

MEMORANDUM

December 2, 2015

TO: Public Safety Committee
Health and Human Services Committee

FROM: Linda McMillan, Senior Legislative Analyst *LMM*

SUBJECT: **Update - Mental Health Court**

Expected for this session:

The Honorable John W. Debelius, Administrative Judge, Montgomery County Circuit Court
The Honorable John McCarthy, Montgomery County State's Attorney
Phil Andrews, Director of Crime Prevention Initiatives, State's Attorney's Office
Dr. Raymond Crowel, Chief, Behavioral Health and Crisis Services (Department of Health and Human Services)
Robert Green, Director, Department of Health and Human Services

At this session, the joint Committee will receive an update on the work of the Mental Health Court Planning and Implementation Task Force that is developing recommendations for establishing mental health courts in the District and Circuit Courts.

Background

Last February when the Public Safety and Health and Human Services Committees met to discuss mental health services in the criminal justice system, it was noted that the Master Confinement Study considers the mental health court an "Unresolved Issue" for the system. The Bureau of Justice Assistance's brief, "Mental Health Courts – A Primer for Policymakers and Practitioners" uses the following definition.

"A mental health court is a specialized court docket for certain defendants with mental illness that substitutes a problem-solving model for traditional criminal court processing. Participants are identified through mental health screening and assessments and voluntarily participate in a judicially supervised treatment plan developed jointly by a

team of court staff and mental health professionals. Incentives reward adherence to the treatment plan or other court conditions, nonadherence may be sanctioned, and success or graduation is defined according to predetermined criteria.”

Data continues to show the increasing need for finding a variety of ways to address the needs of people with mental illness that enter the criminal justice system.

From 2011 through 2014:

- The Montgomery County Police Department has seen a 24% increase in calls due to mental illness. (4,440 to 5,513).
- There has been a 61% increase in the number of people booked into the Central Processing Unit that need crisis mental health care (1,101 to 1,626) at the same time the average daily population in the jails declined from 914 to 664.
- In 2014, there were eight people that were identified as having mental illness that were arrested a total of 250 times (combined).

Task Force

In July, Judge Debelius invited representatives from the judicial, criminal justice and mental health systems, County Government, and community-based organizations to be part of the Montgomery County Mental Health Court Planning and Implementation Task Force to explore the establishment of a mental health court in Montgomery County. Judge Debelius’s invitation letter is attached at ©1. Phil Andrews is serving as Chair of the Task Force and Judge Gary E. Bair, Circuit Court, is serving as Vice-Chair. Councilmember Katz and Council staff are also serving as members of the Task Force.

The Task Force spent its first meetings hearing from Judges who preside over mental health courts in other jurisdictions. Attached to this packet is information from the mental health courts in Baltimore City (©2-6), Harford County (©7-14), and Prince George’s County (©15-22).

The Task Force has now split into four sub-committees: (1) Eligibility, (2) Resources, (3) Implementation, and (4) Evaluation. It is expected that the Task Force will complete its work by the end of this calendar year.

To establish a mental health court in the District and/or Circuit Court, an application must be sent by Judge Debelius and/or Judge Wolfe (Administrative Judge for the Montgomery County District Court) to the Office of Problem Solving Courts. It is expected that the Task Force’s recommendations will assist in this application process.

Council staff notes that while no recommendations have been made yet, it is likely that some new resources will be required. Council staff expects that there will need to be a Court Case Coordinator to manage the case flow as well as a Case Manager to make sure that treatment and other service plans are in place and connections to services have been made. In addition, it is likely that some additional capacity will be needed in the Department of Health and Human

Services' Clinical Assessment and Triage Services (CATS) to provide sufficient coverage for assessments and potentially to provide more in-depth screening and evaluation. Grant funding may be available for some or all of these types of implementation costs.

Competency and State Resources

In presentations to the Task Force, the guest Judges discussed the ongoing problem with a lack of State capacity to complete competency evaluations and provide treatment. This often leaves the jails with people who should be transferred to State facilities. Some of the Judges handle these cases through the mental health court docket. Some noted that sometimes the only way to get an inmate transferred to State facilities is to make complaining phone calls until there is a positive response.

It is not yet clear how this issue may or may not be a part of a Montgomery County Mental Health Court but it is a critical issue for the Department of Correction and Rehabilitation (from an operational standpoint) and to the justice system as a whole. The joint Committee may want to discuss whether this issue should be identified as one for discussion with the General Assembly Delegation or as an advocacy issue with the Governor or his department secretaries.

