



**JUDICIAL COMMISSION ON MENTAL HEALTH
COLLABORATIVE COUNCIL
MEETING SUMMARY
SEPTEMBER 7, 2021
VIRTUAL MEETING**

**Co-Chair, Justice Jane Bland, Supreme Court of Texas
Co-Chair, Judge Barbara Hervey, Texas Court of Criminal Appeals
Liaison, Justice Rebeca Huddle, Supreme Court of Texas**

JCMH Staff:

- Kristi Taylor, Executive Director
- Kama Harris, Staff Attorney
- Molly Davis, Staff Attorney
- Liz Wiggins, Program Manager
- Michael Sipes, Paralegal

WELCOME AND ANNOUNCEMENTS

Justice Bland opened the meeting and welcomed the attendees. Justice Bland announced that Justice Rebeca Huddle has been appointed Deputy Liaison to the JCMH.

Kristi Taylor welcomed the attendees and announced that the recording of the Commission Meeting of August 13th is available at the JCMH website. She also mentioned that the JCMH will soon be publishing legislative update documents, one will include all of the recently passed legislation that contains JCMH proposals, and another that breaks down the passed legislation according to the Sequential Intercept Model (SIM).

NEW MEMBER WELCOME

New members were welcomed to the Collaborative Council:

- Hon. Deborah Wigington, *Presiding Judge County Court at Law No. 3 and Comal County Mental Health Court*
- Dr. Susan Palacios, Ph.D., *Community Health Program Administrator for TJJD*
- Dr. Jonathan Stevens, M.D., *Medical Director, Outpatient Services and Admissions, The Menninger Clinic; Associate Professor of Psychiatry and Behavioral Sciences, Baylor College of Medicine*
- Armando Colombo, *President and CEO of the Menninger Clinic*
- Melissa Shearer, *Director, Travis County Mental Health Public Defender Office*
- Deputy Joe Ross, *Deputy Mental Health Peace Office, Grayson County Sheriff's Office*



SUMMIT REMINDER

The annual Judicial Summit on Mental Health is scheduled to take place on October 14th -15th. There will be a reception for Commissioners and members of the Collaborative Council on Wednesday, October 13th, starting at 7:00pm, to take place at the Sheraton Hotel in Georgetown. There are currently 400 people registered to attend the Summit in person. If anyone who has registered for in-person attendance has concerns, they can change their registration to virtual by contacting the JCMH staff at JCMH@txcourts.gov or can stream the conference in their hotel room and then make in-person connections with smaller groups of participants. Any members of the Collaborative Council who have been unable to register for in-person attendance, but want to attend, should contact the JCMH staff.

ELIMINATE THE WAIT CHECKLISTS

The JCMH and HHSC worked collaboratively to create a toolkit of checklists for the Summit session on competency restoration. The checklists are meant to be used by law enforcement, jail admin and staff, prosecutors, defense attorneys, and mental health providers. Draft checklists will be sent to collaborative council members so that they can provide feedback and input. The Summit session is the kickoff of an initiative that will help reduce the inpatient waitlist for state hospital competency restoration services. The checklists are not prescriptive but are ideas and goalposts for best practices.

TX COURTS MHAP WEBPAGE

The JCMH has been developing a new JCMH website with an interactive map that will be a repository of innovations and strategies for court mental health and IDD diversion and treatment. The new features include:

- an innovation map of Texas counties to allow counties to showcase their diversion programs and practices according to the SIM, as well any available resources and contacts for courts and practitioners. The plan is to allow each county to designate an administrator who will be responsible for entering and updating resource information.
- the ability to request peer connections or mentorship for judges and attorneys
- the ability to request technical assistance, trainings on specific topics, and SIM Mappings for a court or community. All trainings would include either a judge, prosecutor, or another peer in the judicial system.

Although it is still in testing and development, the innovation map should be ready to be exhibited at the Summit.



Webpage Poll Questions and Responses

Question 1: Who do you think will use the webpage the most?

- a. Judges/Courts
- b. Attorneys
- c. LMHAs
- d. Law Enforcement
- e. Sheriffs/Jails
- f. Families/Individuals
- g. All of the above

Result/majority response and discussion: a & b., Judges/Courts and Attorneys

Judges and attorneys are the targeted audience for the website and it is hoped that they will find it to be a valuable resource.

