

Department of Planning and Budget 2011 Fiscal Impact Statement

1. Bill Number: SB820

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: Edwards

3. Committee: Senate Courts of Justice

4. Title: Mental health courts.

5. Summary: Provides that any district court or circuit court may establish a mental health court, which is a separate court docket within the existing calendar of a district or circuit court offering judicial monitoring of the treatment and supervision of certain individuals with mental illness who are under the jurisdiction of the criminal court. The court is required to (i) identify eligible individuals; (ii) obtain services from a willing local community services board or behavioral health authority serving the territorial jurisdiction of the court and which can provide, or contract for, appropriate treatment and services for the offender or, from a program offered to any eligible veteran by the U.S. Department of Veterans Affairs; (iii) maintain court-established treatment and compliance terms of participation; and (iv) monitor adherence to court requirements.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary (see Item 8)

8. Fiscal Implications: According to the Supreme Court of Virginia, the decision to establish a mental health court in a local circuit or district is not expected to have a fiscal impact on the court system's budget. Currently, each local circuit or district court has the discretion to establish a mental health court. This legislation specifies mental health court as "a separate court docket within the existing calendar of a district or circuit court," and the proposed legislation states "Nothing contained in this section shall confer a right or an expectation of a right to the establishment of a mental health court in any jurisdiction or to treatment for an offender". Further, the statute allows for the acceptance of grants or other funding to establish or operate a mental health court.

9. Specific Agency or Political Subdivisions Affected: Courts, Commonwealth Attorney's/Public Defenders, Community Service Board's, Magistrates.

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: January 18, 2011

Document: G:\2011 FIS\SB820.Doc Reginald Thompson

c: