

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**SENATE BILL 1389\***

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

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Sponsors: Senator Nesbitt.

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Referred to: Appropriations/Base Budget.

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May 28, 2004

A BILL TO BE ENTITLED

1 AN ACT TO APPROPRIATE FUNDS FOR THREE MENTAL HEALTH  
2 TREATMENT COURT PILOT PROGRAMS WITHIN THE EXISTING DRUG  
3 TREATMENT COURT PROGRAM TO SERVE REPEAT ADULT OFFENDERS  
4 NEEDING MENTAL HEALTH SERVICES.  
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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  
28 health treatment court component to determine feasibility of the statewide expansion of  
29 drug treatment courts into therapeutic courts.

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

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

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

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

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

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