

# FORSYTH COUNTY MENTAL HEALTH COURT

## DISTRICT 21

### **PARTICIPANTS HANDBOOK**

#### **WELCOME**

Welcome to the Forsyth County Mental Health Court (FCMHC). As a person whose legal problems stem from a mental health issue, this program is designed especially for you. As you enter this intensely supervised treatment program, you must be motivated, actively participate in your treatment, and make positive changes in your life.

The FCMHC program consists of four (4) phases, with a minimum of eight (8) months of participation. The minimum length of participation in each phase is two (2) months. Advancement in the program (and whether you remain a participant) depends on you and how well you deal with the structure that will be added to your life.

This program is available regardless of your race, religion, sex, ethnic origin, sexual preference, marital status, age, or physical and/or mental disability unless your disability is so severe that you are incapable of complying. The entire FCMHC team is available to guide and assist you, but the final decision is yours.

## DESCRIPTION OF THE PROGRAM

The Forsyth County Mental Health Court (FCMHC) was created to address the treatment needs of people with mental illness involved in the criminal justice system. The FCMHC Program is a court-supervised program for offenders who have a mental health diagnosis and have agreed to participate in the program.

The FCMHC hears cases of persons with mental health disorders, and sometimes substance use disorders when accompanying a mental health diagnosis, that have been charged with a criminal offense. The FCMHC is a special type of court that links an eligible defendant to treatment and support services that help them better manage their mental health.

The goals of the FCMHC are to help you address your mental health needs and keep you out of the criminal justice system.

The type of treatment offered is dependent on each person's individual needs. Some of the services that **may** be put in place include: individual and group therapy, psychiatric services, medication management, substance use counseling, transportation, housing, community support, and case management.

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## ENTRY TO THE PROGRAM

If your pending cases are felonies, assault charges, animal cruelty, or charges that involve a victim, they must be approved for referral to FCMHC by the Assistant District Attorney. The Assistant District Attorney has full authority to accept or deny **any** case. Once approved, a referral will be submitted to the MHC Case Manager Specialist.

Once the MHC Case Manager Specialist receives the referral, you will be contacted for a screening appointment. Please ensure your attorney has all your correct contact information. If you are in custody, the MHC Case Manager Specialist will screen you at the Detention Center.

Your case will then be discussed by the FCMHC treatment team members. If all eligibility requirements are met, you will be accepted as a participant in Forsyth County Mental Health Court and begin Phase I. You do not receive credit towards Phase I while waiting for acceptance.

If you are a returning participant and/or graduate:

All returning participants, whether graduates or unsuccessfully discharged, will be considered for readmission to FCMHC on a case-by-case basis by the FCMHC treatment team.

**As a returning participant you will be required to write a two-page essay and be prepared to read aloud at their first FCMHC appearance after screening.**

***The essay should address what led to your current position, your responsibility in your current situation, why you deserve a second chance to complete FCMHC, and what you will do differently.***

If you are 16 or 17 years of age:

All referrals of 16- and 17-year-olds will be considered for admission on a case-by-case basis. If the client is 16 or 17 years old, the referring attorney is responsible for submitting with the FCMHC referral form a **current psychiatric evaluation, evidence of family/natural supports, and school information including any current Individual Education Program (IEP)**. A 16- or 17-year-old client will not be screened until all information requested is submitted with the FCMHC referral form.

# PHASES

## PHASE 1 REQUIREMENTS

**PHASE ONE** is the entry or rebuilding phase. Participants must remain in Phase 1 for at least sixty (60) days or two (2) months.

- ❖ Participants are required to take medications as prescribed by a licensed psychiatrist and to comply with all assessments and treatment recommendations/ suggestions of their provider.
- ❖ Participants are required to contact the MHC Case Manager Specialist on all Wednesdays court is not in session.
- ❖ Participants may be required to bring all prescription medications with them to any meeting with the MHC Case Manager Specialist and to court sessions.
- ❖ Participants must sign a release of information form authorizing the MHC team to speak with all doctors, counselors, treatment providers, etc. about mental health-related issues.
- ❖ Participants are expected to refrain from the use of illegal substances and must submit to drug testing at the request of the Court.
- ❖ Participants must work with their treatment provider to develop their treatment plan. This plan must include your participation in FCMHC and how you will graduate from the program.
  - If a participant is able to work or attend school, this should be included as a goal in the treatment plan.
  - If a participant is unable to work or attend school, an alternate goal should be made (i.e., community service, volunteer work, work at Goodwill Industries/Vocational Rehabilitation, etc.).
- ❖ Participants must remain free of consequences imposed by the FCMHC team for at least thirty (30) days in order to advance to Phase 2.
- ❖ If a participant receives a new criminal charge while in Phase 1, **the treatment team** must decide whether to allow the participant to remain in MHC. If the participant is allowed to remain in MHC and is either convicted of the new offense or allowed to bring the new offense into MHC, he/she must begin Phase 1 over from the beginning.

