

Legislative Win for Specialty Courts

Texas Association of Specialty Courts applauds continued efforts of the Texas Legislature to provide increased, sustainable funding for specialty courts. For the second consecutive session, Legislators overwhelmingly supported the enactment of two statutes that should prove impactful for increased, sustainable revenue for both State and Local Specialty Court Accounts:

In the 86th Legislative Session of 2019, SB 346 was enacted as a comprehensive court cost reform bill in response to Court decisions that existing court costs were unconstitutional unless expended solely for legitimate criminal justice purposes. An unexpected change, however, benefitted specialty courts through an increase in both state and local criminal court costs that provided an allocation of a specified percentage (1.0377%) of state criminal court costs into a State Specialty Court Account, as well as specified percentages (23.8% - felony & 16.26% - misdemeanor) of local criminal court costs into a County Specialty Court Account. (Articles 133.102, 134.101 & 134.102, Local Govt Code)

Previously, the only state funding mechanism dedicated solely for specialty courts was a \$60 “Court Cost Attendant to Certain Intoxication and Drug Offenses” (Repealed Article 102.0178, Code of Criminal Procedure) whereas SB 346 encompassed all categories of criminal offenses. Although the expanded criminal court cost allocations through SB 346 would provide essentially the same revenue for the State Specialty Court Account as in the past, the greatest benefit was projected revenue for County Specialty Court Accounts.

Unfortunately, though, the anticipated revenue increases from SB 346 became a casualty of the COVID-19 pandemic upon abatement of court proceedings and plummeting criminal court cost collections during the past 12 months. Historically, revenue based on collection of court costs is generally under-performing and the pandemic in 2020 merely punctuated such reality. An alternative funding mechanism no longer dependent on court cost collections would be necessary to avoid continued decline in revenue until court proceedings returned to pre-pandemic levels.

In this year’s 87th Legislative Session, HB 1256, appropriately cited as the Judge Ruben G. Reyes Act in honor of the late specialty court jurist, was enacted as a bold alternative revenue mechanism not dependent on court cost collections. Instead, the bill represents a “charge-for-harm” scheme by amending Section 183.053, Tax Code, whereby 1% of mixed beverage tax collections shall be deposited into the State Specialty Court Account. HB 1256 is projected to provide \$9.8 million annually into the State Specialty Court Account in addition to a range of \$2.2-\$3 million annually from SB 346. Significantly, the revenue source from HB 1256 will rise without future legislative action due to the likely increase in alcohol consumption.

Prior to enactment of HB 1256, no less than 70% of state funding for specialty courts was discretionary allocations from the Criminal Justice Planning Account, subject to the generosity of awards from the Criminal Justice Division of the Office of the Governor. In the event of a reduction or discontinuation of existing levels of discretionary funding by the Governor, combined revenue from the non-discretionary funding mechanisms of SB 346 and HB 1256 is projected to rise to a decade high of \$11.6 million compared to \$7.4-7.9 million annually from 2019-2021. HB 1256 reduced the vulnerability of discretionary funding with the certainty of funding dedicated solely to the State Specialty Court Account.

Obviously, the Legislature clearly recognizes that specialty courts work as a proven and cost-efficient model to rescue and restore individuals and families through evidence-based practices of treatment with accountability. Our support is bi-partisan and broad-based from both conservative and progressive perspectives. And in recognizing specialty courts in such a significant way in successive sessions, the Legislature is actually acknowledging the incredible competency and dedication of each person serving a role in a specialty court. Even in the extraordinary fiscal environment of a pandemic, specialty courts were deemed an “essential service” to be sustained. Hopefully, each member of the Texas Association of Specialty Courts can take pride in knowing their personal service was truly essential for this legislation to ever become possible. May we each take a bow and do what we are called to do by making a difference.



Mission:
The Texas Association of Specialty Court Courts (TASC) builds and strengthens Texas specialty courts through collaboration, advocacy and education.

Tarrant County MHDP

Hot off the press. The Tarrant County Mental Health Diversion Program (MHDP) received the Judge Ruben G. Reyes Outstanding Specialty Court Team Award at The Texas Association of Specialty Court Conference in Galveston, Texas on April 21st, 2021. This award was established in 2017 and presented by the Texas Association of Specialty Courts to recognize an outstanding specialty court team who epitomizes the idea that good intentions are not good enough and reflects Judge Reyes' examples of passion and expertise. This award has such a special meaning this year, as The Honorable Ruben Reyes, a beloved former NADCP board member and longtime treatment court judge and champion, passed away on Saturday, December 12th, 2020.



