



SUPERIOR COURT

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS, U.S.A.
Guma' Hustisia, Iimwal Aweewe, House of Justice
P.O. BOX 500307, SAIPAN, MP 96950-0307



STANDARD OPERATING PROCEDURE

Mental Health Court Docket

MISSION STATEMENT

The Mental Health Court’s (MHC) vision is to improve the lives of individuals affected by mental health challenges by providing a multi-disciplinary approach, integrating evidence-based and culturally sensitive treatment, and promoting healthy and positive behaviors.

The MHC aims to accomplish its mission by:

- 1) Connecting the participants with mental health treatment providers;
- 2) Reducing participant incarceration through a combination of court supervision, treatment, and support;
- 3) Improving management of mental health symptoms and co-occurring disorders, and reducing contact with the criminal justice system as a result; and
- 4) Promoting public safety by reducing recidivism.

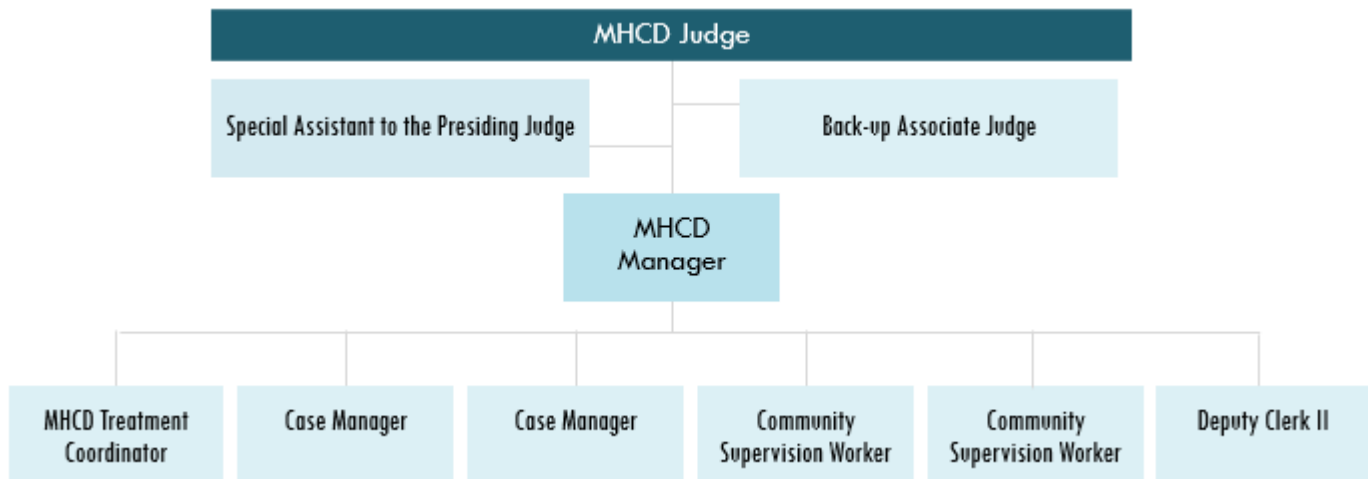
PURPOSE

The purpose of this Standard Operating Procedure (SOP) is to ensure the timely processing of referrals, allowing candidates to become eligible for participation in the Mental Health Court Docket (MHCD) and enabling participants to complete the program with a successful outcome.

SCOPE

This procedure applies to the MHCD Team, including the Office of the Attorney General and Prosecutor (OAG), Office of the Public Defender (PDO) or Defense Counsel, and treatment providers.

ORGANIZATIONAL CHART



ROLES AND RESPONSIBILITIES

It is the responsibility of the above-mentioned Team and relevant stakeholders to follow the procedure and guidelines outlined in this SOP to ensure efficient and timely referral processing. The general roles of each party are as follows:

- MHCD Judge – Leads the Team and makes the final decision on whether an applicant is suitable for the program, considering the input from the Team.
- Office of the Attorney General – Determines an applicant’s legal eligibility.
- Office of The Public Defender or Defense Attorney – Participates in the referral making and review process.
- Treatment Provider – Conducts clinical assessments and provides treatment recommendations.
- MHCD Manager – Responsible for coordinating the operations of the program.
- Treatment Coordinator – Oversee and coordinate the delivery of treatment services.
- Case Manager – Manages the assigned referrals for a smooth admission process.
- Community Supervision Worker – Monitors participants and ensures adherence to program terms and conditions.

PROCEDURE

I. Eligibility and Entrance Protocol

A. Legal Eligibility

- i.** The defense counsel or applicant submits a written request to the OAG for MHCD legal eligibility evaluation.
 - a.** Request must be made prior to the final disposition of the pending criminal case.
 - b.** Both parties shall notify the court that the case is being evaluated for treatment court.
 - c.** The court suspends the case proceedings pending legal and clinical evaluation.
- ii.** The OAG evaluates the applicant on the following criteria:
 - a.** At least 18 years of age
 - b.** United States citizen or legal resident
 - c.** Legally competent
 - d.** Has a pending criminal charge
 - e.** Any restitution fees must amount to less than \$5,000
 - f.** Must not have been convicted of a dangerous offense within the past 10 years
 - g.** Must not have a sentence imposed that renders the applicant ineligible for probation, whether as a result of a plea or a finding of guilt
- iii.** The OAG submits the referral packet with the determination of legal eligibility to the MHCD Manager.
 - a.** Manager reviews the packet.
 - b.** The packet is assigned to a Case Manager.

