

2012 Collin County Discretionary Grant Application Narrative
(Multi-Year Grant)

a. Application Form

Counties Represented:	Collin
Fiscal Year:	2012
State Payee Identification Number:	1756000873
Division To Administer Grant:	Collin County Criminal Courts
Program Title:	Collin County Mental Health Public Defender Office
Requested Grant Amount:	\$124,024.00
Financial Officer:	Jeff May
Program Director:	Judge Chris Oldner
Mailing Address:	2300 Bloomdale Road Ste 3100 McKinney, TX 75071

b. Introduction (Executive Summary)

Collin County seeks to improve the quality of representation to indigent defendants with serious mental illness by establishing a Mental Health Defender System (“MHDS”). Staffed with the Mental Health System Coordinator, MHDS will represent clients in their criminal cases and will help connect them to available services and treatment options. In addition, the MHDS attorneys will provide representation to the criminal mental health defendants. The office also will seek systemic solutions to get and keep defendants with mental illness out of the criminal justice system.

c. Problem Statement

As funding for community services has been cut, many people with mental illness have migrated to the criminal justice system. Many of these people are indigent and require court-appointed counsel. However, few criminal defense attorneys know how to adequately address mental health issues, and fewer have the support they need to connect their clients to social services and treatment options. More important, because there is no institutional voice within the criminal justice system for these defendants, programs that would help get and keep them out of the criminal justice system are not developed.

d. Objectives

In order to minimize the problems stated previously, the following specific objectives have been formulated:

Objective 1: Establish a fully functional Mental Health Defender System dedicated to representing indigent defendants charged with a criminal offense in Collin County and having a serious mental health condition.

Objective 2: Screen all individuals entering the jail for mental health status – within 24 hours of book in at the Collin County jail.

Objective 3: For those individuals meeting financial eligibility and mental health eligibility, the court shall notify the Mental Health Defender Coordinator of the client’s need for counsel – within 24 hours of receiving screening information.

Objective 4: Provide expert qualified counsel from the Mental Health Defender System office to all defendants meeting eligibility for the program – within 24 hours of receiving information from the court.

Objective 5: Contact made with client by the criminal defense attorneys – within 24 hours of appointment.

Objective 6: Mental Health Defender System will contract with an outside mental health organization to provide mental health professionals to meet with eligible defendants to determine service needs – within 24 hours of appointment of attorney from the Mental Health Public Defender office.

Objective 7: Mental health professionals provide information on client needs to the criminal defense attorney – within 48 hours of meeting with client.

Objective 8: Mental Health Defender Coordinator will submit all required reports of disposed or appealed cases each month to the Auditor's Office for required state reporting. Mental Health Defender System office must also submit to the Auditor's Office all required timesheets of staff activity monthly.

Objective 9: Reduce the average number of days offenders with mental health conditions are spending in jail. The main goal of the MHDS is to reduce recidivism.

e. Methodology or Project Design (Activities)

1. Immediately upon notice that the county has been awarded the grant, an oversight board will be formed to oversee the Mental Health Defender System. The board will consist of the board of a District Judge, a County Court Judge, a County Commissioner, a representative from the Criminal Defense Lawyers' Association, and a mental health professional. The board will approve internal office policies and procedures to govern the office, including policies prescribing the methods of intake and referral of cases from the courts. The board will also develop a fee schedule for any outside contractual services.

2. The first year start up will also include the purchase of new furniture for the new coordinator and all required office equipment.

5. It will then be determined as to what data and information will need to be collected to evaluate the program and to report to the Task Force. Some of the necessary statistical reporting would include all the case information, defendants, and expenditures for the program. All will be reported to Commissioners Court on a quarterly basis. There will however need to be extra information collected and analyzed to ensure that the program meets the grant objectives and activities to make sure the outcomes are what they are supposed to be. There will also be of course the necessary on-going training of all staff of the program.

6. The MHDS Coordinator shall begin accepting mental health case appointments within six months of start up.

7. The MHDS Coordinator shall provide quarterly written status updates to the oversight board as soon as the startup of the office is established.

