

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number SB 18

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|------------------------|--|-------------------------------------|------------------------------------|
| House of Origin | <input checked="" type="checkbox"/> Introduced | <input type="checkbox"/> Substitute | <input type="checkbox"/> Engrossed |
| Second House | <input type="checkbox"/> In Committee | <input type="checkbox"/> Substitute | <input type="checkbox"/> Enrolled |

2. Patron J. Edwards

3. Committee Senate Courts of Justice

4. Title Mental Health Courts

5. Summary/Purpose: Directs the Office of the Executive Secretary of the Supreme Court to establish by January 1, 2009, no less than two and no more than five mental health courts in Virginia for nonviolent offenders with serious mental illnesses.

6. Fiscal Impact Estimates: Unavailable (see Item 8)

7. Budget amendment necessary: Yes, Item 38.

8. Fiscal implications: Modeled after drug treatment courts, a mental health court is a specialized court docket that focuses on people who have been charged with a crime and have a psychiatric disability. The premise of the mental health court is that collaboration of the criminal justice and mental health systems will result in identification of persons in need of medication and other mental health services. The intent is an improvement in the community-based delivery system for mentally ill offenders.

Today only a handful of these programs exist throughout the country. Typically, a judge sees a participant in mental health courts in repeated hearings to monitor the defendant's progress throughout the course of their participation in the program. To the extent that multiple hearings involve judge and clerk time beyond that consumed in the adjudicatory process, there will be a fiscal impact on the judicial system. However, since "mental health courts" are still a new concept and only a handful exist throughout the country, the Supreme Court indicates there is not sufficient data available to determine what the fiscal impact may be on the Commonwealth's court system.

If drug courts are used as an initial point of comparison, a minimum of \$167,500 annually, per court would be needed to get a mental health court funded to provide their unique services.

9. Specific agency or political subdivisions affected: Courts

10. Technical amendment necessary: No

11. Other comments: None.

Date: 01/25/08 DPB

Document: G:\FIS 2008\SB18.Doc Reginald Thompson