



Mental Health Issues Implementation Task Force: Final Report

A TEMPLATE FOR CHANGING THE
PARADIGM FOR PERSONS WITH
MENTAL ILLNESS IN THE
CALIFORNIA COURT SYSTEM

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JUDICIAL COUNCIL
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OPERATIONS AND PROGRAMS DIVISION
CENTER FOR FAMILIES, CHILDREN & THE COURTS

Section 7: Education, Training, and Research

The TFCJCMHI's final report recognizes the need to heighten awareness and to provide the information and knowledge base necessary for improving outcomes for people with mental illness in the criminal justice system. Concluding that education and training for judicial officers, court staff, and mental health and criminal justice partners is critical, the TFCJCMHI's final report indicates that education and training programs should reflect a multidisciplinary and multisystem approach, and recommends that evidence-based practices and current information about mental health treatment and research findings be included in education efforts. The final report specified:

Training programs should include, at a minimum, information about mental illness (diagnosis and treatment), the impact of mental illness on individuals and families, indicators of mental illness, stabilization and deescalation strategies, legal issues related to mental illness, and community resources (public and private). Training for judicial officers should include additional information about strategies for developing effective court responses for defendants with mental illness. Cross-training between criminal justice, mental health, and drug and alcohol services partners, and training in developing effective collaborations between the courts and mental health and criminal justice partners is critical if effective practices are to be designed and implemented to improve outcomes for individuals with mental illness in courts, jails, and prisons. All training initiatives should be designed to include mental health consumers and family members.

In order to help programs be more effective and to inform government leaders who can affect public policy, the final report calls for additional research to be done to identify best practices in California and to do a cost study, comparing the costs associated with traditional and alternate responses to people with mental illness in the criminal justice system.

The Implementation Task Force examined the recommendations and made efforts to implement those recommendations that were appropriate for judicial branch involvement. It accomplished objectives in all three categories of the TFCJCMHI's recommendations in this section: education and training for court and justice partner staff, collaboration with California law schools, and research.

Education and Training for Judicial Officers, Attorneys, and Criminal Justice Partners

Recommendations in this section center on the need for judicial officers, counsel, and justice partners to receive ongoing mental health education and training in strategies for working effectively with persons with mental illness. A key development in the area of judicial education was inclusion of mental health as an education priority in both the criminal and juvenile delinquency curriculum subcommittees of CJER. This development provides for significant education and materials for judicial education as well as inclusion of mental health content in judicial education programs sponsored by CJER.³⁵

³⁵ Recommendations 117, 118, and 124.

Implementation Task Force members also participated as faculty for CJER's judicial education programs, developing and testing judicial education curricula and materials as part of the work of the Implementation Task Force. Programs were offered at the Cow County Judges Institute, Juvenile Law Institute, Family Law Institute, and Criminal Law Institute. Multidisciplinary education was offered for justice system and treatment partners at Beyond the Bench, Family Law Education Programs, the California Sheriff's Association conference, the Chief Probation Officers of California conference, the County Behavioral Health Directors Association of California conference, the Youth Court Summit, the Community Justice and Homeless Summit, the Reentry Court Summit, the California Judges Association Conference, and the California Association of Collaborative Courts/National Association of Drug Court Professionals conferences.³⁶

The Implementation Task Force also worked with CJER to post an extensive body of newly developed judicial mental health resources on the CJER On-Line website.³⁷ The Implementation Task Force also identified resources that were available outside the court system that address specific issues pertinent to mental health issues in the courts, for adults and juveniles. These resources were cited and catalogued for inclusion in the mental health websites on the judicial branch website. In addition, the Implementation Task Force identified effective practices in the courts, as well as areas where additional materials are needed, and began preparing new materials and cataloguing of effective practices. This area was also identified as an area for follow-up and ongoing maintenance once the project is fully launched.

Collaboration with California Law Schools

The TFCJCMHI's final report recommended that the Judicial Council, California law schools, and the State Bar of California collaborate to promote collaborative justice principles and expand knowledge of issues that arise at the interface of the criminal justice and mental health systems. Implementation Task Force members were invited to present in law schools and individual members included mental health issues and collaborative justice principles as part of their curriculum. Members of the Implementation Task Force also partnered with other advisory committees to reach out to law schools that established externships for law students in collaborative justice and mental health courts.

Research

The TFCJCMHI's final report calls for research to be conducted to evaluate practices aimed at improving outcomes for people with a mental illness who are involved in the justice system and to distribute that research to courts and their partners to better inform their own work. The Implementation Task Force directed or supported several research projects to support these recommendations. The California Courts website (www.courts.ca.gov) has been expanded to include links to several resources for juvenile mental health, including the California Department of Health Care Services and the Council on Mentally Ill Offenders, as well as to provide regular updates on juvenile mental health issues and on juvenile mental health courts.³⁸ Judicial Council staff is providing support for data collection among delinquency and juvenile mental health courts throughout the state and has published a report on juvenile delinquency court

³⁶ Recommendations 116–121; 124.

³⁷ Recommendation 115.

³⁸ Recommendation 132.

performance measurement as an evidence-based practice (www.courts.ca.gov/documents/JD_Performance_asEBP.pdf). Additionally Judicial Council staff has worked closely with collaborative justice court coordinators around the state to identify data definitions and standards and is working with the National Center for State Courts to survey all collaborative justice courts in the state and to identify preliminary outcome measures.

The Implementation Task Force has also supported research projects carried out by the Judicial Council. The Judicial Council published a literature review of mental health court–related research in 2012 that is available on the California Courts website at www.courts.ca.gov/documents/AOCLitReview-Mental_Health_Courts--Web_Version.pdf. In addition, Judicial Council staff is conducting a process evaluation project on California’s mental health courts. This study examines the process and procedures of mental health courts, and identifies preliminary outcomes and promising practices. The project discusses the foundation for understanding California’s mental health courts, describing the case study’s courts in depth, as well as variations among courts’ policies and practices. The final phase is an in-depth study of six specific mental health courts and will include qualitative data from interviews and focus groups and available outcomes from the six study courts. To further this research objective, the Implementation Task Forces recommends that Judicial Council staff seek external grant funding or other potential resources to expand the project and track individual-level data and court-specific outcomes.³⁹

A similar study is being done on the effectiveness of reentry courts in California, which includes a focus on reentry of prisoners with mental illness and will include participant data, service data, and outcome data. Although the study’s focus is on reentry, it is anticipated that the data collected on prisoners with mental illness will yield useful information on program efficacy and provide data that may be applicable to the broader population of offenders with mental illness.⁴⁰ However, the Implementation Task Force recommends that additional studies be conducted to address questions of the effectiveness of treatment programs and barriers to services.

Judicial Council staff, with direction from the Implementation Task Force, continues to provide technical assistance to collaborative justice courts, including mental health courts, on request to help with their efforts to conduct research on the local level. Staff also works with drug courts, mental health courts, and other collaborative justice courts to identify data elements and evaluation standards. In addition, staff is working with the National Center for State Courts on a nationwide survey of collaborative justice courts, assisting with the California portion. The results of this survey are forthcoming.

Finally, research briefings have been developed and disseminated in the areas of human trafficking, mental health courts, drug courts, reentry courts, and evidence-based practices in juvenile courts. The Implementation Task Force identified the need for expanded research and research briefings, specifically addressing outcomes in mental health and other collaborative courts addressing mental health issues, as well as summaries that identify effective practices in local courts as part of needed ongoing follow-up work.

³⁹ Recommendation 133.

⁴⁰ Recommendation 135.