

Rule 59. Mental Health Court

(A) Establishment of the Juvenile Mental Health Court Docket

The Juvenile Mental Health Court was established in 2008. The goal of Mental Health Court is to support youth and their families in addressing the mental health issues that brought them into the juvenile justice system. This is done by collaborating with the treatment providers using close monitoring and rewards and sanctions for the youth (and his or her family).

The mission of Mental Health Court is to enhance public safety by preventing recidivism, while assisting participants in taking responsibility for their behavioral health issues, using effective, evidence-based interventions and treatments in a holistic, accountability-based and community supported program.

(B) Placement on the Juvenile Mental Health Court Docket

While participation in Mental Health Court begins after adjudication as part of the dispositional orders of the case, identification of the youth for possible participation on the docket may be employed at any stage of the proceedings. Referrals may come from a variety of sources including a judge or magistrate, probation officers, prosecutors, defense counsel, and treatment providers. The person who feels that a youth may have mental health issues will refer the case to the Mental Health Court Probation Officer. The team makes a recommendation to admit the youth in Mental Health Court or not, but the ultimate decision regarding admission is left to the discretion of the Mental Health Court judge. The jurist hearing the case through adjudication and disposition would then issue a court order referring the case to Mental Health Court.

In order to be admitted to the program, the youth must have been diagnosed with a severe mental illness, be adjudicated on the complaint, and the parents and the youth must be willing and able to cooperate with court requirements and the treatment program. Sex offenders and youth younger than twelve will not be permitted to participate in the program. Youth whose IQ is lower than 70 or who have been found to be developmentally disabled will not be considered for the program. Youth with dual diagnoses will be admitted to this docket when the primary concern is the mental illness.

(C) Case Assignment in Multi-judge Courts

All Mental Health Court cases shall be transferred to the docket of the presiding judge of the Mental Health Court. The presiding judge will be responsible for the case through final disposition. The youth's successful or unsuccessful termination from Mental Health Court does not affect the assignment of the case to the presiding judge.

(D) Juvenile Mental Health Court Docket Case Management

Each youth shall sign an agreement that he or she will comply with the rules of Mental Health Court and that he or she has received a copy of the participant handbook that details the rights and responsibilities of the Mental Health Court, the benefits that will result from participating in the Mental Health Court, the resources available to the participant, the list of requirements of the Mental Health Court and

the specific legal and clinical eligibility criteria for participating in the Mental Health Court.

(E) Termination from the Juvenile Mental Health Court Docket

When a youth completes all the treatment and court requirements of his or her program to the satisfaction of the treatment team, he or she will successfully graduate from mental health court and his or her case will be closed.

When a youth is unable to complete all the treatment and court requirements through no fault of his or her own, he or she will be neutrally discharged from mental health court. The dispositional orders upon a neutral discharge will be determined on a case-by-case basis.

When a youth chooses not to comply with the treatment or court requirements, he or she will be unsuccessfully discharged from mental health court upon the recommendation of the treatment team and in the discretion of the judge. When a youth is unsuccessfully terminated from mental health court, he or she will remain on the docket of the mental health court judge who will make further dispositional orders on a case-by-case basis.