



# JUDICIAL COUNCIL OF CALIFORNIA

COLLABORATIVE JUSTICE  
COURTS ADVISORY COMMITTEE

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## MENTAL HEALTH SUBCOMMITTEE

### NOTICE AND AGENDA OF OPEN MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

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**Date:** January 9, 2019  
**Time:** 12:15-1:15 p.m.  
**Public Call-in Number:** 1-877-820-7831; Passcode: 3045675 (Listen Only)

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Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to [collabjusticecomm@jud.ca.gov](mailto:collabjusticecomm@jud.ca.gov).

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

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#### I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

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##### Call to Order and Roll Call

##### Approval of Minutes

Approve minutes of the December 6, 2018, Mental Health Subcommittee of the Collaborative Justice Courts Advisory Committee meeting.

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#### II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1))

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This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to [collabjusticecomm@jud.ca.gov](mailto:collabjusticecomm@jud.ca.gov) or mailed or delivered to 455 Golden Gate Avenue, San Francisco, CA 94102, attention: Angelica Souza. Only written comments received by 12:15 p.m. on January 8, 2019 will be provided to advisory body members prior to the start of the meeting.

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**III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-2)**

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**Item 1**

**Review Proposed Annual Agenda (No Action Required)**

Review the proposed annual agenda for the Collaborative Justice Courts Advisory Committee and provide feedback on items relating to the Mental Health subcommittee.

Presenter: Francine Byrne, Principal Manager, Criminal Justice Services

**Item 2**

**Regional Round Tables for AB 1810 Implementation (No Action Required)**

Continue the discussion from the last subcommittee meeting about developing regional round tables for AB 1810 implementation. Provide feedback to staff about proposed schedule, objectives, and proposed topics to be covered.

Presenters: Amy Kimpel, Attorney, Criminal Justice Services

Octavio Jimenez, Associate Analyst, Criminal Justice Services

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**IV. ADJOURNMENT**

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**Adjourn and set date for next subcommittee call**

**Collaborative Justice Courts Advisory Committee**  
**Annual Agenda<sup>1</sup>—2019**  
**Approved by Executive and Planning Committee: [TBD]**

**I. COMMITTEE INFORMATION**

<b>Chair:</b>	Hon. Richard Vlavianos, Chair, Judge, Superior Court of San Joaquin County Hon. Rogelio Flores (Ret.) Vice-Chair, Judge, Superior Court of Santa Barbara County
<b>Lead Staff:</b>	Ms. Francine Byrne, Principal Manager, Criminal Justice Services Ms. Carrie Zoller, Supervising Attorney, Center for Families, Children & the Courts

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<sup>1</sup> The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

### **Committee's Charge/Membership:**

[Rule 10.56](#) of the California Rules of Court charges the Collaborative Justice Courts Advisory Committee to make recommendations to the Judicial Council on criteria for identifying and evaluating collaborative justice courts and for improving the processing of cases in these courts, which include drug courts, mental health courts, domestic violence courts, youth courts, and other collaborative justice courts. Those recommendations include 'best practices' guidelines and methods for collecting data to evaluate the long-term effectiveness of collaborative justice courts.

Additional duties included under rule 10.56:

1. Assess and measure success and effectiveness of local collaborative justice courts;
2. Identify and disseminate to trial courts locally generated best practices;
3. Recommend minimum judicial education standards and educational activities to support those standards to the Governing Committee of the Center for Judicial Education and Research;
4. Advise the council of potential funding sources;
5. Make recommendations regarding grant funding programs that are administered by the Judicial Council staff for drug courts and other treatment courts; and,
6. Recommend appropriate outreach activities needed to support collaborative justice courts.

The committee currently has 24 members (nine judicial officers, two court administrators, one district attorney, one criminal defense attorney, one law enforcement officer, one treatment court coordinator, one probation officer, one treatment provider, one treatment court graduate, one representative from the mental health field, one social services representative, one non-profit community organization representative, and three public members). The attached term of services chart provides the composition of the committee.

### **Subcommittees/Working Groups<sup>2</sup>:**

Juvenile Collaborative Justice Courts Subcommittee

Mental Health Subcommittee

Veterans Courts and Military Families Subcommittee

## **II. COMMITTEE PROJECTS**

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<sup>2</sup> California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

#	<b>New or One-Time Projects<sup>3</sup></b>	
1.	<b><i>Project Title: Amend form MIL-100, Notification of Military Service</i></b>	<b><i>Priority 1<sup>4</sup></i></b>
<p><b><i>Project Summary<sup>5</sup>:</i></b> Amend the Notification of Military Service form to better meet the requirements of Pen Code Sec. 858, which requires judicial officers to notify defendants at arraignment that there are certain provisions of law specifically designed for individuals who have active duty or veteran status and who have been charged with a crime, and to address issues of form usability, especially in non-criminal case types, Project supports ongoing project/activity # 4 and 5.</p> <p><b><i>Status/Timeline:</i></b> Form revision effective date January 2020.</p> <p><b><i>Fiscal Impact/Resources:</i></b> The project, including staff costs, is partially funded by external earmarked funding for collaborative courts and mental health.</p> <p><b><i>Internal/External Stakeholders:</i></b> Department of Veterans Affairs, California State Legislature, local courts, justice system partners, public.</p> <p><b><i>AC Collaboration:</i></b> Veterans Courts and Military Families Subcommittee</p>		
2.	<b><i>Project Title: Develop and implement the Behavioral Health Education Series, a series of 8-10 webinars or other educational sessions on mental health, substance abuse, collaborative justice courts, and relevant legislation.</i></b>	<b><i>Priority 1</i></b>