8. Reports, statistics and timesheets are sent to the Auditor's Office monthly.

9. The Indigent Defense Plan will then be modified to include the new Defender's System.

The target population for this grant proposal is indigent defendants with serious mental health issues charged with misdemeanors and felony offenses. To appropriately address this population and issues mentioned above, the following objectives for the MHDS have been established:

i. Ensure equal access to justice by enhancing the current system to provide qualified, adequately supported attorneys with the specialized knowledge needed to defend persons with mental illness. The first objective is to guarantee defendants who have a mental illness equal access to justice in Collin County courts. A Mental Health Defender System will provide highly qualified defense attorneys who are specialized in representing clients who have a mental illness. Goals for the office's attorneys include:

- 1) to handle approximately 800 mental health appointments;
- 2) to attend 8 hours of CLE each year on mental health topics;
- 3) to act as a resource and provide information about resources on issues concerning the defense of persons with mental illness and acting as consultants on complex cases; and
- 4) to act as advocates for persons with mental illness by serving on community councils and task forces dedicated to improving the community's response to the needs of persons with mental illness.

ii. Provide caseworkers through a contractual agreement with a local mental health facility. These positions will assist attorneys by helping them locate resources for treatment; assist them in determining mitigation strategy, and advocate for diversion from the system when appropriate.

iii. Minimize the number of days persons with mental illness spend in jail. While the most important objective of the office is to provide access to better-qualified attorneys and mental health treatment, reducing the number of days spent in jail is important for two reasons: 1) jail may exacerbate an existing mental illness causing clients to decompensate or lose skills; and 2) treating persons with mental illness in a jail setting is more expensive than treating them in the community. Therefore, by the end of the four-year grant period, the MHDS will be able to show a reduction in the number of days defendants with mental illness spend in jail.

iv. Increase the number of dismissals and reduce recidivism among defendants with mental illness by providing them with better access to community resources. This objective recognizes that access to community resources is the key to helping individuals with mental illness avoid the criminal justice system. Many of the crimes committed by persons with mental illness are symptomatic of their disability, their disease, their substance abuse, or their inadequate access to resources that provide support and help them remain stable. Because very few of the crimes committed by defendants with mental illness are violent crimes, recognition and understanding of the underlying disability or disease should result in increased willingness to dismiss charges. Providing better access to resources will help ensure that individuals with mental illness do not cycle in and out of the criminal justice system.

Project Design

i. A MHDS Committee would be formed to provide operational oversight and guidance to the MHDS, and to provide guidance to the Commissioners Court on mental health indigent defense issues within Collin County. The committee will also participate in the review

process of responses to formal solicitation process for the establishment of the MPDS Office. The MHDS Committee would consist of: a District Judge, a County Court Judge, a County Commissioner, a representative from the Criminal Defense Lawyers' Association, and a mental health professional. The MHDS Committee will meet periodically with other key stakeholders on issues impacting the MHDS.

The MHDS Committee will assist County staff in following the activities set forth in the Texas Code of Criminal Procedure Article 26.044 that describes the activities to set up a Public Defender Office. The MHDS Committee would watch over an informal evaluation of the MHDS Office once a year, and provide suggestions for improvement, if needed, to the commissioners court and, if applicable, the managing entity.

If the County is awarded the bid for the office, the MHDS Committee would participate in the review of resumes and in the development of a list of recommended candidates for Chief MHDS to the Commissioners Court. As a county office, the MHDS Office would be governed by established county policies and procedures. Personnel policies will be promulgated by contract if awarded to a non-profit.

ii. The MHDS Office would be staffed with the following employee, who will need to be hired:

- Mental Health Defender Coordinator

iii. Identification of Target Population: After defendants are booked in the Collin County jail, counselors at the Sheriff's Office assess them for mental health issues and identify those persons who have serious mental health issues, including schizophrenia, bi-polar disorder, and major depression. When the counselors identify a serious mental health issue, a "PSY" notation is made in the shared computer system. This information is available to criminal court administration ("CCA") staff via the Collin County Indigent Defense Application (TCIDA) system. CCA will then make the necessary case assignments to the MHDS Office. The standard of indigence will remain the same for defendants with mental health diagnosis.

v. Appointments and Case Tracking: The CCA staff would appoint as primary counsel approximately ten misdemeanor cases per week to the MHDS Office, recognizing the case limit per year. The CCA staff would be responsible for noting each case appointed to the MHDS Office in the TCIDA system so that data is collected to ensure that the MHDS Office is adhering to acceptable caseload limits and to the limit on the number of cases it will handle. Defendants who re-offend will be routed back through the MHDS Office to ensure continuity of care.

vi. Evaluation: In addition to the evaluation provided each grant year by the MHDS Committee, the MHDS would be independently evaluated to measure the office's performance and determine its cost-effectiveness annually.

vii. Better Representation and Systemic Solutions: The Collin County MHDS Office would greatly enhance the representation afforded indigent defendants with serious mental health issues in Collin County by:

- Giving an institutional voice to defendants with serious mental illness.

