The Supreme Court of Ohio

SPECIALIZED DOCKETS GUIDANCE Mental Health Court Guidance

This document has been created to guide Mental Health Courts operating in common pleas, municipal, and county court jurisdictions to the best practices for courts serving adult populations in criminal jurisdictions. The resources outlined below provide the structure on how to best implement Ohio's certification standards, Appendix I to Sup.R. 36.20 through 36.32, to the policies and practices of a specialized docket. The Supreme Court of Ohio Specialized Dockets staff is available to provide any technical assistance or training needed to assist local courts with the application of the resources and best practices outlined below to the procedures and program documents of local dockets.

GENERAL MENTAL HEALTH COURT RESOURCES

- The Council of State Governments
 https://www.csg.org/pubs/capitolideas/2013_jan_feb/mentalhealthcourts.aspx
- 2. The Council of State Governments Guide to Research-Informed Policy and Practice: https://bja.ojp.gov/sites/g/files/xyckuh186/files/Publications/CSG_MHC_Research.pdf
- 3. The National Center for State Courts (NCSC) https://www.ncsc.org/topics/alternative-dockets/problem-solving-courts/mental-health-courts/resource-guide
- 4. NCSC and CSG Developing a Mental Health Court https://csgjusticecenter.org/projects/mental-health-courts/learning/learning-modules/
- 5. APA's Judges and Psychiatrists Leadership Initiative -Training Collaborative for Judges and Psychiatrists
 https://apafdn.org/impact/justice/judges-and-psychiatrists-leadership-initiative
 - Tittps://apardif.org/impact/justice/judges-arid-psycfilatrists-leadersrilp-iritiative
- 6. Bureau of Justice Assistance (BJA) Essential Elements of a MH Court https://bja.ojp.gov/sites/g/files/xyckuh186/files/Publications/MHC_Essential_Elements.pdf

GENERAL/BEST PRACTICES RESOURCES

- 1. Bureau of Justice Assistance Defining Drug Courts: The Key Components https://www.ncjrs.gov/pdffiles1/bja/205621.pdf
- 2. National Association of Drug Court Professionals https://www.nadcp.org/

GENERAL/BEST PRACTICES RESOURCES

- 3. National Association of Drug Court Professionals Best Practice Standards-Volume I https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-I-Text-Revision-December-2018-1.pdf
- 4. National Association of Drug Court Professionals Best Practice Standards-Volume IIhttps://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-2-Text-Revision-December-2018-1.pdf
- National Association of Drug Court Professionals Best Practice Standards Flyer https://www.nadcp.org/wp-content/uploads/2019/09/Best-Practice-Standards-Flyer-Final-3.pdf
- 6. National Association of Drug Court Professionals Journal for Advancing Justice https://www.nadcp.org/advancingjustice/journal-for-advancing-justice/
- 7. Do the Adult Best Practice Standards Apply to Other Treatment Court Types? https://cabhp.asu.edu/sites/default/files/do_the_adc_standards_apply_to_other_court_types.pdf
- 8. National Drug Court Institute https://www.ndci.org/
- National Drug Court Resource Center https://ndcrc.org/
- **10.** Center for Court Innovation https://www.courtinnovation.org/areas-of-focus/treatment-courts
- **11.** National Center for State Courts

 https://www.ncsc.org/services-and-experts/areas-of-expertise/problem-solving-courts
- **12.** Supreme Court of Ohio Specialized Dockets Section Services https://www.sconet.state.oh.us/|CS/specDockets/SDServices.pdf
- **13.** COVID-19 Resources for Treatment Courts https://www.nadcp.org/covid-19-resources/
- **14.** Supreme Court of Ohio Standards COVID Guidance https://www.sconet.state.oh.us/coronavirus/resources/specDocketCertStandsCOVID19032020.pdf

RESOURCES SPECIFIC TO OHIO'S STANDARDS

Standard 1. Planning Process

- Design a Treatment Court https://www.ndci.org/resource/training/treatment-court-design/
- 2. Adult Drug Court Planning Process Checklist https://ndcrc.org/wp-content/uploads/2020/05/NADCP_Adult_Drug_Court_Planning_Process_Checklist.pdf
- 3. Essential Elements of Adult Drug Courts https://courses.ncsc.org/course/NDCI Essentials

Standard 1. Planning Process - cont.