<sup>3</sup> All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

<sup>4</sup> For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

#	<b>New or One-Time Projects<sup>3</sup></b>	
	<p><b>Project Summary:</b> This project was initiated in response to courts’ requests for increased training on mental health and substance abuse and will provide educational sessions through webinars, podcasts and/or in- person meetings. The sessions are geared towards judicial officers, court staff, and justice system partners. Educational series topics include working with court users with serious mental health disorders, collaborative court principles and practices, and effective practices in drug and mental health treatment. Additional information can be found using this <a href="#">link</a>.</p> <p><b>Status/Timeline:</b> 8-10 webinar/education sessions will be completed by January 2019.</p> <p><b>Fiscal Impact/Resources:</b></p> <p><b>Internal/External Stakeholders:</b> Local trial courts and justice system partners, Council on Criminal Justice and Behavioral Health, California Department of State Hospitals, Center for Judicial Education and Research (CJER)</p> <p><b>AC Collaboration:</b> Criminal Law Advisory Committee</p>	
3.	<p><b>Project Title:</b> <i>Assist in court implementation of mental health diversion programs as set forth in AB 1810 (Penal Codes 1001.35 and 1001.36).</i></p>	<p><b>Priority 1</b></p>
	<p><b>Project Summary:</b> Penal Codes 1001.35 and 1001.36 establish mental health diversion for eligible criminal defendants with mental health disorders. Support will be provided through 2-3 in-person regional summits to be held in conjunction with the Behavioral Health Education Series to address implementation and procedural issues. This project supports ongoing activities/projects #1 and 4.</p> <p><b>Status/Timeline:</b> 2-3 regional trainings will be completed by September 2019.</p> <p><b>Fiscal Impact/Resources:</b> Minimal fiscal impact, CJCAC members will provide court space and logistic support.</p> <p><b>Internal/External Stakeholders:</b> Local trial courts and justice system partners.</p> <p><b>AC Collaboration:</b> Criminal Law Advisory Committee</p>	

4.	<p><b>Project Title:</b> <i>Effective Practices in Juvenile Collaborative Justice Courts: Juvenile Collaborative Court Briefing; Girls’ Court Study; STAR Court Evaluation</i></p>	<p><b>Priority 1</b></p>
<p><b>Project Summary:</b> Project will identify the efficacy of applied collaborative court principles in juvenile court, by preparing an overview of current findings for collaborative courts in multiple types of juvenile collaborative courts, and by conducting original studies on innovative, emerging court types addressing human trafficking cases in juvenile court. The studies include a descriptive study of Girls’ Courts and an evaluation of the STAR Court in Los Angeles, one of the first such courts in the state. The committee will provide guidance identifying issues of relevance and review the report. The projects fulfill the committee charge and JCC partnerships with policymaking bodies, including the Mental Health Services Oversight and Accountability Commission and the Child Welfare Council’s Commercial Sexual Exploitation of Children (CSEC) Action Team Committee. This project supports ongoing projects/activities #3, 4 and 6.</p> <p><b>Status/Timeline:</b> Project completion date: December 2019</p> <p><b>Fiscal Impact/Resources</b> The project, including staff costs, is partially funded by external earmarked funding for collaborative courts and mental health. No additional fiscal impact to JCC is anticipated.</p> <p><b>Internal/External Stakeholders:</b> Violence Against Women Project, Trial Courts, Mental Health Services Oversight and Accountability Commission, the Child Welfare Council’s Commercial Sexual Exploitation of Children (CSEC) Action Team Committee</p> <p><b>AC Collaboration:</b> Juvenile Subcommittee, Family and Juvenile Law Advisory Committee, Violence Against Women Education Project (VAWEP)</p>		
5.	<p><b>Project Title:</b> <i>Create a Homeless Courts Blueprint</i></p>	<p><b>Priority 1</b></p>
<p><b>Project Summary:</b> Project will prepare an overview of homeless court program models, highlighting examples of successful homeless courts, and providing guidance on strategies and factors to consider when starting or expanding a homeless court. This project supports the ongoing projects/activities #3 and 4.</p> <p><b>Status/Timeline:</b> The guide will be completed by the fall of 2019.</p> <p><b>Fiscal Impact/Resources:</b> The project, including staff costs, is partially funded by external earmarked funding for collaborative courts and mental health. No additional fiscal impact to JCC is anticipated.</p> <p><b>Internal/External Stakeholders:</b> External stakeholders include judges and court staff, the ABA Commission on Homelessness and Poverty, justice partners, and the Mental Health Services Oversight and Accountability Commission.</p>		

