

# **MARION COUNTY MENTAL HEALTH COURT**

**POLICIES AND PROCEDURES**

# **MANUAL**

**12/9/10**

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## **ABBREVIATIONS**

The following abbreviations will be used throughout this Manual:

<b>“Marion County”</b>	means Marion County, Florida;
<b>“Marion County Court”</b>	means the County Court of the 5 <sup>th</sup> Judicial Circuit of the State of Florida in and for Marion County;
<b>“MCMHC”</b> Court;	means Marion County Mental Health
<b>“the Judge”</b>	means the Judge presiding over the MCMHC;
<b>“Defendant(s)”</b>	means a person either arrested for, or charged with, one or more misdemeanor crimes alleged to have been committed in Marion County;
<b>“SAO”</b>	means the 5 <sup>th</sup> Circuit State Attorney or an Assistant State Attorney designated by that State Attorney to represent the State of Florida in matters pertaining to the MCMHC;
<b>“PDO”</b>	means the 5 <sup>th</sup> Circuit Public Defender or an Assistant Public Defender designated by that Public Defender to represent a defendant OR a private attorney retained to represent a defendant in matters pertaining to the MCMHC;

**“Treatment Provider”** means a psychiatrist or psychologist licensed by the State of Florida or a duly qualified and authorized member of the staff of a mental health services provider like the Centers or the Vines in Marion County which staff member is subject to the supervision of a psychiatrist or psychologist licensed by the State of Florida;

**“[MCMHC] Coordinator”** means a staff person with the Court Administrator’s Office for the 5<sup>th</sup> Judicial Circuit who provides coordination for the Staffing Team members, facilitates meetings of the Staffing Team, manages the court docket for the MCMHC and develops procedures for collaboration among community agencies and the Staffing Team [NOTE: the coordinator responsibilities may be fulfilled by the Case Manager];

**“[MCMHC] Case Manager”** means a staff person with the Court Administrator’s Office for the 5<sup>th</sup> Judicial Circuit who reports to the Staffing Team on the defendant’s compliance with the requirements of the MCMHC program and of treatment and makes recommendations regarding matters pertaining to the MCMHC program; and

**“the Clerk”** means the Clerk of the Circuit Court in and for Marion County, Florida.

## **MISSION**

The Mission of the MCMHC is to divert select non-violent and mentally ill defendants from the Marion County Jail and from active criminal prosecution in the Marion County Court to the appropriate community based treatment and support services to best protect public safety, reduce recidivism and help those defendants to build successful lives.

## **GOALS**

- \_ Protect public safety, health and property.
- \_ Ensure that mentally ill defendants do not languish in the Marion County Jail.
- \_ Ensure legal advocacy for mentally ill defendants.
- \_ Improve the ability of the Marion County Court to identify, assess and facilitate the treatment of certain mentally ill defendants.
- \_ Furnish intensive supervision to certain mentally ill defendants with a focus on their performance and accountability.
- \_ Direct certain mentally ill defendants to appropriate mental health services and treatment, including support group meetings and participation in classes, while motivating them to engage in those services and treatment.
- \_ Reduce recidivism among mentally ill defendants and thereby improve their quality of life and the general quality of life in Marion County.
- \_ Provide judges, prosecutors and defense attorneys with better information to make the best possible decisions about how to balance public safety issues with the individual assessment of needs and treatment of certain mentally ill defendants.
- \_ Enhance effectiveness and efficiency by facilitating coordination between the criminal justice and mental health systems in Marion County while improving the accountability of both.
- \_ Improve the ability of the Marion County Court to handle cases involving defendants who are adjudged incompetent to proceed.

## **FEATURES**

### **General:**

- \_ Public safety is the highest priority.
  
- \_ A defendant must have either a public or private attorney representing the defendant before the defendant will be considered for acceptance or placement into the MCMHC and that attorney has the primary responsibility of making certain that all of the defendant's legal rights are respected.
  
