

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: SB854ES1

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

2. Patron: Edwards

3. Committee: Senate Committee for Courts of Justice

4. Title: **Mental health courts; Office of Executive Secretary of Supreme Court to establish for nonviolent offender.**

5. Summary: Directs the Office of the Executive Secretary of the Supreme Court to establish by January 1, 2010, no less than two and no more than five mental health courts in Virginia for nonviolent offenders with serious mental illnesses in circuits in which (i) the local community services board agrees to provide such services as are necessary for the establishment of the mental health court, and (ii) a district court or circuit agrees to establish a mental health court.

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

7. Budget Amendment Necessary: No

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 participants in mental health courts in repeated hearings to monitor the defendants' 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, there is not sufficient data available to determine what the fiscal impact may be on the Commonwealth's court system.

The City of Norfolk has the only mental health court in the Commonwealth. The FY2009 annual operating budget for the Norfolk mental health court is \$280,244, which includes staff, operating expenses, and administrative/support services. Of the \$280,244 operating budget, \$75,000 comes from a grant from the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) with the balance funded with local funds.

9. Specific Agency or Political Subdivisions Affected: Courts

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 2/11/2009

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