

**MAGISTRATE COURT
OF
DEKALB COUNTY**

**MISDEMEANOR MENTAL
HEALTH COURT**



PARTICIPANT HANDBOOK

**Rhathelia Stroud, Presiding Judge
Berryl A. Anderson, Chief Magistrate Court Judge**

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WHAT IS MMHC?

MMHC is a special part of the DeKalb Magistrate Court. It is a judicially supervised Accountability Court for those arrested and charged with misdemeanor or ordinance offenses in DeKalb County, who also have a mental health diagnosis. MMHC includes regular court appearances before the Judge. Following your arrest, you were offered the choice of participating in MMHC or having your case proceed as part of the regular court process. If you are eligible for participation and enter MMHC, a MMHC clinical evaluator will develop a case management plan for you. While you are a participant, the Judge, your Case Manager, and treatment provider will monitor your progress.

WHAT DO I HAVE TO DO?

MMHC participants are either pre-plea or post-plea. You are required to sign a participant agreement. A participant agreement is an agreement between you, the Office of the Solicitor-General and the Judge. It explains what is expected of you while you are in MMHC. Before you sign your participation agreement, you will have an opportunity to review it with your attorney or the public defender and have your questions answered. MMHC participants are required to attend treatment, as directed by your MMHC case manager, the clinical evaluators, and the Judge. Participants are also required to remain drug and alcohol-free and live a law-abiding life. As a Participant in MMHC, you will be required to attend mandatory orientation with our coordinator or clinical evaluator which gives an in-depth overview of our court, expectations and requirements.

Participation in the MMHC is voluntary and a participant must be willing to engage in mental health treatment on an ongoing basis. A participant also must be willing to sign a release of information for details pertaining to their mental health treatment, substance use, legal status, and history to be shared with the MMHC team.

MISDEMEANOR MENTAL HEALTH COURT PARTICIPANT ELIGIBILITY

- Adult with a verifiable DSM-V Mental Health Diagnosis (age 17+)
- Arrest in DeKalb County with a pending charge(s)
- Mental disorder appears to be related to the charge
- Treatment and/or commitment to treatment
- Willingness towards voluntary participation
- Appropriate misdemeanor charge
- Non-violent criminal history background
- Commitment to random alcohol and drug screening
- Housing that is safe, secure and supportive

The MMHC does not allow extremely violent offenders, defendants who have been deemed incompetent to stand trial, or defendants who are unwilling to adhere to the policies and procedures of MMHC. Pursuant to O.C.G.A. §15-1-16, codified Standards for Adult Mental Health Courts in Georgia as established by the Council of Accountability Court Judges, defendants charged with murder, armed robbery, rape, aggravated sodomy, aggravated sexual battery, aggravated child molestation, or child molestation shall not be eligible for entry into the mental health court division. Any exceptions for separate court-supervised reentry programs designed to monitor mentally ill offenders returning to the community after having served a term of incarceration are not within the purview of our court.

HOW LONG WILL I BE INVOLVED IN MMHC?

The amount of time you spend in MMHC is determined by your compliance to your case management plan and by your individual progress. Misdemeanor charges require a minimum of twelve (12) months participation with MMHC. Some persons will be active in MMHC beyond the minimum participation time, if they have more than one criminal charge. It all depends on the effort you put into treatment and your progress.

Dismissal or Voluntary Withdrawal from the MMHC will result in the return of your case back to State Court to impose the original sentence.

WHAT'S IN IT FOR ME?

INCENTIVES & REWARDS

Incentives are used to reward the participation and progress of MMHC participants. The MMHC team will focus on the positive strides they are making. Upon the recommendation of the MMHC team, participants may receive incentives rewards for compliant and adherent behavior. A list of possible incentives is as follows:

- Praise by the Court/Judge
- Promotion to the next phase
- Certificates upon completion of a phase/graduation
- Drawing from the Incentive Bag/Fishbowl (snacks, chips, gift cards, etc.)
- Get out of court certificate
- Gift Certificates
- Group Event
- Frame for certificates
- Excused from court early
- Free Pass

NO JAIL SENTENCE

Successful completion of MMHC will result in a dismissal of your charges and Record Restriction.