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND
50 MARYLAND AVENUE, SUITE 312
ROCKVILLE, MARYLAND 20850

JOHN W. DEBELIUS III
ADMINISTRATIVE JUDGE

(240) 777-9212

July 8, 2015

Linda McMillan, Senior Legislative Analyst
Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

Dear Ms. McMillan:

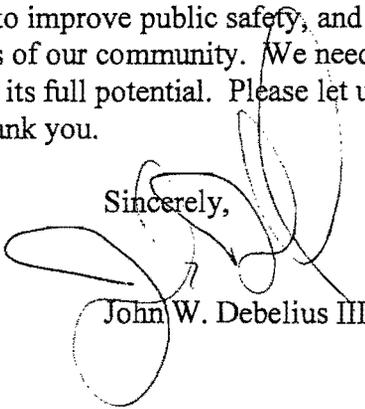
We are moving forward to explore the establishment of a Mental Health Court in Montgomery County, and invite you or a designee to serve on a Mental Health Court Planning and Implementation Task Force. The Task Force will meet bi-weekly on Wednesdays from 4:30-6:00 p.m., beginning September 9, 2015 and will report back to us by the end of 2015, with the aim of having a Mental Health Court up and running in early 2016. The Task Force will update the Criminal Justice Coordinating Commission on its work. We are appointing Phil Andrews, Director of Crime Prevention Initiatives for the State's Attorney's Office and former chair of the County Council's Public Safety Committee, and The Honorable Gary E. Bair, Associate Judge of the Circuit Court, to serve as chair and vice-chair of the Task Force.

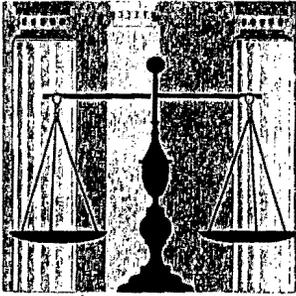
We must adopt effective measures to address the challenge of increasing numbers of people committing minor crimes due to mental illness – in some cases, multiple times a year. Many of these individuals would benefit if successfully diverted into a Mental Health Court to facilitate appropriate mental health treatment and access to requisite community supports, rather than being prosecuted and incarcerated. Mental Health Courts have been shown to improve outcomes for justice-involved individuals, reduce emergency hospitalizations and cut recidivism 20-25%.

Three Maryland jurisdictions – Baltimore City, Hartford County and Prince George's County -- and dozens of jurisdictions across the nation are successfully operating Mental Health Courts. Their experiences should inform the work of the Task Force. In addition, Maryland's Office of Problem-Solving Courts will be an invaluable resource.

We need to continue to improve public safety, and to do right by those who are among the most vulnerable members of our community. We need your help and expertise to make a Mental Health Court work to its full potential. Please let us know whether you or a designee will serve on the Task Force. Thank you.

Sincerely,

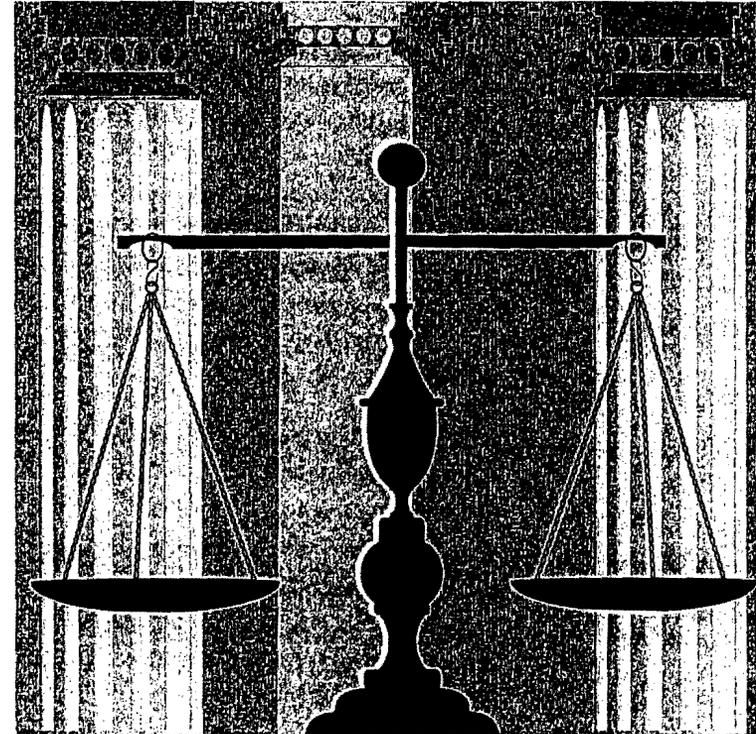

John W. Debelius III



BALTIMORE CITY MENTAL HEALTH COURT

Baltimore City District Court
John R. Hargrove Sr. Courthouse
700 East Patapsco Avenue
Baltimore, MD 21225
410-878-8300

BALTIMORE CITY MENTAL HEALTH COURT



**An alternative approach to
offenders with mental illness**

The Baltimore City Mental Health Court is a collaborative effort of:

- District Court for Baltimore City
- Circuit Court for Baltimore City, Medical Services Division
- Office of the Public Defender
- Office of the State's Attorney
- Division of Parole and Probation
- Division of Pretrial Detention and Services
- Forensic Alternative Services Team
- Community Forensic Aftercare Program
- Baltimore City Police Department
- Alcohol and Drug Abuse Administration
- Baltimore Mental Health Systems, Inc.
- Baltimore Substance Abuse Systems
- Developmental Disabilities Administration
- Mental Hygiene Administration
- Office of Problem Solving Courts

Referrals

For further information or to make a referral,
contact the FAST program at 410-878-8328.