Question 2: How well does the name “TX Courts MHAP” (Texas Courts Mental Health Action Planning) describe the purpose of the webpage? On a scale of 1 (not very well) to 5 (perfectly)

Result/majority response and discussion: 3, moderately well

The name of the website should make it clear that the focus is on the courts and the judiciary. While the JCMH is working with HHSC on this project there will be a discernible difference between this website and the HHSC’s Texas Behavioral Health and Justice Technical Assistance Center.

Question 3: How helpful would it be to have the court name, MH jurisdiction, and contact information for the courts handling mental health in your county on this website? On a scale of 1 (not helpful at all) to 5 (very helpful)

Result/majority response and discussion: 5, very helpful

The website will not give out the contact information of judges, but will include contact information for court clerks, coordinators and other relevant court staff.

Question 4: How helpful do you think judges and attorneys will find it to have court resources and best practices available from all six intercepts? On a scale of 1 (not helpful at all) to 5 (very helpful)



Result/majority response and discussion: 5, very helpful

The website will not list every mental health provider in a county. However, there will be an opportunity for counties to enter court practices and contacts for other intercepts besides just Intercept 2 and Intercept 3. An example would be an AOT court, which doesn't fit neatly into either judicial intercept (2 or 3). This aspect is still under consideration but will be designed to be as efficient and concise as possible.

Question 5: Does this webpage seem like a logical place to store court resources from a SIM mapping as well as all completed SIM maps? On a scale of 1 (not logical, find a different place) to 5 (very logical location), or logical for court resources by not completed SIM maps, or logical for completed SIM maps but not court resources.

Result/majority response and discussion: 5, very logical

Another potential use for this webpage would be as a repository for completed SIM maps and SIM information. This could have the benefit of showcasing successful mappings which would in turn compel other counties to participate in a mapping of their resources.

Question 6: How likely is your county/LMHA to support this project by designating an administrator to work with JCMH to keep this webpage updated? On a scale of 1 (highly unlikely) to 5 (very likely).

Result/majority response and discussion: 4, highly likely

The exact configuration of the administrator role has not been confirmed yet, but it is possible that a county will be able to designate more than one administrator. The JCMH's new Program Manager, Liz Wiggins, will be responsible for working with each county's administrator(s) to help with setting up their information and with technical assistance as needed.



MEMBER ANNOUNCEMENTS

- **Judge Devon Anderson (CEO, Justice Forward):** Judge Anderson stated that she likes the idea of the new website. She also announced that her organization, Justice Forward, is expanding its services into Galveston County. [Justice Forward](#) is a nonprofit that assists specialty courts, including mental health courts and juvenile courts.
- **Scott Ehlers (Special Counsel, Texas Indigent Defense Council):** Mr. Ehlers announced that Texas Indigent Defense Council has been funded with a \$5 million dollar earmark to fund mental health defender offices for the upcoming biennium. Approximately \$2.5 million is accounted for, which leaves the other \$2.5 million remaining. The remaining funds will likely pay for existing public defender offices or managed assigned counsel programs with a mental health component or expand those offices and/or create new offices. The [last round of grants](#) established new public defender offices that will have a mental health component. The Concho Valley Public Defender Office will be a seven county rural regional public defender office and will be located in San Angelo. The Burnet County Public Defender's Office is expanding to Llano and Blanco counties and that will also have a mental health component.
- **Lee Johnson (Deputy Director, Texas Council of Community Centers, Inc.):** Mr. Johnson voiced his support for the new website and the interactive map. He offered to assist Liz Wiggins in creating strategies for getting information from the LMHAs.
- **Colleen Horton (Policy Program Officer, Hogg Mental Health Foundation):** Ms. Horton raised a concern that there might be some confusion caused by the existence of two technical assistance centers and the potential for duplication of efforts and redundancy. **Kristi Taylor** responded that JCMH is working closely with HHSC to prevent duplication of efforts and to maximize the resources dedicated to this. For example, JCMH and HHSC will be joining together to provide SIM Mapping for some communities who wish to focus on the entire SIM.
- **Leah Davies (Project Manager, Strategic Health Alliance, Texas Center for Disability Studies):** Ms. Davies is currently working on early childhood coalition building, with a specific interest in early childhood coalitions that are working on mental health related topics. Ms. Davies also announced that there is a conference taking place on Fetal Alcohol Syndrome Disorders. The conference is organized by Dr. Larry Bird and Dr. Ken Lion Jones and it will take place in April of 2022 in Lubbock.
- **Chris Lopez (Assistant General Counsel, HHSC):** Mr. Lopez expressed his support for the new website and interactive map. Mr. Lopez also announced an educational training



series as part of a jail in-reach learning collaborative. The goal of the in-reach is to offer mitigation efforts for defendants who are waiting for state hospital placement.

