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4

A Bill

HOUSE BILL 1663

5 By: Representative Boyd
6 By: Senator Rice
7

For An Act To Be Entitled

9 AN ACT TO BE KNOWN AS THE MENTAL HEALTH SPECIALTY
10 COURT ACT OF 2017; CONCERNING MENTAL HEALTH SPECIALTY
11 COURTS; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO BE KNOWN AS THE MENTAL HEALTH
16 SPECIALTY COURT ACT OF 2017; AND
17 CONCERNING MENTAL HEALTH SPECIALTY
18 COURTS.
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code Title 16 is amended to add an additional
24 chapter to read as follows:

CHAPTER 100

MENTAL HEALTH AND THE CRIMINAL JUSTICE SYSTEM

Subchapter 1 – General Provisions

16-100-101. Definitions.

As used in this chapter:

32 (1) "Evidence-based practices" means supervision, policies,
33 procedures, and practices proven through research to reduce recidivism;

34 (2) "Mental illness" means a condition of a person who has or
35 has had in the past twelve (12) months a diagnosable mental, behavioral, or
36 emotional disorder of sufficient duration to meet diagnostic criteria



1 specified by the Diagnostic and Statistical Manual of Mental Disorders as it
2 existed on January 1, 2017, that has resulted in functional impairment that
3 substantially interferes with or limits one (1) or more major life
4 activities; and

5 (3) "Validated risk-needs assessment" means a determination of a
6 person's risk of reoffending and the needs that, when addressed, reduce the
7 risk of reoffending through the use of an actuarial assessment tool that
8 assesses the dynamic and static factors that drive criminal behavior.

9
10 Subchapter 2 – Mental Health Specialty Courts

11
12 16-100-201. Authorization – Evaluation – Restriction on services and
13 treatment.

14 (a) A judicial district may establish a mental health specialty court
15 program, which shall consist of at least one (1) mental health specialty
16 court, subject to approval by the Supreme Court in the administrative plan
17 submitted under Supreme Court Administrative Order No. 14.

18 (b) A mental health specialty court program authorized under this
19 subchapter is also subject to evaluation by the Specialty Court Program
20 Advisory Committee under § 16-10-139.

21 (c)(1) A mental health specialty court may not order any services or
22 mental health treatment under this subchapter unless:

23 (A) An administrative and programmatic appropriation has
24 been made for services or mental health treatment under this subchapter;

25 (B) Administrative and programmatic funding is available
26 for services or mental health treatment under this subchapter; and

27 (C) Administrative and programmatic positions have been
28 authorized for services or mental health treatment under this subchapter.

29 (2) If the requirements of subdivision (c)(1) of this section
30 are not met, a mental health specialty court may still order services or
31 mental health treatment if the provider waives payment, or if the mental
32 health specialty court program participant has private insurance that will
33 pay for the services or mental health treatment.

34
35 16-100-202. Goals of mental health specialty court program.

36 (a) The goals of a mental health specialty court program established

1 under this subchapter include the following:

2 (1) Integration of mental health treatment with criminal justice
3 system case processing;

4 (2) Use of a nonadversarial approach in which the prosecution
5 and defense promote public safety while protecting the right of a mental
6 health specialty court program participant to due process;

7 (3) Early identification of eligible mental health specialty
8 court program participants, with the use of a validated risk-needs
9 assessment, and prompt placement of eligible mental health specialty court
10 program participants;

11 (4) Access to a continuum of treatment, rehabilitation, and
12 related services for mental health specialty court program participants;

13 (5) Periodic testing for alcohol and controlled substances at
14 the discretion of the mental health specialty court, if a mental health
15 specialty court program participant has been identified as a user of alcohol
16 or controlled substances;

17 (6) A coordinated strategy among the mental health specialty
18 court judge, prosecution, defense, and mental health treatment providers to
19 govern the compliance of a mental health specialty court program participant
20 with the mental health specialty court program;

21 (7) Ongoing judicial interaction with each mental health
22 specialty court program participant;

23 (8) Monitoring and evaluation of the achievement of mental
24 health specialty court program goals and effectiveness;

25 (9) Continuing interdisciplinary education to promote effective
26 planning, implementation, and operation of the mental health specialty court
27 program; and

28 (10) Development of partnerships with public agencies and
29 community-based organizations to generate local support and enhance mental
30 health specialty court program effectiveness.