Maryland Judiciary Office of Communications and Public Affairs

L01-006 (Rev. 7/2011)

www.courts.state.md.us/opsc/mhc/index.html

The problem

The large number of offenders with serious and chronic mental illnesses entering the criminal justice system each year creates a growing social problem affecting both the criminal justice system and the public mental health system. These offenders often spend unnecessary time in jail, and, without access to mental health services upon release, tend to be rearrested and cycle through the system over and over again. While incarcerated, mentally ill offenders are at risk of worsening psychiatric symptoms resulting in increased vulnerability and/or increased agitation impacting the stability and safety of the general jail population. The needs of the community are not addressed, the costs to the taxpayer escalate, and the defendant continues to have the same problems and associated risks as before.

The Mental Health Court partner agencies recognize the need to positively impact this alarming trend. We are determined to focus resources, training and expertise on the unique needs of these individuals. Most important, every effort is made to encourage the involvement of the individual in all aspects of the process.

Participants are offered a treatment-based sentencing alternative, which utilizes judicial oversight as a component of the program. A comprehensive approach is taken in order to provide an array of services designed to address the many needs of this population.

Our purpose

The court works to direct eligible offenders with serious mental illness away from incarceration and into appropriate community treatment. The Mental Health Court has four broad purposes:

- To preserve public safety
- To reduce inappropriate incarceration of mentally ill offenders and promote their safety and well being
- To reduce repeated criminal activity by offenders with mental illness (legal recidivism)
- To reduce length and frequency of hospitalization of mentally ill offenders (clinical recidivism)

Who is eligible?

- Must be Baltimore City resident
- Diagnosed with a serious mental illness and/or trauma-related disorder
- Eligible for public mental health services
- Agrees to comply with program requirements
- Charged with a misdemeanor or a felony within the jurisdiction of the District Court
- Has never been convicted of a crime of violence
- Is not charged with a domestic violence crime

Participation is voluntary and is subject to review by the Forensic Alternative Services Team (FAST). Once accepted into the court, the defendant is assisted in developing an appropriate community-based treatment plan that addresses his/her specific behavioral and mental health needs. The treatment plan is presented to the court for approval. If approved, the treatment recommendations are court-ordered as conditions of pretrial release or probation.

Outcomes

The defendant, the clinical court coordinator and the supervising agent attend review hearings to report on progress, along with various members of the treatment team. If noncompliance occurs, the court may adjust the plan to motivate adherence, employ non-jail-based sanctions or order incarceration. Participants who are successful in complying with their treatment plan may be eligible for a nol pros, stet, probation before judgment, probation in lieu of incarceration, or early termination of probation.

BALTIMORE CITY MENTAL HEALTH COURT

Baltimore City District Court
John R. Hargrove Sr. Courthouse
700 East Patapsco Avenue
Baltimore, MD 21225 410-878-8300



IN THE DISTRICT COURT OF MARYLAND
FOR BALTIMORE CITY

STATE OF MARYLAND

CASE NO.:

VS.

SID #:

MENTAL HEALTH COURT AGREEMENT

What is the Baltimore City Mental Health Court?

The Baltimore City Mental Health Court is a special part of the Baltimore City District Court. It is a court-supervised program for Baltimore City District Court defendants who have serious mental health issues, who need treatment and other services, and who choose to participate in the Court program instead of having their case proceed in the regular court process.

What do I have to do?

A treatment plan will be prepared for you based on an assessment of your needs for mental health treatment, substance abuse treatment, developmental disability services, case management, housing and other needs. Read the treatment plan with your lawyer and with anyone else you wish to consult. In order to participate in the Court, you need to comply with the treatment plan and with all terms and conditions of your probation or pre-trial release.

While you are participating in MHC, the judge, the Mental Health Court Team, a probation or pretrial agent, or a clinician from the FAST program will monitor your participation and progress in treatment.

How long will I be involved in the Mental Health Court?

The length of time is dependent on your charges, plea agreement, compliance with the treatment plan and your progress in treatment.

This agreement between _____, the State's Attorney, and the Court is intended to secure the participation of the Defendant in the Mental Health Court (MHC) program.

In consideration for the opportunity to participate in the MHC program, I agree to the following conditions.