4. The Judicial Drug Court Benchbook

https://www.ndci.org/wp-content/uploads/2016/05/Judicial-Benchbook-2017-Update.pdf

5. Sustainability

https://www.ndci.org/sustainability/

6. Building Recovery-Oriented Systems of Care for Drug Court Participants

https://www.ndci.org/wp-content/uploads/Recovery-Oriented % 20 Systems % 20 of % 20 Care.pdf

7. Drug Court Review

https://www.ndci.org/resource/publications/drug-court-review/

8. The Multi-Site Drug Court Evaluation

https://www.ndci.org/wp-content/uploads/2018/09/Multisite-Adult-Drug-Court-Evaluation-NADCP.pdf

9. Research Update on Adult Drug Courts

https://www.ndci.org/wp-content/uploads/2018/09/Research-Update-on-Adult-Drug-Courts-NADCP_1.pdf

10. Sample Documents

https://www.ndci.org/resource/sample-documents/

11. Ethical Considerations for Judges and Attorneys in Drug Court

https://www.ndci.org/wp-content/uploads/ethicalconsiderations.pdf

Standard 2. Legal and Clinical Eligibility

1. National Association of Drug Court Professionals Best Practice Standards-Volume I

https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-I-Text-Revision-December-2018-1.pdf

2. Know Who They Are and What They Need: Screenings and Assessment for Co-Occurring Disorders

https://www.ndci.org/know-who-they-are-and-what-they-need-screening-and-assessment-for-co-occurring-disorders/

3. Selecting and Using Risk and Need Assessments

https://www.ndci.org/wp-content/uploads/2018/09/Fact-Sheet-Risk-Assessment.pdf

4. Targeting the Right Participants for Adult Drug Courts

https://www.ndci.org/wp-content/uploads/2019/04/Targeting-The-Right-Participants.pdf

5. The Most Carefully Studied, Yet Least Understood, Terms in the Criminal Justice Lexicon: Risk, Need, and Responsivity

https://www.prainc.com/risk-need-responsitivity/

6. Alternative Tracks in Adult Drug Courts

https://www.ndci.org/wp-content/uploads/2018/09/AlternativeTracksInAdultDrugCourts.pdf

7. National Drug Court Institute Equity and Inclusion Resources

https://www.ndci.org/resource/training/equity/

Standard 3. Program Entry and Case Flow

- 1. National Association of Drug Court Professionals Best Practice Standards-Volume I https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-I-Text-Revision-December-2018-1.pdf
- 2. Selecting and Using Risk and Need Assessments

https://www.ndci.org/wp-content/uploads/2018/09/Fact-Sheet-Risk-Assessment.pdf

3. National Drug Court Institute Annals of Research and Knowledge (ARK)

https://www.ndci.org/resource/the-ark/

4. Treatment Provider Training

https://www.ndci.org/resource/training/treatment-provider-training/

5. Confidentiality and Drug Courts

https://nadcpconference.org/wp-content/uploads/2018/05/SB-5.pdf

6. Substance Abuse Confidentiality Regulations

https://www.samhsa.gov/about-us/who-we-are/laws-regulations/confidentiality-regulations-faqs

7. Fact Sheet: SAMHSA 42 CFR Part 2 Revised Rule

https://www.hhs.gov/about/news/2020/07/13/fact-sheet-samhsa-42-cfr-part-2-revised-rule.html

- 8. Licensed Mental Health Clinician Administered Assessments and Measures:
 - DSM-5 Cross cutting measure (Comprehensive DSM-5 Diagnosis Tool for MH & SUD) https://www.psychiatry.org/psychiatrists/practice/dsm/educational-resources/assessment-measures
 - Beck Depression Inventory-II (BDI-II) https://www.pearsonassessments.com/store/ usassessments/en/Store/Professional-Assessments/Personality-%26-Biopsychosocial/Beck-Depression-Inventory-II/p/100000159.html
 - Beck Anxiety Inventory (BAI) https://www.gphealth.org/media/1087/anxiety.pdf
 - Generalized Anxiety Disorder 7-Item Scale (GAD-7) https://med.dartmouth-hitchcock.org/documents/GAD-7-anxiety-screen.pdf
 - Mental Health Screening Form-III (MHSFIII) http://forensiccounselor.org/images/file/MHSF%20 III.pdf
 - Modified Mini-Screen (MMS) http://www.bhevolution.org/public/document/mms.pdf
 - Mood Disorder Questionnaire (MDQ) https://www.ohsu.edu/sites/default/files/2019-06/cms-quality-bipolar_disorder_mdq_screener.pdf
 - Symptom Checklist-90-Revised (SCL-90-R) https://www.pearsonassessments.com/store/usassessments/en/Store/Professional-Assessments/Personality-%26-Biopsychosocial/Symptom-Checklist-90-Revised/p/100000645.html
- 9. SUD Specific (all are ASAM recommended and Cross Culturally Appropriate)
 - NIDA Modified ASSIST Drug Use Screening Tool https://www.drugabuse.gov/sites/default/files/pdf/nmassist.pdf
 - Alcohol Use Disorders Identification Test (AUDIT) https://www.drugabuse.gov/sites/default/ files/audit.pdf

Standard 3. Program Entry and Case Flow - cont.

