



**MENTAL HEALTH COURT DEVELOPMENT  
AND THE STAGES OF CHANGE**

**SIXTH JUDICIAL DISTRICT  
MENTAL HEALTH COURT CONFERENCE  
MINNESOTA**

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**Norma D. Jaeger Ph.D. (ABD)**

# What Is a Treatment Court?

All treatment courts are an integration of *clinically appropriate treatment with ongoing criminal justice system case processing* targeted to individuals whose criminal involvement can reasonably be managed in the community but who are not likely to be successfully managed with traditional probation supervision and/or mandated treatment alone.

# Essential Elements of a Mental Health Court

- Target population
- Timely participant identification and linkage to services
- Terms of participation
- Informed choice
- Treatment supports and services
- Confidentiality
- Court team
- Monitoring adherence to court requirements
- Sustainability

# Examine Your Policy Decisions

- Must there be a nexus (*causal link*) between the offense and the associated clinical circumstance? (I say NO.) There is no research to support this requirement and it results in excluding otherwise appropriate applicants.
- Is there interagency support and an operational, multi-disciplinary team?
- Is there capability for integration of mental health and substance use disorder treatment?
- Will you have criminal thinking focused services?
- Are there clear, shared goals? (Are you sure?)
- Is there judicial support and participation?
- Is the community supportive and engaged?

# *Stages of Change* over time

- You may have had all elements in place at the start of your court, but how about now?
- Over time - things change, things drift, practices lose focus, and many players change as well
- Consider the following *Stages of Change* elements and where your court stands today
- You may want to reassess and rebuild elements
- That is common in all change efforts. It is a cycle, not a permanent linear process (once and done)

# Supporting Successful Operations

## Consider the *Stages of Change*

- *Precontemplation*
- *Contemplation*
- *Preparation*
- *Action*
- *Maintenance*

# Conceptual Planning: Stage of Change

- **Precontemplation**
  - Contemplation
  - Preparation
  - Action
  - Maintenance
- Engage key partners
  - Explore existing data on system issues / outcomes
  - Conduct *Listening Sessions*
  - Consider focus groups
  - Carry out key informant interviews

# Initial Implementation Planning: Stage of Change

- Precontemplation
  - **Contemplation**
  - Preparation
  - Action
  - Maintenance
- **Planning / refining sessions with key stakeholders**
  - **Consider current target population and eligibility**
  - **Determine essential operational partners and resources**
  - *Revisit and update Memoranda of Agreement*
  - **(Re)training /Conferences/ Technical Assistance**



# Operational Planning: Stage of Change

- Precontemplation
  - Contemplation
  - **Preparation**
  - Action
  - Maintenance
- Review and agree on policy decisions
  - Update policies and procedures
  - Reexamine incentives to participate and expectations of participants
  - Determine behavioral incentives and sanctions
  - Update participant handbook
  - Renew referral agreements and procedures
  - Reconfirm team members
  - Integrate or strengthen *Peer Support*
  - Revisit team member training
  - Engage media contacts
  - Reconvene stakeholder and community meetings

# Initiate Court Operations: Stage of Change

- Precontemplation
- Contemplation
- Preparation
- **Action**
- Maintenance

- **Accept referrals**
- **Confirm eligibility**
- **Admit participants**
- **Orient participants**
- **Reexamine pre-court staffing procedures (team feedback)**
- **Assess court sessions**
- **Implement revised policies and procedures**
- **Manage participants effectively**
- **Engage all treatment partners**
- **Examine coordination of responses to behavior**
- **Communicate with stakeholders and community**
- **Assure solid recovery planning**

# Maintain an Effective Court: Stages of Change

- Precontemplation
- Contemplation
- Preparation
- Action
- **Maintenance**
  - **Collect program data**
  - **Reassess program data**
  - **Review operational fidelity**
  - **Evaluate outcomes**
  - **Continue to engage community resources**
  - **Engage the recovery community**
  - **Communicate outcomes to stakeholders and community / re-engage**
  - **Train new team members**
  - **Feedback from participants and team members**
  - **Review and revise policies and procedures**

# Key Operational Stakeholders

- Judiciary
- Prosecutor
- Defense
- Treatment (Mental Health and SUD)
- Criminal Justice Supervision (Probation)
- Law Enforcement
- Court Administration
- Recovery / Advocacy Communities

# Key Community Resources

- Social services
- Family services / Child Protection
- Vocational Rehabilitation
- Public assistance (ie. welfare, food stamps, supported housing)
- Recovery / sober housing
- Public health / Rural health
- Children's services (ie. Head Start, public education, charter schools, Boys and Girls Clubs, children's mental health)
- County Extension
- Recovery Community
- Faith community
- Veteran services organizations
- Libraries
- Community service agencies
- Local college or university
- Other resources

# Key Information Resources

Council of State Governments Justice Center

<https://csgjusticecenter.org>

Council of State Governments Justice Center

[https://csgjusticecenter.org/Improving Responses to People with Mental Illnesses at the Pretrial Stage: Essential Elements/](https://csgjusticecenter.org/Improving%20Responses%20to%20People%20with%20Mental%20Illnesses%20at%20the%20Pretrial%20Stage%3A%20Essential%20Elements/)

National Center for State Courts

<https://www.ncsc.org/behavioralhealth>

GAINS Center

<https://www.samhsa.gov/gains-center>

# Key Information Resources (cont.)

National Association of Drug Court Professionals (NADCP)

<https://www.nadcp.org>

National Drug Court Resource Center

<https://ndcrc.org>

- SAMHSA Office of Recovery

[Recovery and Recovery Support | SAMHSA](#)

# More Resources - Rural Focus funded by HRSA

Rural Health Information Hub

<https://www.ruralhealthinfo.org>

Fletcher Group Rural Center of Excellence

<https://www.flethchergroup.org/rcoe/>

University of Vermont Center on Rural Addiction

<https://www.cora@uvm.edu>

University of Rochester Recovery Center of Excellence

<https://recoverycenterofexcellence.org>