31 (b) Mental health specialty court program success is determined by the
32 rate of recidivism of all mental health specialty court program participants,
33 including mental health specialty court program participants who do not
34 graduate from the mental health specialty court program.

35
36 16-100-203. Establishment of mental health specialty court.

1 (a) A mental health specialty court is a specialized court within the
2 existing structure of the court system.

3 (b) A mental health specialty court program shall offer judicial
4 monitoring of intensive mental health treatment and strict supervision of
5 mental health specialty court program participants.

6 (c) The creation of a mental health specialty court and the
7 appointment of a circuit judge to the mental health specialty court shall be
8 approved by the administrative judge in each judicial circuit and made a part
9 of the judicial circuit's administrative plan required by Supreme Court
10 Administrative Order No. 14.

11
12 16-100-204. Administration of mental health specialty court program.

13 (a) A mental health specialty court program may require a separate
14 judicial processing system differing in practice and design from the
15 traditional adversarial criminal prosecution and trial systems.

16 (b)(1) The administrative judge of the judicial district shall
17 designate one (1) or more circuit judges to be mental health specialty court
18 judges and to administer the mental health specialty court program.

19 (2) If a county is in a judicial district that does not have a
20 circuit judge who is able to administer the mental health specialty court
21 program on a consistent basis, the administrative plan for the judicial
22 circuit required by Supreme Court Administrative Order No. 14 may designate a
23 district court judge to be mental health specialty court judge and to
24 administer the mental health specialty court program.

25 (c) A mental health specialty court team shall be designated by a
26 mental health specialty court judge and may include:

27 (1) A circuit judge;

28 (2) A prosecuting attorney;

29 (3) A public defender or private defense attorney;

30 (4) One (1) or more healthcare providers with experience in the
31 field of mental health treatment;

32 (5) One (1) or more probation officers;

33 (6) One (1) or more private mental health treatment provider
34 representatives with experience in the field of mental health treatment; and

35 (7) Any other individual determined necessary by the mental
36 health specialty court judge.

1 (d) Each judicial district may develop a training and implementation
2 manual for the mental health specialty court program with the assistance of
3 the:

4 (1) Department of Human Services;

5 (2) Department of Health;

6 (3) Department of Community Correction;

7 (4) Administrative Office of the Courts; and

8 (5) Other federal, state, and local agencies, organizations, or
9 entities with an established history of expertise in mental health
10 conditions.

11
12 16-100-205. State agency responsibilities.

13 (a) A mental health specialty court program shall incorporate services
14 from the Department of Community Correction, the Department of Human
15 Services, the Department of Health, and the Administrative Office of the
16 Courts.

17 (b) In order to assist mental health specialty courts, subject to
18 appropriation, funding, and authorization for programmatic and administrative
19 positions, the Department of Community Correction:

20 (1) Shall provide positions for persons to serve as probation
21 officers and administrative assistants; and

22 (2) May:

23 (A) Provide for continual alcohol monitoring and drug
24 testing for mental health specialty court program participants, if necessary;

25 (B) Provide for substance abuse counselors, if necessary;

26 and

27 (C) Develop clinical assessment capacity, including
28 continual alcohol monitoring, to identify mental health specialty court
29 program participants with a substance addiction and develop a treatment
30 protocol that improves the likelihood of success of mental health specialty
31 court program participants.

32 (c) In order to assist mental health specialty courts, subject to
33 appropriation, funding, and authorization for programmatic and administrative
34 positions, the Department of Health and the Department of Human Services,
35 working jointly, may:

36 (1) Provide positions for persons to serve as healthcare

1 providers, mental health specialists, and substance abuse counselors;

2 (2) Provide for intensive outpatient mental health treatment for
3 mental health specialty court program participants;

4 (3) Provide for intensive short-term and long-term residential
5 mental health treatment for mental health specialty court program
6 participants;

7 (4) Develop clinical assessment capacity, including drug
8 testing, to identify mental health specialty court program participants with
9 a substance addiction and develop a treatment protocol that improves the
10 likelihood of success of mental health specialty court program participants;

11 (5) Develop clinical assessment capacity to identify mental
12 health specialty court program participants with a mental illness and develop
13 a treatment protocol that improves the likelihood of success of mental health
14 specialty court program participants;

15 (6) Certify and license mental health treatment providers and
16 mental health treatment facilities that serve mental health specialty court
17 program participants;

18 (7) Provide and oversee residential beds for mental health
19 specialty court programs;

20 (8) Oversee catchment area facilities for mental health
21 specialty court programs;

22 (9) Act as a liaison between the mental health specialty courts
23 and mental health specialty court program participants; and

24 (10) Oversee performance standards for residential and long-term
25 mental health facilities providing mental health services to mental health
26 specialty court programs.