- \_ The Judge is in charge of the MCMHC including all related supervision activities.
  
- \_ To participate in the MCMHC, a defendant must have a qualifying mental illness which mental illness was a factor in the defendant becoming involved with Marion County's criminal justice system.
  
- \_ Once a defendant is accepted into the MCMHC pursuant to the "**Primary Referral Process**" set forth in this Manual or is placed by the Court into the MCMHC pursuant to the "**Alternative Referral Process**" set forth in this Manual, then that defendant's pending case in the Marion County Court is considered to be in diversion and active criminal prosecution in that case is suspended pending the defendant either being graduated or otherwise discharged from the MCMHC. If the defendant is graduated, then the defendant's case is dismissed. If the defendant is otherwise discharged, then the defendant's case reverts to being an active criminal prosecution on the regular docket of the Marion County Court.

### **For "Primary Referral Process" cases:**

- Participation in the MCMHC is voluntary;
- A defendant will be accepted into the MCMHC only after the defendant has been carefully screened according to the applicable criminal justice and mental health eligibility criteria and has been approved by the full Staffing Team and the Judge;

- An eligible defendant must consent in writing to fully participate in the MCMHC before being accepted into the MCMHC;
- An eligible defendant must unconditionally agree in writing with the program “Goals” set forth in this Manual at page 6 to be accepted into the MCMHC; and
- An eligible defendant must waive in writing his or her right to a speedy trial to be accepted into the MCMHC.

**For “Alternative Referral Process” cases:**

- A defendant will be placed by the Court into the MCMHC only after the Marion County Court has entered an Order Adjudging the Defendant Incompetent To Proceed which Order would only be entered after a competency hearing has been held or upon a written stipulation between the SAO and PDO.

**Screening and assessment:** The Treatment Provider working with a defendant will perform an assessment of the defendant and design an individualized treatment plan that matches the defendant to the appropriate and available mental health and social services.

**Judicial monitoring:** Each defendant will be required to regularly meet in person or by phone with the MCMHC Case Manager and to appear before the Judge to report on his or her progress in treatment. This feature keeps the Judge engaged with the defendant for the duration of the MCMHC case and emphasizes to the defendant the seriousness of the process.

**Accountability:** The MCMHC will use an array of graduated rewards and sanctions to respond to each defendant’s compliance or noncompliance with that defendant’s treatment plan to hold each defendant accountable for his or her progress. Regular monitoring by the Staffing Team of a defendant’s progress with treatment will also hold service providers accountable to the Judge.

**Coordinated services:** The MCMHC will work with a broad network of government and other service providers to address interrelated problems that mentally ill defendants face, including: substance



abuse, homelessness, joblessness and serious physical health problems.

## **REQUIREMENTS**

A defendant can only be accepted or placed into the MCMHC as follows:

- \_ The defendant must have been arrested for, or charged with, one or more misdemeanor crimes alleged to have been committed in Marion County;
- \_ The defendant must be represented by an attorney;
- \_ The defendant must have resided in Marion County for at least the 90 day period immediately preceding the date of the defendant's application to the MCMHC [**"the Residency Requirement"**]; AND
- \_ The defendant must have followed either the **"Primary Referral Process"** for acceptance or the **"Alternative Referral Process"** for placement as those processes are set forth in this Manual.

IF the defendant has followed the **"Primary Referral Process"**, then:

- o The SAO must find that the defendant meets the "Eligibility Criteria – Criminal Justice" set forth in this Manual;
- o A Treatment Provider must find that the defendant meets the "Eligibility Criteria – Mental Health" set forth in this Manual;
- o The defendant must waive in writing his or her right to a speedy trial;
- o The defendant must unconditionally agree in writing with the MCMHC "Goals" set forth in this Manual at page 6;
- o The defendant must consent in writing to fully participate in the MCMHC including accepting whatever rewards and sanctions the Judge may impose on the defendant while in the program;  
AND
- o The defendant has 4 weeks from the date of acceptance into the MCMHC to opt out of the program.