- ❖ Participants are encouraged to meet with the MHC Case Manager Specialist and complete a MHC survey prior to advancing to Phase 2.

## **PHASE 2 REQUIREMENTS**

**PHASE TWO** is an intermediate level that recognizes great progress. Participants must remain in Phase 2 for at least sixty (60) days or two (2) months.

- ❖ Participants are required to take medications as prescribed by a licensed psychiatrist and to comply with all assessments and treatment recommendations/ suggestions of their provider.
- ❖ Participants are required to contact the MHC Case Manager Specialist on all Wednesdays court is not in session.
- ❖ Participants are expected to refrain from the use of illegal substances and must submit to drug testing at the request of the Court.
- ❖ Participants must show satisfactory progress in their treatment plan to be eligible for promotion to Phase 3.
- ❖ Participants must remain free of consequences imposed by the FCMHC team for at least forty-five (45) days in order to advance to Phase 3.
- ❖ If a participant receives a new criminal charge while Phase 2, **the treatment team** must decide whether to allow the participant to remain in MHC. If the participant is allowed to remain in MHC and is either convicted of the new offense or allowed to bring the new offense into MHC, the Phase will be determined by the team.
- ❖ Participants are encouraged to meet with the MHC Case Manager Specialist and complete a MHC survey prior to advancing to Phase 3.

## **PHASE 3 REQUIREMENTS**

**PHASE THREE** is the highest achievement phase. The participant must remain in Phase 3 for at least sixty (60) days or 2 months.

- ❖ Participants are required to take medications as prescribed by a licensed psychiatrist and to comply with all assessments and treatment recommendations/ suggestions of their provider.

- ❖ Participants are required to contact the MHC Case Manager Specialist on all Wednesdays court is not in session.
- ❖ Participants are expected to refrain from the use of illegal substances and must submit to drug testing at the request of the Court.
- ❖ Participants must show satisfactory progress in their treatment plan to be eligible for promotion to Phase 4.
- ❖ Participants must remain free of consequences imposed by the MHC team for at least sixty (60) days in order to advance to Phase 4.
- ❖ If a participant receives a new criminal charge while in Phase 3, **the treatment team** must decide whether to allow the participant to remain in MHC. If the participant is allowed to remain in MHC and is either convicted of the new offense or allowed to bring the new offense into MHC, the Phase will be determined by the team.
- ❖ Participants must complete a Wellness Recovery Action Plan (WRAP) class to be eligible for promotion to Phase 4 or prior to graduation from FCMHC. The plan you create during the WRAP class must be given to the MHC Case Manager Specialist for approval. Any participant who attends the 8-hour WRAP class will be required to attend 4 additional WRAP support groups following the completion of the WRAP class.
- ❖ ONLY IF A WRAP TRAINING IS NOT AVAILABLE, a participant will be allowed to formulate an Aftercare Plan detailing how he/she plans to maintain compliance with recommended mental health treatment after MHC graduation. The plan **must be approved by the team** in order to be eligible to graduate from MHC. Any crisis plan you created with your provider must also be included.
- ❖ Participants are encouraged to have a job, be in school, or attend a drop-in center, work with peers or connect to peer support services, volunteer, attend groups at Mental Health Association, attend AA/NA or Emotions Anonymous or other similar group, participate in church activities, etc.
- ❖ Participants who are non-compliant during this Phase will be **REQUIRED** to have a job, be in school, or attend a drop-in center, work with peers or connect to peer support services, volunteer, attend groups at Mental Health Association, attend AA/NA or Emotions Anonymous or other similar group, participate in church activities, etc.

- ❖ Participants are encouraged to meet with the MHC Case Manager Specialist and complete a MHC survey prior to advancing to Phase 4.

### **PHASE 4 REQUIREMENTS**

**PHASE 4** is an aftercare or alumni phase. Participants must remain in Phase 4 for at least sixty (60) days or two (2) months.

- ❖ Participants must attend at least one (1) FCMHC session per month.
- ❖ Participants must also continue to call the MHC Case Manager Specialist on ALL Wednesdays not in court.
- ❖ Participants are required to continue to take medications as prescribed by a licensed psychiatrist and to comply with all assessments and treatment recommendations/ suggestions of their provider.
- ❖ Participants are encouraged to report, share, or mentor with new MHC participants.
- ❖ Participants are expected to refrain from the use of illegal substances and must submit to drug testing at the request of the Court.
- ❖ Participants must continue to show satisfactory progress in their treatment plan to be eligible for graduation.
- ❖ Participants must remain free of consequences imposed by the MHC team for the sixty (60) days.
- ❖ Participants are **REQUIRED** to have a job, be in school, attend a drop-in center, work with peers or connect to peer support services, volunteer or participate in church activities. In addition, each participant, will attend a support group of their choice. The participant will meet with the MHC Case Manager Specialist to discuss the support group options and decide on which available group would be most beneficial in their recovery. If a participant chooses to attend AA or NA, it must be a 12-step study group versus an open discussion group.
- ❖ After successful completion of Phase 4, all applicable pending charges in FCMHC will be dismissed by the Assistant District Attorney.

