

Criminal Justice/Mental Health Information Network
Mental Health Court Survey

I. Respondent and Jurisdiction Information

1. *Please provide the following information about yourself: [text responses]*

- Name: _____
- Title: _____
- Address _____
- City _____
- State _____
- Zip: _____
- Email: _____
- Phone: _____
- Court/program name (including jurisdiction): _____

2. *May we post your contact information online?*

- Yes
- No

3. *May we contact you for additional information?*

- Yes
- No

4. *Identify the type of community in which the court is located. [select one]*

- Urban
- Suburban
- Rural
- Mixture of urban, suburban, and / or rural

5. *At what level of government does your court operate? [select one]*
- Municipal
 - County
 - State
 - Other _____
6. *Please identify any other collaborative initiatives between the criminal justice and mental health systems in your community. [text response]*
- Law enforcement / mental health initiatives: _____
 - Corrections / mental health initiatives: _____
 - Other criminal justice / mental health initiatives: _____

II. Planning and General Program Information

7. *When did the court accept its first participant?*
- Month: ____ Year: ____
8. *How often does your program hold a mental health court docket? [select one]*
- Every day
 - Twice weekly
 - Weekly
 - Monthly
 - Other _____
9. *If your court is over one year old, about how many individuals participate in your program each year? [select one]*
- 0-50
 - 51-100
 - 101-200
 - 201-500
 - More than 500
 - The court is less than one year old

10. Which statement best describes your court's planning and oversight/advisory group? [select all that apply]

- The court had a planning committee that ceased meeting after the court's creation
- The court had a planning committee that has evolved into an oversight/advisory capacity
- The court currently has an oversight/advisory committee with substantially different membership than its planning committee
- The court has no formal planning or oversight/advisory group.
- Other: _____

11. Please identify all of the stakeholders who currently participate in the oversight of your court: [select those who apply]

- Line-level law enforcement official
- Supervisory-level law enforcement official
- Pretrial services staff
- Judicial officer (e.g. a judge or magistrate)
- Court administrator / program director
- Prosecutor
- Public defender
- Corrections officer
- Corrections department head
- Community mental health service provider
- State mental health agency representative
- State mental health agency head
- Substance abuse treatment provider
- Housing provider
- Consumer of mental health services
- Victims' advocate / representative
- Consumers' advocate
- Other _____

12. Please use the space below to elaborate on your responses to this section. In particular, please describe any unique issues that your jurisdiction faced during the court's planning process.

III. Court Team and Training

13. Which of the following people routinely take part in case staffings, in which decisions regarding individual participants' cases are made? [select all who apply]

- Judicial officer (e.g. judge or magistrate)
- Court administrator / program director
- Prosecutor
- Defense attorney
- Treatment provider or case manager employed by the court
- Treatment provider or case manager employed by community mental health service provider
- Community supervision officer (probation or parole)
- Victims' advocate / representative
- Other: _____

14. How are new staff oriented to the court and its objectives? [select one]

- Staff are formally trained according to a curriculum
- Staff receive peer-to-peer training
- Staff are oriented on-the-job

15. Do veteran staff receive ongoing training? [select all that apply]

- Yes, there are annual training requirements.
- Yes, there is funding support for staff to attend training sessions.
- Other_____

16. Please identify training topics received by all or some members of the court team **within the last year**. [select all that apply]

- Overview of mental illness (e.g. recognizing symptoms or medications)
- Local mental health services and community treatment capacity
- Diversion options
- Treatment engagement
- Cultural competence
- Gender-specific treatment and services
- Trauma and / or victims' issues
- Substance abuse treatment
- Integrated mental health and substance abuse treatment
- The court process and legal considerations
- Graduated sanctions and the role of coercion
- Information sharing with community mental health service providers
- Other: _____

17. Please use the space below to elaborate on any of your responses to this section.

IV. Eligibility Criteria

18. *Does your court require any of the following clinical criteria for eligibility? [select all that apply]*

- The court does not have any clinical requirements for eligibility
- The court accepts participants with any Axis I or Axis II mental health diagnoses
- The court accepts participants with only Axis I diagnoses
- The court accepts participants with Axis I diagnoses if the diagnoses correspond to state criteria for “serious and / or persistent mental illness”
- The court accepts participants with _____

19. *Which (if any) clinical criteria **exclude** individuals from eligibility? [Select all that apply]*

- Primary substance use disorders
- Co-occurring substance use disorders
- Developmental disabilities
- Traumatic brain injuries
- Other

20. *How were clinical eligibility criteria established? [select all that apply]*