27 (d) In order to assist mental health specialty courts, subject to
28 appropriation, funding, and authorization for programmatic and administrative
29 positions, the Administrative Office of the Courts may:

30 (1) Provide state-level coordination and support for mental
31 health specialty courts and mental health specialty court programs;

32 (2) Administer funds for the maintenance and operation of mental
33 health specialty court programs;

34 (3) Provide training and education to mental health specialty
35 court judges and other professionals involved in mental health specialty
36 court programs;

1 (4) Operate as a liaison between mental health specialty courts
 2 and other state-level agencies providing services to mental health specialty
 3 court programs;

4 (5) Develop criteria for determining new mental health specialty
 5 court locations that take into account:

6 (A) The current size of the defendant population that
 7 meets the criteria for mental health specialty court program participation;

8 (B) Recent trends indicating an increasing defendant
 9 population that meets the criteria for mental health specialty court program
 10 participation;

11 (C) Existing mental health treatment programs currently in
 12 place and operating through the courts, the county jail, or the Department of
 13 Correction; and

14 (D) The mental health specialty court program's use of
 15 evidence-based practices by key partners involved in the prospective mental
 16 health specialty court program, including those evidence-based practices
 17 aimed to assess the needs of mental health specialty court program
 18 participants in order to effectively target programming toward high-risk
 19 mental health specialty court program participants.

20
 21 16-100-206. Division of Mental Health Specialty Court Programs -
 22 Establishment.

23 (a) The Division of Mental Health Specialty Court Programs is created
 24 within the Administrative Office of the Courts.

25 (b) The position of Mental Health Specialty Court Coordinator is
 26 created within the Division of Mental Health Specialty Court Programs, and
 27 the Mental Health Specialty Court Coordinator shall:

28 (1) Provide assistance, counsel, and advice to the Specialty
 29 Court Program Advisory Committee;

30 (2) Serve as a coordinator among mental health specialty courts,
 31 the Department of Community Correction, the Division of Behavioral Health
 32 Services of the Department of Human Services, the Department of Health,
 33 private mental health treatment provider representatives, and public health
 34 advocates;

35 (3) Establish, manage, and maintain a uniform statewide mental
 36 health specialty court information system to track information and data on

1 mental health specialty court program participants, to be reviewed by the
2 Specialty Court Program Advisory Committee;

3 (4) Train and educate mental health specialty court judges and
4 mental health specialty court staff in those judicial districts maintaining a
5 mental health specialty court program;

6 (5) Oversee the disbursement of funds appropriated to the office
7 for the maintenance and operation of mental health specialty court programs
8 based on a formula developed by the office and reviewed by the Specialty
9 Court Program Advisory Committee; and

10 (6) Develop guidelines to be reviewed by the Specialty Court
11 Program Advisory Committee to serve as a framework for developing effective
12 mental health specialty court programs and to provide a structure for
13 conducting research and evaluation for mental health specialty court program
14 accountability.

15
16 16-100-207. Eligible persons – Waiver of certain rights.

17 (a) A person is eligible for participation in a mental health
18 specialty court program if:

19 (1) The person has a mental illness;

20 (2) The person is charged with a criminal offense other than a
21 criminal offense listed in subsection (b) of this section;

22 (3) The person waives his or her rights to a speedy trial and
23 other rights as determined by the mental health specialty court and executes
24 a consent for a limited release of confidential information regarding mental
25 health treatment permitting the mental health specialty court, the
26 prosecuting attorney, and the defense attorney access to information relating
27 to attendance, attitude, participation, results of drug screens if ordered,
28 and all pertinent medical records; and

29 (4)(A) The person is eighteen (18) years of age or older.

30 (B) Subdivision (a)(4)(A) of this section may be waived
31 with the consent of the prosecuting attorney.