- ❖ As part of an aftercare plan participants will be asked to complete an exit interview, which will be conducted using the Recovery Maintenance Check-in (RMC-i). In addition, the MHC Case Manager Specialist will make contact with you post-graduation at 3, 6, 9 and 12 months to update the RMC-i and follow your progress. It is preferred that each participant sign a Release of Information for Cardinal Innovations that will be good for one-year post-graduation. This will allow for the MHC team to gather data regarding graduates' status.



# WHAT MENTAL HEALTH COURT EXPECTS FROM YOU

As a participant in FCMHC, you will be required to abide by the following rules:

**1. APPEAR IN COURT ON THE 2<sup>nd</sup> and 4<sup>th</sup> WEDNESDAY OF EACH MONTH.**

The court sessions involve you, the MHC treatment team, and your treatment provider(s). A progress report detailing your attendance and participation in treatment and meetings will be given to the treatment team. In open court, you will have an opportunity to speak directly with the judge.

**2. ATTEND ALL TREATMENT SESSIONS, PROBATION APPOINTMENTS, AND COURT SESSIONS.**

This includes any sessions required by your treatment provider, MHC Case Manager Specialist, and/or probation officer. Your failure to attend meetings may result in a consequence, a therapeutic adjustment, or termination from FCMHC. Your first failure to show in court will result in a sanction or punishment. The second consecutive failure to show in court will result in termination from FCMHC.

**3. YOU ARE EXPECTED TO CONTACT THE MHC CASE MANAGER SPECIALIST ON EVERY WEDNESDAY YOU ARE NOT IN COURT.**

**4. BE ON TIME.**

You are required to be on time to all scheduled treatment sessions, probation appointments, court sessions, and if applicable, drug tests.

**5. DO NOT MAKE THREATS TOWARD OTHER PARTICIPANTS OR STAFF. DO NOT BEHAVE IN A VIOLENT OR INAPPROPRIATE MANNER.**

Violent or inappropriate behavior will not be tolerated and will be reported to the court. This may result in immediate termination from the FCMHC program.

**6. DO NOT BRING DRUGS, ALCOHOL, OR WEAPONS TO ANY TREATMENT, MHC CASE MANAGER SPECIALIST, MHC, OR PROBATION MEETING, APPOINTMENT, OR SESSION.**

**7. DRESS APPROPRIATELY FOR COURT AND TREATMENT SESSIONS.**

Torn jeans or t-shirts with logos representing drug use or violence are not appropriate. In general, jeans and t-shirts are fine as long as they are clean. Shoes must be worn at all times.

Each court session will consist of you standing before the judge and talking to him/her directly. Your case will be reviewed for progress. Based on this review, the court may respond with rewards, warnings, consequences, termination from FCMHC, or recommendation for graduation from the program.

# FREQUENTLY ASKED QUESTIONS

## ***How do I qualify for Mental Health Court?***

- ✓ You must be 16 years of age.
- ✓ You must be charged with a criminal offense.
- ✓ You must have a mental health diagnosis, mental health treatment history, or have symptoms/behaviors indicating you are in need of a mental health assessment and treatment.
- ✓ You may also have a secondary substance use problem or diagnosis.
- ✓ You must be motivated and willing to actively participate within the FCMHC guidelines.
- ✓ You must agree to engage in the recommended mental health treatment.

## ***How long is the program?***

The program will last a minimum of eight (8) months. Release/graduation prior to the eight (8) month minimum is at the sole discretion of the FCMHC treatment team.

## ***Will information about my case be kept confidential?***

State and Federal laws require strict confidentiality regarding issues related to mental health and substance use treatment. In response to these regulations the FCMHC program has developed policies and procedures regarding your confidentiality. You will be asked to sign a release of information allowing the MHC team and staff to discuss your case, treatment, goals, etc. with other community agencies as necessary and appropriate.

## ***Who will determine my treatment plan?***

Your treatment provider, MHC Case Manager Specialist, and YOU will develop treatment plan goal(s) to fit your specific needs. Measurable goals that you agree to accomplish during the course of treatment will be identified. Once this plan has been developed, it will be your guide during your participation in the FCMHC program. Your treatment plan and FCMHC goal(s) may change depending on your needs and/or your participation in the program.