- 10. Trauma and TBI Specific Screens and Measures:
 - Life Experiences Checklist (LEC) https://www.ptsd.va.gov/professional/assessment/te-measures/life_events_checklist.asp
 - PTSD Checklist (PCL-5) https://www.ptsd.va.gov/professional/assessment/adult-sr/ptsd-checklist.asp
 - Adverse Childhood Experiences (ACE) https://www.cdc.gov/violenceprevention/aces/about. html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fviolenceprevention%2Facestudy%2Fabout.html
 - Traumatic Brain Injury OSU TBI ID https://wexnermedical.osu.edu/neurological-institute/departments-and-centers/research-centers/ohio-valley-center-for-brain-injury-prevention-and-rehabilitation/osu-tbi-id
 - Clinician Administered PTSD Scale (CAPS-5) https://www.ptsd.va.gov/professional/assessment/adult-int/caps.asp
- 11. Critical Issues for Defense Attorneys in Drug Court

https://www.ndci.org/wp-content/uploads/Mono4.CriticalIssues.pdf

12. The Role of Defense Counsel in Drug Courts

https://www.american.edu/spa/jpo/initiatives/drug-court/upload/defense-counsel-fact-sheet.pdf

Standard 4. Treatment and Rehabilitation

- 1. National Association of Drug Court Professionals Best Practice Standards-Volume I https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-I-Text-Revision-December-2018-1.pdf
- 2. National Association of Drug Court Professionals Best Practice Standards-Volume II https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-2-Text-Revision-December-2018-1.pdf
- 3. SAMHSA Evidence-Based Practices Resource Center

https://www.samhsa.gov/ebp-resource-center

4. Treatment Provider Training

https://www.ndci.org/resource/training/treatment-provider-training/

5. How to Assess Quality Treatment Providers

https://www.ncsc.org/__data/assets/pdf_file/0012/17103/quality_tx_provider_assessment_rjoi.pdf

6. Expanding Your Treatment Options for Individuals with Co-Occurring Disorders

https://www.ndci.org/expanding-your-treatment-options-for-individuals-with-co-occurring-disorders/

7. Six Steps to Improve Your Drug Court Outcomes for Adults with Co-Occurring Disorders

https://www.ndci.org/wp-content/uploads/2018/09/C-O-FactSheet.pdf

8. Effective Alcohol Treatment: Doing the Right Thing the Right Way

https://www.ndci.org/effective-alcohol-treatment-doing-the-right-thing-the-right-way/

9. Evidence Based Practices

https://www.ndci.org/evidence-based-practices/

Standard 4. Treatment and Rehabilitation - cont.

10. Psychopharmacology

https://www.ndci.org/psychopharmacology/

11. Post-Traumatic Stress Disorder

https://www.ndci.org/post-traumatic-stress-disorder/

12. Designer Drugs: What Drug Court Practitioners Need to Know

https://www.ndci.org/wp-content/uploads/Designer%20Drugs.pdf

13. Methamphetamine in Treatment Court

https://courses.ncsc.org/course/meth

14. Relapse

https://www.ndci.org/post-8955/

15. Medication Assisted Treatment

https://www.ndci.org/resource/training/medication-assisted-treatment/online-course/

16. The Supreme Court of Ohio Principles for the Use of Medication Assisted Treatment in Drug Courts

https://www.supremecourt.ohio.gov/JCS/specDockets/resources/MATPrinciples.pdf

17. A Drug Court Team Member's Guide to Medication in Addiction Treatment

https://www.ndci.org/wp-content/uploads/2019/02/Pocket-Guide-B DC-Team-Members.pdf

18. A Drug Court Clinician's Guide for Linking People to Opioid Treatment Services

https://www.ndci.org/wp-content/uploads/2019/02/Pocket-Guide-A_Clinicians.pdf

19. Understanding Medication in Addiction Treatment for Drug Court Participants

https://www.ndci.org/wp-content/uploads/2019/02/Pocket-Guide-C_Participants.pdf

20. Medication Assisted Treatment for Opioid Use Disorders in Drug Courts

https://www.ndci.org/wp-content/uploads/2018/09/mat_fact_sheet-1.pdf

21. Understanding and Detecting Prescription Drug Misuse and Misuse Disorders

https://www.ndci.org/wp-content/uploads/2018/09/18371 NDCI Rx Drugs FS v4.pdf

20. MAT Basics and How to Find a Quality MAT Provider

https://www.ncsc.org/_data/assets/pdf_file/0022/16771/medication_assisted_treatment_rjoi.pdf