32 (b) A person charged with one (1) or more of the following offenses is
33 ineligible to participate in a mental health specialty court program:

34 (1) A serious felony involving violence;

35 (2) A felony offense that would require the person to register
36 as a sex offender; or

1 (3) An offense specifically excluded by the rules of a specific
2 mental health specialty court program.

3 (c) This subchapter does not require a mental health specialty court
4 to consider or accept every person with a treatable mental health condition,
5 regardless of the fact that the criminal offense for which the person is
6 charged is eligible for consideration in the mental health specialty court
7 program.

8 (d) A person who is denied entry into a mental health specialty court
9 program is subject to prosecution for the criminal offense with which he or
10 she was charged as provided by law.

11 (e) A mental health speciality court may require the circuit court
12 clerk or probate clerk to submit to the Arkansas Crime Information Center a
13 copy of an order transferring a person to the mental health specialty court.

14
15 16-100-208. Transfer of cases.

16 (a) A circuit court or district court that determines, on the circuit
17 court's or district court's own motion or upon application by a person
18 charged with but not yet convicted of a criminal offense in the court, that
19 the person may be better served in a mental health specialty court program
20 may transfer the case to the mental health specialty court if the person
21 charged with the criminal offense would otherwise be eligible to enter into a
22 mental health specialty court program.

23 (b)(1) The person charged with a criminal offense whose case the
24 circuit court or district court is attempting to transfer to a mental health
25 specialty court may oppose the transfer.

26 (2)(A) A person who opposes a transfer of his or her case to a
27 mental health specialty court under this subsection shall be appointed
28 counsel if he or she has not already retained counsel or had counsel retained
29 for him or her by another person or entity.

30 (B) If after consulting his or her counsel the person
31 still opposes the transfer of his or her case to a mental health specialty
32 court, the case shall remain on the current docket and shall proceed under
33 the normal course of that circuit court's or district court's docket.

34
35 16-100-209. Mental health treatment under program – Failure to comply
36 with program.

1 (a)(1) A mental health specialty court shall order mental health
2 treatment for a mental health specialty court program participant for at
3 least six (6) months.

4 (2) Any mental health treatment ordered under subdivision (a)(1)
5 of this section shall meet the minimum standards of mental health treatment
6 promulgated by the Division of Behavioral Health Services of the Department
7 of Human Services.

8 (b) A mental health specialty court program participant may be removed
9 from a mental health specialty court program by the mental health specialty
10 court following a hearing with notice and an opportunity for the mental
11 health specialty court program participant to be heard, if:

12 (1) The mental health specialty court program participant:

13 (A) Knowingly fails to abide by the terms and conditions
14 of the mental health specialty court program; or

15 (B) Is not suffering from a recognized mental illness in
16 the opinion of a healthcare provider or mental health specialist assigned or
17 ordered by the mental health specialty court to determine whether or not the
18 mental health specialty court program participant suffers from a recognized
19 mental illness; or

20 (2) The mental health specialty court finds that retaining the
21 mental health specialty court program participant in a mental health
22 specialty court program does not serve the best interests of justice, the
23 public, the state, or the mental health specialty court program participant.

24 (c) If a mental health specialty court program participant is removed
25 from a mental health specialty court program for any of the reasons set out
26 under subsection (b) of this section, the mental health specialty court
27 program participant's case shall be transferred to the appropriate court
28 having jurisdiction.

29
30 16-100-210. Completion of program – Dismissal of case – Sealing of
31 record.

32 (a) Upon the mental health specialty court's own motion or upon a
33 request from a mental health specialty court program participant or his or
34 her attorney, a mental health specialty court may order dismissal of the case
35 against the mental health specialty court program participant and the sealing
36 of the record if:

1 (1) The mental health specialty court program participant has
2 successfully completed the mental health specialty court program, as
3 determined by the mental health specialty court;

4 (2) The mental health specialty court program participant has
5 received aftercare programming or a course of continuing mental health
6 treatment if recommended by the mental health specialty court program
7 participant's healthcare provider;

8 (3) The mental health specialty court has received a
9 recommendation from the prosecuting attorney for dismissal of the case and
10 the sealing of the record; and

11 (4) The mental health specialty court, after considering the
12 mental health specialty court program participant's criminal history,
13 determines that dismissal of the case and the sealing of the record are
14 appropriate.

