

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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SENATE DRS75323-LL-142A* (10/30)

Short Title: Mental Health Treatment Court Pilot. (Public)

Sponsors: Senator Nesbitt.

Referred to:

A BILL TO BE ENTITLED

1
2 AN ACT TO APPROPRIATE FUNDS FOR THREE MENTAL HEALTH
3 TREATMENT COURT PILOT PROGRAMS WITHIN THE EXISTING DRUG
4 TREATMENT COURT PROGRAM TO SERVE REPEAT ADULT OFFENDERS
5 NEEDING MENTAL HEALTH SERVICES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** The Administrative Office of the Courts shall establish pilot
8 programs in judicial districts 15B, 26, and 28 that add a mental health treatment
9 component to the existing drug treatment courts in those districts, thereby expanding
10 those courts into therapeutic court programs aimed at providing treatment to repeat adult
11 offenders with needs for either mental health or substance abuse services. The purpose
12 of the mental health treatment component of the pilot programs is to facilitate
13 cooperation between the State mental health system, mental health service providers,
14 and the judicial system in order to provide repeat adult offenders that need mental health
15 services with treatment and other mental health services aimed at improving their ability
16 to function in the community, thereby reducing recidivism and easing the workload of
17 the courts.

18 In expanding the drug treatment courts in these districts into therapeutic
19 courts under this act, the Administrative Office of the Courts and the Department of
20 Health and Human Services, Division of Mental Health, Developmental Disabilities,
21 and Substance Abuse Services, shall collaborate on a plan for the structure of the court
22 process, treatment services provided by area authorities or county programs and other
23 appropriate mental health service providers, and administration of the pilot programs.
24 Treatment services provided under the mental health treatment court component shall
25 use best treatment practices approved by the Division of Mental Health, Developmental
26 Disabilities, and Substance Abuse Services. The collaborative effort required under this
27 act shall also include consideration of the effectiveness and efficiency of the mental

1 health treatment court component to determine feasibility of the statewide expansion of
2 drug treatment courts into therapeutic courts.

3 **SECTION 2.** The Administrative Office of the Courts shall report to the
4 Chairs of the Senate and House Appropriations Committees, the Chairs of the Senate
5 and House Appropriations Subcommittees on Justice and Public Safety, and the Chairs
6 of the Senate and House Appropriations Subcommittees on Health and Human Services
7 by March 1, 2005, on the implementation of the therapeutic treatment court pilot
8 programs provided for in this act, including an evaluation of the effectiveness of the
9 new mental health treatment component of those programs and recommendations on the
10 feasibility and desirability of expanding the existing drug treatment court program into a
11 statewide therapeutic court program.

12 **SECTION 3.(a)** There is appropriated from the General Fund to the Judicial
13 Department the sum of thirty-six thousand one hundred sixty-one dollars (\$36,161) for
14 the 2004-2005 fiscal year. These funds shall be used to provide therapeutic court
15 services in the Drug Treatment Court model to repeat adult offenders who are within the
16 targeted population for mental health, developmental disabilities, and substance abuse
17 services as defined in G.S. 122C-3(38).

18 **SECTION 3.(b)** There is appropriated from the Trust Fund for Mental
19 Health, Developmental Disabilities, and Substance Abuse Services and Bridge Funding
20 Needs to the Department of Health and Human Services, Division of Mental Health,
21 Developmental Disabilities, and Substance Abuse Services, the sum of one hundred
22 thirty-seven thousand nine hundred forty dollars (\$137,940) for the 2004-2005 fiscal
23 year. These funds shall be used for mental health treatment services to repeat adult
24 offenders within the targeted population for mental health, developmental disabilities,
25 and substance abuse services as defined in G.S. 122C-3(38).

26 **SECTION 3.(c)** There is appropriated from the General Fund to the Judicial
27 Department the sum of twenty thousand dollars (\$20,000) for the 2004-2005 fiscal year.
28 These funds shall be used to obtain an independent evaluation of the effectiveness of the
29 pilot programs authorized under Section 1 of this act.

30 **SECTION 4.** A county may appropriate county or other non-State funds to
31 expand mental health services to adult repeat offenders served by the pilot programs for
32 mental health treatment established under Section 1 of this act. No State funds
33 appropriated in this act shall be used to provide mental health services to nontargeted
34 population adult repeat offenders.

35 **SECTION 5.** This act becomes effective July 1, 2004.