

ILLINOIS STANDARDS, PROJECTS, AND RECERTIFICATION: 2021 Update

**ILLINOIS ASSOCIATION OF PROBLEM-SOLVING
COURTS CONFERENCE**

October 13, 2021



Justice Kathryn
Zenoff
Nick Lurz

**JUSTICE KATHRYN E. ZENOFF –
APPELLATE COURT, SECOND DISTRICT**



**WELCOME AND
INTRODUCTIONS**

PRESENTATION OVERVIEW

JUSTICE ZENOFF

- Special Supreme Court Advisory Committee on Justice and Mental Health Planning – Role in Certification / Recertification Process and Legislation Review
- Current National Initiatives and Dialogue
- Illinois Mental Health Task Force – How It May Help / Touch You and Your Court

PRESENTATION OVERVIEW, CONT.

NICK LURZ

- Certification / Recertification Update
– the numbers, barriers, and challenges
- BJA Grant to AOIC for Problem Solving Courts
- Trending Topics for Problem Solving Courts

THE COMMITTEE



- **Created April 2010**
- **22 judges named as members**
- **Original charges: strategic planning, education and training of PSC judges, effective use of resources**
- **Expanded charge in March 2013 – develop PSC Standards and Certification Process**
- **Civil Commitment**

STANDARDS



- **Working Group Studies: Standards from 11 states and NADCP Best Practice Standards (June-December 2013)**
- **Writing the Illinois PSC Standards – 30 drafts (January 2014 – August 2015)**
- **Review by Chief Judges – August 2015**
- **Adopted by Supreme Court – Nov. 2015**
- **Standards Revised and Adopted by Supreme Court – Nov. 2019**

STANDARDS



Role of JMHP Committee in Certification and Recertification Process

- **Panel Reviews**
- **Panel Collaboration**
- **Scoring Guide**
- **Recommendation to AOIC**

LEGISLATION



HB 3850 / SB 2565

- <https://www.ilga.gov/legislation/BillStatus.asp?GA=102&DocTypeID=HB&DocNum=3850&GAID=16&SessionID=110&LegID=132931>
- **Amends select provisions of all 3 Acts: (Drug Court Treatment Act; Veterans and Servicemembers Court Treatment Act; Mental Health Court Treatment Act)**
- **Incorporates / Aligns with wording of Supreme Court PSC Standards**
- **References to Peer Recovery Coaches and Certified Recovery Specialists**
- **Expands Exclusionary Offenses**
- **Adds Trauma Services**

NATIONAL ACTION



Judicial Task Force to Examine State Courts' Response to Mental Illness

- CCJ/COSCA creates Task Force in March 2020
- Interdisciplinary membership – national experts and researchers
- 3 Working Groups: Criminal, Civil and Education
- Invaluable Resources at

<https://www.ncsc.org/behavioralhealth>

NATIONAL ACTION



Council of State Governments Justice Center / JPLI / APAF

- Competency Report: “Just and Well: Rethinking How States Approach Competency to Stand Trial”
- <https://csgjusticecenter.org/publications/just-and-well-rethinking-how-states-approach-competency-to-stand-trial/>



**Council of
State
Governments
REPORT ON
COMPETENCY**

“Just and Well: Rethinking How States Approach Competency to Stand Trial”

- Looks at Competency to Stand Trial and how the current process adversely affects persons with mental illness.
- 72 % increase overall in the number of persons restored in state hospitals from 1999-2014 and half were persons accused of committing misdemeanors
- Long waiting times, skyrocketing costs
- Restoration is not the equivalent of MH treatment
- Recommends 10 strategies
 - Opportunities for diversion to treatment at every point
 - Improve efficiency at each step of the CST process
 - The report shines a light on the complexity of handling the case of persons with mental illness in our court system.