21. Transitioning to a Family Centered Approach

https://www.ndci.org/resources/transitioning-to-a-family-centered-approach/

22. Naloxone

https://www.ndci.org/resource/training/e-learning/naloxone-training/

23. Please see the Supreme Court of Ohio's Domestic Violence Drug Court Guiding Document

24. Please see the Supreme Court of Ohio's CORE COMPONENTS OF DOMESTIC VIOLENCE COURTS:

Standard 4. Treatment and Rehabilitation - cont.

A National Perspective for Ohio Courts

25. Supreme Court of Ohio Language Services Program

https://www.sconet.state.oh.us/JCS/interpreterSvcs/default.asp

26. From Drug Court to Classroom

https://www.courtinnovation.org/publications/drug-court-classroom-creating-court-college-program-interns-manual

Standard 5. Docket Progression

1. National Association of Drug Court Professionals Best Practice Standards-Volume I https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-I-Text-Revision-December-2018-1.pdf

2. National Association of Drug Court Professionals Best Practice Standards-Volume II https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-2-Text-Revision-December-2018-1.pdf

3. Sample Documents

https://www.ndci.org/resource/sample-documents/

4. Revisiting the Phases in Adult Drug & DWI Treatment Courts

https://nadcpconference.org/wp-content/uploads/2017/06/TS-9.pdf

Standard 6. Treatment Team

1. National Association of Drug Court Professionals Best Practice Standards-Volume I https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-I-Text-Revision-December-2018-1.pdf

2. National Association of Drug Court Professionals Best Practice Standards-Volume II

https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-2-Text-Revision-December-2018-1.pdf

3. Law Enforcement Training

https://www.ndci.org/resource/training/law-enforcement/

4. From the Front Lines: The Case That Made Me a Believer in Treatment Court

https://www.ndci.org/wp-content/uploads/2020/02/BosseAllRiseSpring18_Final.pdf

5. Law Enforcement Essentials for Treatment Courts

https://www.ndci.org/wp-content/uploads/2020/02/LawEnfBriefingsFlyer_Final.pdf

6. Treatment Provider Training

https://www.ndci.org/resource/training/treatment-provider-training/

7. The Beat: A Law Enforcement Officer's Guide to Drug Court

https://courses.ncsc.org/course/The_Beat

8. Sample Documents

https://www.ndci.org/resource/sample-documents/

Standard 6. Treatment Team - cont.

9. Critical Issues for Defense Attorneys in Drug Court

https://www.ndci.org/wp-content/uploads/Mono4.Criticallssues.pdf

10. The Role of Defense Counsel in Drug Courts

https://www.american.edu/spa/jpo/initiatives/drug-court/upload/defense-counsel-fact-sheet.pdf

11. The Role of Prosecutors in Drug Treatment Courts

https://www.youtube.com/watch?v=1c2WcIGgoYM

12. Practicing Law in Problem Solving Courts

http://www.ohiochannel.org/video/practicing-law-in-problem-solving-courts

13. Drug Court Resources-ASAM

https://www.asam.org/Quality-Science/quality/guidelines-and-consensus-documents/drug-courts

14. All Roles

https://www.ndci.org/all-roles/

Standard 7. Participant Monitoring

1. National Association of Drug Court Professionals Best Practice Standards-Volume I

https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-I-Text-Revision-December-2018-1.pdf

2. National Association of Drug Court Professionals Best Practice Standards-Volume II

https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-2-Text-Revision-December-2018-1.pdf

3. Probation Practices in Treatment Court

https://www.ndci.org/wp-content/uploads/2018/09/Probation-Fact-Sheet.pdf

4. Community Supervision

https://www.ndci.org/community-supervision-2/

5. Using Remote Technology to Enhance Criminal Justice Outcomes: Bringing Treatment Courts, Probation and Parole into the 21st Century

https://ndcrc.org/best-practice-topic/using-remoté-technology-to-enhance-criminal-justice-outcomes-bringing-treatment-courts-probation-and-parole-into-the-21st-century/

6. Motivational Interviewing for Probation Officers

https://ndcrc.org/wp-content/uploads/2020/08/Motivational_Interviewing_for_Probation_Officers_Tipping_the_Balance_Toward_Change.pdf

Standard 8. Incentives, Sanctions, and Therapeutic Adjustments

1. National Association of Drug Court Professionals Best Practice Standards-Volume I

https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-I-Text-Revision-December-2018-1.pdf