IF the defendant is placed into the MCMHC pursuant to the **“Alternative Referral Process”**, then the Marion County Court must have entered an Order Adjudging The Defendant Incompetent To Proceed after a competency hearing was held or a written stipulation was entered between the SAO and the PDO.

Other requirements of the MCMHC include:

- The maximum number of defendants enrolled in the MCMHC at any given time is 25.
- **Fees:** Defendants participating in the MCMHC will be required to pay a monthly fee of \$25.00 for each month they are a participant in the MCMHC unless waived or adjusted by the Judge in consultation with the Staffing Team and there will be no refunds for any funds paid by defendants participating in the MCMHC. The Case Manager will be responsible to timely collect this fee from each defendant each month and to promptly forward the monies collected to the Clerk. These fees are meant to partially defray the special costs associated with the operation of the MCMHC including the cost of providing the services of the Case Manager.
- **Records:** The policy of the MCMHC will be to keep all records pertaining to each defendant participating in the MCMHC in the regular court file for that defendant’s pending misdemeanor case as kept by the Clerk. The Case Manager may keep personal handwritten notes pertaining to individual defendants separate from the regular court file but those notes shall be intended and kept only for use by the Case Manager and must be timely destroyed by the Case Manager when the defendant is no longer a participant in the MCMHC. The Case Manager shall prepare a report on each defendant being considered by the Staffing Team at each of its weekly meetings which report will be filed by the Clerk in that defendant’s court file. These reports should be succinct and generally avoid including any confidential or privileged information. Treatment Provider records of a more confidential or privileged nature may be shared with the Staffing Team at its weekly meetings but those records will generally not be copied and kept by Staffing Team members and therefore will not become filed with the Clerk. The

general policy of the MCMHC is to minimize the amount of confidential or privileged material filed in a defendant's court file to maximize the transparency of the MCMHC. When confidential or privileged material does get filed in a defendant's court file, then the Clerk shall maintain those items in sealed envelopes while making a note on the outside of the envelope to generally identify what type of item is contained in the envelope.

## **STAFFING TEAM**

- **Judge:** The Judge is the primary spokesperson for the MCMHC. The Judge is also the final arbitrator of any disagreement among the members of the Staffing Team. As such and because the Judge is the one who is ultimately responsible for matters pertaining to the Marion County Court, the Judge has the final say on all legal matters including the imposition of sanctions. The Judge interacts directly with each defendant in a formal court setting to establish rapport while using the Judge's authority to provide affirmation, acknowledgment of progress and accountability.
  
- **State Attorney:** The SAO is primarily responsible to ensure public safety. The SAO determines eligibility for the MCMHC. The SAO is also a member of the Staffing Team and provides guidance to the Court on legal issues.
  
- **Public Defender/Private Defense Attorney:** The PDO is primarily responsible to make certain that all of the legal rights of a defendant are fully respected. The PDO meets with the defendant and explains the MCMHC process. The PDO refers appropriate defendants for an eligibility determination. The PDO helps to guide the defendant through the MCMHC process. The PDO also provides input on legal issues. When a defendant has a private defense attorney representing the defendant in a case referred to the MCMHC, then that private attorney will be considered part of the Staffing Team for that defendant's case only.
  
- **[MCMHC] Coordinator:** The Coordinator provides coordination for the Staffing Team members, facilitates meetings of the Staffing Team, manages the court docket for the MCMHC and develops procedures for collaboration among community agencies and the Staffing Team.
  
- **[MCMHC] Case Manager:** The Case Manager monitors and supervises the defendant so long as the defendant remains in the MCMHC. The Case Manager reports to the Staffing Team

on each defendant's compliance with the requirements of the program and of treatment and makes recommendations.

– **OTHERS:** Subject to approval by the Judge, other members of the Staffing Team may include Law Enforcement Officers and representatives of other local agencies, including NAMI, that provide services to people who are mentally ill in Marion County. To be eligible for consideration as an additional member of the Staffing Team, the prospective member must commit to consistently participate in Staffing Team meetings on a weekly basis for a period of at least 6 months.