The Tarrant County MHDP was started in 2003 and is a pre-trial, post-booking specialty court program for participants in the criminal justice system that have a previous mental health history. The program is judicially supervised by The Honorable Brent A. Carr and his multidisciplinary treatment team, which includes representatives from the following: Tarrant County District Attorney's office, The Clark Law Firm, Tarrant County Criminal Court Administration, Tarrant County Community Supervision and Corrections Department, My Health My Resources of Tarrant County, and several other community agencies that the program has formed strategic partnerships with. The mission of the program is to provide participants the resources and support they need to attain emotional well-being and a foundation for long-term success. Judge Brent Carr, Defense Attorney Brad Clark and Case Manager Pam Leary have been with the program since inception.

The program has a long-term track record with success as evidenced by the 691 admissions and 574 successful graduates. The program has 47 active participants and is currently on track to admit over 50 participants this fiscal year despite the barriers associated with the COVID-19 pandemic. The MHDP, which has both misdemeanor and felony related offenses, has a successful completion rate of 89%, a 1-year recidivism rate of (12.02%), and a 2-year recidivism rate of (15.19%). These numbers far exceed the national averages for clients with mental health disorders that are involved in the criminal justice system.

The MHDP recently had a Program Evaluation conducted by Dr. Clete Snell as part of a grant awarded by the Judicial Commission on Mental Health (JCMH). Dr. Snell said it best: "The Tarrant County Mental Health Diversion Program was a pioneer in the mental health court movement. National resources such as the Essential Elements of a Mental Health Court and mental health court training did not exist at the time this program was created. Program recidivism statistics suggest the program has been a success from the start. The program has evolved over time to include new team members and additional treatment and auxiliary resources. However, several team members have been in place since the program's inception. This is a testament to the dedication of the team to the court's mission and goals. The MHDP has met, and in most cases, exceeded the objectives of the essential elements. The Tarrant County Mental Health Diversion Program should serve as a model for other pretrial diversion programs in the state and the nation." The program has worked with numerous other jurisdictions and programs which has stretched as far as New Zealand and the Northern Mariana Islands.

We're on the Web!
<http://www.tasctx.org>

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Pictured from Left to Right: Assistant Criminal District Attorney Lucas Allan, MHDP Case Manager Pam Leary, TCAT Clinical Specialist Aaron Calvin, County Criminal Court No. 9 and MHDP Presiding Judge Brent A. Carr, MHDP Administrative Assistant Rachel Calderon, Defense Attorney Brad Clark, MHDP Program Manager Rane Wallace, and Judicial Staff Counsel and Mental Health Magistrate Judge Nelda Cacciotti.

Not Pictured: Assistant Criminal District Attorney Mary Butler, TCOOMMI Services TCAT Program Manager Sam Jones, TCAT Clinical Specialist Edward Kellough, and TCAT Clinical Specialist Rosalyn Mackey (My Health My Resources of Tarrant County, TCAT Clinical Specialist).

CMIT 8th Annual Mental Health Conference

DATE/TIME:

Oct 25 (01:00 pm) - 28, 2021 (12:00 pm)

REGISTRATION DEADLINE:

Oct 09, 2021

FEE POLICY:

Early Registration - \$260.00

Late Fee - \$25

HOTEL INFORMATION: *

San Luis Resort Spa & Conference Center
5222 Seawall Boulevard
Galveston, TX 77551
409-744-1500

Single occupancy \$103/Double occupancy \$129

OVERFLOW HOTEL INFORMATION:

Hilton Galveston Island
5400 Seawall Blvd
Galveston, TX 77551
Phone:409-744-5000



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MOUD Toolkit for Treatment Courts

NADCP announced the release of their newest publication: MOUD Toolkit for Treatment Courts supported by the Office of National Drug Control Policy, Executive Office of the President.

The toolkit offers practical resources to help treatment courts implement medication for opioid use disorder (MOUD) in accordance with scientific knowledge, treatment court best practices, and emerging legal precedent.

The new toolkit is intended for treatment courts implementing or preparing to implement MOUD in their program. The toolkit includes three model memoranda of understanding, two letter templates, and an informational brochure for treatment court participants and their loved ones.

<https://www.ndci.org/resource/training/medication-assisted-treatment/moud-toolkit/>



Bi-Monthly Newsletters!!



Do you have a submission for the newsletter? We want to hear from you! Send us information about your court programs, teams, staff, and/or testimonials.

Please send your submissions to Kimberly Duran at Kimberly.Duran@dallascounty.org