- 1) I agree to:
 - i) Waive the right to a jury trial
 - ii) Waive the right to a speedy trial
 - iii) Comply with the terms and conditions of the treatment plan and/or the conditions of the Order of Probation or the Order of Pretrial Release, if I am placed on probation or pretrial release supervision.
- 2) I understand I must be found to have committed the offense charged; to be in violation of probation; or I must agree to the facts that would establish my guilt. If the State has agreed to enter a nol pros upon my successful completion of the program or the judge has agreed to offer probation before judgment, the guilty verdict/plea will be stricken at that time.
- 3) I agree to sign all authorizations for release of information as requested, and as is necessary to coordinate treatment and any other needed services and monitor compliance. If I withdraw from the program, my consent to release information is also withdrawn.
- 4) I understand that a meeting is held with the judge, the State's Attorney, my court monitor and other MHC staff before the afternoon docket of the Mental Health Court. At the meeting, my progress with the services and compliance with the court order may be discussed. I understand that my attorney will be present to represent my interests.
- 5) I agree that if I am required to live in a particular type of housing or in a particular housing facility, I must do so, and I must follow all my housing provider's rules.
- 6) I agree to take all medications as prescribed and to submit to periodic blood tests, if necessary, to determine the presence and levels of the medication. If I have complaints about my medication I must tell my psychiatrist. If I continue to have complaints about my medications, and feel that my psychiatrist is not responding to my concerns, I will contact my court monitor and/or my attorney.
- 7) I agree to participate in all evaluations requested by my treatment providers to assess my treatment needs.
- 8) I understand if I do not comply with MHC requirements and the conditions of probation or pretrial release, or if my treatment needs change, my treatment plan may be adjusted including:
 - i) Increase drug/alcohol testing
 - ii) Refer to another treatment or service provider
 - iii) Increase reporting for supervision
- 9) I agree that if I fail to comply with the conditions of probation or pretrial, release, the Court may impose, but is not limited to the following sanctions: increased drug/alcohol testing; curfew; community service; house arrest; increased progress hearings; extension of probation or supervision length; incarceration; and termination from the MHC program.

- 10) I understand that I am entitled to notice and opportunity for hearing prior to imposition of sanctions by the Court.
- 11) I understand that the MHC program, is voluntary, and I may opt out or withdraw at any time, unless I entered into a plea agreement incorporating my consent to enter and complete the MHC program. If I withdraw from the program, I understand that my case will be handled in the traditional criminal process.
- 12) I agree that the length of any suspended sentence and the length of probation or supervision will reflect my success in treatment; compliance with program conditions; recommended continuing care; criminal record; and threat to public safety.

I have read this entire Agreement and discussed it with my lawyer. I understand what is expected of me, what will happen if I do not follow the rules and what I must do to stay in Mental Health Court. I freely and voluntarily agree to follow the provisions in this Agreement. I request to be accepted in the Baltimore City Mental Health Court and I promise to follow all the rules, terms and conditions of the program.

Defendant

Date

Defense Counsel

Date

Assistant State's Attorney

Date

Judge

Date

Mental Health Diversion Program



Harford County District Court
2 South Bond Street
Bel Air, Maryland
21014

What is the Mental Health Diversion Program?

The Mental Health Diversion Program is designed to address mental illness and substance abuse among individuals who enter the criminal justice system. It is a judicially monitored program that assumes responsibility for managing cases through intensive supervision, mental health treatment, and rehabilitation.

Program Goals:

1. To reduce the number of times offenders with mental illnesses come into contact with the criminal justice system in the future
2. To reduce the inappropriate institutionalization of people with mental illness
3. To develop greater linkages between the criminal justice system and the mental health system
4. To expedite case processing
5. To promote public safety
6. To establish linkages with other county agencies and programs that target offenders with mental illness in order to maximize the delivery of services

What is the time commitment?

MHDP requires the defendant to participate in the program for one year.

Excluded offenses include:

- Violent Assaults, any crime involving weapons, or serious injury to victim.
- Sex offenses
- DWI's
- CDS Distribution or PWID

If the individual judge is not the MHDP judge, there is no guarantee that the individual Judge will consider MHDP as an option. Participation in MHDP must be worked out on a case-by-case basis with the judges involved.

The SAO also reviews the individual's criminal record and makes the decision about whether to accept the candidate on a case-by-case basis. If the SAO rejects the case, then the candidate will not enter the MHDP. The case then proceeds in normal course and any psychiatric treatment may be fashioned into the probation order if the individual is found guilty.

If the SAO agrees to divert the defendant into the MHDP, the information is forwarded to the Office of the Public Defender or defense attorney of record. The defense attorney meets with the client, explains MHDP, reviews all rights with the defendant would waive, and asks the defendant whether he / she wants to be a participant. If the defendant agrees to participate, the judge reviews the case signs an order for a mental health evaluation if deemed appropriate. A psychologist will evaluate the candidate in HCDC or in the community. If the psychologist diagnoses the candidate with a qualifying mental health diagnosis, the client is accepted into MHDP.

How does the MHDP operate?