– **MEETINGS:**

– The Staffing Team will meet weekly to review all matters pertaining to the MCMHC. Exceptions will be allowed by agreement of the Staffing Team.

– All matters pertaining to defendants that are discussed at meetings of the Staffing Team are to be considered confidential and handled by members of the Staffing Team accordingly.

– The Staffing Team does not provide treatment services but rather facilitates the provision of treatment services to defendants participating in the MCMHC program.

– All decisions pertaining to MCMHC acceptances, rewards and sanctions are to be made by the Staffing Team during meetings of the Staffing Team.

– If an emergency situation involving a public safety issue arises which requires an immediate decision pertaining to a defendant participating in the MCMHC program, then the Judge will make the decision and report the situation to the Staffing Team at its next meeting.

## **PRIMARY REFERRAL PROCESS**

### **Authorized Referrers:**

Any Judge;

Any prosecutor;

An attorney representing a potentially eligible defendant; and

Any law enforcement or correctional officer authorized to make referrals to the MCMHC by their respective law enforcement agency.

### **The Referral Process:**

1. The defendant seeking acceptance into the MCMHC must have been arrested for, or charged with, one or more misdemeanor crimes alleged to have been committed in Marion County and must have an attorney representing them.
2. The defendant's attorney [PDO] must fully explain the MCMHC program and acceptance process to the defendant.
3. The defendant must unconditionally consent in writing to participate in the MCMHC.
4. The defendant must unconditionally agree in writing with the MCMHC "Goals" set forth in this Manual at page 6.
5. The defendant must waive in writing his or her right to a speedy trial.
6. The PDO must complete the requisite application package, including the requisite referral, consent and waiver forms, and submit it to the Coordinator. The complete application package, including all required attachments, must be submitted to the Coordinator as soon as possible, but not later than 20 days after the date of the alleged qualifying offense.



7. The Coordinator will receive the defendant's application package and open a MCMHC file including an "Applicant Tracking Sheet".
8. The Coordinator will determine whether the defendant meets the residency requirement for acceptance into the MCMHC.
9. If the Coordinator determines that the defendant meets the residency requirement, then the Coordinator will submit a copy of the defendant's application package to the SAO. If the Coordinator finds the defendant does not meet the residency requirement, then see Step 23 below.
10. The SAO will determine as promptly as possible whether or not the defendant meets the "Eligibility Criteria – Criminal Justice" set forth in this Manual [see page 18].
11. The SAO will promptly report the results of the SAO eligibility determination to the Coordinator with the reasons for finding any defendant ineligible for the MCMHC. The Coordinator will communicate the results to the defendant's attorney and to the referrer. The Coordinator will communicate the reasons for finding a defendant ineligible to the defendant's attorney. If the SAO finds the defendant ineligible, then see Step 23 below.
12. If the SAO finds the defendant meets all of the criminal justice eligibility criteria, then the Coordinator will submit a copy of the application package to the Treatment Provider designated by the defendant's attorney.
13. The Treatment Provider will determine as promptly as possible whether there are any Baker Act/stabilization issues.
14. The Treatment Provider will determine as promptly as possible whether there are any competency to proceed issues.
15. The Treatment Provider will determine as promptly as possible whether or not the defendant meets the "Eligibility Criteria – Mental Health" set forth in this Manual [see page 19].

16. The Treatment Provider will promptly report the results of the Treatment Provider's eligibility determinations to the Coordinator, the Judge, the defendant's attorney and the referrer while noting the reasons for finding any defendant ineligible for the MCMHC. If the Treatment Provider finds the defendant ineligible, then see Step 23 below.

17. If and when all of the conditions for acceptance into the MCMHC have been satisfied, then the Coordinator will submit the defendant's MCMHC file, including the defendant's application package, to the Staffing Team for review at its next meeting.