· Collaborating with county officials, mental health and indigent defense experts and advocates in developing systems that would help get and keep defendants with serious mental illness out of the criminal justice system.

f. Evaluation

The MHDS will cooperate with the Task Force staff to develop reasonable on-line reports that best reflect the work of the MHDS and demonstrate that the program is operating as intended. The county will track all of the data elements presented in the proposal. The on-line reports may include some of the following data elements:

The MHDS Office will track their cases according to: number of clients assigned to the office, how soon MHDS attorneys assigned to mental health cases are meeting with clients, the number of days clients spend in jail, how many clients were released on personal recognizance bonds, the outcome of each case including sentence length and type, and the amount of time between arrest and resolution of each case. This data will be tracked by the office's case management software. The MHDS Office also will provide reports to the TFID per the requirements of the grant and at the end of each grant year to the Commissioners Court and the MHDS Committee showing its ability to meet the objectives outlined above. The report will include:

A survey of County Court at Law and District Court judges showing how they rate the attorneys appointed to mental health cases. The goal will be to have 80% of the judges rate the attorneys' representation as "satisfactory" or better.

The percentage of counsel assigned to mental health cases who have completed the requisite hours of specialized mental health training in each fiscal year. The goal will be to show 100% compliance.

Discussion of form motions and other resources of this type developed by MHDS attorneys.

Percentage of mental health cases diverted away from the criminal justice system.

Percentage of mental health case clients who receive an individual treatment plan.

Percentage of individual treatment plans monitored by contracted Mental Health Care Provider for 120 days after disposition to determine compliance with plan.

Percentage of clients who receive referrals for community resources or social services.

Percentage of clients who received services from referrals.

Total number of referrals.

Total number accepted into program.

Total number of services received by clients.

Percentage of referrals that received services.

Average length of jail stay, pre-trial confinement, time between arrest and resolution, and percentage of defendants released on bond.

Number of dismissals based on proposed treatment plans.

Number of clients re-arrested for technical violations of diversion program or probation.

The report may include an anecdotal section discussing experiences of the division and relating success stories and failures, such as when the unit was able to connect clients to services they had not before received. The report also will include discussion of the systemic impact the MHDS Office has had in the criminal justice arena, including the ability of attorneys and social workers to improve understanding of mental health issues among stakeholders, changes in procedure or new programs instituted as a result of better understanding of mental illness and new resources for community-based treatment or habilitation of offenders with mental illness that were created to aid the MHDS Office in recognizing its objectives.

In addition, an external, independent evaluator will annually assess how the program is meeting its objectives each year. The evaluation will also identify areas that need improvement. Since this is believed to be the first stand-alone MHDS Office in the nation, an external, independent evaluation will be crucial for the newly established program.

The following table contains the data elements that the Task Force requires of all direct client service grants:

<u>Task</u>	<u>Definition</u>	<u>Report</u>
<u>Establish MHDS board</u>	<u>The courts, commissioners' court, and local bar select members to serve on Public Defender board.</u>	<u>Date of first meetings. E-mail to Task Force any resolutions or documents that establish the Public Defender board or define its role. E-mail names and contact information of committee members.</u>
<u>Requests for Proposals (RFP)</u>	<u>Commissioners' court issues RFP for Mental Health non-profits able to serve the County.</u>	<u>Date of Issue of RFP. E-mail to Task Force copy of RFP.</u>
<u>Select MHDS Proposal</u>	<u>The MHDS board makes recommendation of preferred proposal to commissioners' court and commissioners' court makes selection.</u>	<u>Report date proposal selection is made and the contact information of selected proposal.</u>
<u>Job Descriptions completed</u>	<u>The job descriptions for each type of position are completed using Collin County's existing HR processes.</u>	<u>Date completed and e-mail copies to Task Force</u>
<u>Staff will be hired</u>	<u>Document the date that each employee is hired.</u>	<u>Report via E-mail a list of classifications and date positions were filled.</u>
<u>Office Setup</u>	<u>The MHDS board and will make assessments of office needs and select site for office through normal county processes. County will purchase with grant funds equipment, software and supplies to operate office.</u>	<u>Provide any documentation available on assessment of office needs. Report date office set-up is complete. Report via E-mail location of office.</u>
<u>Software setup</u>	<u>Setup the attorney and caseworkers with the Collin County Case Management system Set up Monitoring Report System</u>	<u>Report the date the software setup is completed</u>
<u>Performance measure method</u>	<u>Establish method to collect data for referrals and performance measures. Identify whether all data will be maintained by tracking system or if some data elements must be tracked independently. Identify or develop standard reports to facilitate reporting.</u>	<u>Report the date the performance measure tracking method is completed</u>

<u>Task</u>	<u>Definition</u>	<u>Report</u>
<u>Staff will be trained</u>	<u>Each staff will go through orientation and training sessions.</u>	<u>Report date initial orientation and training is complete for each staff member.</u>
<u>Policies and Procedures completed and provided to staff</u>	<u>A policy and procedure manual is written to identify basic office procedures, how system is going to work and the various roles. This must include caseload limits and over-ride/under-ride procedure.</u>	<u>Report date that the manual is distributed. E-mail copy to Task Force.</u>
<u>Commence MHDS Representation</u>	<u>Develop the process with courts to commence the referral procedure. Submit indigent defense plan amendments if needed.</u>	<u>Report date that process is completed and e-mail copy to Task Force.</u>
<u>Change indigent defense plan</u>	<u>Make any indigent defense plan changes that may need to be made to include the new MHDS processes.</u>	<u>Report plan changes and implementation date are submitted to the TFID.</u>
<u>Total number of people receiving services of program</u>		
<u>Total number screened and assessed by a social worker or an investigator</u>		
<u>Department Cases Active</u>		
<u>Department Cases Closed</u>		
<u>Attorneys Caseload Summary</u>		
<u>Total Manhours</u>		
<u>Average length of time between arrest and case resolved.</u>		
<u>Average Days to first contact</u>		
<u>Other measures instituted by county</u>		
<u>Report Quarterly Summary of work or issues during the quarter</u>		
<u>Report Quarterly Problem areas and resolution</u>		
<u>Report Quarterly Activities scheduled during next reporting period:</u>		
<u>Report Quarterly Staff changes</u>		

g. Future Funding

Collin County commits to fund an increasing percentage of the program costs each year, as required by the discretionary grant. The County agrees to provide the 20% match the first year, 40% the second year, 60% the third year, and the 80% match required in the final year. The County also will make a good faith effort to continue funding the program after the grant period expires.

Collin County also will pursue alternative funding sources, including funding from private foundations and/or federal government grants available for indigent defense programs for individuals with mental illness.

h. Budget

The total budget for this program is \$124,024 per year.

Personnel (1 Employee):

Mental Health Defender Coordinator

The Coordinator will consult with MH Wheel attorneys, and handle administrative matters. They will handle all MHDS procedural matters, coordination of cases with the courts, report monthly and quarterly to the TFID and the Auditor's Office. Salary \$65,000 plus Fringe benefits \$23,433.

TOTAL COST: \$88,433.00

Start Up (One-time Costs)

<u>Item</u>	<u>Cost</u>	<u>Number</u>	<u>Total</u>
Desktop Computer	\$2,591	1	\$2,591
Multi-line Phones	\$300	1	\$ 300
Office Desk	\$2,000	1	\$2,000
Office Task Chair	\$300	1	\$ 300
File Cabinet	\$400	1	\$ 400
Case Management Software	\$10,000	1	\$10,000
Total			\$15,591

v. Total Budget:

The budgeted amounts are based on comparable county offices, with an operating budget and equipment provided that is comparable to what would be provided in a prosecutor's office of similar size.

Personnel Costs		\$88,433.00
FTE's	1.00	
Salary	\$65,000.00	
Fringe Benefits	\$23,433.00	
Travel and Training		\$20,000.00

Total	\$124,024.00
Required County Match	24,805.00
Total less County Match	99,219.00

Project evaluation

This grant requires quarterly progress reports to provide information on the effectiveness of the program. The Task Force grant administrator will construct an on-line progress report that best reflects the actual work being performed in this program and is consistent with the FY2012 Discretionary Grant Statement of Grant Award. The county will be able to request modifications to the on-line report when the performance measures are determined to not accurately reflect the work performed.

Timeline for Reporting and Fund Distribution

Reports will be submitted on-line over the Internet.

Reporting Period	Type Report Due	Date Report Due	Fund Distribution Date
October through December	Budget Status Report Progress report	January 15, 2012	January 2012
January through March	Budget Status Report Progress report	April 15, 2012	April 2012
April through June	Budget Status Report Progress report	July 15, 2012	July 2012
July through September	Final Budget Status Report Final Progress report	November 15, 2012	November 2012