

Policy Statements & Resolutions

Resolution 11

In Support of the Judicial Criminal Justice/Mental Health Leadership Initiative

WHEREAS, mental illness is a far-reaching problem with enormous impact on the judicial system; and

WHEREAS, judges throughout the country have recognized that the untreated mentally ill cause a never-ending cycle of court interventions, especially in the criminal courts of each state; and

WHEREAS, the Council of State Government's Criminal Justice Mental Health Consensus Project examined the problems facing state and local communities as a result of this trend, identified best practices, and developed recommendations for state and local policymakers; and

WHEREAS, in examining the best practices for improving community responses to offenders with mental illness, the common element was effective leadership; and

WHEREAS, while leadership can come from different facets of the criminal justice and mental health systems, judges are particularly well positioned to lead reform efforts because of their unique ability to convene stakeholders; and

WHEREAS, under the auspices of the Council of State Government's Criminal Justice/Mental Health Consensus Project, the Criminal Justice Mental Health Judicial Leadership Initiative (JLI) has been established to capitalize on the potential for judicial leadership on this issue and for the purpose of serving as an information resource for judges who preside over cases involving criminal defendants with mental illness; and

WHEREAS, the Conference of Chief Justices, the Conference of State Court Administrators, and the National Center for State Courts have been consulted as the JLI has developed; and

WHEREAS, the Conference of Chief Justices has previously endorsed problem-solving courts in Resolution 22 adopted in July 2004 and resolved therein "to encourage each state to develop and implement an individual state plan to expand the use of the problem-solving court principles and methods in their courts"; and

WHEREAS, the Conference of Chief Justices has previously resolved in Resolution 22 "to support the identification and promulgation of national best practices in the use of problem-solving court principles and methods within a traditional court setting";

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices agrees that addressing the issue of mental illness through a problem-solving approach benefits society by reducing recidivism and improving public safety, and therefore supports the application of problem-solving techniques also in cases involving individuals with mental illness; and

BE IT FURTHER RESOLVED that the Conference of Chief Justices encourages each Chief Justice to take a leadership role to address the impact of mental illness on the court system through a collaborative effort involving stakeholders from all three branches of government; and

BE IT FURTHER RESOLVED that the Conference of Chief Justices supports the Judicial Criminal Justice/Mental Health Leadership Initiative, commits to continued participation in the JLI, and directs the National Center for State Courts to continue its work with JLI to provide an information resource for judges who preside over cases involving criminal defendants with mental illness.

Adopted as proposed by the Court Management Committee at the 29th Midyear Meeting on January 18, 2006.