15 (b) Unless otherwise ordered by the mental health specialty court,
16 sealing of the record under this section shall be as described in the
17 Comprehensive Criminal Record Sealing Act of 2013, § 16-90-1401 et seq.

18 (c) If a mental health specialty court program participant has
19 successfully completed the program and has his or her case dismissed under
20 this section, he or she may petition the mental health specialty court for
21 relief from disability to restore the a mental health specialty court program
22 participant's right to purchase a firearm and to otherwise be removed from
23 the Federal Bureau of Investigation's National Instant Criminal Background
24 Check System database.

25
26 16-100-211. Health insurance.

27 (a)(1) A participant in a mental health specialty court program is
28 required at his or her first appearance in the mental health specialty court
29 to declare whether he or she has health insurance and, if so, to provide the
30 name and other identifying information of the health insurance provider.

31 (2) The name and identifying information of the health insurance
32 of a mental health specialty court program participant, including the account
33 number, shall be given to the mental health specialty court and mental health
34 specialty court personnel at the earliest possible instance in order to
35 determine whether or not the health insurance of the mental health specialty
36 court program participant will cover any portion of any mental health

1 treatment ordered by the mental health specialty court.

2 (b)(1) If the mental health specialty court program participant does
3 not have health insurance at the time of his or her first appearance in the
4 mental health specialty court, a person shall be appointed by the mental
5 health specialty court to assist the mental health specialty court program
6 participant in ascertaining whether or not the mental health specialty court
7 program participant is eligible for coverage under the Patient Protection and
8 Affordable Care Act, Pub. L. No. 114-115, or the Arkansas Works Act of 2016,
9 § 23-61-1001 et seq.

10 (2) If the mental health specialty court program participant is
11 eligible for health insurance provided under the Patient Protection and
12 Affordable Care Act, Pub. L. No. 114-115, or the Arkansas Works Act of 2016,
13 § 23-61-1001 et seq., the person appointed by the mental health specialty
14 court shall assist the mental health specialty court program participant with
15 applying for any health insurance for which he or she is eligible.

16
17 16-100-212. Costs and fees.

18 (a) The mental health specialty court may order the mental health
19 specialty court program participant to pay:

20 (1) Court costs as provided in § 16-10-305;

21 (2) Healthcare and treatment costs not otherwise covered by the
22 health insurance of the mental health specialty court program participant;

23 (3) Drug testing costs;

24 (4) A mental health specialty court program user fee;

25 (5) Necessary supervision fees, including any applicable
26 residential treatment fees;

27 (6) Any fees determined or authorized under § 12-27-
28 125(b)(17)(B) or § 16-93-104(a)(1) that are to be paid to the Department of
29 Community Correction;

30 (7) Global Positioning System monitoring; and

31 (8) Continual alcohol monitoring fees.

32 (b)(1) The mental health specialty court shall establish a schedule
33 for the payment of costs and fees.

34 (2) The cost for healthcare, treatment, drug testing, continual
35 alcohol monitoring if ordered, and supervision shall be set by the treatment
36 and supervision providers respectively and made part of the order for payment

1 of the mental health specialty court.

2 (3) Mental health specialty court user fees shall be set by the
3 mental health specialty court.

4 (4) Healthcare, treatment, drug testing, continual alcohol
5 monitoring if ordered, and supervision costs or fees shall be paid to the
6 respective providers.

7 (5) Fees determined or authorized under § 12-27-125(b)(17)(B) or
8 § 16-93-104(a)(1) shall be paid to the Department of Community Correction.

9 (6)(A) All court costs and mental health specialty court program
10 user fees assessed by the mental health specialty court shall be paid to the
11 circuit court clerk or district court clerk, as applicable, for remittance to
12 the county treasury under § 14-14-1313.

13 (B) All installment payments shall initially be deemed to
14 be collection of court costs under § 16-10-305 until the court costs have
15 been collected in full with any remaining payments representing collections
16 of other fees and costs as authorized in this section and shall be credited
17 to the county administration of justice fund and distributed under § 16-10-
18 307.

19 (C) Mental health specialty court program user fees shall
20 be credited to a fund to be known as the "mental health specialty court
21 program fund" and appropriated by the quorum court for the county in which
22 the mental health specialty court program participant committed the offense
23 for which he or she is charged for the benefit and administration of the
24 mental health specialty court program.

25 (7) Court orders for costs and fees shall remain an obligation
26 of the mental health specialty court program participant with mental health
27 specialty court monitoring until fully paid.