- They were established in consultation with mental health treatment providers
- They were established with an understanding of the jurisdiction’s treatment capacity
- They were established according to the jurisdictions’ needs
- They were established through the court’s experience and expertise
- Other _____

21. *The court accepts individuals charged with: [select all that apply]*

- Ordinance offenses / violations
- Misdemeanors
- Misdemeanor probation violations
- Felonies (property)
- Felonies (nonviolent)
- Felonies (violent)
- Felony probation violations
- Felonies, excluding _____

22. *Does an individual's criminal history affect his or her eligibility? [select all that apply]*

- No
- Yes, individuals with past violent crimes are excluded from participation
- Yes, individuals with past sex offenses are excluded from participation
- Yes, individuals with past "driving under the influence" offenses are excluded from participation
- Yes, individuals with past arson offenses are excluded from participation
- Other _____

23. *In cases involving a crime victim, to what degree are victims involved in court processes? (select one)*

- Victims are not involved in court processes
- Victims are notified when individuals enter the court program
- Victims are notified about a range of court events (e.g. admission, court proceedings, case disposition, etc.)
- Victims are notified about a range of court events and are allowed to participate in court processes (e.g. provide consent in order for individuals to enter the court program, attend or participate in court proceedings, provide input on an individual's terms of participation or sanctions, etc.)
- Other _____

24. *If victims **are not** involved in court processes, which statement best describes why this is the case? (Select all that apply.)*

- The court does not accept any cases involving victims (e.g. cases involving theft, property, or violent crime)
- The court's rules regarding participant confidentiality limit victims' rights to notification and participation in the court program
- The court program is not responsible for victims' rights issues
- The court is unclear about which parties/groups are responsible for enforcing victims' rights
- The parties/groups responsible for enforcing victims' rights have been unresponsive to the court's efforts to engage them in court decisions and processes
- Other _____

25. *Please use the space below to elaborate on any of your responses to this section.*

V. Participant Identification

26. *From which of the following sources does your court receive **most** referrals? [select those that apply]*

- Law enforcement
- Jail staff
- Probation officers
- Judges
- Magistrates
- Drug court programs
- Pretrial services staff
- Prosecutors
- Defense attorneys
- Mental health / substance abuse treatment providers
- Family/friends of the defendant
- Defendants themselves (self referral)

27. *Who conducts a mental health **screening** to determine individuals' eligibility once referred to the court? [select all that apply]*

- Community mental health service provider
- Court personnel with mental health background / experience
- Court personnel with a criminal justice background / experience
- Pretrial services staff
- Public defender
- District attorney
- Probation officer
- Other: _____

28. *Who conducts the mental health **assessment**? [select all who apply]*

- Community mental health service provider
- Staff of mental health court
- Pretrial services staff
- Corrections staff

29. *When is a full mental health **assessment** performed? [select one]*

- Before eligibility is determined
- After a participant has been accepted into court
- Other _____

30. *Please use the space below to elaborate on any of your responses to this section*

VI. Terms and Duration of Participation

31. *By what legal mechanism are participants accepted into the court program? [select all that apply]*

- Participants' charges are held in abeyance and then dismissed upon successful program completion
- Participants plead guilty and have their sentence deferred
- Participants are sentenced to participation after a finding of guilt
- Participants are sentenced to participation after committing a probation violation
- Participants opt into the court after committing a probation violation
- Varies depending on charge
- Other _____

32. *How are cases disposed when participants successfully complete the program? [select all that apply]*

- Participants' charges may be dismissed upon successful completion
- Participants' charges may be reduced upon successful completion
- Participants' time under supervision may be reduced
- Participants' records may be expunged

33. *How are cases disposed when participants **do not** successfully complete the program? [select all that apply]*

- Participants must serve their deferred sentence
- Participants are returned to the court of original jurisdiction for case processing
- Participants are returned to the court of original jurisdiction for sentencing
- Participants' cases are processed by the mental health court for charges that were held in abeyance

34. *Describe your court's terms of participation: [select one]*

- They are individualized based on the offense
- They are individualized based on the clinical diagnosis
- They are individualized based on the offense and the clinical diagnosis
- They are standard with individualized terms routinely added
- They are standard and apply to all participants

35. *Does the court use a formal written contract (between the court and the participant) which is standard and applies to all potential participants? [select one]*

- Yes
- No

36. *Has the court established minimum and maximum periods of participation? [select all that apply]*

- Yes, the minimum number of months is _____
- Yes, the maximum number of months is _____
- No, there are no minimum or maximum periods of participation

37. *If your court is over one year old, what is the average length of participation in the court? [select one]*