- **Louise Joy (Partner, Joy & Young, LLP):** Announced some issues with the hospital system as a result of the recent COVID surge and how that impacts mental health services.
- **Greg Hansch (Executive Director, NAMI Texas):** Mr. Hansch announced that the [annual NAMI state conference](#) will take place this November 12th and 13th, it is a free virtual conference. Alyse Ferguson of the Collin County Managed Mental Health Council (JCMH Commissioner) will be a keynote speaker. NAMI Texas has partnered with the Texas Justice Court Training Center at Texas State University. The project has been completed and the results should be posted to the Texas State University website in the next few months. Mr. Hansch also announced that NAMI Texas, in conjunction with the Treatment Advocacy Center, has developed a Texas Assisted Outpatient Treatment Implementation Manual. That manual should be published soon.
- **Trina Ita (Associate Commissioner, Medical & Social Services Div., Behavioral Health Sciences, HHSC):** HHSC has been the benefactor of resources related to HR 133 and they are still waiting for approval for the [ARPA](#) plan. Some initiatives are currently being developed related to the SB 633/454 regional groupings related to rural initiatives that will be focusing on jail diversion.
- **Michelle Romero (Associate Director, Texas Medical Association):** Ms. Romero stated that the Texas Medical Association has concentrated on access to care for behavioral health and interventions for families and children. Ms. Romero also voiced her concern for the growing mental health crisis in Texas due to the pandemic. Ms. Romero mentioned that the [Texas Child Mental Health Care Consortium](#) was created during the last regular legislative session. She hopes that a portion of the additional \$16 billion in relief funds will go the new Consortium and its work.
- **Sonja Burns (Mental Health Advocate):** Ms. Burns announced that 1/3 of the state hospital population is the 365+ days, which are considered long long-term, and that totals over 800 people. The forensic waitlist is now up to approximately 1,600 people, but there are two step-down pilot programs up and running. Each program has the capacity to serve six people. Ms. Burns also announced that SB 1 Art. 2 created an operational plan for step-down from state hospitals on the campuses of state supported living centers. Ms. Burns also expressed her support for the creation of additional intentional communities for individuals with mental health needs.



- **Jen Mudge (Public Policy Coordinator, Texas Council on Family Violence):** Ms. Mudge announced that she has narrowed her focus on the intersection of domestic violence trauma and mental health and is excited about the work of the Commission and Collaborative Council.
- **Janis Reinken (Former Chief Clerk, House Committee on Corrections):** Ms. Reinken suggested a search tool on the new website, which would help judges and practitioners more easily find the information they need.
- **Julie Wayman (Mental & Behavioral Health Manager, Interagency Liason, Texas Education Agency):** Ms. Wayman announced that the TEA is currently working on a school-level [mental health website](#) that will include several service resources, tools and resource mapping.
- **Steve Wohleb (Senior Vice President/General Counsel, Texas Hospital Association):** Mr. Wohleb stated that due to the recent surge in COVID infections the situation in Texas hospitals is critical, specifically in the ICUs and ERs. He gave an example of one hospital that has 49 patients in the emergency department who are waiting to be admitted to beds for treatment. Hospital transfers are also quite difficult due to lack of capacity. This issue impacts mental health treatment, specifically in regard to emergency detentions. He asks that stakeholders do whatever they can to avoid sending individuals with mental health issues to emergency departments unless it is absolutely necessary.
- **Judge Deborah Wigington (Presiding Judge, Comal County Court at Law No. 3):** Judge Wigington asked for resources or contacts who might be able to help her court with outpatient mental health treatment. She mentioned that she would like to partner with someone who might be able to help her in that endeavor. **Kristi Taylor** informed her that there are civil courts that the JCMH can connect Judge Wigington to. Ms. Taylor recommended Judge Oscar Kazen (Bexar County). **Justice Bland** also recommended that Judge Wigington reach out to Judge Dave Jahn (Denton County) regarding civil outpatient commitments and mental health treatment.
- **Jennie Simpson, Ph.D. (Forensic Director, HHSC):** Dr. Simpson announced that JCMH Commissioner, Kevin Garrett, has been offered and has accepted the position of Senior Policy Advisor with HHSC.

CLOSING

Justice Bland thanked the Collaborative Council for their valuable input and hard work. Justice Bland also thanked the JCMH staff for their work in preparing for the meeting. The Commission leadership and JCMH staff looks forward to seeing everyone at the reception and Summit in October.