	<b>AC Collaboration:</b> Mental Health Subcommittee, Veterans Courts and Military Families Subcommittee, Family and Juvenile Law Advisory Committee	
6.	<b>Project Title:</b> <i>Identify effective practices and policy options to address Incompetent to Stand Trial (IST) cases.</i>	<b>Priority 1</b>
<p><b>Project Summary:</b> This project focuses on identifying and documenting existing and promising practices related to adult Incompetent to Stand Trial cases and competency evaluations. Judicial Council staff surveyed and/or interviewed key stakeholders in local jurisdictions to identify current processes and challenges, as well as local solutions and feasibility of technological solutions. This project supports ongoing activities/projects #1 and 4.</p> <p><b>Status/Timeline:</b> Survey results will be analyzed and distributed to the CJCAC in early 2019. Project findings will inform next steps for information distribution and possible action items.</p> <p><b>Fiscal Impact/Resources:</b></p> <p><b>Internal/External Stakeholders:</b> JCC staff resources noted above, local trial courts, policymakers, Council for Criminal Justice and Behavioral Health, Department of State Hospitals</p> <p><b>AC Collaboration:</b> Mental Health Subcommittee</p>		



7.	<b><i>Project Title: Implementation of Legislation regarding Juvenile Competency Evaluations</i></b>	<b><i>Priority 1</i></b>
<p><b><i>Project Summary:</i></b> This joint project with members of the Family and Juvenile Law Advisory Committee implements the Rule of Court changes required by passage of AB 1214, which mandated the Judicial Council to adopt a rule of court identifying the training and experience needed for an expert to be competent in forensic evaluations of juveniles, as well as adopt rules for the implementation of the other requirements in this subdivision. This project supports ongoing activities/projects #1 and 6.</p> <p><b><i>Status/Timeline:</i></b> Rule of Court revision effective date: January 2020.</p> <p><b><i>Fiscal Impact/Resources:</i></b> The project, including staff costs, is partially funded by external earmarked funding for collaborative courts and mental health.</p> <p><b><i>Internal/External Stakeholders:</i></b> Legislatively mandated partners includes judges, defense counsel, district attorneys, chief probation officers, counties, advocates for people with developmental and mental disabilities, experts in special education testing, psychologists and psychiatrists specializing in adolescents, professional associations and accredited bodies for psychologists and psychiatrists, and other interested stakeholders.</p> <p><b><i>AC Collaboration:</i></b> Joint working group with members of the Family and Juvenile Law Advisory Committee</p>		
8.	<b><i>Project Title: Propose Standards of Judicial Administration that define collaborative courts and update current standards related to drug court diversion</i></b>	<b><i>Priority 1</i></b>
<p><b><i>Project Summary:</i></b> California’s Standards of Judicial Administration regarding collaborative and drug courts will be updated to reflect changes in criminal law and collaborative court practices following changes in criminal justice policy including Public Safety Realignment and Proposition 47. The Committee will review current standards (Standard 4.10), as well as existing national standards, and propose revisions to existing standards or new standards to define adult and juvenile collaborative courts in order to provide clear guidance to trial courts regarding the definitions and effective practices in these courts. This project supports ongoing activity/project #4.</p> <p><b><i>Status/Timeline:</i></b> March 2019, deadline to complete proposal draft.</p> <p><b><i>Fiscal Impact/Resources:</i></b></p> <p><b><i>Internal/External Stakeholders:</i></b> Local courts, justice partners.</p> <p><b><i>AC Collaboration:</i></b> Criminal Law Advisory Committee, Family and Juvenile Law Advisory Committee</p>		
9.	<b><i>Project Title: Conduct Study of Veterans and Veterans Treatment Court as directed by SB 339</i></b>	<b><i>Priority 1</i></b>

	<p><b>Project Summary:</b> As directed by Senate Bill 339, initiate statewide study of Veterans and Veterans Treatment Courts (VTC) that includes a survey of VTCs that are currently in operation as well as an assessment of counties that do not operate VTCs. The study will evaluate the impact of VTCs on a number of outcomes for veterans including but not limited to recidivism, mental health and substance use disorders, and employment outcomes. In addition, the study will include an assessment of counties that do not operate VTCs and identify barriers to program implementation as well as potential alternative methods for addressing the needs of veterans in the criminal justice system. The committee will provide guidance identifying issues of relevance and reviewing report. Project supports ongoing project/activity #3, 4, and 5.</p> <p><b>Status/Timeline:</b> Project completion date: June 2020.</p> <p><b>Fiscal Impact/Resources:</b> Project is supported by funding provided to the Judicial Council specifically for the completion of this project.</p> <p><b>Internal/External Stakeholders:</b> Department of Veterans Affairs, California State Legislature, local courts, justice system partners, public</p> <p><b>AC Collaboration:</b> Veterans Courts and Military Families Subcommittee, Office of Governmental Affairs</p>	
<b>#</b>	<b>Ongoing Projects and Activities</b>	
1.	<p><b>Project Title: <i>Mental Health: Continued implementation of assigned recommendations of Mental Health Issues Implementation Task Force and identification of priority issues and best practices in mental health</i></b></p>	<p><b>Priority 1</b></p>
	<p><b>Project Summary:</b> Review the recommendations from the Mental Health Issues Implementation Task Force (MHIITF) that were identified as within Judicial Council purview and in need of continuing work for implementation, and were assigned, individually or in collaboration with other Judicial Council advisory bodies, to the CJAC. The recommendations may be found at <a href="#">this link</a>.</p> <ul style="list-style-type: none"> <li>• Ongoing development and active implementation in coordination with advisory committees that are also assigned to review and work on the recommendations: <ul style="list-style-type: none"> <li>- 13, 16: Mental health protocols/information sharing; Encourage collaborative justice courts for MH issues/local protocols for MH CJ courts;</li> <li>- 21: Video based linkages;</li> <li>- 28, 36, 65 (Recommendations related Incompetent to Stand Trial (IST) issues): Dedicated competency calendars; legislative work to give judicial officers hearing competency matters access to a variety of alternative procedural and dispositional tools; JOs should avoid fixed sentences that mandate state prison for probation violations for offenders with mental illness;</li> <li>- 95, 96: Experts in juvenile law, psychology, and psychiatry should further study the issue of juvenile competence; Existing legislation should be modified or new legislation should be created to refine definitions of competency to stand trial for juveniles in delinquency matters and outline legal procedures and processes;</li> </ul> </li> </ul>	