## ***What if I don't have a job?***

It is important that you become a productive and responsible member of the community. The MHC Case Manager Specialist, FCMHC treatment team, and your treatment providers will work to assist you

in assessing your needs and will refer you to the proper community resources for vocational training, education, and employment. Volunteering and attending a day program are also options.

### ***What if I need to cancel a provider appointment?***

If you cancel an appointment, you need to reschedule and attend the appointment before the end of the reporting period for that particular appointment. You will have to provide legitimate documentation of why the appointment had to be canceled. For example, a funeral program with date, hospital paperwork, valid medical excuse on letterhead, etc. You will only be allowed to cancel two (2) appointments during your entire participation in FCMHC. Unexcused cancellations as well as rescheduling the appointment outside the reporting period will result in non-compliance.

### ***What are rewards and consequences?***

Rewards and consequences help teach you responsibility, set goals, and achieve success. They assist you in achieving and maintaining wellness as well as positive life outcomes. They are generally given at the regular session of MHC.

## **REWARDS, CONSEQUENCES, & THERAPEUTIC ADJUSTMENTS**

### **REWARDS**

When you make satisfactory progress in the FCMHC program, you may be eligible for certain rewards. These rewards will be determined **by the treatment team** on an individual basis. The following is a list of possible rewards you may receive:

- ✓ Certificates of achievement
- ✓ Thirty-day bus pass at each phase promotion
- ✓ Leave court early by having your case heard first
- ✓ Judicial praise
- ✓ Letters of Support
- ✓ Prizes

There will be a quarterly drawing for a reward or prize. Each participant will have their name placed in a box for every MHC date they are in compliance and present in MHC. At the end of the quarter a name will be drawn. You **MUST** be present and be in compliance for that MHC Date or you forfeit the reward, and another name will be drawn.

### **CONSEQUENCES**

If the treatment team decides that you have been non-compliant with any program or treatment requirements, you will receive a consequence approved by the Court. The following is a list of possible consequences you might face:

- X Verbal warning

- X Assigned to write an essay and/or speak aloud in court
- X Required attendance at AA or NA meetings
- X Assigned community service hours\* (*Consequences for returning graduates will **START** at Community Service hours.*)
- X Jail time (in increasing increments)
- X Required attendance at programs offered through other agencies
- X Demotion to prior Phase

### **THERAPEUTIC ADJUSTMENTS**

If the treatment team feels that you could benefit from some additional services or more constructive activities, then a therapeutic adjustment could be implemented. The following is a list of possible therapeutic adjustments

- Enhanced treatment services.
- Face to face office visits with FCMHC Case Manager.
- Self-help groups.
- Educational recommendations such as GED/High School Diploma.
- Community Court Services or other resources that assist in job readiness and job placement.

#### ***Who are the people on the treatment team?***

The following people make up the FCMHC Treatment Team:

District Court Judge  
 District Attorney  
 Public Defender/Defense Attorney  
 Mental Health Court Case Manager Specialist  
 Mental Health Professional from Detention Center  
 Local Mental Health Advocate(s)  
 Treatment Provider

#### ***What are the graduation requirements?***

To graduate from MHC, you must have complied with all prescribed psychiatric medications, remained psychiatrically stable, and attended all scheduled meetings with treatment providers and the MHC staff for a minimum of eight months. The MHC treatment team must approve all potential graduates.

#### ***What would cause me to be terminated from the program?***

You may be terminated from the MHC program for the following reasons:

- X You do not complete the MHC program within two (2) years and the MHC team does not grant an extension.
- X You are charged with a new offense that would otherwise make you ineligible to participate while in the program.
- X You revoke your consent for release of information from your treatment providers.
- X Your failure to appear at two (2) consecutive court dates. Your FCMHC charges will be returned to regular court for disposition.
- X You have continual positive drug screens.
- X You are continuously non-compliant with treatment recommendations.

# CONCLUSION

The Forsyth County Mental Health Court has been developed to link you with services and supports that help you better manage your mental illness, to reduce your contact with the criminal justice system, to provide therapeutic alternatives to regular probation, and to provide justice for the community.

The Forsyth County Mental Health Court is designed to give you every chance to join your community as a well and productive person. The Judge and the treatment team are here to assist and guide you, but the final responsibility is yours.

If you have additional questions or concerns about this special program, please talk with us. Finally, do not forget your family and those close to you. Make them a part of what you are trying to accomplish. Let them share in your success.

For more information, contact the Forsyth County Mental Health Court Case Manager Specialist:

Keisha Springs MS, MPA  
Forsyth County Department of Public Health  
201 N. Chestnut St.  
Winston-Salem, NC 27101  
*Office* (336) 703-2619  
*Fax* (336) 748-3912  
[springkd@forsyth.cc](mailto:springkd@forsyth.cc)