ILLINOIS MENTAL HEALTH TASK FORCE



- **Chief Justice Anne Burke and AO Director, Marcia Meis – lead delegation to Deadwood, SD in October 2019**
- **Summit Series upon Return: “Improving Court and Community Response to Persons with Mental Illness with Compassion and Hope.”**



Learning Session 1

September 29,
2020

- **The 21st Century Crisis System:
Strategies for Mental Health and Law
Enforcement Collaboration to Prevent
Justice Involvement**
- Speaker: Dr. Margie Balfour, Chief of Quality and Clinical Innovation, Connections Health Solutions: Associate Professor of Psychiatry, University of Arizona
- The ideal crisis system including services, collaborations, data driven decisions
- Local Panel: CIT Training, Mobile Crisis Teams – Co Responder Model, Community Policing and Crisis Centers



Learning Session 2

October 6, 2020

- **Mental Health Diversions from the Justice System through Leadership, Collaboration, Building Momentum, and Moving Forward with Lessons Learned from the Pandemic**
- Speaker: Judge Steven Leifman, Associate Administrative Judge, Eleventh Judicial Circuit of Florida (Miami Dade County)
- The legal and medical history that led to America's mental health crisis and the essential elements necessary to create an effective system of care that will transform the mental health and criminal justice systems and make jail the last option for people with serious mental illness, not the first.
- Local Panel: Treatment provider(WCTWC) Medicaid, Problem Solving Court, Prison, Legislature



Learning Session 3

October 13, 2020

- **Learning from the Voices of Lived Experience: Informing Change**
- Speaker: Dr. Debra Pinals, Medical Director, Behavioral Health and Forensic Programs, Michigan Department of Health and Human Services; Director of the Program in Psychiatry, Law and Ethics and Clinical Professor of Psychiatry, University of Michigan
- **Systems, Struggles, and Strategies: Opportunities at the Justice and Behavioral Health Interface**
- Local Panel: Persons with lived experience with mental illness and the criminal justice system share their stories including challenges with the systems and suggestions for improvement.
Moderator: Alexa James, Executive Director, NAMI Chicago



Learning Session 4

October 20, 2020

- **How Mental Illness and Trauma Affect Quality of Life**
- Speaker: Patrick Kennedy, Former United States Representative, Founder of the Kennedy Forum, One Mind Campaign Co-Founder
- How federal legislative and policy initiatives continue to evolve in ways that impact the delivery of mental health treatment in an equitable way.
- Speaker: Dr. Sarah Vinson, Georgia Psychiatrist, Board Certified in Child and Adolescent, Adult and Forensic Psychiatry.
- Dr. Vinson addressed structural trauma, interpersonal trauma based on environment, social justice and mental health



Learning Session 5

October 27, 2020

- **Illinois' Path to Improving Court and Community Response to Persons with Mental Illness: Bringing the Community Together in One Voice and Common Mission**
- Marcia Meis, Director, Administrative Office of the Illinois Courts provides overview and instructions for Breakout Sessions
- 9 Breakout sessions
- Report back
- Call to Action – Chief Justice Anne M. Burke



Special Screening of Newly Released Documentary

December 1, 2020

- **Documentary “The Definition of Insanity”**
- The Miami-Dade Criminal Mental Health Project comes to life in this documentary, following a team of dedicated public servants working through the courts to support people with mental illness – as their court cases hang in the balance – on a path from incarceration to recovery
- Panel Discussion: Family members of persons with mental illness share their stories and struggles with the justice system including issues with civil commitment and competency to stand trial.
 - Panel led by Judith Harris Ornstein, President and Norman Ornstein, Ph.D., Vice President of the Matthew Harris Ornstein Memorial Foundation

Quick Facts

ATTENDEES – 1,819

SESSION 1 – 550 ATTENDEES

SESSION 2 – 440 ATTENDEES

SESSION 3 – 326 ATTENDEES

SESSION 4 – 346 ATTENDEES

SESSION 5 – 157 ATTENDEES (BREAK OUT – LIMITED #S)

745 ATTENDEES ATTENDED 2.3 SESSIONS

11 STATES


141 CITIES AND TOWNS

76 ILLINOIS COUNTIES

72 CHALLENGES WERE IDENTIFIED IN THE 9 BREAKOUT GROUPS.

WHAT WAS THE LARGEST IDENTIFIED AREA?