	<ul style="list-style-type: none"> <li>- 97: Youth exiting the juvenile delinquency system should receive appropriate reentry and aftercare services;</li> <li>- 107: Education and training related to juvenile development, mental health issues, co-occurring disorders, developmental disabilities, special education, and cultural competency related to these topics should be provided to all judicial officers, et al.;</li> <li>- 111: Assessments and evaluations of the current data, processes, and outcomes of juvenile competence to stand trial in California should be conducted; and,</li> <li>- 132: California Courts website should include links to national and international research on collaborative justice and mental health issues, information regarding mental health court and calendar best practices, and subject matter experts available to assist the courts.</li> </ul> <ul style="list-style-type: none"> <li>• Identify priority policy issues and best practices regarding mental health in areas such legislation tracking, and continued support for education, research, and the improved dissemination of information including increasing the accessibility and relevancy of mental health resources on the Judicial Council website, including resources for judicial officers and other court staff.</li> <li>• Assist in identifying emerging issues and needs for litigants with mental health issues, such as accommodation needs, issues related to incompetence to stand trial, and confidentiality. Identify opportunities for collaboration with mental health initiatives and programs (e.g., Stepping Up Initiative).</li> </ul> <p><b>Status/Timeline:</b> Ongoing</p> <p><b>Fiscal Impact/Resources:</b> The project, including staff costs, is partially funded by external earmarked funding for collaborative courts and mental health. CFCC and CJS staff will work with CJER and LSO, as appropriate</p> <p><b>Internal/External Stakeholders:</b> CJER, LSO, Local courts, California Association of Collaborative Courts, California Association of Youth Courts.</p> <p><b>AC Collaboration:</b> Mental Health Subcommittee, Veterans Courts and Military Families Subcommittee; Juvenile Collaborative Justice Courts Subcommittee;</p>		
2.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;"><b>Project Title:</b> <i>Substance Abuse Focus Grant Allocations</i></td> <td style="width: 30%;"><b>Priority 1</b></td> </tr> </table> <p><b>Project Summary:</b> Make recommendations to, and carry out the directives of the Judicial Council regarding allocations and administration of the Collaborative Justice Substance Abuse Focus Grant (SAFG), a legislatively mandated grant program, distributing funds from the State budget that are earmarked for collaborative and drug court projects and are available to support local collaborative justice and drug courts throughout California, as well as supplementing dependency drug courts with federal funding from the Court Improvement Project.</p> <ul style="list-style-type: none"> <li>• Report to the Judicial Council on grant activities from fiscal year 2017–2018;</li> </ul>	<b>Project Title:</b> <i>Substance Abuse Focus Grant Allocations</i>	<b>Priority 1</b>
<b>Project Title:</b> <i>Substance Abuse Focus Grant Allocations</i>	<b>Priority 1</b>		

	<ul style="list-style-type: none"> <li>• Recommend to the Judicial Council grant allocations to local courts based on the Judicial Council approved allocation methodology;</li> <li>• Review biannual reports regarding funding distribution, invoicing, and deliverables reports from local courts;</li> <li>• Recommend methods of allocation and grants administration for next annual funding cycle; and,</li> <li>• Identify methods to increase funding through the SAFG program.</li> </ul> <p><b>Status/Timeline:</b> Ongoing</p> <p><b>Fiscal Impact/Resources:</b> Funded through external earmarked funding for collaborative and drug courts.</p> <p><b>Internal/External Stakeholders:</b> Branch Accounting and Procurement, local courts, California Association of Collaborative Courts, California Association of Youth Courts.</p> <p><b>AC Collaboration:</b></p>	
3.	<p><b>Project Title: Parolee Reentry Court Grant Program</b></p> <p><b>Project Summary:</b> Continue the work of the Parolee Reentry Court program that distributes approximately \$1.1 million from the California Department of Corrections and Rehabilitation through the Judicial Council to six parolee reentry courts. Funding for the project is re-evaluated annually by CDCR. This project will involve the identification of potential longer term, on-going funding to assist parolee reentry courts in program planning in future years.</p> <p><b>Status/Timeline:</b> Current funding will expire June 30, 2019.</p> <p><b>Fiscal Impact/Resources:</b> Approximately \$1.1 is allocated to the courts and judicial council to implement the program.</p> <p><b>Internal/External Stakeholders:</b> Branch Accounting and Procurement, local courts</p>	<b>Priority 1</b>
4.	<p><b>Project Title: Assist local courts to obtain funding and in kind assistance, such as federal or state grants for local collaborative court projects.</b></p> <p><b>Project Summary:</b> Distribute information on grants and other funding opportunities and assist local courts, upon their request, to obtain funding and other assistance for local collaborative court projects.</p> <ul style="list-style-type: none"> <li>• Identify funding and support efforts to increase funding for courts in collaboration with partners that may include, but are not limited to, the California State Legislature, California Office of Traffic Safety, Substance Abuse and Mental Health Services Administration,</li> </ul>	<b>Priority 1</b>