18. The Staffing Team will decide during a Staffing Team meeting whether or not to approve the defendant for acceptance into the MCMHC;

19. If the Staffing Team approves the defendant for acceptance into the MCMHC, then the Judge will enter a "Reassignment Order" directing that the defendant's case be reassigned from the regular criminal docket to the diversion docket of the MCMHC.

20. If the Staffing Team decides to not approve the defendant for acceptance into the MCMHC, then the decision is final and the Coordinator will issue a notice of non-acceptance to the defendant's attorney.

21. When a defendant is accepted into the MCMHC, the Coordinator will place that defendant's case on the next MCMHC docket and refer the defendant's case to the Staffing Team for review at the next meeting of the Staffing Team.

22. If the defendant is incarcerated at the time that defendant is accepted into the MCMHC, then the Coordinator will prepare and present to the Judge a Transport Order directing staff at the Marion County Jail to transport the defendant to Court for the next scheduled MCMHC docket.

23. When a defendant is found by the Coordinator, the SAO or a Treatment Provider to be ineligible for acceptance into the MCMHC, then the defendant's attorney may submit a request in writing to the

Judge for the attorney to appear before the full Staffing Team at its next regularly scheduled meeting to discuss the defendant's ineligibility determination.

24. The SAO will have the ultimate and final say in determining whether or not a defendant can be accepted into the MCMHC pursuant to this Primary Referral Process as the SAO is the exclusive entity with the authority to bring charges or not. When the SAO denies a defendant acceptance into the MCMHC, however, the SAO – as an accountability measure - shall provide a written explanation for denying Defendant's acceptance into the MCMHC.

## **ALTERNATIVE REFERRAL PROCESS**

### **Authorized Referrer:**

The Judge presiding over the MCMHC.

### **The Referral Process:**

1. Referral is made by the Judge after entry of an Order Adjudging A Defendant Incompetent To Proceed upon a competency hearing or upon a written stipulation between the SAO and PDO.

### **The Alternative Referral Program:**

1. Upon the defendant's admission into the MCMHC under the alternative referral process, the defendant will be subject to court supervision for a period of time up to one year.
2. The goals to be accomplished by a defendant participating in the MCMHC under the alternative referral process will be set by the Staffing Team on an individual basis.

## **ELIGIBILITY CRITERIA - CRIMINAL JUSTICE**

### **Eligible Offenses:**

- \_ Any misdemeanor.

### **Exclusions:**

A defendant will be *excluded* from acceptance into the MCMHC if that defendant has any felony and/or any VOP charges pending at the time application is made to the MCMHC.

A defendant will be *excluded* from acceptance into the MCMHC if the defendant has any Driving Under the Influence charge pending at the time application is made to the MCMHC.

A defendant will be *excluded* from acceptance into the MCMHC if either of the following applies:

- [1] The defendant is a "violent offender" meaning a person who either is currently charged with, or has been convicted of [including withholds of adjudication], an offense during the course of which offense:
  - \_ The person carried, possessed, or used a firearm or dangerous weapon; or
  - \_ There occurred the death of, or serious bodily injury to, any person;

OR

- [2] The defendant is currently charged with, or has been convicted of [including withholds of adjudication], any felony sex crime.

## **ELIGIBILITY CRITERIA -MENTAL HEALTH**

### **Eligible:**

- The defendant must have an Axis I diagnosis including, but not limited to, Bipolar Disorder, Schizoaffective Disorder, Schizophrenia or Major Depressive Disorder.
- The defendant must have the ability to comprehend and conform to the structure of the MCMHC.

### **Exclusions:**

- The defendant is not in need of any mental health treatment.
- The defendant's AXIS I diagnosis involves only a cognitive disorder, a developmental disability or a substance abuse disorder.
- A defendant may be dropped at any time from the MCMHC if the defendant's presenting diagnosis is later found to not meet the MCMHC eligibility criteria.