MMHC GIVES YOU THE OPPORTUNITY TO:

- Engage in treatment to insure on-going stabilization and wellness
- Return to your family, employment and community productively
- Evaluate and discuss other critical life concerns and issues within a confidential group therapy environment to help you move forward in your life

A SECOND CHANCE!

On the following pages, you will find information on the resources you will need to succeed. Remember that there are many people who make up the MMHC Interdisciplinary Team and they all want to see you succeed. If you take advantage of the assistance offered, you will discover many ways to make a better life for yourself.

MMHC RULES

WHAT ARE THE RULES OF MMHC?

To remain active in MMHC you are required to follow these rules:

- Appear in court as scheduled – you must attend all scheduled court appearances
- Follow your treatment plan – you must attend all treatment, support, and case manager appointments
- Remain drug and alcohol free – random screens are given to participants that must remain negative
- Complete MMHC – you must successfully complete all requirements of MMHC for the State Court to dismiss your criminal case
- Live a law-abiding life

While we recognize that your arrest stemmed from your mental illness, it is important for you to remember that you are in MMHC because of criminal behavior that requires total accountability through treatment compliance to avoid future criminal activity.

APPEAR IN COURT AS SCHEDULED

You will be required to appear in front of the Judge on a regular basis. The Judge will be given progress reports regarding your drug and alcohol tests, reports to your case manager, attendance and participation in your treatment programs, and compliance with any doctor appointments. The Judge will ask you about your progress and discuss any problems or concerns of yours.

Frequency of court appearances will depend on which phase you are participating in. As you make progress, your court appearance schedule will be reduced. Participants in phase 1 are required to come to court every week, participants in phase 2 attend court bi-weekly, and participants in phase 3 and phase 4 attend court once a month.

On the day of your court appearance, you must arrive to MMHC at 9:30 am and stay until the Judge has excused you from court. Effective April 1, 2020, all MMHC court sessions will be conducted via Zoom. All participants will be provided the login information.

FOLLOW YOUR CASE MANAGEMENT PLAN

The case management plan is developed after you complete all MMHC intake assessments, it will be developed by the MMHC clinical evaluator and managed by the case manager. Your case management plan will be revised as you progress through the phases. The minimum requirements of your case management plan are:

- Attendance at a mental health treatment program as directed by your case manager and treatment provider
- Regular drug and alcohol testing
- Attendance at an educational, vocational or employment program

Your case manager will also help you with other areas of your life according to your individual needs.

Your treatment schedule will vary according to your progress. It is your responsibility to keep all scheduled appointments and to arrive on time. You must review your treatment plan with your case manager and follow it carefully.

MISDEMEANOR MENTAL HEALTH COURT EXPECTATIONS

WHAT ELSE IS EXPECTED OF ME?

The expectations of MMHC are:

- Treat others with respect
- Cease all drug and alcohol related activity
- Comply with drug screening
- Be law abiding
- Be mindful of your surroundings & associates



These expectations are explained in detail in the next pages.

The goals you set up with your case manager may also cover areas of:

- Education
- Employment
- Health care
- Housing
- Other approved structured day activities
- Social Security and other disability benefits

TREAT OTHERS WITH RESPECT

You should respect the opinions and feelings of other people in MMHC. Verbal or physical threats to anyone will not be tolerated. Any inappropriate behavior will immediately be reported to the Court and may result in a severe sanction or your termination from the program. You will be required to dress appropriately for your court sessions and treatment appointments. Sunglasses are not to be worn in court unless approved by a doctor. Gentlemen should remove their hats when coming into the courtroom and **everyone** should turn their cell phones off.