- 0.5 years or less
- 0.5 years to 1 year
- 1 year to 2 years
- Three years or more
- The court is less than one year old
- The court does not collect this information

38. Please use the space below to elaborate on any of your responses to this section.

VII. Confidentiality and Informed Choice

39. Do participants provide **written** consent to release personal information? [select one]

- Yes, participants sign a single release
- Yes, participants sign multiple releases whenever information is requested or shared
- Yes, participants sign an initial release upon joining the program and subsequent releases when additional information is requested or shared
- No, participants agree to share personal information by virtue of joining the court program
- No, participant consent is not needed because service providers are allowed to share information by statute

40. Does court-supervised treatment information become part of the participants' criminal record? [select one]

- Yes
- No

41. Does the court program have standard protocols for establishing the legal competence of potential participants? [select one]

- Yes, the court program has a system for establishing legal competence aside from the state system
- No, the state determines legal competence before an individual is referred to the court program

42. About how long does it take to assess a participant's legal competence? [select one]

- 24 hours
- 48 hours
- 72 hours
- One week
- One month
- Other: _____-

43. Once **legal** competence has been assessed, how long before a participant's **clinical** competence is assessed? [select one]

- The court program does not assess clinical competence
- The court program does not make a distinction between legal and clinical competence
- 24 hours
- 48 hours
- 72 hours
- One week
- One month
- Other: _____

44. Does defense counsel help potential participants decide whether they should enter the court? [select one]

- Yes
- No

45. Please use the space below to elaborate on any of your responses to this section.

VIII. Monitoring, Supervision, Treatment, and Adherence

46. Monitoring and supervision of court participants is primarily carried out by [select one]

- Court team members: mental health background
- Court team members: criminal justice background
- Community mental health service providers
- Other: _____

47. Which of the following services are regularly and directly available to court participants? [select all that apply]

- Emergency psychiatric services (crisis stabilization)
- Inpatient mental health treatment
- Outpatient mental health treatment
- Substance abuse treatment (independent from mental health treatment)
- Integrated substance abuse and mental health treatment
- Medication management
- Individual psychotherapy
- Group psychotherapy
- Family therapy
- Victim-defendant mediation
- Assistance in locating housing
- Assistance in financing housing
- Assistance in accessing benefits (e.g. Medicaid, SSI, SSDI, veterans)
- Transportation (e.g. bus fare, rides to program-related appointments)
- Child care
- Supported employment
- Court sponsored “alumni” groups
- Civil (legal) services assistance
- Other _____

48. Are the court-supported services indicated above available to participants once they graduate? [select one]

- Yes
- No
- Some

49. Which of the following **rewards or incentives** does your court apply to participants who **adhere** to the terms of their treatment plans? [select all that apply]

- The court does not use rewards or incentives.
- The court does not have a standardized list of rewards / incentives.
- Priority position in the order of cases called
- Praise from the judge
- Increased time between status hearings
- Food items or gift certificates from local businesses
- Reduced/waived fees for probation supervision or drug testing
- Wrap around services such as help with clothing, home repairs, purchasing materials for school and employment, etc.
- Extended privileges (e.g. where people are allowed to live, whom they may visit, furloughs and leaves of absence)
- Certificates or other tokens for completing stages of treatment
- Graduation ceremonies
- Early completion of participation in court program
- Other _____

50. Which of the following **sanctions** does your court apply to participants who **do not adhere** to the terms of their treatment plans? [select all that apply]

- The court does not use sanctions.
- The court does not have a standardized list of sanctions.
- Judicial reprimands
- Journal assignments
- Increased frequency of status hearings
- Increased supervision intensity (e.g. meetings with a probation officer or case manager, drug testing, visits to court on a normal docket day)
- Home visits
- Restriction of privileges (e.g. curfew, travel)
- Community service
- Restriction of finances (e.g. appointment of a representative payee)
- Fines / fees
- Jail
- Expulsion from the program
- Modifications in treatment plan (e.g. more frequent appointments with a case manager, adjustment to medications, increased drug screening, etc.)
- Other _____

IX Sustainability

51. How is the court and its service components funded?[select all that apply]

- Federal funds
- State funds
- Municipal funds
- Tax levy
- State mental health funds
- Regional mental health funds
- Municipal mental health funds
- Private foundation grants
- Court fees
- Other _____

52. *Has the court received media coverage?*

- No
- Yes
- If yes, please provide the title, author, publication, and date _____

53. *Is there published research on the court program?*

- No
- Yes
- If yes, please provide the title, author, publication, and date _____