28 (c) All costs and fees under this section may be fully or partially
29 waived by the mental health specialty court upon a showing of indigency.

30
31 16-100-213. Collection of data.

32 (a)(1) A mental health specialty court program shall collect and
33 provide monthly data on all mental health specialty court program
34 participants as required by the Specialty Court Program Advisory Committee in
35 accordance with the rules promulgated under § 10-3-2901.

36 (2) The data shall include:

1 (A) The total number of mental health specialty court
2 program participants;

3 (B) The total number of successful mental health specialty
4 court program participants;

5 (C) The total number of unsuccessful mental health
6 specialty court program participants and the reason why each unsuccessful
7 mental health specialty court program participant did not complete the mental
8 health specialty court program;

9 (D) Information about each unsuccessful mental health
10 specialty court program participant after he or she left the mental health
11 specialty court program;

12 (E) The total number of mental health specialty court
13 program participants who were arrested for a new criminal offense while in
14 the mental health specialty court program;

15 (F) The total number of mental health specialty court
16 program participants who were convicted of a new criminal offense while in
17 the mental health specialty court program;

18 (G) The total number of mental health specialty court
19 program participants who committed a violation of one (1) or more conditions
20 of the mental health specialty court program and the resulting sanction;

21 (H) The results of the initial risk-needs assessment or
22 other appropriate clinical assessment conducted on each mental health
23 specialty court program participant;

24 (I) The total amount of time each mental health specialty
25 court program participant was in the mental health specialty court program;
26 and

27 (J) Any other data or information as required by the
28 Specialty Court Program Advisory Committee in accordance with the rules
29 promulgated under § 10-3-2901.

30 (b) The data collected for evaluation purposes under subsection (a) of
31 this section shall:

32 (1) Include a minimum standard data set developed and specified
33 by the Specialty Court Program Advisory Committee; and

34 (2) Be maintained in the court files or be otherwise accessible
35 by the courts and the Specialty Court Program Advisory Committee.

36 (c)(1) As directed by the Specialty Court Program Advisory Committee,

1 after a mental health specialty court program participant is discharged
2 either upon completion or termination of a mental health specialty court
3 program, the mental health specialty court program shall conduct, as far as
4 is practicable, follow-up contacts with and reviews of each former mental
5 health specialty court participant for key outcome indicators of mental
6 health issues, recidivism, and employment.

7 (2)(A) The follow-up contacts with and reviews of each former
8 mental health specialty court participant shall be conducted as frequently
9 and for as long a period of time as determined by the Specialty Court Program
10 Advisory Committee based upon the nature of the mental health specialty court
11 program and the nature of the mental health specialty court program
12 participant.

13 (B) The follow-up contacts with and reviews of a former
14 mental health specialty court program participant are not an extension of the
15 mental health specialty court's jurisdiction over the mental health specialty
16 court participant.

17 (d) For purposes of standardized measurement of success of mental
18 health specialty court programs across the state, the Specialty Court Program
19 Advisory Committee shall adopt an operational definition of terms such as
20 "recidivism", "retention", "relapses", "restarts", "sanctions imposed", and
21 "incentives given" to be used in any evaluation and report of mental health
22 specialty court programs.

23 (e) Each mental health specialty court program shall provide to the
24 Specialty Court Program Advisory Committee all information requested by the
25 Division of Mental Health Specialty Court Programs.

26 (f) The Division of Mental Health Specialty Court Programs, the
27 Department of Community Correction, the Division of Behavioral Health
28 Services, the Department of Health, and the Arkansas Crime Information Center
29 shall work together to share and make available data to provide a
30 comprehensive data management system for the state's mental health specialty
31 court programs.

32 (g) The Administrative Office of the Courts shall collect monthly data
33 reports submitted by mental health specialty courts and provide the monthly
34 data reports to the Specialty Court Program Advisory Committee.

35 (h) The Specialty Court Program Advisory Committee shall:

36 (1) Submit a report to the office by July 1 of each year

1 summarizing the data collected and outcomes achieved by all mental health
2 specialty court programs; and

3 (2) Contract with a third-party evaluator every three (3) years
4 to conduct an evaluation on the effectiveness of mental health specialty
5 court programs in complying with the mental health specialty court program
6 goals under § 16-100-202(a).

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