CEASE ALL DRUG RELATED ACTIVITY

You will not possess, sell, or use alcohol or illegal drugs. Any relapse by you involving drugs and/or alcohol must be reported to your Case Manager immediately. Any drugs that a doctor prescribes for you must be reported to your Case Manager immediately. You must consult your case manager **before** taking any over counter medication. Effective May 10, 2019, the use of cannabinoid derivatives such as cannabidiol (CBD) oil, Hempseed oil (Hemp seed), and cannabis sativa seed oil are prohibited while participating in MMHC.

COMPLY WITH DRUG & ALCOHOL SCREENING

In addition to your mental health treatment, one of the goals of MMHC is to help you remain abstinent from alcohol and all non-prescribed drugs. A positive test or admission of substance use may result in a sanction or change in treatment. Repeated substance use may result in termination from MMHC. You will be randomly tested throughout your participation in MMHC. A diluted result or refusal to screen will be treated as a positive test. In order to graduate from the MMHC, the participant must have 90 days of negative drug screens.

BE LAW ABIDING

You are required to refrain from further violation of the law. Additional offenses may result in termination from MMHC. You must inform your case manager immediately of any arrest or citations.

BE MINDFUL OF YOUR SURROUNDINGS & ASSOCIATES

You should avoid people or places of disreputable or harmful character. This includes people currently on probation or parole, people with felony conviction, drug users, drug dealers, or prostitutes.

Failure to comply with programmatic expectations may result in sanctions.

The MMHC judge may impose a sanction penalty if a participant violates the rules and regulations of the MMHC. Sanctions serve to provide structure to MMHC participant and to ensure participants successful adherence to the MMHC requirements and completion. The MMHC Judge, on the recommendation of the full interdisciplinary team, reserves the right to impose sanctions on a case-by-case basis appropriate to the participant and the violation. A list of possible sanctions is as follows:

- Writing assignment
- Community service
- Jail Time/Holding cell time
- Weekly drug screens
- Verbal warning
- Apology to Court
- Face-to-face meeting with case manager
- Weekly court hearings
- Phase demotion/delayed promotion
- Homework assignment
- Observing a felony court
- Journaling/Life Skills assignment
- Therapeutic Interventions

SUPPORT SERVICES

MMHC Support Services are available to you and your family. These services will help you to overcome stress, problems and conflicts that may block your recovery process. The MMHC team recognizes that recovery is not an easy process, but we support your effort and encourage positive change. Together, we can make it work.

HEALTH

Developing positive health habits and knowing how to handle physical and emotional setbacks are essential for your success in recovery. MMHC supports and recommends that you safeguard your physical health by scheduling and monitoring the following health services and others if necessary and applicable:

- Psychiatrist or psychologists' referrals
- Other medical screenings (as appropriate)
- Referrals for testing for additional mental health issues or medication issues



- Doctor, dentist and optometrist appointments
- Health and nutritional counseling
- Diabetes screening, monitoring and care
- Prenatal care, if appropriate

You will be expected to follow through on any treatment recommendations. You may also be asked to provide documentation to the court of medical conditions or appointments. Any prescribed drugs must be reported to your Case Manager as random drug screens are scheduled throughout your MMHC participation.

EDUCATION

MMHC is concerned and interested in your educational, vocational and employment goals. MMHC will support and encourage your efforts towards:

- **GED:** working toward your high school equivalency diploma.
- **Vocational:** job training in many fields, from food service and haircutting to computer technology and auto mechanics.
- **College:** post-secondary education in liberal arts, language arts, science, health care services, medicine, etc.



EMPLOYMENT

Finding and keeping a job that you like is an important part of building lasting success in recovery.

Employment referral services include:

- Vocational Rehabilitation
- Department of Labor
- DeKalb or Fulton County Workforce
- Goodwill



Please note that a participant's legitimate and confirmed efforts and involvement in education and employment pursuits may substitute for MMHC day-time structure requirements.