An assigned forensic case manager links participants to treatment in the community. The case manager tracks participant progress and submits weekly reports to the MHDP team. Core members of the MHDP team (Judge Cooper, Assistant State's Attorney, Public Defender, Parole and Probation Agent, Forensic Case Manager, and Office of Problem Solving Courts Coordinator) meet on the 1st and 3rd Wednesday of the month to review all cases and problem solve.

MHDP Court is held on the 2nd and 4th Wednesday of every month in the District Court house. The Core MHDP team meets at 8:30 am to discuss the cases. MHDP court begins at approximately 9:00 am. During court the Forensic Case Manager and Probation Officer report the participant's status to the court. The Public Defender, Assistant State's Attorney, and the participant also have the opportunity to comment as needed.

Early in the participant's enrollment in MHDP, he/she is generally required to come to court every 2 weeks. Once he/she is successfully engaged in treatment and demonstrating stability, the frequency of court appearances decreases.

The MHDP team also has strategic planning meetings on the 1st Wednesday of every month. Members from the following agencies join the core MHDP team for these meetings: Department of Health and Mental Hygiene, Health Department, Harford County Detention Center, and Core Service Agency.

What Services does MHDP Provide?

- Housing Assistance
- Intensive Case Management
- Psychiatric Rehabilitation
- Substance Abuse treatment
- Vocational Rehabilitation Services
- Education Assistance

With successful participation in the Mental Health Diversion Program, participants can either:

- Have their case place on the stet docket
- Be granted probation before judgment
- Be granted a suspended sentence
- Be granted a split sentence

Target Population:

The Mental Health Diversion Program candidates include Harford County Residents:

- Whose crimes or charges appear to be related to mental illness,
- Whose medical histories include a diagnosis of a major mental illness and meet the medical necessity criteria for Intensive Case Management or Psychiatric Rehabilitation Services,
- and who are competent to stand trial.

Participation in the Mental Health Diversion Program is voluntary.

Referral Process:

Candidates for the mental health diversion program are identified principally at the post-arrest stage while awaiting their first court appearance. All referrals should be directed to the State's Attorney's office. Simply call or email Jenn Bober, ASA. Please include the defendant's name and the case number of an open case.

Phone: 410-638-3231

Email: jmbober@harfordcountymd.gov

Referrals may come from:

- Court Commissioners
- Pre-trial services
- Detention Center Screeners
- Detention Center Medical Staff
- State's Attorney's Office
- Public Defender's Office
- Judges
- Probation Officers
- Law Enforcement
- Defendants
- Family Members
- Community Mental Health Providers

The State's Attorney's Office reviews the statement of charges to see if the crime seems to be driven by mental illness. Good examples of such charges are:

- Trespassing
- Disorderly Conduct
- Destruction of Property

Sanctions and Incentives

The MHDP team seeks to establish a rehabilitative and recovery relationship with the participant by supervising and reinforcing a treatment plan. The MHDP team reviews progress and compliance by discussing reports from treatment providers and case managers. During those case reviews, the team makes plans to reward participant successes and, when necessary, impose sanctions when the participant deviates from the treatment plan.

Examples of Incentives:

- Participant of the Month Award
- Decreased court appearances
- Financial and case management support geared towards pursuing goals such as education, employment, and independent housing.

Examples of Sanctions:

- Writing Assignments
- Community Work Service
- Increased number of contacts with MHDP team members or treatment providers
- Increased court appearances or drug screenings
- Incarceration
- MHDP contract terminated.

MHDP is a collaborative effort of:

Alliance, Inc.
Department of Health and Mental Hygiene-
Core Service Office of Mental Health
Division of Parole and Probation
District Court of Maryland in Harford County
Harford County Health Department
Harford County Detention Center
Harford County Sheriff's Office
Harford County Dept. of Community Services-
Office of Drug Control Policy
Office of Problem Solving Courts
Office of the Public Defenders
Office of the State's Attorney

Revised 9/26/14

PROGRAM DESCRIPTION:

The Prince George's County Mental Health Court (MHC) is a community-based judicial program established for defendants with mental illness that integrates treatment into the resolution of criminal cases. The program uses a specialized court docket to institute a problem-solving approach rather than the traditional, adversarial court processes.

In order to graduate, each client must successfully complete all court obligations and treatment goals. Depending on a client's progress, he/she will attend MHC hearings, on average, every 2-8 weeks. MHC relies on individualized case plans, ongoing judicial monitoring, and close coordination with team members and community service providers to support our client population in this endeavor.

The Judge plays an integral role in the problem-solving model, and may use a variety of sanctions and incentives to encourage program compliance. Lastly, MHC Case Managers work with clients and treatment providers to establish post-graduation supports through which long-term success for both the participant and the larger community may be achieved.

