

Didactic Fragments

Mental Health Court Orientation Program

Program Referral

The mental health court involves a variety of theoretical, conceptual, philosophical, and legalistic components that provide the program with needed context and meaning. However, as these programmatic elements may seem complex and unfamiliar, it is important that each participant receive a general conceptual orientation so that upon entry to the program a proper perspective can be formed that will function longitudinally as a structure for personal fulfillment.

Referral candidates should be required to complete an application for program acceptance and would be deferred from the mental health court docket until they have been evaluated as to clinical, legal, and other criteria and accepted as eligible for the program, at which point they would begin a formal program orientation. Otherwise, premature placement on the court docket unnecessarily occupies the court's time, as well as the defendant's, in anticipation of acceptance, only to undergo public rejection if they are determined to be ineligible. Furthermore, family members are typically in attendance in the status hearing, who, along with the defendant, often take issue with the determination, claim to have other evidence, at times become over-emotional, request second opinions, plead to be reconsidered, etc., all to the burden of the court. Additionally, they are often needlessly privy to the sensitive mental health information of other participants of which they have no real need to know.

All referrals would be processed through the mental health court team, reviewed as to the reasons for referral, as well as criminal history, current offense, and criminogenic risk and then scheduled for additional eligibility assessment if necessary, before any formal appearance in mental health court. Prior to program acceptance and the initial observation/orientation period, the referral candidate would receive only a cursory program overview and basic introductory materials (i.e., program application, disclosure forms, and program overview sheet) as part of the referral process. For those candidates who are determined as ineligible for the program, the referring party would be appropriately notified of the denial and the reasons thereof. The referring party would be responsible for notification of the defendant.

Those defendants accepted as eligible for the program, would then be placed on the mental health court docket and begin an observation and orientation period (three consecutive court sessions), for the purpose of informed consent. At this juncture the eligible candidate would receive an orientation packet which would include a participant guidebook and supplemental orientation materials. Following the observation and orientation period, the referral candidate, upon voluntary consent, would be formally enrolled in the program, enter phase I, and begin actual program participation.

Program Observation/Orientation Period

Each successive week of observation would be combined with a particular aspect of program orientation, so that by the conclusion of the observation/orientation period, the participant is fully versed in the foundational theory, perspective, and operation of the mental health court program.

The observation/orientation period, in addition to an actual witness of the court proceedings, would include a brief (15-20 minute) aspect presentation/discussion either following or preceding the court session. For those eligible candidates who are currently incarcerated, the aspect orientation would occur each week in the correctional facility prior to the candidates' appearance in court. In this way candidates will have adequate time in which to review the written program orientation materials they receive, ask questions about the program and orientation materials, as well as discuss at length the programmatic aspects so as to understand their role and the expectations of participation.

How the candidate perceives the purpose of the program, how they think about their relationship to the court, probation, treatment providers and other program stakeholders, how they view their course through the program and the possibilities beyond, are critical cognitive platforms that may decidedly contribute to the candidate's success, or at least provide an appropriate map of the territory that will lead to their success.

The three session orientation schedule would include the following program aspects:

Session 1: Orientation to the process aspects of the program

- Process of organizational socialization

Orientation to the stages of program socialization that are experienced as the participant transitions through the program phases.

- Process of personal change

Orientation to the stages of self-defeating behavior change matched to the phase structure of the mental health court program.

- Process of heroic adventure

Orientation to the stages of adventure as represented in each phase of the program and the challenges and tasks to be encountered on the path of the heroic quest.

Session 2: Orientation to the practical aspects of the program

- Productive activity

Orientation to expectations for individualized productive activity including volunteer work, sheltered employment, supported employment, gainful employment, etc.

- Educational activity

Orientation to expectations for individualized educational activity including

literacy education, remedial education, parenting classes, GED programs, technical education, college education, etc.

- Therapeutic activity

Orientation to expectations for individualized therapeutic activity including the scope of mental health and substance abuse services (e.g., psychotherapy, behavior management, skills development, medication management, etc.) as well as orientation to the notion of mental health recovery, treatment planning, the treatment team, etc.

Session 3: Orientation to the progressive aspects of the program (i.e., program advancement)

- Duration requirements

Orientation to the time frames of the mental health court program, including total program duration, time requirements in each program phase necessary for advancement, time loss relative to judicial sanction, and overall pace and persistence as to program completion.

- Clinical requirements

Orientation to expectations regarding the participant's level of engagement and the quality of participation in mental health treatment and substance abuse treatment if applicable, (e.g., Level of participation, rate of participation, attitude of participation and completion of prescribed clinical curriculums).

- Adjunct requirements

Orientation to program requirements such as residence and travel requirements, drug testing, court decorum and procedure, probation, as well as those requirements assigned by the judge, including service and productivity assignments, special instructions, prohibitions, sanctions, etc., necessary for consideration for program advancement.

MENTAL HEALTH COURT PROGRAM ORIENTATION

Sequential Orientation to the Mental Health Court Stage Paradigm