	<p>Office of Juvenile Justice and Delinquency Prevention, Juvenile Court Improvement Program, and the Bureau of Justice Assistance to support existing and planned collaborative courts;</p> <ul style="list-style-type: none"> <li>• Assist local courts in identifying appropriate federal grant opportunities and preparing applications for funding of collaborative courts through the federal funding cycle; and,</li> <li>• Share findings from collaborative court outcome and cost studies as well as compiled reports and studies from local collaborative courts with collaborative court coordinators in quarterly meetings to assist local courts in seeking local, federal, and private funding.</li> </ul> <p><b>Status/Timeline:</b> Ongoing</p> <p><b>Fiscal Impact/Resources:</b> Increases funding for local courts; JCC staff resources partially funded by external earmarked funds for Collaborative and Drug Courts.</p> <p><b>Internal/External Stakeholders:</b> Office of Governmental Affairs, local collaborative courts, California Association of Collaborative Courts, California Association of Youth Courts, Homeless Court Network, National Center for State Courts, Center for Court Innovation.</p> <p><b>AC Collaboration:</b></p>	
5.	<p><b>Project Title:</b> <i>Conduct multidisciplinary education to support effective practices and beneficial outcomes in collaborative courts. Identify and distribute information on new or pending policy changes.</i></p>	<p><b>Priority 1</b></p>
	<p><b>Project Summary</b> Continue execution of a multi-prong outreach, educational and training approach that supports the development of effective practices and beneficial outcomes in collaborative courts. Outreach activities include notifying collaborative courts of policy changes that may be of impact (such as Proposition 47, mental health or competency issues, legalization of marijuana, diversion, or human trafficking, etc.) and identifying promising practices developed in response to the change. Educational and training activities include developing educational recommendations and assisting in implementation of judicial and multi-disciplinary education curricula in areas related to collaborative justice.</p> <ul style="list-style-type: none"> <li>• Continue to create, in consultation/collaboration with Center for Judicial Education and Research (CJER), in-person and virtual trainings and educational materials in topic areas relevant to collaborative court programs such as best practices for high risk/high need cases, mental health, substance use disorders and treatment access for adults and youth, veterans and military families, military sexual trauma, reentry, human trafficking, and relevant policy/legislative changes.</li> <li>• Continue to collaborate with justice system partners on training activities. Partners may include, but are not limited to, California Association of Collaborative Courts (CACC), National Association of Drug Court Professionals (NADCP, NDCI, NCDC, Justice for Vets), the California Association of Youth Courts (CAYC), the California Department of Corrections and Rehabilitation (CDCR), the Department of Veterans Affairs, California Judges Association (CJA), and the American Bar Association (ABA), Commission on Homelessness and Poverty, and ABA Judicial Committee on Human Trafficking.</li> </ul>	

	<ul style="list-style-type: none"> <li>• Continue to work with the CJER Governing Committee to make recommendations for and assist in implementation of judicial and multidisciplinary education curricula in the area of collaborative justice. This includes providing guidance to committee staff regarding preparation of collaborative justice related educational toolkits and job aids and identification of faculty.</li> <li>• Continue to distribute information on effective practices through regular webinars, and hosting listservs for collaborative court and mental health professionals.</li> </ul> <p><b>Status/Timeline:</b> Ongoing</p> <p><b>Fiscal Impact/Resources:</b> Provides distance and in person education for local courts at reduced cost; provides information regarding effective/efficient court practices to reduce case processing costs and recidivism.</p> <p><b>Internal/External Stakeholders:</b> CJER, Communications Office, local courts, State Bar, Department of Veterans Affairs, California Association of Collaborative Courts, California Association of Youth Courts, Homeless Court Network, National Drug Court Institute, Center for Court Innovation, National Center for State Courts</p> <p><b>AC Collaboration:</b> CJER Governing Committee and curriculum committees in criminal law, family and juvenile law, probate and mental health law</p>
6.	<p><b>Project Title:</b> <i>Veterans and Military Families: Identify priority issues and best practices.</i> <span style="float: right;"><b>Priority 1</b></span></p>
	<p><b>Project Summary:</b> Identify priority policy issues and best practices regarding Veterans and Military Families in areas such legislation tracking, continued implementation of the MIL-100 form, and continued support for education, research, and the improved dissemination of information as outlined below.</p> <ul style="list-style-type: none"> <li>• Track and review proposed legislation regarding court involved veterans and military families;</li> <li>• Work toward implementing legislation and develop education job aids involving court involved veterans and military families in judicial education programs, including development of a script to assist judicial officers to meet the mandates of Pen. Code sec. 858 to inform criminal litigants of their rights under Penal Code section 1170.9 and 1179.91, and of the availability of the MIL-100.</li> <li>• Identify educational materials and, at the request of relevant committees, serve as subject matter experts for preparation of toolkit for areas pertaining to military families and veterans courts, such as implementation of Penal Code sections 1170.9, 1170.91, 1001.3, and 1001.80; military sexual trauma; family reunification issues; trauma informed services and court programs; and reentry issues for incarcerated veterans by providing guidance to committee staff during each stage of content development, dissemination, and review;</li> <li>• In collaboration/communication with CJER and the CJER Governing Committee or relevant judicial education educational programs, assist in implementation of educational programs through organizations of panels, identification of faculty, and content review for educational programs, such as Military Families and Veterans Court programs at the Juvenile Law Institute and Family</li> </ul>