Challenges

- 
- 1. CONTINUUM OF CARE**
 - 2. ACCESS TO CARE**
 - 3. COLLABORATION**
 - 4. CRISIS RESPONSE**
 - 5. AWARENESS AND EDUCATION**
 - 6. CRIMINALIZATION OF MENTAL ILLNESS**
 - 8. HOUSING**
 - 9. STIGMA**
 - 10. EARLY INTERVENTION**
 - 11. SOCIAL DETERMINANTS**
 - 12. INVOLUNTARY COMMITMENT**

ILLINOIS MENTAL HEALTH TASK FORCE



- **NCSC Report Ready**
- **Grants**
- **Strategic Planning and Implementation Launch**
 - **Facilitated by new statewide Behavioral Health Administrator, Scott Block**



Goals of the Mental Health Task Force

- 1. To form strong partnerships that drive cross-system collaboration to develop data-informed strategies and solutions at the intersections of mental health, substance use, the courts, and our communities.
- 2. To regularly and widely share information among partners which promotes the creation of innovative and evidence-based solutions and strategies to address the mental health and substance use struggles we are facing in our communities and our state.
- 3. To assess, identify, and efficiently utilize available resources, including funding, for the strategies and solutions necessary for meaningful change in our response to persons with mental illness and co-occurring disorders.

ILLINOIS MENTAL HEALTH TASK FORCE



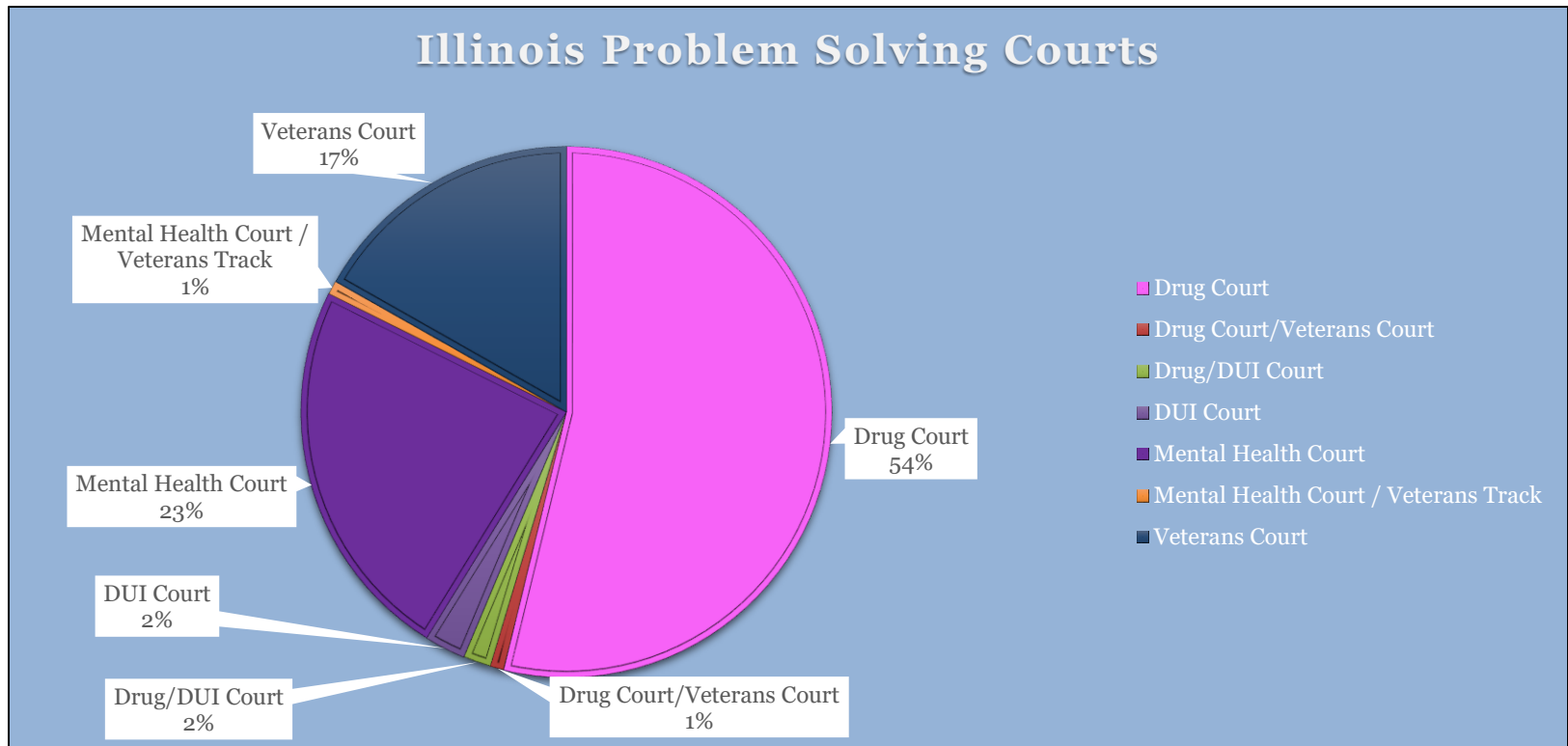
We Need You!