The Prince George's County Mental Health Court is a collaborative effort of:

The Prince George's County District Court

Office of Problem-Solving Courts
Administrative Office of the Courts

The Office of the State's Attorney

The Office of the Public Defender

The Department of Community Supervision Support

Prince George's County Department of Family Services Mental Health and Disabilities Administration

Prince George's County Department of Corrections

Prince George's County Police Department

Prince George's County Commissioners Office

Office of the Sherriff for Prince George's County

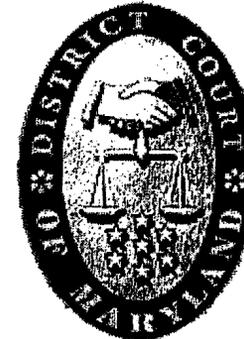
Prince George's County
Mental Health Court
14735 Main Street, Room 345B
Upper Marlboro, MD 20773

Marilyn Bailey
Mental Health Court Coordinator
Marilyn.Bailey@mdcourts.gov
(301) 298-4101

PRINCE GEORGE'S COUNTY DISTRICT COURT

MENTAL HEALTH COURT

A THERAPEUTIC APPROACH TO CRIMINAL JUSTICE



Honorable Tiffany H. Anderson
Administrative Judge

Honorable Patrice E. Lewis
Coordinating Judge

MISSION STATEMENT

The Mental Health Court of Maryland Prince George's County strives to humanely and effectively address the needs of individuals with mental disorders who enter the Prince George's County criminal justice system. The court project is committed to providing access to resources, training, and expertise to address the unique needs of these individuals. All participating agencies offering services have agreed to collaborate for the purpose of improving outcomes for this special population while increasing public safety.

GOALS

- Identify defendants with mental illness
- Improve access to public mental health treatment service
- Improve the quality of life for people with mental illness charged with certain crimes
- Reduce criminal recidivism
- Improve collaboration between the criminal justice and behavioral health systems
- Make more efficient use of limited criminal justice and behavioral health resources
- Expedite case processing
- Improve public safety

OUR PURPOSE

This Court works to direct eligible offenders with mental illness away from incarceration and into appropriate community treatment. Our purpose is to:

- Reduce inappropriate incarceration of individuals with mental illness
- Promote their safety and well-being of individuals with mental illness
- Slow the "revolving door" of criminal recidivism for individuals with mental illness
- Decrease the length and frequency of psychiatric hospitalization for individuals with mental illness

WHO IS ELIGIBLE?

In order to be accepted into the Mental Health Court Program, a defendant must be:

- At least 18 years of age
- Charged with a crime in the jurisdiction of the District Court
- Diagnosed with a mild to severe mental illness, developmental disability, or trauma-related disorder
- Willing and able to participate in treatment services
- A voluntary participant

REFERRALS

Referrals to the MHC come from a variety of sources, including Judges, state or defense counsel, Commissioners, family members, or medical staff at the County Correctional Facility.

LINKS TO TREATMENT

MHC Case Managers may refer participants to both clinical and non-clinical support services. Clinical referrals include individual therapy, medication management, substance abuse treatment, or group/family counseling. Participants may also be connected to a variety of non-clinical community services depending on need such as job training /education programs, case management or housing

THE MENTAL HEALTH COURT TEAM

The MHC program offers a unique team approach to criminal justice. The court and participating agencies are committed to collaborating for the purpose of improving outcomes while increasing public safety. Members of the MHC team include a Judge, state's attorney, public defender, parole/probation and other monitoring personnel, MHC case managers, county core service agencies, and community treatment providers.

DISTRICT COURT OF MARYLAND, PRINCE GEORGE'S COUNTY
MENTAL HEALTH COURT
14735 Main Street
Upper Marlboro, Maryland 20772
Telephone Number: (301) 952-5822/4242

Defendant Status Check Form

Case #(s): _____

Defendant Name: _____ Date: Click here to enter a date.