	<p>Law Institute. Provide guidance to committee staff during each stage of content development, dissemination, and review;</p> <ul style="list-style-type: none"> <li>• Provide advisement and review to ensure an up to date and publically accessible roster of Veterans Treatment Courts is maintained;</li> <li>• In coordination with the California State Bar, ABA, the Department of Veterans Administration, Federal Department of Defense, local Veteran’s agencies, Veterans’ advocacy groups, county bar organizations, researchers, veterans groups and homeless groups follow trends and developments regarding court involved veterans and military families;</li> <li>• Research and provide information on the website related to best practices for addressing the needs of women veterans and military families (i.e., domestic violence) in our courts to improve treatment and case processing outcomes; and,</li> <li>• Seek opportunities to leverage statewide and national resources to assist in developing a statewide strategic plan for veterans treatment courts</li> </ul> <p><b>Status/Timeline:</b> Ongoing</p> <p><b>Fiscal Impact/Resources:</b> Staff partially funded through external earmarked funding for collaborative and drug courts</p> <p><b>Internal/External Stakeholders:</b> Local courts, California Association of Collaborative Courts, Center for Court Innovation</p> <p><b>AC Collaboration:</b> Veterans Courts and Military Families Subcommittee, Mental Health Subcommittee, CJER Advisory Committee</p>
7.	<p><b>Project Title: Juvenile Collaborative Justice Courts: Identify priority issues and best practices</b> <span style="float: right;"><b>Priority 1</b></span></p>
	<p><b>Project Summary:</b> Identify priority policy issues and best practices regarding juvenile collaborative justice courts in areas such as juvenile mental health courts, truancy, youth courts, trafficking, girls’ court, and delinquency and dependency drug court. Continue to assist in efforts to address juvenile competency through legislation and implementation of policy changes in this area. Continue work in support of youth and peer courts, including developing a Youth Court Toolkit, holding the annual Youth Summit in partnership with the California Association of Youth Courts, and hold youth court roundtables to provide local assistance to courts seeking to implement or improve their peer court;</p> <ul style="list-style-type: none"> <li>• Continue to provide subject matter expertise and guidance to committee staff in developing and maintaining updates of briefing papers on evidence-based practices on assessments, girls’ court, and human trafficking, including a briefing on juvenile collaborative court models;</li> <li>• Provide subject matter expertise and guidance and coordinate with staff to other groups in the area of human trafficking;</li> <li>• Continue to provide subject matter expertise on educational and training programs that focus on substance use disorders and enhanced educational support in delinquency and dependency cases;</li> </ul>

	<ul style="list-style-type: none"> <li>• Assist in the branch coordination of efforts to support work done by the Child Welfare Council’s Commercial Sexual Exploitation of Children (CSEC) Action Team and other branch entities, including the CJER Governing Committee and the Violence Against Women Education Project (VAWEP) Planning Committee; and,</li> <li>• Assist in branch coordination efforts to address permanency for children in foster care by providing subject matter expertise and guidance and coordinate with the Permanency Committee of the Child Welfare Council to promote and expand the use of Dependency Drug Courts as a best practice model. The work will include developing literature and data, improving data collection efforts, and increasing outreach efforts to courts that do not currently use Dependency Drug Courts. Continue to coordinate efforts with the Family and Juvenile Law Advisory Committee and the CJER Governing Committees, as well as relevant education and curriculum committees and to partner with Children and Family Futures, the federal technical assistance provider in this subject area, which has agreed to provide technical support for this project. Continue support of the child welfare system and dependency drug courts by exploring the issue of women in prison and the impact of parental incarceration on children;</li> <li>• Provide education and technical assistance in the area of the needs of homeless youth; and</li> <li>• Holding a youth court track at the biennial Beyond the Bench conference for youth and adults</li> </ul> <p><b>Status/Timeline:</b> Ongoing</p> <p><b>Fiscal Impact/Resources:</b> Funded through external earmarked funding for collaborative and drug courts.</p> <p><b>Internal/External Stakeholders:</b> Local courts, California Association of Collaborative Courts, California Association of Youth Courts.</p> <p><b>AC Collaboration:</b> Veterans Courts and Military Families Subcommittee, Juvenile Collaborative Justice Courts Subcommittee, Mental Health Subcommittee, CJER Advisory Committee</p>	
8.	<b>Project Title: Non-criminal Mental Health Cases</b>	<b>Priority 2</b>
	<p><b>Project Summary:</b> Continue to identify and address mental health issues through application of collaborative court principles in noncriminal case types, including civil, probate, family, and juvenile, including supporting courts seeking to implement Family Law Treatment Courts.</p> <p><b>Status/Timeline:</b> Ongoing</p> <p><b>Fiscal Impact/Resources:</b> Funded through external earmarked funding for mental health</p> <p><b>Internal/External Stakeholders:</b> Finance Office, Local courts, California Association of Collaborative Courts, California Association of Youth Courts.</p>	