NICK LURZ – PROBLEM SOLVING COURTS MANAGER



(Re)certification
BJA Grant
Trending Topics

(Re)Certification Updates



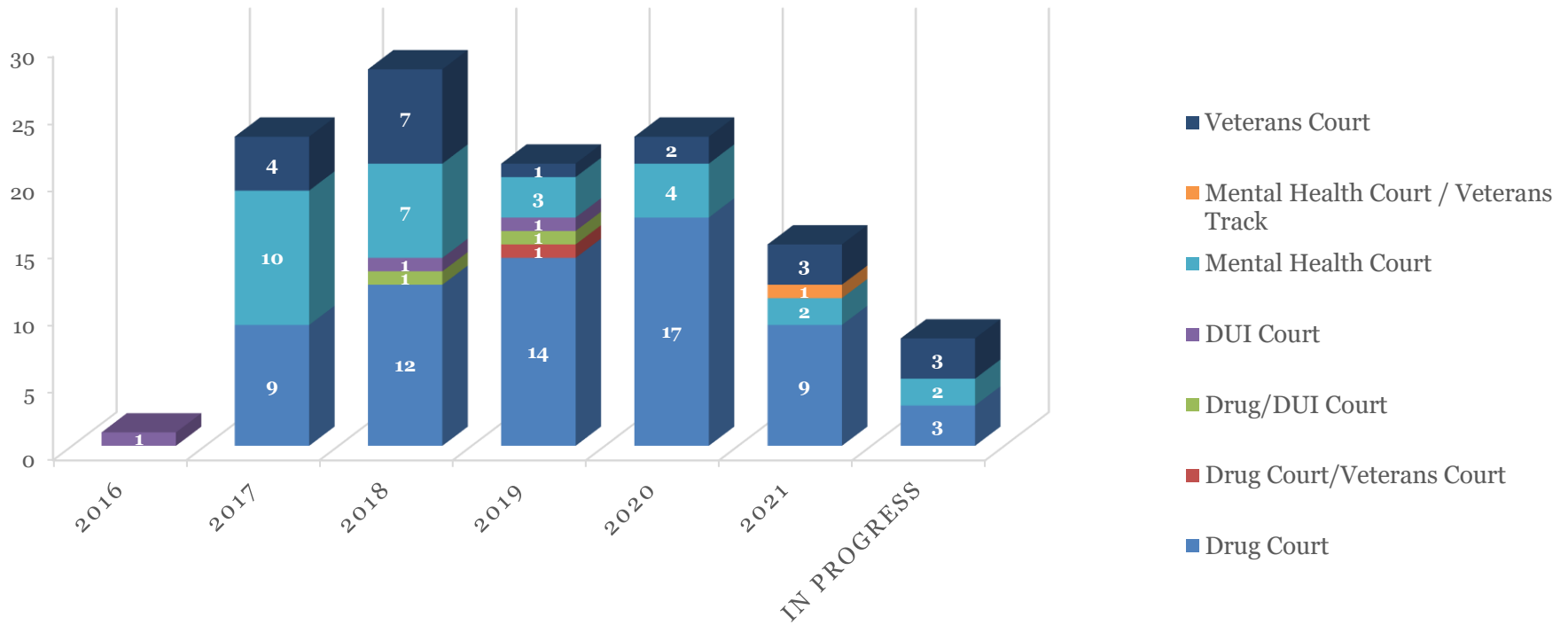
Drug Courts: 64
Mental Health Courts: 28
Veteran Treatment Courts: 20

