 538-8131 |
| Mental Health Court Services Director-Gloria Kessler | (936) 538-8110 |
| Mental Health Court Services Court Clinician-Ellen DeMent | (936) 538-8153 |
| Mental Health Court Services Case Manager – Andra Symmonds | (936) 538-8073 |
| Mental Health Court Services Case Manager – Emily Daniel | (936) 538-8134 |
| M Treatment Court Defense Attorney – Kathryn Watson | (936) 441-2333 |
| Mental Health Treatment Court Defense Attorney – Jarrod Walker | (936) 756-0444 |
| MH Community Supervision Officer – Courtney Matheny | (936) 538-8271 |
| Tri-County Behavioral Healthcare Main Number | (936) 521-6300 |
| Tri-County Behavioral Healthcare Crisis Line | (800) 659-6994 |

CONCLUSION

The Mental Health Treatment Court Program has been developed to help you achieve stability in your life. The program is designed to promote your self-awareness, independence and to return you to the community as a productive and responsible citizen. Your Judge, Mental Health Treatment Court Clinical Team, Community Supervision Officer, District Attorney, Defense Attorney and Treatment Providers are available to guide and assist you, but the final choice is YOURS.

We hope this handbook has been helpful and answered most of your questions. If you have any additional questions or concerns about the Mental Health Treatment Court Program, please feel free to contact your attorney or the Mental Health Treatment Court Team at (936) 538-8131 or email us at mhcs@mctx.org.

WELCOME TO THE MENTAL HEALTH TREATMENT COURT TEAM!