

# MENTAL HEALTH MANAGED COUNSEL PROGRAM

TEXAS INDIGENT DEFENSE COMMISSION  
DISCRETIONARY GRANT

# Current Cost-Saving Measures

- ▶ The Courts consistently seek new and innovative practices to increase efficiency and conserve taxpayer dollars:
  - Video pleas
  - Video visitation for inmates and their attorneys
  - Consistent focus on and tracking of oldest criminal cases
  - More timely notification of need for interpreters to alleviate continuance requests
  - Earlier identification of inmates with mental impairments
  - Enhanced communications with jail concerning prisoner issues
  - Implementation of a new PTR Bond Program
  - Expediting the process of executing judgments and transferring inmates to TDC



# TIDC MHMC GRANT

Grant acceptance approved by Commissioners' Court on August 13, 2012

Meeting with TIDC Grants Administrator on September 26, 2012:

- MHMC Program must retain or hire a Managing Director
- Texas CCP 26.047 requires that the Managing Director:
  1. is a member of the State Bar of Texas
  2. has practiced law for at least three years
  3. has substantial experience in the practice of criminal law

OR

Governmental agency may appoint a review committee of three or more individuals to approve attorneys for inclusion on the program's public appointment list.

Each member of the committee:

- ▶ must meet the requirements described for Managing Director
- ▶ may not be employed as a prosecutor
- ▶ and may not be included on or apply for inclusion on the public appointment list.

# Why do we need a Managing Director?

- ▶ Required by both statute and grant award
- ▶ Program cannot function efficiently and effectively without organizational leadership
- ▶ Management of current fragmented processes relating to complex mental health cases
- ▶ Case oversight and daily communication with jail and attorneys

# Why do we need an attorney director?

- Required by statute
- Required by TIDC
  - (TIDC previously funded a program directed by a non-attorney; has now been replaced with an attorney)*
- Legal understanding of case and representation issues
- Attorney/client privilege (liability issue – ensuring protocol is maintained)
- Credibility with attorneys
- Development of Policy and Procedure manuals and required forms

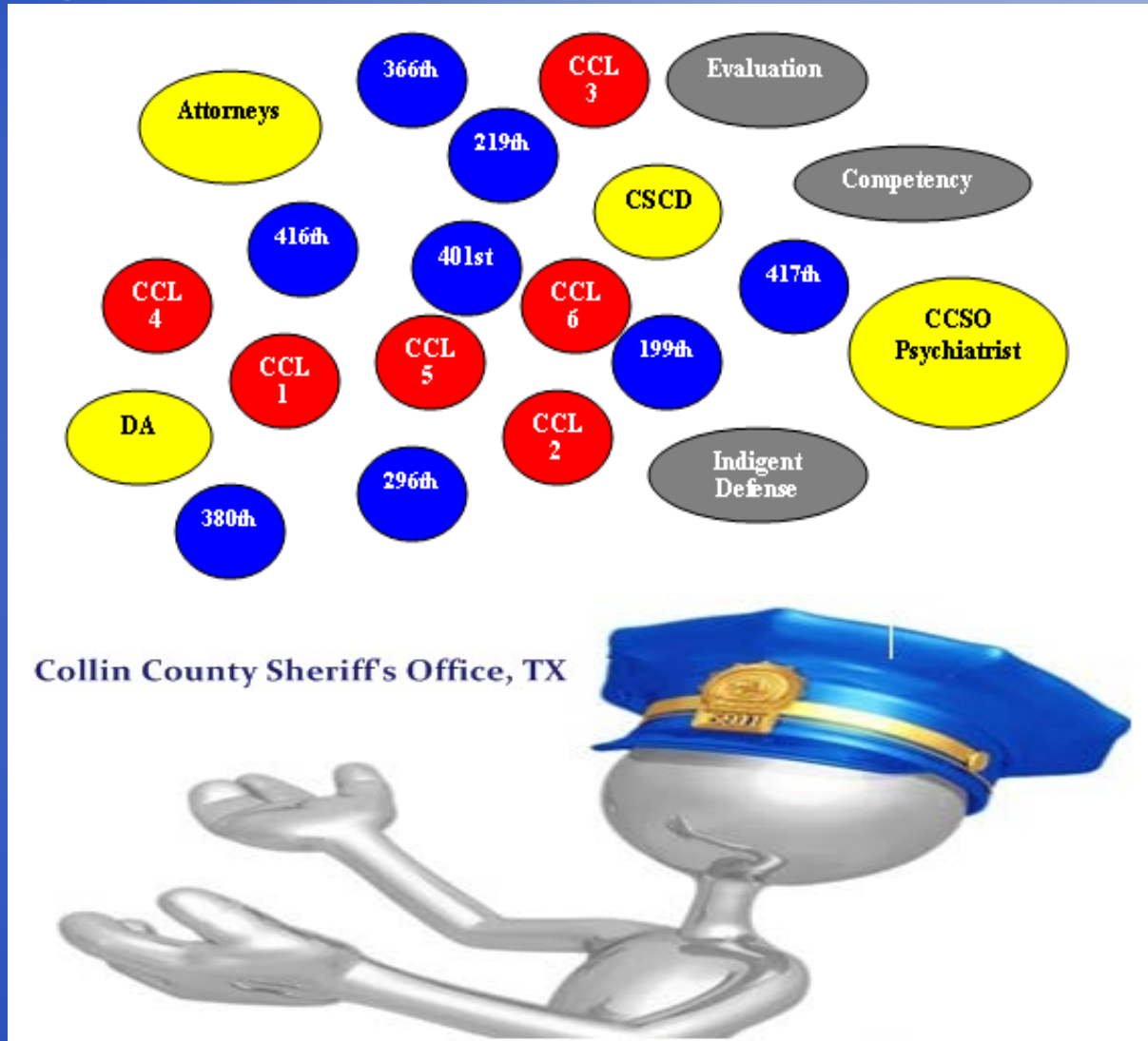
# Why not Court Administrator Pam DeVault?