DUI Courts: 3
Hybrid Courts: 4

Certification Updates



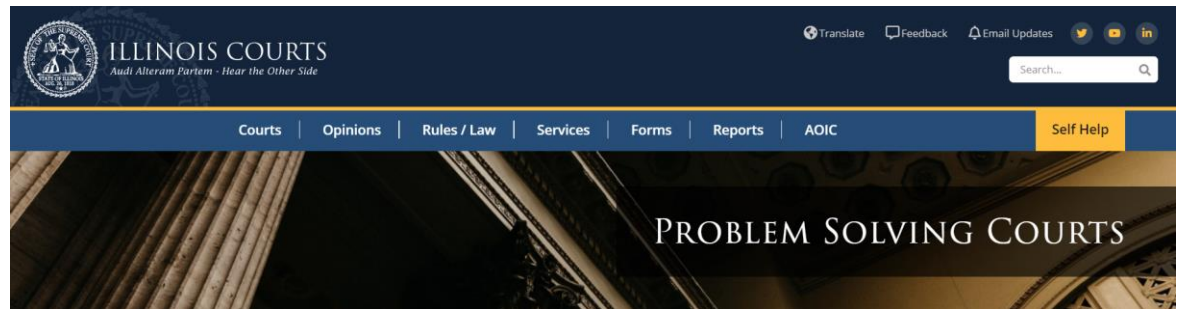
PSC CERTIFICATION BY YEAR



Illinois PSC Standards

AOIC website -
information on PSCs

<https://www.illinoiscourts.gov/courts/additional-resources/problem-solving-courts/>



In December 2015, the Illinois Supreme Court announced the creation of uniform standards and a certification and application process for problem-solving courts across the state. The standards and certification and application process were developed by the Administrative Office of the Illinois Courts (AOIC) and the Special Supreme Court Advisory Committee for Justice and Mental Health Planning and approved by the Supreme Court during its November 2015 term.

Also known as specialty or therapeutic courts, problem-solving courts provide an alternative forum for certain individuals in the criminal justice system, such as veterans and those with mental illness or substance abuse disorders, among others.

[Problem-Solving Courts Standards - November 2019](#)

[Problem-Solving Courts Standards - November 2019 \(Draft\)](#)

[Problem-Solving Courts Certification Process and Application](#)

Forms

[Problem-Solving Courts Application](#)

[Application for Re-Certification](#)

[Notice of Substantive Change](#)

Consent Forms

[Consent to Participate Drug Court Program](#)

[Consent to Participate Mental Health Court Program](#)

[Consent to Participate Veterans Court Program](#)

[Consent to Release Confidential Information](#)

Illinois PSC Standards

Probation Services
Division | PSC Website

<https://www.probation.illinoiscourts.gov/psc>



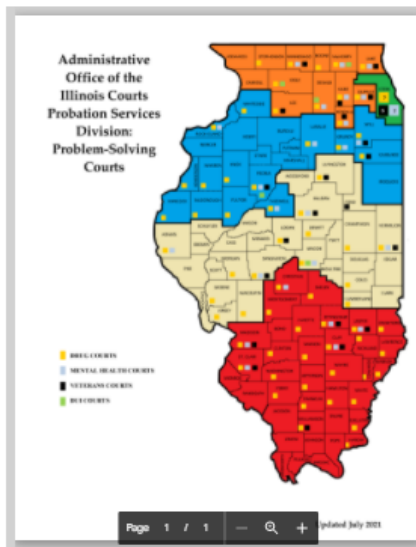
Problem-Solving Courts

In December 2015, the Illinois Supreme Court announced the creation of uniform standards and a certification and application process for problem-solving courts across the state. The standards and certification and application process were developed by the Administrative Office of the Illinois Courts (AOIC) and the Special Supreme Court Advisory Committee for Justice and Mental Health Planning and approved by the Supreme Court during its November 2015 term.

Also known as specialty or therapeutic courts, problem-solving courts provide an alternative forum for certain individuals in the criminal justice system, such as veterans and those with mental illness or substance abuse disorders, among others.

When submitting word documents: Use .docx extension, NOT .doc extension. Following security best practices, the .doc extension is blocked by our E-Mail system.

Do not put a password on any documents you submit.