*AC Collaboration:* Veterans Courts and Military Families Subcommittee; Juvenile Collaborative Justice Courts Subcommittee, Mental Health Subcommittee, Family and Juvenile Law Advisory Committee.

### III. LIST OF 2018 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	<p>Prioritized and implemented recommendations from the Mental Health Issues Implementation Task Force as noted below, identifying Incompetent to Stand Trial cases in both adult and juvenile courts as a priority.</p> <ul style="list-style-type: none"> <li>• Assigned MHIITF completed and implemented recommendations: 17, 20, 22, 24, 27, 29, 31, 32, 35, 67, 90, 93, 94, 96, 108, 109, 110, 114, 115, 116, 117, 118, 119, 122, 124, 131</li> <li>• Deferring until such time resources allow initiation of recommendation, or if out of purview, referring to partner agencies: 1, 14, 15, 18, 21, 37, 38, 55, 56, 57, 58, 59, 61, 62, 64, 66, 71, 72, 26, 80, 84, 89, 92, 94, 99, 101, 102, 103, 106, 113, 134</li> </ul>
2.	<p>In conjunction with the American Bar Association, co-hosted a summit on Homeless Courts. This national summit was attended by 110 judges, attorneys, court personnel, service providers, advocates and individuals with lived experience from 13 states. Participants shared views and experiences, and developed plans to help overcome the challenges faced by homeless courts. As part of the summit, participants also had an opportunity to attend a convening of the homeless court in San Diego and meet with the staff involved with that court.</p>
3.	<p>Held a Veterans and Military Families Summit that was attended by approximately 70 judicial officers, court staff, veteran mentors, court teams, and partners involved in veterans courts. This event was at capacity and had a waitlist of those who had hoped to be able to attend. Topics included issues in starting or expanding veterans treatment courts, meeting the needs of female veterans, military sexual trauma, and the effective use of mentors.</p>
4.	<p>Hosted the Annual Youth Court Summit. Themed “Uniting Together to Lead Tomorrow” the Summit was held at Sonoma State University and attended by nearly 250 youth and adults. Held in partnership with the California Association, this year’s summit featured discussions on topics such as criminal justice reform, creative sentencing options, brain development, and ways for youth to make social impacts and change.</p>
5.	<p>Partnered with the California Association of Collaborative Courts on their annual conference to provide educational programs for judicial officers, collaborative court coordinators, court staff and partners. Over 400 representatives from the trial courts and justice system partners were in attendance.</p>
6.	<p>Supported the development of the Behavioral Health Education series. The first two webinars had over one hundred live participants. Launched behavioral health resource page that provides webinar materials as well as national and local resources related to mental health, substance abuse and the courts.</p>

#	Project Highlights and Achievements
7.	In partnership with the California Association of Collaborative courts, set agenda and hosted two in person meetings of the drug court coordinator working group to discuss topics relevant to collaborative courts including new legislation, substance abuse and mental health training needs, and program sustainability. Nearly 100 people representing 40+ jurisdictions participated in the meetings.

DRAFT



## JUDICIAL COUNCIL OF CALIFORNIA

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### MEMORANDUM

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<b>Date</b> January 7, 2019	<b>Action Requested</b> Review and provide feedback
<b>To</b> The Mental Health Subcommittee of the Collaborative Justice Courts Advisory Committee	<b>Deadline</b> January 9, 2019
<b>From</b> Amy Kimpel Attorney, Criminal Justice Services	<b>Contact</b> Amy Kimpel Attorney, Criminal Justice Services (415) 865-7995 phone amy.kimpel@jud.ca.gov
<b>Subject</b> Regional Round Tables for AB 1810	

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This memorandum provides a general overview of the regional round tables currently in development to provide support to AB 1810 implementation.

#### **General Overview of the Regional Round Tables**

The Criminal Justice Services Office of the Judicial Council (CJS) is developing regional round tables to better support judges and courts in implementation of mental health diversion under AB 1810. (Pen. Code, §§ 1001.35, 1001.36.) These round tables are an outgrowth of the Behavioral Health Education Series and are being developed in response to requests from the Collaborative Justice Courts Advisory Committee and its Mental Health Subcommittee (MHS) to provide more opportunities for face to face interaction between judges and court personnel to work on implementing AB 1810.