Diagnosis: _____ Case Manager: Choose One

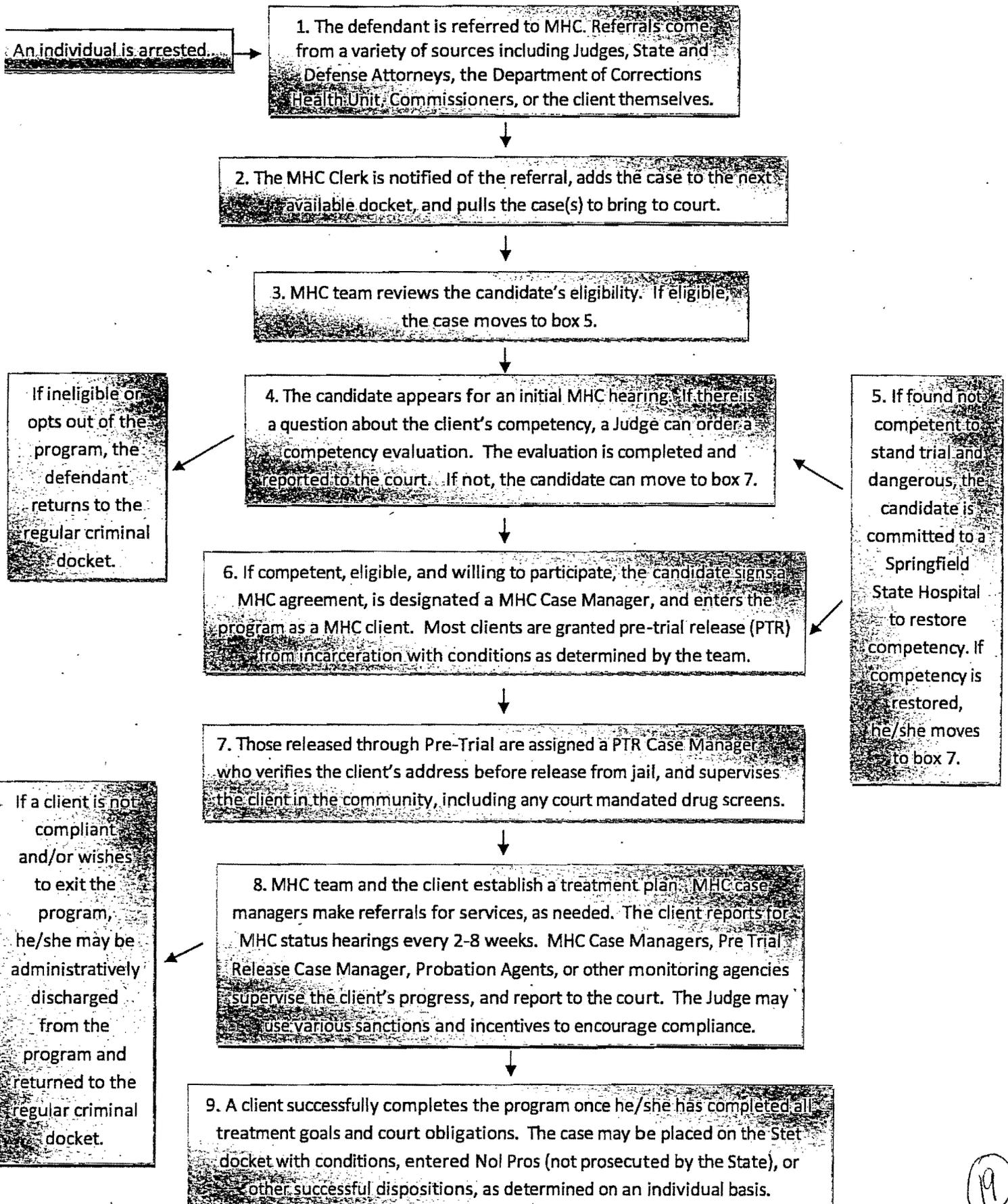
TREATMENT PROGRAM(S): _____ _____	
<input type="checkbox"/> None. Reason: _____	
RELEASE: <input type="checkbox"/> Pre Trial <input type="checkbox"/> Personal Recognizance <input type="checkbox"/> Probation/Parole	
Is this defendant actively engaged in a treatment program?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Is the defendant prescribed MH medication?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Is the defendant compliant with medication regimen?	<input type="checkbox"/> YES <input type="checkbox"/> NO
What type of medication is the defendant taking? _____	
DRUG TESTING? <input type="checkbox"/> YES <input type="checkbox"/> NO	
Did the defendant test positive during reporting period? <input type="checkbox"/> YES <input type="checkbox"/> NO If so, what for? _____ Levels: _____	
NA/AA REQUIREMENTS? <input type="checkbox"/> YES <input type="checkbox"/> NO	
Are 12-step meetings included in the defendant's Case Plan? <input type="checkbox"/> YES <input type="checkbox"/> NO If so, how many times per week? ____ Is the defendant compliant? <input type="checkbox"/> YES <input type="checkbox"/> NO	
TELEPHONE CHECK-INS	
Is this defendant adhering to weekly check-ins? <input type="checkbox"/> YES <input type="checkbox"/> NO Check-in numbers this reporting period: ____ check-ins in ____ weeks	

Proposed New Date: Click here to enter a date.

Comment: _____

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Prince George's County District Mental Health Court (MHC) Case Flow Chart





Problem Solving
Courts

DISTRICT COURT OF MARYLAND
District Five

14735 Main Street
Upper Marlboro 20772

MENTAL HEALTH COURT AGREEMENT

NAME: _____

CASE #(S): _____

Defendant petitions for acceptance into Mental Health Court and agrees:

