



Future Trends in State Courts

1999 - 2000



The Mental Health Court Concept

Madelynn Herman, Knowledge Management Analyst, Knowledge and Information Services,
National Center for State Courts

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Overview

Meeting the needs of persons in the criminal justice system with mental health problems is a challenge for the courts. Once steps are in place to identify such individuals, their needs can be addressed. The drug court movement has done just this with the implementation of specialized drug courts, which sentence individuals to court-supervised drug treatment. The mental health court concept is modeled after the drug court concept.

The first specialized mental health court was implemented in Broward County (Ft. Lauderdale), Florida in 1997 by Judge Ginger Lerner-Wren. This court was specially designed to address the complexity of issues affecting persons with serious and persistent mental illness and /or mental disability that enter the criminal justice system. Mental health courts generally handle misdemeanor cases involving mentally ill defendants. The goals of the mental health court are similar to those of the drug court – to divert mentally ill misdemeanor offenders from jail into treatment. Therapeutic jurisprudence is applied as the court attempts to explore issues of choice, personal responsibility and issues of whether a judicial course of treatment or punishment is relevant for any given criminal case.

Five jurisdictions, Alaska (Anchorage), Florida (Broward County), Washington (King County) and California (San Bernardino County and Santa Barbara County) have implemented specialized mental health courts. Michigan and Ohio have recently introduced legislation to establish mental health courts. There are also juvenile mental health courts in the planning stages in Florida and California (Monterey Park).

For an in-depth look at how a mental health court operates, please see “[**Broward’s Mental Health Court - An Innovative Approach to the Mentally Disabled in the Criminal Justice System**](#),” by Judge Ginger Lerner-Wren. The article describes:

- A Community Ready for Change
- Broward’s Mental Health Court
- Goals of the Court
- The Unique and Innovative Features of the Court

- The Mental Health Court Team

If you would like to explore the mental health court concept further, you can contact The Honorable Ginger Lerner-Wren, Broward County Courthouse, 201 S.E. 6th Street, Rm. 429, Ft. Lauderdale, FL 33301, phone: 945-831-7240; Sharon Wescott at the Santa Barbara, CA Mental Health Court at 805-681-5323; or Jim Cayce at the King County Mental Health Court in Seattle, WA at 206-296- 3594. Also see [Mental Health Court FAQ's](#) from the Broward County Mental Health Court website.

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Mental Health Court On-Line Articles

[Mental Health Court](#), Vol. 1, No. 1, Summer 1997. This is the first issue of the Broward County program's newsletter. Subsequent [issues](#) can be found online.

Mark Curnutte, "[Courts Look at Mental Illness](#)," *The Cincinnati Enquirer*, March 17, 2000.

Randy McNutt, "[Court for Mentally Ill Offenders Advocated](#)," *The Cincinnati Enquirer*, November 10, 1999.

Cris Norred "[New Court Focuses on the Mentally Ill](#)," *South County Journal*, King Co., Washington, February 22, 1999.

"[Mental Health Court Task Force Recommendations Issued](#)," *News Release* by Ron Simms, King County Executive, King Co., Washington, August 28, 1998.

Henry J. Steadman, Ed., "[Jail Diversion for the Mentally Ill – Breaking Through the Barriers](#)," *The National Coalition for the Mentally Ill in the Criminal Justice System*, 1990;.

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Special Needs Court Populations Articles

Jessica Pearson, "Court Services: Meeting the Needs of Twenty-First Century Families," *Family Law Quarterly*, Vol. 33, No. 3, Fall 1999, at 617.

Pamela Casey, "Court Populations in Need of Services: Defining the Court's Role," *Behavioral Sciences and the Law*, Vol. 16, 1998, at 157.

Maureen Castellano, "New Court Standards Guide Treatment of Disabled Juveniles," *American Lawyer Newspapers Group, Inc., New Jersey Law Journal*, August 14, 1995.

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