CJS hopes to host two regional round tables, one in the north and one in the south. The Superior Court of San Bernardino County has offered to host the southern regional round table and has capacity for 50 participants. Francine Byrne is working to secure space for the northern regional

round table. CJS plans to host one round table in March and the second in May. CJS will work in coordination with local court personnel to efficiently plan and coordinate these events.

**Round table objectives:**

Participants will be able to:

- Share information and problem-solve around AB 1810 implementation with other judges and court personnel
- Describe best practices of the collaborative court model
- Identify resources and tools to utilize in implementing AB 1810

**Draft schedule**

9:15-9:45	Introductions & AB 1810 law overview
9:45-10:15	Whole group report of status of implementation in respective courts
10:15-10:30	Morning break (15 minutes)
10:30-11:00	Collaborative court model & examples
11:00-11:30	Screening & evaluation
11:30-12:15	Break-Out: Screening tools
12:15-1:30	LUNCH
1:30-2:15	Determining appropriate treatment, treatment options, and monitoring treatment
2:15-3:00	Break-out: Treatment
3:00-3:15	Afternoon break (15 minutes)
3:15-4:00	Break-out: Solving Procedural Problems – termination hearings, fluctuating competency, HIPAA waiver issues etc.
4:00-4:15	Closing thoughts and plans

See the attached draft agenda for more detailed description.

**Resources**

CJS also plans to compile resources for judges to access that may aid in the implementation of AB 1810 mental health diversion. The goal is to introduce these tools and resources during presentations and then have participants use them during break-out sessions so that, by the end of the day, they are familiar with the tools and resources provided.

# AB 1810 Mental Health Diversion Regional Round Tables



JUDICIAL COUNCIL  
OF CALIFORNIA

OPERATIONS AND PROGRAMS DIVISION  
CRIMINAL JUSTICE SERVICES

<b>YEAR, MONTH, DATE</b>	<b>Date(s)</b> <b>Location of Round Table</b> <b>City, State</b>	<b>Agenda</b>
9:15 a.m.–9:45 a.m.		<b>Welcome Introductions &amp; AB 1810 Mental Health Diversion Law Overview</b> <i>Presenters: Hon. Richard Couzens (Ret.) &amp; Amy Kimpel</i>  Overview of AB 1810, including procedural checklists. Amy Kimpel will supplement Judge Couzens' presentation by talking about implementation decision points and sharing some court approaches as models.
9:45 a.m.–10:15 a.m.		<b>Group Report Update of AB 1810 Implementation</b> <i>Moderator:</i>  All participants will report on the status of implementation—what's working, what's challenging or could be improved.
10:15 a.m.–10:30 a.m.		<b>Morning Break</b>
10:30 a.m.–11:00 a.m.		<b>Collaborative Court Model &amp; Examples</b> <i>Presenter:</i>  An overview of the collaborative court model and examples of how it can be integrated into AB 1810. Discussion of treatment team, treatment team meetings prior to court, information-sharing practices, and other best practices.
11:00 a.m.–11:30 a.m.		<b>Screening &amp; Evaluation</b> <i>Possible Presenter: Hallie Fader-Towe (Council of State Governments)</i>  Review of different screening and evaluation tools—both tools to screen for mental health disorders and those used to assess public safety risk. Benefits of setting up objective criteria for admission into diversion. Discussion of the role of victim and family input.
11:30 a.m.–12:15 p.m.		<b>First Break-Out Session: Screening Tools</b> <i>Moderator:</i>  Problem-solving around which screening and evaluation tools to use and how to access screening and evaluation (i.e., court pays, defense pays, or county behavioral health pays).

12:15 p.m.–1:30 p.m.

**Lunch**

1:30 p.m. –2:15 p.m.

**Determining Appropriate Treatment, Treatment Options, and Monitoring Treatment**

*Presenter:*

Overview of treatment options (including treatment for co-occurring substance use and alcohol disorders) and levels of care. How to determine appropriate treatment placement and modify based on changed circumstances. How to monitor compliance and adherence to court-approved treatment plan. How to shape treatment to best utilize funding streams from the Affordable Care Act, Medi-Cal, MHSA and other sources.

2:15 p.m.–3:00 p.m.

**Second Break-Out Session: Treatment**

*Moderator:*

Problem-solving around levels of care in treatment, treatment options and payment, and monitoring of treatment.

3:00 p.m.–3:15 p.m.

**Afternoon Break**

3:15 p.m.–4:00 p.m.

**Third Break-Out Session: Solving Procedural Problems**

*Moderator:*

Participants will tackle procedural problems presented by AB 1810, including:

- Procedural steps for a termination hearing based on a new law violation that may be related to the defendant's mental disorder
- How to handle a defendant who appears to lose competency to stand trial during the diversion process
- How to handle a defendant who appears to regain trial competency during diversion after being granted diversion after being found incompetent to stand trial
- How to deal with requests for evaluation and progress reports from the public and/or victims

4:00 p.m.–4:15 p.m.

**Closing Thoughts & Plans**

*Moderator:*