## **PROGRAM PHASES**

### **Referral and Screening Phase:**

The object of this initial phase **pertaining to “Primary Referral Process” cases only** is to determine whether the defendant meets the eligibility criteria for acceptance into the MCMHC. Actions include:

- The **Coordinator** determines whether the defendant has counsel;
- The Coordinator determines whether there are any residency issues;
  
- The **SAO** determines whether the pending charge(s) disqualifies the defendant from acceptance;
- The SAO determines whether the defendant has any criminal record which disqualifies the defendant from acceptance;
- The SAO determines whether any victim consents;
  
- The **Treatment Provider** determines whether there are any Baker Act/stabilization issues;
- The Treatment Provider determines whether there are any capacity to consent issues;
- The Treatment Provider determines whether the defendant has a qualifying mental illness diagnosis;
- The Treatment Provider determines whether the defendant has the capacity to manage the structure of the MCMHC; and
  
- The **Judge** makes the decision to accept or not accept a defendant in the MCMHC after consultation with the Staffing Team, however, the SAO has the authority to veto any defendant from being accepted into the MCMHC by the “Primary Referral Process”.

**NOTE:** the Program Phases set forth below are based on a 6 month period of participation in the MCMHC. Adjustments will be made in appropriate cases to accommodate a shorter or longer period of participation in the MCMHC. The maximum period of participation in the MCMHC is 12 months.



## **Phase 1: [Stabilization, Assessment and Treatment Planning]**

The typical Phase 1 defendant will have been recently released from jail. The defendant will most likely not have a recent history of medication or treatment compliance and therefore will need regular appearances before the Judge to insure accountability. During Phase 1, the Staffing Team will develop a Personalized Case Plan [PCP] for the defendant which will include specific goals, specific services to be utilized and specific graduation requirements. Phase 1 will last until the defendant is cooperating with treatment and other requirements of the MCMHC. Incentives for remaining in the program during Phase 1 will be agreed upon by the Staffing Team. Phase 1 will last **approximately 10 weeks**. The Phase 1 defendant is required to **report weekly to the Judge**.

### **Phase 1 GOALS:**

1. Medication compliance as prescribed by Treatment Provider.
2. Illegal substance and alcohol free. Defendant will be subject to random screens for drugs and alcohol.
3. No arrests since admission to the MCMHC.
4. Report weekly to the Judge.
5. Daily telephone contact with the Case Manager.
6. Cooperation with the Treatment Providers in attending appointments and getting recommended evaluations.

NOTE: Given the many variables in the treatment of mental illness, a specific attendance percentage is not predetermined for each defendant. Instead, the Judge will consider comments and reports from the Staffing Team regarding each defendant's attendance and progress in the MCMHC program.

## **Phase 2: [Treatment]**

The Phase 2 defendant has improved significantly in compliance with the treatment and other requirements of the MCMHC. The defendant in Phase 2 will be required to **report bi-weekly to the Judge** in addition to reporting to their Case Manager who will continue to monitor their treatment compliance. Phase 2 will last **approximately 6 weeks**. Phase 2 goals are the same as the Phase 1 goals but with less supervision from the Judge. The objective of Phase 2 is continued stabilization and reintegration of the defendant into the community. Included as part of that objective is completing tasks set forth in the defendant's Personalized Case Plan.

### **Phase 2 GOALS:**

1. Completing tasks set forth in the Defendant's Personalized Case Plan.
2. Report bi-weekly to the Judge.
3. Remain medication compliant as prescribed by physician.
4. Attend all appointments set.
5. No new arrests.
6. Contact with the Case Manager as ordered by the Judge.

## **Phase 3: [Graduation Planning]**

The Phase 3 defendant should demonstrate an increasing ability to remain in treatment and maintain stability within the community while being responsible for their own treatment and vocational activities. Phase 3 will last **approximately 8 weeks**. A Phase 3 Defendant will **report monthly to the Judge** in addition to reporting to their Case Manager who will continue to monitor their treatment compliance. The successful completion of Phase 3 will result in a Defendant's graduation from MCMHC.

