A Conversation About Mental Health Courts: Team Expectations

A collaborative session for judges, attorneys, clinicians, case managers, and Law Enforcement and supervision officers

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Professional Experience:

- Over 25 years in the field of Criminal justice
- Certified Compliance Officer
- Years as a Problem Solving Court Team Member
- Experienced in Program Management

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Why This Conversation Matters

Mental health courts work — but only when the team works together. This session is a space to align on who we are, what we each bring, and how we show up for the people we serve.

The Team Is the Variable
Outcomes depend less on the model and more on how the team functions together

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What Makes a Mental Health Court Different?



A Shift in Lens

The core question changes from:

> ***"Is the participant compliant?"***

To:

> ***"Is the participant stable and supported?"***

This shift shapes every decision the team makes — from sanctions to service referrals.

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The Shared Mission

Divert, Don't Incarcerate

Connect people with serious mental illness to community-based treatment instead of jail or prison

Reduce Recidivism at the Root

Address untreated mental illness — the underlying driver of involvement with the justice system

Every Role Serves the Mission

Regardless of discipline or title, every team member is here for the same purpose



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Who's on the Team & What Do We Each Do?

Or: How to stay in my lane and still be a good team member?



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The Judge: More Than a Gavel

Therapeutic Authority
Leads the courtroom with both legal and relational power — builds direct rapport with participants at every hearing

Sanctions & Incentives
Administers graduated responses based on team input — not unilateral judgment

Culture Setter
The judge's tone becomes the team's tone — modeling respect, curiosity, and collaboration

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The Prosecutor: Balancing Justice and Recovery

Eligibility & Screening
Reviews referrals through a public safety lens — determines who qualifies to enter the program

From Adversarial to Collaborative
The prosecutor's role shifts — still accountable to victims and the public, but operating within a treatment framework

Voice in Staffing
Participates in pre-court meetings to raise concerns and support team decisions before court begins

Ethical Tension
Must hold both victim interests and participant recovery goals — this tension is real, and naming it matters

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Defense Attorney: Champion of Informed Choice

- **Voluntary, informed consent is non-negotiable** — participants must understand what they're agreeing to before entering the program
- Advocates for the participant's legal rights throughout every phase of the process
- Navigates a genuinely dual role: legal advocate *and* recovery supporter
- Raises concerns when sanctions may be disproportionate or clinically counterproductive



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The Mental Health Clinician: Clinical Voice at the Table



1. **Treat & Update** — Provides treatment, case management, and regular clinical status updates to the team
2. **Translate** — Bridges the gap between psychiatric concepts and legal language
3. **Recommend** — Advocates for therapeutic adjustments rather than punitive responses when participants experience setbacks
4. **Protect** — Navigates confidentiality carefully — shares what the team needs to know, and protects what it doesn't

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The Case Manager / Court Coordinator

The **connective tissue** of the team — tracking progress, coordinating services, and flagging concerns before they become crises.

1. **Most Consistent Contact** — Often the participant's primary relationship with the court system
2. **Status Reports** — Prepares summaries for pre-court staffing and formal hearings
3. **Community Bridge** — Links what happens in the courtroom to what happens in the participant's daily life

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Probation / Community Supervision Officer



Supervision Reimagined

In mental health courts, community supervision is **supportive — not just surveillance.** The officer's role is to notice, not just monitor

- Monitors compliance with court conditions in the community
- Reports both progress *and* setbacks to the team — with context, not just facts
- Understands that a missed appointment may signal a mental health crisis, not willful noncompliance

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How We Work Together



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Pre-Court Staffing: Where the Real Work Happens

Review



Discuss

Commit

Decide

Staffing is confidential and every voice at the table matters.
Decisions made here shape what participants experience in court.

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Communication Norms We Agree To

Speak Up
If you have a concern, raise it in staffing — not in the hallway after court

Assume Good Intent
Different disciplines see the same participant differently — that's a feature, not a flaw

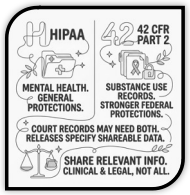
Be Direct, Not Dismissive
Disagree with the idea, not the person

Follow Through
If you commit to an action, do it — participants and teammates are counting on you

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Confidentiality & Information Sharing



Guiding Principles

- Mental health records carry **stronger protections** than drug court records — know the difference
- Participants must sign **specific releases** authorizing what can be shared with the team
- Share what is clinically and legally **relevant** — not everything you know
- When in doubt, consult your supervisor or legal counsel **before** disclosing

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Participant-Centered Care: Our North Star

The Core Question
"Does this decision move the participant toward stability and recovery?"

Setbacks Are Not Failures
Recovery is nonlinear — the team's response to setbacks defines the culture of the court

Individualize
What works for one participant may not work for another — responses must be tailored, not templated

Trauma-Informed Lens
Many participants carry histories of abuse, neglect, and system involvement — meet them where they are



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When the Team Disagrees

Conflict is **normal — and healthy —** on interdisciplinary teams. The question isn't whether disagreement will arise, but how the team handles it

Keep It in Staffing
Disagreements should be raised before court, not aired in open proceedings

Invite Dissent
The judge has final authority — but good team judges welcome different perspectives before deciding

Escalate When Necessary
Serious ethical, legal, or clinical concerns require proper channels — and documentation

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Ethical Tensions Every Team Member Faces

Naming these tensions openly makes the team stronger — not weaker

Prosecutors
Advocacy for victims *vs.* support for participant recovery goals

Defense Attorneys
Legal representation *vs.* therapeutic alliance with the participant

Clinicians
Confidentiality obligations *vs.* team transparency and collaboration

Judges
Judicial neutrality *vs.* meaningful therapeutic engagement with participants

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Building a Healthy Team Culture

- **Celebrate milestones together** — graduations matter, and the team should feel the weight of those wins
- **Check in on each other** — this work carries vicarious trauma; wellbeing is a team responsibility
- **Commit to ongoing training** — best practices in mental health courts continue to evolve
- **Mentor new members** — orientation is not enough; team culture is taught through relationship



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Our Commitments to Each Other — and to Our Participants

Show Up
Prepared, present, and collaborative — every session, every participant

Lead With Curiosity
Before judgment — of participants, each other

Center Humanity
Keep the participant's dignity and personhood at the heart of every decision we make

Hold Each Other Accountable
With honesty — and with compassion



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Thank you For Your Kind Attention

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