2. Incentives and Sanctions

https://www.ndci.org/webinar-incentives-and-sanctions/

3. Making the Most of Incentives and Sanctions

https://www.ndci.org/wp-content/uploads/BehaviorModification101forDrugCourts.pdf

4. National Drug Court Institute Resources

https://www.ndci.org/resource/training/incentives-and-sanctions/

5. Incentives Sanctions and Therapeutic Adjustments

https://nadcpconference.org/wp-content/uploads/2017/07/C-2-1.pdf

Standard 9. Substance Monitoring

1. National Association of Drug Court Professionals Best Practice Standards-Volume II

https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-2-Text-Revision-December-2018-1.pdf

2. What 2012 SAMHSA Guidelines on EtG/EtS Mean for Drug Courts

https://www.ndci.org/what-the-2012-samhsa-guidelines-on-etgets-means-for-drug-courts/

3. Urine Creatinine Measurements in Abstinence Monitoring

https://www.ndci.org/post-8960/

4. Onsite Heroin Screening

https://www.ndci.org/wp-content/uploads/2018/09/Heroin-Screening.pdf

5. Oral Fluid Testing

https://www.ndci.org/wp-content/uploads/2018/09/Oral-Fluid-Drug-Testing-Foils-Cheaters.pdf

6. Best Practices Review: Drug & Alcohol Testing

https://nadcpconference.org/wp-content/uploads/2017/06/A-14.pdf

7. Drug Testing 101

http://www.supremecourt.ohio.gov/JCS/specDockets/conference/2018/materials/F2/F2.pdf

8. Commission on Specialized Dockets Substance Monitoring Guidance

https://www.supremecourt.ohio.gov/JCS/specDockets/substanceMonitoringGuide.pdf

Standard 10. Program Completion

- 1. National Association of Drug Court Professionals Best Practice Standards-Volume I https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-I-Text-Revision-December-2018-1.pdf
- 2. National Association of Drug Court Professionals Best Practice Standards-Volume II https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-2-Text-Revision-December-2018-1.pdf
- 3. Sample Documents

https://www.ndci.org/resource/sample-documents/

Standard 11. Professional Education

1. National Drug Court Institute

https://www.ndci.org/

2. National Drug Court Resource Center

https://ndcrc.org/

3. Center for Court Innovation

https://www.courtinnovation.org/areas-of-focus/treatment-courts

4. National Center for State Courts

https://www.ncsc.org/services-and-experts/areas-of-expertise/problem-solving-courts

5. Treatment Court Online

http://treatmentcourts.org/

6. Sample Documents

https://www.ndci.org/resource/sample-documents/

7. Ohio Judicial College

https://www.sconet.state.oh.us/Boards/judCollege/default.aspx

Standard 12. Effectiveness Evaluation

- 1. National Association of Drug Court Professionals Best Practice Standards-Volume II https://www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-2-Text-Revision-December-2018-1.pdf
- 2. Multisite Drug Court Evaluation https://www.ndci.org/wp-content/uploads/2018/09/Multisite-Adult-Drug-Court-Evaluation-NADCP.pdf
- 3. Research Update on Adult Drug Courts https://www.ndci.org/wp-content/uploads/2018/09/Research-Update-on-Adult-Drug-Courts-NADCP_1.pdf
- 4. Tracking Participant Progress During COVID-19: What Data to Collect and Why https://www.nadcp.org/covid-19-resources/training-and-publications/tracking-participant-progress-during-covid-19-what-data-to-collect-and-why/
- 5. Developing a Statewide Drug Court Data Tracking System https://www.courtinnovation.org/sites/default/files/documents/drugcourtdatasystem.pdf
- 6. Local Drug Court Research https://bja.ojp.gov/sites/g/files/xyckuh186/files/Publications/Local_Drug_Court_Research.pdf
- 7. Supreme Court of Ohio Specialized Docket Data Collection https://www.sconet.state.oh.us/JCS/specDockets/default.asp

Standard 13. Constitutional and Due Process Rights

- 1. Constitutional and Other Legal Issues in Drug Court https://www.ndci.org/law-2-2/
- 2. Constitutional Issues in Drug Courts https://nadcpconference.org/wp-content/uploads/2019/06/B-18.pdf
- 3. Law, Ethics, and Medication Assisted Treatment https://nadcpconference.org/wp-content/uploads/2017/07/C-15.pdf
- 4. Commission on Specialized Dockets Guidance: Constitutional Rights of Participants https://www.sconet.state.oh.us/|CS/specDockets/guidanceConsitutionalStandards.pdf