B. Clinical Eligibility

- i.** Treatment Coordinator arranges for a psychological evaluation to be conducted and received.
 - a.** Applicant must have a serious mental health diagnosis or exhibit symptoms of an undiagnosed serious mental illness or intellectual and developmental disability.
 - b.** Applicants with co-occurring disorders are also accepted.
 - c.** Applicant must agree to treatment, follow prescribed medication, and adhere to treatment recommendations.
- ii.** If the potential participant has substance use disorder (SUD), the Treatment Coordinator makes a referral to the respective treatment agency.
- iii.** Treatment Coordinator conducts a bio-psychosocial assessment.
- iv.** Case Manager conducts intake and screening after reviewing the bio-psychosocial assessment.

C. Suitability

- i.** Case Manager presents a Summary of Findings to the Team.
- ii.** The Team convenes to determine whether the applicant meets the legal and clinical criteria and makes a recommendation to the Judge.
- iii.** The Judge determines the applicant's suitability, considering the Team's input and makes the final decision on whether to accept or deny the application.
 - a.** An applicant may be deemed unsuitable if they pose a danger to self or another participant's physical or emotional well-being and recovery efforts.
 - b.** The Judge may suspend or cancel an applicant's assessments at any time, as acceptance depends on space availability and resources.
- iv.** Case Manager prepares and sends a Suitability Form, signed by the Manager, to the office of the PDO and AGO.

D. Change of Plea

- i.** Case Manager confirms date for change of plea hearing.
- ii.** An Order to Appear is issued to participant, notifying them of the scheduled hearing.
- iii.** The participant appears in a change of plea hearing, where they enter a guilty plea and provide written consent to participate in the MHCD program.

E. Admission

- i.** Upon approval for admission into the MHCD, the parties involved in the case inform the Judge in the regular criminal docket of the approval.
 - a.** AGO submits a plea agreement for the Judge's review, outlining the participant's agreement to participate in the MHCD.
 - b.** Case is reassigned to the MHCD Judge for further processing.
- ii.** The applicant is admitted into the MHCD under a post-adjudicatory model, after signing a Contract Form indicating their commitment to participating in the program.
- iii.** If the participant fails to successfully complete the program, the Judge accepts the plea held in abeyance and proceeds to sentence the participant.

F. Non-admission

- i.** If the applicant is denied entry into the MHCD or decides not to pursue participation at any point during the screening and assessment process, the case remains in the regular criminal docket.

G. Orientation

- i.** The participant, along with their family, attends an MHCD orientation session to familiarize themselves with the program, its expectations, and the available support.

II. MHCD Program

A. Tracks

- i.** Track 1
 - a.** Individuals with Mental Health Diagnosis and a co-occurring substance use disorder
 - b.** Program Duration – 22 to 28 months
- ii.** Track 2
 - a.** Individuals with Mental Health Diagnosis without a co-occurring substance use disorder
 - b.** Program Duration – 18 to 24 months

B. Phases

- i.** Track 1
 - a.** Phase 1: Acute Stabilization
 - b.** Phase 2: Clinical Stabilization
 - c.** Phase 3: Pro-Social Habilitation
 - d.** Phase 4: Adaptive Habilitation
 - e.** Phase 5: Continuing Care
- ii.** Track 2
 - a.** Phase 1: Acute Stabilization
 - b.** Phase 2: Clinical Stabilization
 - c.** Phase 3: Pro-Social Habilitation
 - d.** Phase 4: Adaptive Habilitation
- iii.** Phase Advancement
 - a.** Participant must successfully complete each phase of the program before advancing to the next phase.
 - b.** A promotion packet is prepared to be submitted to the Judge.

C. Case Management and Supervision

- i.** Dependent on participant's track and phase. Refer to MHCD Tracks and Phases.
- ii.** It is important to note that MHCD is goal-based and not time-based. One phase does not fit all. Each track and phase should be geared toward each individual's goal and progress.

D. Reporting and Data Collection

- i.** Manager submits quarterly and annual reports to the Supreme Court.
- ii.** Treatment Coordinator, Case Manager, and Community Supervision Worker submits monthly reports and data input on the MHCD reporting file located on One-Drive.

E. Staffing and Hearing

- i.** Staffing is scheduled every Tuesday at 9 AM at the MHCD Judge's designated courtroom
- ii.** Hearing is scheduled every Tuesday at 10 AM at the MHCD Judge's designated courtroom
- iii.** Weekly court report
 - a.** Case Managers and Community Supervision Workers completes reports and submit for Manager's review
 - b.** Manager reviews and finalizes the report and sends it out to the entire MHCD Team

III. Program Outcomes for Participant

A. Graduation

- i.** After successfully completing all treatment phases, the participant becomes eligible for graduation from the MHCD program.
- ii.** The Judge presides over the graduation ceremony and issue a certificate of successful program completion.
- iii.** The Judge dismisses the case and rejects the plea held in abeyance.

B. Neutral Discharge

- i.** If the MHCD team determines that the participant has substantially complied with the program terms and conditions but successful completion is deemed improbable despite all reasonable efforts, the Judge may neutrally discharge the participant from the program.
- ii.** The Judge returns the case to the regular criminal docket and rejects the plea held in abeyance.

C. Voluntary Discharge

- i.** Participant has the right to withdraw from the program in all circumstances.
- ii.** The Judge accepts the plea in abeyance and sentences the participant according to the agreement.
- iii.** If requested by the participant, the case may be transferred to another judge.

D. Termination

- i.** The Court may terminate a participant from the Program for good cause.
- ii.** Participant shall be serviced notice of termination hearing.
- iii.** The Judge accepts the plea held in abeyance and sentences the participant pursuant to the agreement.