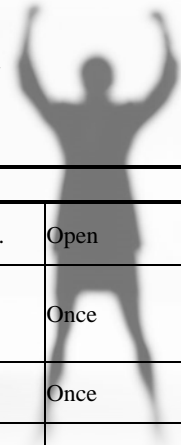
SUCCESSFUL COMPLETION

GRADUATION: A TIME TO CELEBRATE AND RECOGNIZE YOUR ACCOMPLISHMENTS

You will be able to invite your family and friends to join you at your MMHC Successful Completion “Graduation” Ceremony. The Graduation Ceremony marks your successful completion and full compliance with all of the terms and conditions of MMHC and the beginning of your new way of life.

Requirements for successful completion “graduation”:

- Complete all MMHC requirements and conditions
- Your case manager’s approval and recommendation for graduation
- Progress toward any vocational, educational and employment goals
- Secure an on-going relationship with your mental health care provider and all other treatment providers that you will establish while participating in MMHC



Program Element	Who	When	Where	Frequency
Eligibility (Legal)	Coordinator, Assistant Solicitor, Public Defender	Pre-court	Court -Judicial Ctr.	Open
Orientation & Pre-Screening, clinical eligibility	Coordinator, clinical evaluator	Prior to Intake	Zoom	Once
Mental Health Records Request	Clinical evaluator/social work team	Prior to Intake	Court-Judicial Ctr.	Once
Initial Assessment & Screening Biopsychosocial Assessment, Mini-Mental State; Adverse Childhood Experience (ACE) Examination (MMSE) as needed, Brief Jail Mental Health Screen; Texas Christian University Drug Screen V, Mandatory UDS & LS/CMI	Clinical evaluator; licensed professional	Intake	Zoom.	Once
Individualized Case Management Plan consistent with DBHDD Continuum of Care Model	Clinical evaluator/social Work Team	Intake	Court-Judicial Ctr.	Once and reviewed every 6 months or after each phase as needed.
Court sessions	Judge	Phase 1 – weekly Phase 2 – Twice a month Phase 3 & 4 – monthly	Zoom	
Meetings/Contact with Case Manager	Case Manager	Minimum Weekly	Via telephone or in person	Minimum Weekly
Mandatory Attendance “Thinking For a Change Group”	TFC Facilitator(s)	Weekly	Court- Judicial Ctr.	Weekly throughout the duration of the court.
Mandatory Urinalysis and/or Breathalyzer	Court Services – Probation Officer	Random	Court – Judicial Ctr.	Random
NAMI Aftercare Planning	NAMI Representative	3 Months Prior to Graduation	Court – Judicial Ctr.	Four Sessions
Mandatory LS/CMI	Coordinator/social work staff	Prior to entering the MMHC and 1 month prior to graduation	Court- Judicial Ctr.	Twice

IMPORTANT NAMES AND NUMBERS:

**Mental Health Treatment Court
556 North McDonough Street
Suite 120
Decatur, Georgia 30030
470-707-7910**

IMPORTANT NAMES AND NUMBERS TO KNOW:

Attorney:

Case Manager:

Treatment Provider:

Therapist/Psychiatrist/Psychologist:

Emergency Contact:

The Misdemeanor Mental Health Court (MMHC) operates under the direction of the DeKalb County Magistrate Court and is a collaborative effort of the Magistrate Court, Adult Probation, DeKalb Community Service Board (DCSB), DeKalb Volunteer Lawyer's Foundation (DVLF), Jail Mental Health Services, National Alliance on Mental Illness (NAMI), Office of the Sheriff, Office of the Solicitor, Pre-Trial Services, State Court, Hope Atlanta, Inc. and the Georgia Public Defender Standards Council (GPDSC).

The impetus behind this effort is the decriminalization of persons suffering with serious mental illness.

