

The Kids Are Not Alright: Dealing with Juvenile Mental Health Issues

Judge Cynthia Porter-Gore
Municipal Judge, City of Allen

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About Me

- Municipal Judge from Allen, Texas
- Juvenile Law Practitioner for 22 years
 - Former Prosecutor and Defense Attorney
 - Board Certified in Juvenile & Criminal Law
 - Chair of SBOT Juvenile Law Section
 - Juvenile Exam Commission Member, Texas Board of Legal Specialization
- Wife of a First Responder 25+ years
- Mother of two young adults

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Agenda

- Building Your Toolkit
 - People First Language
 - Recognizing Mental Health Issues in the Courtroom
 - Specialized Dockets & Programs
 - Conditions & Orders Tailored for Individuals
- More Information & Resources

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Building Your Toolkit

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People First Language

Can anyone describe how to use it?

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What is People First Language?

It is an objective way of acknowledging, communicating and reporting on mental illness or disabilities. It eliminates generalizations, assumptions, and stereotypes by focusing on **the person** rather than the mental illness or disability.

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Keys to Using People First Language

Don't equate the person with the disability – these labels are simply a medical diagnosis.

Emphasize abilities not limitations.

Avoid negative words that imply tragedy (ex: afflicted with, suffers, etc.)

Recognize that mental illness is not a challenge to overcome.

Promote understanding, respect, dignity, and positive outlooks.

Call people by their name.

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Language Recommendations

Instead of the *mentally ill*, say **someone who is currently experiencing...** or **someone who is being treated for...**

Instead of *clean or dirty* when discussing drug testing, say **positive or negative**

Instead of saying a person is *resistant to treatment*, say they are **choosing not to...**

Avoid stigmatizing words like *psycho or crazy*

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Recognizing Mental Health Issues in the Courtroom

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Tell Me About Your Experience

- What signs do you see when someone with mental illness is in your courtroom?
- How much time do you spend chatting with the juvenile and their parent?

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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appearance	Demeanor	Speech	Unusual Acts or Outbursts

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Specialized Dockets & Programs

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Let's look at the specialized dockets in my court to show you how it can work...

1. How to identify those who could benefit from the specialized docket?
2. Why do we call it a specialized docket?
3. Court Process
4. Costs

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First a Little Bit About My Mental Health Dockets

- Juvenile Specialty Docket begins January 2018
- Kids successfully completed program.
 - Brandi C.
- Kids unsuccessfully discharged from program.
 - Derick P.
- Kids who declined program at time of plea.
- Program stats to date

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Identifying Defendants Who Could Benefit

- Staff contacts – phone calls to the parents
- Juvenile Case Manager (*if you have one*) – interviews with parents and juvenile
- Prosecutor – during negotiations with juvenile & parents
- Courtroom Observations – remember what we talked about earlier? Use the conversation you have to make sure the juvenile is competent and understands the proceedings to dig a little deeper.

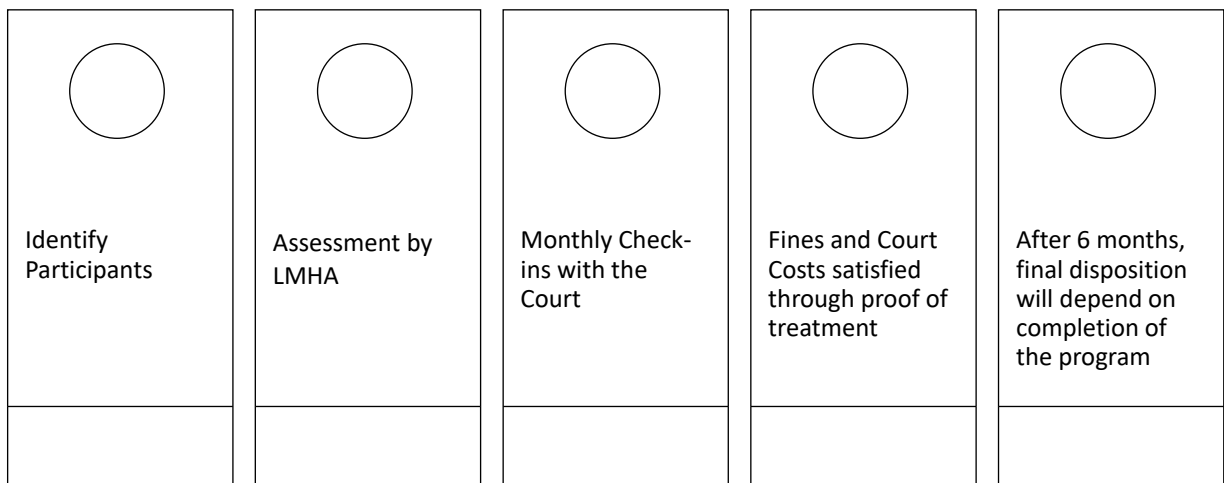
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Specialty Docket Process



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Let's Dive
Deeper into
the Process!

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How My Docket Functions

- 6-month deferrals
- Juvenile appears once a month to check-in (allow remote)
- Require an assessment by a LMHA or other medical professional
- Fines and costs satisfied through proof of treatment (\$12.50/hr)
- LMHA or other mental health professional attends dockets
- Tailor the supervision to the needs of the defendant (more on this later)

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Remember...These Defendants Need a Different Approach to Be Successful

- We offer lots of “hand-holding” reminders – email, phone, etc.
- Be a cheerleader!
- Rewards are helpful in the first few months to help them continue the process.
- Have all defendants present, so they can see both rewards and sanctions.
- Spend enough time with each defendant (10-15 minutes) – often you showing interest and that you care can go a long way

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This Sounds Expensive!!

