NATIONAL JUDICIAL TASK FORCE TO EXAMINE STATE COURTS' RESPONSE TO MENTAL ILLNESS

On March 30, 2020, the Conference of Chief Justices and Conference of State Court Administrators established the National Judicial Task Force to Examine State Courts' Response to Mental Illness with a charge to "assist state courts in their efforts to more effectively respond to the needs of court-involved individuals with serious mental illness." The Task Force is continuing the work of the National Center for State Courts' Mental Health Initiative which began in 2019 with financial support from the State Justice Institute.

Primary Issues and Focus of the Task Force

"Responding
effectively to the needs
of court-involved individuals
with serious mental illness
remains a grave national issue and
pressing concern.... It is the role
of the Conference of Chief Justices
and Conference of State Court
Administrators to lead the state
court community in prompting
changes to state court policies and
practices that will lead to fairer,
timelier justice for [those] with
serious mental illness...."1

The prevalence of mental illness is greatly impacting the U.S., our states, and our communities and has a disproportionate effect on our courts and justice system. State courts are too often the primary point of intersection between the community and those with behavioral health issues. Local jails and detention centers are the largest providers of mental health services – for both adults and children – in the country. The Task Force will provide leadership for the state courts by thoroughly examining the mental health crisis and developing the policies, resources, tools, and other practices needed to create a more effective, fair, and timely judicial response.

The state laws and procedures involving competency to stand trial require attention. Tens of thousands of defendants charged with misdemeanors or non-violent felonies are languishing in jail while awaiting a state hospital bed or community restoration, often waiting longer than if sentenced for the original crime. Similarly, revision of state legal standards and processes for civil commitment and expanded use of Assisted Outpatient Treatment are needed.

The level and quality of behavioral health treatment available to state courts is lacking in many communities, as well as opportunities to divert cases involving individuals with serious mental illness. The expansion and strengthening of court-based programs, such as mental health and other problem-solving courts, is also an important priority.

More timely and efficient caseflow management for the cases involving parties with behavioral health needs and the use of technology to increase speed and expand access are of critical importance.

Promoting education to equip state court judges and professionals with the knowledge, data, and resources they need to improve the courts' responses and the development of a national education and training curriculum to support that effort are required.

Finally, there is need for a thorough review of all state court interactions with indviduals who have serious mental illness and of all future work and activities of the Task Force through the lens of and concern for racial justice.

Task Force Activities



A transition report, **The Future** is **Now:** Decriminalization of **Mental Illness**, published in May 2020, documents the work of the NCSC Mental Health Initiative.

A guide for court leaders enables courts, utilizing the Sequential Intercept Model, to lead their communities in an examination of the issues and needs of those with mental illness and the effective utilization of community resources to improve and create new and more successful responses.



order to address mental health needs in your community, certain court and community responses out be developed early on. The best credition recommended on this website build the foundation	Finally, meaningful system-change requires leadership. Courts, and judges in particular, are in a unique position to convene stateholders and to lead such a
r improving the court and community responses to mental health and co-occurring disorders.	group to consensus and action. This website begins with leading change resource specifically designed for sudges.
he most driftione approach is of design responses that are regularly engaged in by community abborations. The resources on this velocity build not be consolidated interest monthly without a supposition responses at persoular intercepts that can keep an individual from continuing jumentes the criminal parties system. Additionally, effective sout each community responses quite intervendence profit to engagement in the criminal status system.	Every community will be at a different place with each of these practices. As you look through the vertice incommendations, consider your own community and the best way to are these took to both of a morban of acquired for mental health issues within it. Thus community may require additional practices or appreciates not also failure.
is website highlights several additional areas of focus that, if engaged in proactively, can create comman support structures and prevent justice system involvement for those with mental health profess. These additional previous address or habitated and habitated health preside no profess. These additional previous address or habitated and habitated health previous profess.	
emountly resource, family and public outrassis, civil justice cents, and data and information aring. — Court Leaves: — Court Leaves:	
- Gart Lawles -	
= Coeff Lainte = - Reptil & Mainte	wos -
— Gard Limbbs — — Paylor S Montrer for — Paylor S Comments Son	wos -
errig. - French Edmin (2) - Project Administration	

The Behavioral Health Resource Hub for courts has been developed with information, research, tools,

best practice recommendations, and other materials designed to assist judges and state court professionals.



An online newsletter, Behavioral Health Alerts, is published semi-monthly to share the latest data, research, and informative

resources related to the intersection of behavioral health and the courts.

As the Task Force continues its work, information about new activities, tools, and resources can be found at www.ncsc.org/mentalhealth.

CCJ-COSCA Resolution 3, In Support of Establishing a National Judicial Task Force (2020).

Task Force Executive Committee



Nancy Cozine State Court Administrator OR



Honorable Richard Robinson Chief Justice CT



Honorable Loretta H. Rush Chief Justice IN



Honorable Paul L. Reiber Chief Justice, VT Task Force Co-chair



TT COSCA
Conference of State Court Administrators



Honorable Lawrence K. Marks Chief Administrative Judge, NY Task Force Co-chair



Tonnya K. Kohn State Court Administrator, SC



Honorable Robert Brutinel Chief Justice, AZ



Marcia M. Meis Director, Administrative Office of the Illinois Courts

Task Force Work Groups

Criminal Justice Co-chairs

Hon. Richard Robinson (CT) Nancy Cozine (OR)

Members

Hon. Paula Carey (MA)
Terrance Cheung (AZ)
Jerry Clayton (MI)
Hon. Matthew D'Emic (NY)
Tim DeWesse (KS)
Travis Finck (ND)
Simarjit Gill (UT)
Dr. Debra Pinals (MI)
Dr. Kenneth Rogers (SC)
Hon. John Stegner (ID)
Walter Thompson (FL)
Hon. Nan Waller (OR)

Civil, Probate & Family Justice Co-chairs

Hon. Robert Brutinel (AZ) Tonnya K. Kohn (SC)

Members

Kent Batty (AZ)
Rachel Bingham (KY)
Hon. Theresa Dellick (OH)
Judy Harris (MD)
Constance Holloway (SC)
Joseph Homlar (CO)
Hon. Milton Mack (MI)
Hon. Kathleen Quigley (AZ)
Neira Siaperas (UT)
Hon. Sheldon Spotted Elk (CO)
Dr. Linda Teplin (IL)
Dr. Sarah Vinson (GA)

Education & Partnerships Co-chairs

Hon. Loretta H. Rush (IN) Marcia M. Meis (IL)

Members

Hon. James Bianco (CA)
Janice Calvi-Ruimerman (CT)
Dr. Michael Champion (HI)
Paul DeLosh (VA)
Russell Deyo (NJ)
Sonja Gaines (TX)
Hon. Christopher Goff (IN)
Hon. Steve Leifman (FL)
Dr. Kenneth Minkoff (AZ)
Gary Raney (ID)
Hon. Kathryn Zenoff (IL)

For questions or additional information about the work of the Task Force, contact:

James D. Gingerich, Project Director, jdgingerich@ualr.edu or Patti Tobias, NCSC Mental Health Team Lead and Senior Advisor, ptobias@ncsc.org.