### **Phase 3 GOALS:**

1. The defendant has completed their Personalized Case Plan.
2. The defendant is engaging in ongoing vocational, educational and/or volunteer service programs.
3. The defendant has demonstrated responsibility for his/her own treatment plan.
4. The defendant has written (or presented) and understands the importance of an aftercare plan to remain stable.
5. The defendant has continues contact with the Court Case Manager as ordered by the Judge.

### **Graduation:**

Upon graduation, the defendant will no longer be required to report to the MCMHC and the Staffing Team will recommend to the SAO and to the Marion County Court that the graduate's case be promptly dismissed.

### **Discharge:**

Should a defendant be discharged from the MCMHC for any reason other than graduation, then that defendant's criminal case pending in the Marion County Court will be reactivated by the Clerk upon notice by the Coordinator to an active criminal prosecution status and the Judge presiding over the MCMHC shall enter an Order of Recusal such that another Judge of the Marion County Court will thereafter be responsible to preside over any further proceedings in that defendant's case including trial.

## **REWARDS**

The Judge will acknowledge a defendant's effort and progress in treatment by granting rewards. Potential rewards include:

- Recognition by the Court;
- Certificates or other mementos of progress;
- Reduced frequency of required appointments with the Case Manager;
- Reduced frequency of required appearances before the Judge;
- Transfer to less restrictive housing or treatment program; and
- Suspension of alcohol/drug testing requirements; and
- MCMHC Staffing Phase advancement.

## **VIOLATIONS**

The Judge may treat the following events as violations of the MCMHC program:

- New criminal offense;
- Missed treatment appointment;
- Missed appointment with Case Manager;
- Missed Court appearance;
- Failure or refusal to take medications;
- Refusal to give sample for drug and/or alcohol testing;
- Violation of treatment rules;
- Violation of housing rules including curfew;
- Any verbal threat;
- Any act of violence;
- Noncompliance with treatment plans;
- Noncompliance with any directive of the Staffing Team;
- Any abuse of drugs;
- Any use of illicit drugs;
- Any abuse of alcohol;
- Positive drug screen;
- Positive alcohol screen; and
- Absconding from a treatment program or supervised housing.

## **SANCTIONS**

The Judge will respond to all violations of all conditions of the MCMHC by imposing a sanction or by requiring participation in additional treatment related activities. The Judge may also mandate a change in the defendant's treatment plan. Examples of sanctions include the following:

- Jail;
- Reprimand;
- Demotion to a prior MCMHC Staffing Phase;
- Discharge from the MCMHC;
- Order to write an essay;
- Order to do Journaling;
- Community Service;
- Increased frequency of appointments with Case Manager;
- Increased frequency of appearances before the Judge;
- Imposition of, or increase in frequency of, drug and/or alcohol testing;
- Increased NA/AA or other group therapy meetings;
- Increased Co-occurring diagnosis treatment;
- Mandatory attendance at a class (i.e. money management, anger management, family relations);
- Loss of privileges at treatment or housing program;
- Transfer to a more restrictive housing or treatment program;
- Unannounced visits by Case Manager;
- Detox/drug rehabilitation; and
- Involuntary hospitalization.

## **SCHEDULE**

Unless otherwise noticed by the Judge for a particular week, the MCMHC will proceed every week of the year as follows:

The Staffing Team without defendants will meet in Chambers each Wednesday beginning at 8:00 a.m.; and

MCMHC Proceedings with defendants in open Court will begin each Wednesday at 9:00 a.m. or as soon as the Staffing Team has finished its meeting.

## **CONTACT**

For more information about the MCMHC and to obtain referral forms, please contact:

MCMHC Case Manager  
Office of the Court Administrator, 5<sup>th</sup> Judicial Circuit  
Marion County Mental Health Court, Room 585  
110 N.W. 1<sup>st</sup> Ave.  
Ocala, FL 34475  
(352) 401-6728