1. I agree that during my participation in Mental Health Court, the presiding Judge may impose sanctions and/or order termination from Mental Health Court for non-compliance.
2. The Court may impose sanctions or terminate Mental Health Court participation. If the Court orders my termination from Mental Health Court, I understand I could be remanded into custody pending sentencing or a show cause hearing to revoke probation.
3. I agree to successfully complete the diagnostic evaluation as ordered by the Court and to successfully complete the treatment program to the satisfaction of the treatment provider, probation officer and Court.
4. I agree to sign an authorization for the release of any medical, treatment or social service records requested to facilitate the Mental Health Court process. I realize that this condition is necessary to coordinate treatment and any other needed services and to monitor compliance.
5. I agree to abide by the conditions of pre-trial release ordered by the Court.
6. I agree that any violation of mental health pre-trial release terms including but not limited to drug use, new criminal activity, noncompliance with treatment, failure to appear in court, or any failure to abide by the terms of this agreement may result in sanctions including but not limited to incarceration, modification of the treatment program or termination from Mental Health Court. I agree to report any new contact with law enforcement to the Court.
7. I understand that a failure to appear for a court date may result in an immediate bench warrant.
8. I agree that the Court may extend probation to allow me to successfully complete my requirements.
9. I agree to keep the treatment provider, probation officer, case manager, and the Court advised of my residential and mailing addresses including telephone number(s) at all times during my participation in Mental Health Court. I will report changes within **twenty-four (24) hours**.
10. I understand that I will be required to provide frequent and random urine or other samples as a condition of my participation in the Mental Health Court program.
11. I agree that I cannot consume any alcoholic beverages, use, possess or otherwise ingest any illegal controlled substances, nor may I associate with those who do, while I am a participant in the Mental Health Court program.

I have read and understand this petition and hereby knowingly and voluntarily give up the rights listed on this petition, petition the Court for acceptance into Mental Health Court, and enter into this agreement. Being duly sworn to tell the truth, I, the undersigned, do hereby swear that I am eligible to participate in the Prince George's County Mental Health Court Program and I meet the eligibility requirements listed in this agreement

Participant's Signature

Date

Address

Telephone Number (s)

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CIRCUIT COURT DISTRICT COURT OF MARYLAND FOR _____
City/County

Located at _____ Case No. _____
Court Address

STATE OF MARYLAND

vs. Defendant _____ DOB _____

Address _____

City, State, Zip _____ Telephone _____

CONSENT TO DISCLOSE PROTECTED HEALTH INFORMATION

I, _____, DOB _____, authorize
Print Name

- Court Pretrial agent My defense attorneys
- Court clinical staff Probation agent Other _____

to obtain my protected health information ("PHI")/confidential clinic/hospitalization/clinician/service provider records regarding previous treatment received and/or treatment I am currently receiving from:

Name and Address of Agency of Provider

Specific records requested:

- Social history (personal, family, and legal history).
- Treatment plans.
- Progress notes (current and past treatment progress, lack of progress, or change in condition).
- Psychiatric assessment (report by psychiatrist including psychiatric history, current functioning, medical history, mental status examination, and diagnostic formulation).
- Psychological assessment (report by psychologist including psychological history, current functioning, medical history, mental status examination, and diagnostic formulation).
- Discharge summary (recap of hospital/clinical course and recommendations for follow up).
- Aftercare plan (information on problems requiring hospitalization, medications, diagnoses, and treatment recommendations for continuing care).
- Medical assessment (physical exam, medical history, and treatment recommendations).
- Immunizations.
- Diagnostic results (most recent labs, which could include HIV test results, blood alcohol levels, and illicit substance abuse levels).
- School records (including GED programs).
- Court records (Evaluations for Competency and/or Criminal Responsibility, Pre-sentence Investigations, Psychiatric Evaluations, Charging documents, Regional Hospital aftercare plans, Developmental Disabilities Administration Forensic Center aftercare plans).
- Other: _____

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I consent to the release of the records requested, records developed by the health care/treatment provider, and records the provider received from another health care provider, unless otherwise prohibited by the other provider.

The purpose of obtaining the requested records and any re-disclosure deemed necessary is to develop and implement an appropriate mental health, substance abuse, and social service treatment plan, as well as to monitor the plan and make adjustments when needed.

I understand that any records relating to treatment of an alcohol or substance abuse problem are protected under the federal regulations governing Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2, and my medical records, including mental health records, are protected by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), as well as Maryland's Confidentiality of Medical Records Act (Md. Code Ann., Health-Gen. §§ 4-301 through 4-309), and cannot be disclosed without my written consent unless otherwise provided for in the law.

I understand that persons and organizations I authorize to receive and/or use my PHI are not subject to the federal or State health information privacy laws, and that they may further disclose my PHI, and thus, my PHI may no longer be protected by the health information privacy laws.

I understand that my health care and payment for my health care will not be affected if I do not sign this form for requested use and disclosure of information.

I understand that I may revoke this authorization in writing at any time except to the extent that action has already been taken in reliance upon it. If I do not revoke it, this authorization is valid for the duration of the Court's supervision/monitoring period in the above-captioned case.

I have had full opportunity to read and consider the contents of this Consent to Disclose Protected Health Information and I confirm that the contents are consistent with my intent.

Name

Date

Witness

Date