

<b>CHAPTER</b> Service Delivery	<b>CHAPTER</b> 02	<b>SECTION</b> 004	<b>SUBJECT</b> 145
<b>SECTION</b> Clinical and Support Services		<b>DESCRIPTION</b> Problem Solving Court Services	
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**APPLICATION:**

<input checked="" type="checkbox"/> CMH Staff	<input type="checkbox"/> Board Members	<input type="checkbox"/> Provider Network	<input checked="" type="checkbox"/> Employment Services Providers
<input type="checkbox"/> Employment Services Provider Agencies	<input checked="" type="checkbox"/> Independent Contractors	<input checked="" type="checkbox"/> Students	<input checked="" type="checkbox"/> Interns
<input checked="" type="checkbox"/> Volunteers	<input checked="" type="checkbox"/> Persons Served		

**POLICY:**

Lapeer County Community Mental Health (LCCMH), in collaboration with the Lapeer County 71A District Court and 40<sup>th</sup> Circuit Court, provides Problem-Solving Court (PSC) Services to persons with a serious mental illness, co-occurring substance use disorder, substance use disorder, and/or intellectual/developmental disability as an alternative to incarceration.

**STANDARDS:**

- A. PSC is an alternative to jail or psychiatric hospitalization for those charged with a misdemeanor or felony offense.
- B. The focus of PSC is on treatment, personal responsibility, and close monitoring of persons charged with a crime.
- C. Admission to the program is voluntary. Participants must abide by sentencing guidelines.

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D. Lapeer County PSC participants receive mental health or substance use disorder treatment at LCCMH following the recommendations of the treatment team and the specific PSC Manual.

E. Participation in court treatment is not denied solely based on the inability to pay fees, fines, or restitution.

**PROCEDURES:**

A. Referrals

1. Anyone can make a referral to Lapeer County PSC. Each case is reviewed on an individual basis. The defendant must meet legal and clinical objective eligibility criteria.
2. PSC Referral Form (LCCMH Form #348 Mental Health Court Referral Form or Lapeer County Substance Use Disorder Court Referral Form) is required.
3. Completed PSC Referral Forms are sent to the PSC Coordinator at Lapeer County Court.
4. If additional information is needed on the referral, the decision is postponed until all necessary information is received.
5. Defendants can be referred to the PSC Program multiple times, even after the previous denial.

B. Eligibility

1. The person referred must be 18 years of age or older.
2. The person referred must participate voluntarily, provide written/informed consent, and sign the participation agreement.
3. The person referred must meet the LCCMH Access requirements.
  - a. The LCCMH Peer Support, Recovery Coach, or Law Enforcement Liaison may assist with the Access process.
  - b. The person must have a diagnosis of severe and persistent mental illness, co-occurring disorder, substance use disorder, and/or

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intellectual/developmental disability as defined in the Diagnostic and Statistical Manual of Mental Disorders Fifth Edition (DSM-5) MCL333.1100d[2][3].

4. The assigned LCCMH staff completes LCCMH Form #347 Lapeer County Mental Health Court Referral Evaluation, the PSC Evaluation to confirm the qualifying diagnosis and the person's willingness and ability to meet the program requirements. This assessment is scanned into the individual's LCCMH electronic health record.
5. The Prosecuting Attorney reviews the current case and history of legal involvement and must agree to the defendant's admission to the Lapeer County PSC in accordance with the Victim's Rights Act.

#### C. PSC Services

1. PSC treatment team meets before the PSC docket review hearings.
2. Meetings are facilitated by the PSC Judge.
3. PSC Team provides support and ensures participants appear at court hearings and attend CMH appointments to promote engagement in mental health treatment.
4. LCCMH Peer Support Specialist and Peer Recovery Coach help reduce barriers to treatment (i.e. transportation) and link participants to resources as deemed appropriate and medically necessary.
5. LCCMH provides support and training to Law Enforcement agencies regarding mental health and substance use disorder issues and services offered through LCCMH. A list of common mental health and substance use disorder terminology is shared with the members of the PSC Treatment Team (Law Enforcement, Prosecuting Attorney, Defense Attorney, etc.).
6. PSC participants sign a consent permitting the Treatment Team to share confidential information with each other.
7. The PSC Treatment Team follows the State Court Administrative Office's Adult Mental Health Court Standards, Best Practices and Promising Practices and maintains confidentiality.

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#### D. Discharge from Program

1. Graduation: Participants graduate from the program upon completion of the terms outlined in the individual agreement and the treatment team reaches a consensus.
2. Unsuccessful Termination: The participant may be terminated from the Lapeer County PSC program at the recommendation of the Lapeer County PSC Team. If a participant is terminated from the program, they are re-sentenced on their original charge.
3. If the participant no longer volunteers to participate in the program, they are returned to a formal court docket.

#### **DEFINITIONS:**

Law Enforcement Liaison: LCCMH designated staff with the responsibility of bridging the gap between and managing interactions between mental health, substance use, and the criminal justice systems.

Victim's Rights Act: Provides certain rights to victims of crime. Crime victims, as defined by law, shall have the right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process and the right to information about the conviction, sentence, imprisonment, and release of the accused.

#### PSC Team:

1. PSC Judge
2. Prosecuting Attorney Representative
3. Defense Attorney Representative
4. LCCMH Law Enforcement Liaison
5. Mental Health Court Coordinator
6. Mental Health Court Probation Officer
7. LCCMH Peer Support Specialist
8. LCCMH Peer Recovery Coach

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9. Law Enforcement Representative

10. Others as deemed necessary

**REFERENCES:**

Mental Health Court Referral Form 348

Lapeer County Mental Health Court Referral Evaluation Form 347

State Court Administrative Office's Adult Mental Health Court Standards, Best Practices and Promising Practices.

SR/TA: lr/js