- ▶ Multiple responsibilities –
  - Liaison with county department heads
  - Budget development and oversight
  - Grant development and administration
  - Monitor and track legislative developments
  - Monitor jail population in an effort to minimize pre-trial incarceration
  - Review and evaluate case flow techniques
  - Review and analyze case stats
  - Seek strategies to improve processes
- ▶ Not an attorney
- ▶ Attorney–client privilege issue

# Why not Drug Court Administrator (grant-funded)?

- ▶ Not an attorney
- ▶ Attorney–client privilege
- ▶ Inadequate salary allocation for viable candidates capable of managing both programs
- ▶ Qualifications emphasize drug testing and drug treatment, not mental health and mental health issues.

# CURRENT (Fragmented) PROCESS



Case Oversight

Family Support

MH Providers

Dropped balls

# PROPOSED PROCESS



# Experience and Expertise of Managing Director candidate Alyse Ferguson

- BS degree in Psychology
- MS degree in Counseling Psychology
- JD from Texas Wesleyan
- Collin County CSCD Officer
- Collin County SCORE Supervision Officer
- MHMR experience, San Angelo, TX:
  - Director of Home and Community Services
  - Residential Services Coordinator
  - MH and MR Case Manager
  - Crisis Services

- Over 6 years of practicing attorney experience, including expertise with mentally-impaired inmates
- Lectures and presentations on Mental Health and Mental Retardation
- Class Instruction in Drug Offender Education (Certified by Texas Council on Drug and Alcohol Abuse)

# MHMC program supported by:

- ▶ District Courts
- ▶ County Courts-at-Law
- ▶ District Clerk
- ▶ County Clerk
- ▶ Sheriff's Office
- ▶ Mental Health Providers
- ▶ Mental Health Community

# Expected first-year program results with grant

## IMPROVEMENTS IN REPRESENTING MENTALLY-IMPAIRED INMATES AND COST-SAVING MEASURES TO THE COUNTY:

- 35% reduction in average length of stay, approximate savings over \$500,000
- 15% increase in case dismissals for MH inmates
- 5% to 10% reduction in medical/mental health care expenditures – \$231,000 to \$462,000
- Improved attorney representation
- Increase in bond reduction requests
- Enhanced services to mentally-impaired inmates and their families
- Improved communication w/CSCD in transferring cases to probation
- Extended support and contact with defendant 90 to 120 days after case disposition
- ▶ Without administrative support staff and related equipment and furniture (as presented in approved grant), reduced cost to county (as 20% match) approximately \$52,000 (\$62,000 proposed)

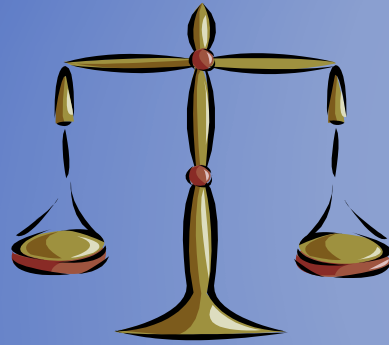
# Why not in-house program?

- ▶ Cost to county for caseworker and social worker (without grant) would exceed \$100K
- ▶ Uses all Collin County taxpayer funds rather than funds awarded from the state
- ▶ Lack of program oversight
- ▶ Liability risk – attorney/client privilege
- ▶ Judges cannot advise attorneys on how to represent their clients.



*You cannot escape the responsibility of  
tomorrow by evading it today –*

– Abraham Lincoln



GIVE US  
JUST ONE YEAR