- Let’s explore how you can accomplish your goals with the resources you already have.
- We are all under budget constraints!

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How Much Does it Cost?

- Largest cost is the **judge's time** – you will need to spend 1-2 hours per month on the docket.
- **Staff Participation** – time to handle correspondence between the court and defendant. In our office, they also make bi-weekly phone calls/emails to the defendant for the first 2 months of the program
- **LMHA/Local Provider** – free!

More on the next few slides!

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Attorney Costs

- **Prosecutor** – 1-2 hours of their time.
 - Full-time – this is included in their salary
 - Part-time – the county would have to pay them additionally for this.
 - If you don't have their support, they don't have to participate – could send the case to the program after a pretrial plea docket.
- **Defense Attorney** – usually around \$100/hour for this type of thing.
 - Might find someone to do it pro bono (for free!)
 - Not required unless you want to be a certified specialty court, but definitely helpful.

Remember, registered specialty courts can apply for state and federal grants to pay for these salaries

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Cost of Materials

- **Drug Testing** – can be ordered for the defendant to pay.
 - Rapid tests are only \$4 - \$6.
- **Incentives/Rewards** – Think simple – candy bar, chips, small gift card, etc. \$5 - \$10
- **Graduation Gifts** – Again, think simple! Under \$10
 - We order \$8 keychains
 - Even a printed certificate is nice!

Local businesses might also want to donate to the program to pay for these items.

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Ask the Audience!

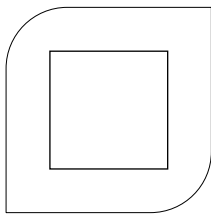
- Budgets are tight! Can any of you think of lower-cost or no-cost ways you could get materials and support for the program?

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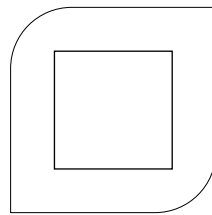
Conditions & Orders Tailored to Individuals

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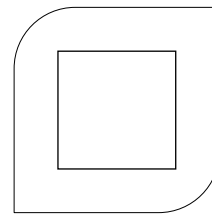
Tips for Success



Don't put up
roadblocks.



Keep things
consistent.



Understand that
relapse is part of
recovery.

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Conditions That Should be Consistent

- Defendant should appear monthly – have a set date and time
- Require proof of prior *recent* assessment or order defendant to submit to assessment and follow recommendations
- If in treatment, require the defendant to follow and complete all recommendations of the treatment provider
- Medication management by the child's doctor (*if applicable*)

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Did You
Know?

The child's school may have available resources.

Check if the child is under a 504 plan or ARD (Admission, Review, and Dismissal).

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More Information & Resources

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TJCTC Resources

- Upcoming webinars on **Trauma Informed Courts** and **Mindfulness**
 - *TBA*
- Recordings for credit, flowcharts, etc.
 - <https://www.tjctc.org/Mental-Health.html>

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Sequential Intercept Mapping (SIM)

- A SIM workshop can help stakeholders in your community identify resources and gaps in services for people with mental illness or intellectual development at each stage of the criminal justice system.
- These workshops are offered through various agencies in Texas and nationwide.
- If you think this sounds like something you would be interested in, please email TJCTC Staff Attorney Amber Myers at A_M1814@txstate.edu

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Find Your Local Mental Health Authority (LMHA)

- Use this tool provided by Texas Health and Human Services to find the LMHA that serves your area.
- <https://bit.ly/3geh9qB>

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Mental Health TX

- A website where Texans can find providers, learn basics about common mental health issues, etc.
- <https://mentalhealthtx.org/>
- *Sponsored by the Texas Statewide Behavioral Health Coordinating Council and Texas Health & Human Services Commission (HHSC).*

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Do You Want More Information About the Formal Process to Become a Specialty Court?

Check out OCA's website.

<https://www.txcourts.gov/about-texas-courts/specialty-courts/>

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Other Texas Resources

- **Judicial Commission on Mental Health (JCMH)** – benchbooks, training and technical assistance, etc.
 - <http://texasicmh.gov/>
- **Texas Association of Counties (TAC)** – training, legislative, grants, etc.
 - www.county.org/
- **Office of Court Administration (OCA)** – research, data and tools, training, etc.
 - <https://www.txcourts.gov/publications-training/training-materials/mental-health/>

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National Resources

- **Substance Abuse and Mental Health Services Administration (SAMHSA)** – grants, training and technical assistance, etc.
 - <https://www.samhsa.gov/criminal-juvenile-justice>
- **Council of State Governments Justice Center** – research, data and tools, videos, training, etc.
 - <https://csgjusticecenter.org/>
- **National Center for State Courts (NCSC)** – research, data and tools, videos, training, etc.
 - <https://www.ncsc.org/>
 - https://www.ncsc.org/data/assets/pdf_file/0028/79309/TF-Publications-and-Resources.pdf

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More National Resources

- **National Alliance on Mental Illness (NAMI)** – education, training, support, etc.
 - <https://www.nami.org/Home>
- **Meadows Mental Health Policy Institute** – research, data and tools, training, etc.
 - <https://mmhpi.org/topics/category/educational-resources/>

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Thank You

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