Certified Illinois Problem-Solving Courts

Consent Forms

- [Consent to Participate Drug Court Program](#)
- [Consent to Participate Mental Health Court Program](#)
- [Consent to Participate Veterans Court Program](#)

New Courts, Changes, & Re-Certification Forms

- [Certification Process \(with Application\)](#)
- [Application for Re-Certification](#)
- [Notice of Substantive Change](#)

Site Visit-Certification

- [Observation Table](#)
- [Site Visit](#)
- [Training and Experience](#)

Site Visit-Recertification

- [Observation Table](#)
- [Site Visit](#)
- [Training and Experience](#)

PSC Training Checklists

** All checklists are resource guides, not mandatory.

BJA Grant



- **2019: Administrative Office of the Illinois Courts awarded statewide PSC Grant**
- **Three Year Project**
- **Extended One Year Due to COVID and will end in September 2023**

BJA Grant



NCSC and the AOIC partnership

- **Develop PSC Curriculum**
- **Develop Training Materials**
- **Train Trainers**
- **Develop Self-Assessment Tool**
- **Provide Training and Technical Assistance to Trainers**
- **Assist with Development of Data Recommendations and Infrastructure**

BJA Grant



Curriculum Committee was developed

Team members represent:

- **Statewide PSC courts**
- **All PSC Disciplines**
- **All Types of PSC**
- **Geographic Types (rural/urban)**

BJA Grant



- **Evaluated Training and Considered Gaps**
- **Developed Checklist for Training with Links to Resources**
- **Working with State and National Partners to develop training courses**

BJA Grant



PSC Training Checklists

** All checklists are resource guides, not mandatory.

- Coordinators
- Defense Attorneys
- Judges
- Law Enforcement
- PO Caseworker
- Prosecutor
- Treatment Provider

Illinois Problem-Solving Court Training and Education Plan Checklist for Team Members

Judges

Completed	Judge Training Requirements	Applicable Court				
		DC	MHC	YTC	JDC	DUI
<input type="checkbox"/>	Receive and read the program participant handbook	X	X	X	X	X
	View the following Treatment Courts Online modules located in Adult Drug Court: Lessons (you will need to login or create an account)					
<input type="checkbox"/>	Role of the Judge (1 hr, 25 min)	X	X	X	X	X
<input type="checkbox"/>	Role of the Judge-Interview (28 min)	X	X	X	X	X
<input type="checkbox"/>	Complete the Council of State Courts Mental Health Court Curriculum modules: Introduction to Behavioral Health (16 min), Introduction to Criminal Justice (19 min), and Module 3: The Mental Health Court Team (25 min)		X	X		
<input type="checkbox"/>	Attend staffing and court (3 hrs)	X	X	X	X	X
<input type="checkbox"/>	Review SAMHSA's Working Definition of Recovery by the Substance Abuse and Mental Health Services Administration (10 min)	X	X	X	X	X
<input type="checkbox"/>	Meet with program coordinator to understand how you fit into the problem-solving court team and review role expectations and responsibilities as a member of the team, discuss program history, including challenges, barriers, and recent successes	X	X	X	X	X
<input type="checkbox"/>	Schedule a welcome phone call with the statewide problem-solving court coordinator to learn about available resources to support your program	X	X	X	X	X
<input type="checkbox"/>	Meet with the Chief Judge to discuss the role within a problem-solving court including how to balance problem-solving court caseload with traditional caseload and review proposed training and orientation plan to align with expectations	X	X	X	X	X
Complete Within 6 Months of Joining PSC						
<input type="checkbox"/>	Meet with all other team members including the prosecutor, defense attorney, treatment, and probation	X	X	X	X	X
<input type="checkbox"/>	National Center for State Courts' Essential Elements of Adult Drug Courts (13 hrs – registration and login required)	X				X
	Complete the remaining Council of State Courts Mental Health Court Curriculum modules					
<input type="checkbox"/>	Module 1: Understanding Mental Health Courts (27 min)		X			

PSC DATA



Qualtrics

- **What is Qualtrics**
- **Why is this important for the counties**
- **What reports come out of this**
- **New Implementation and Integration Deadline - 7/1/2022**

TRENDS AND IMPORTANT TOPICS



- **Peer Support**
- **Recovery Capital**
- **Pandemic Responses**

AOIC



AOIC PSC Unit and Field Operations Unit are here to help!

- **Technical Assistance**
 - **Team Building**
 - **Education**
- **Emerging Courts**

THANK YOU!

Hon. Kathryn Zenoff

Justice, Second Appellate District

JMHP Committee Chair

KZENOFF@ILLINOISCOURTS.GOV

Nick Lurz

Problem Solving Courts Manager

NLURZ@ILLINOISCOURTS.GOV