

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
JUDICIAL BRANCH**

**REPORT TO THE JOINT STANDING COMMITTEE ON THE JUDICIARY  
122<sup>ND</sup> Legislature  
May 11, 2005**

Pursuant to Title 4 M.R.S.A., Ch. 8-A, § 431, the following report is respectfully submitted regarding the proposed implementation of a Mental Health Treatment Court in Kennebec County Superior Court.

Since August 2004, a group of local, county, and state stakeholders has been meeting in Augusta to develop a Mental Health Treatment Court to serve Kennebec County. This planning was precipitated by a recognition of the unmet needs of mentally ill offenders and the profoundly negative impact of those unmet needs on law enforcement agencies, the Kennebec County Jail, the district attorney's office, the social service network, the courts, and the offenders and their families themselves. Given that Mental Health Treatment Courts have begun to demonstrate positive results in terms of reduced recidivism, reduced rates of inappropriate incarceration, and improved health outcomes, the goal of establishing such a specialized docket in Kennebec County has been explored in detail.

The stakeholder committee currently includes the Hon. Nancy Mills, Kennebec County District Attorney Evert Fowle, and representatives from the Kennebec County Sheriff's Office, advocacy organizations such as the Maine Chapter of the National Alliance for the Mentally Ill and the Disability Rights Center, the Department of Health and Human Services, Maine Pretrial Services, the defense bar, the Co-Occurring Collaborative of Southern Maine, and Crisis and Counseling Centers. The target population has been defined as offenders with both mental illness and substance abuse disorders in recognition of the high frequency with which mentally ill offenders present with both sets of problems and the particularly significant challenges inherent in this group. After extensive research and discussion, this committee has been successful in crafting an implementation plan with the goal of initiating this project with a proposed commencement date of May 31, 2005.

It is anticipated that the stakeholders will make in-kind contributions of staff and resources to this project. No additional funding is being sought at this time and there will be no fiscal impact on the State. The committee has presented a proposal to the federal Department of

Justice seeking funding over the course of three years to enhance the functioning of this project. If awarded, this grant will commence on September 1, 2005. However, even without federal funding, this project will proceed. Evaluation will be performed by the Judicial Branch in collaboration with other stakeholders to analyze both process and outcome variables in order to improve the quality of the project and to demonstrate its effectiveness over time. No legislation is being recommended to implement this project.

The Judicial Branch has been identified as the lead agency for this project and will submit progress reports to this committee upon request.