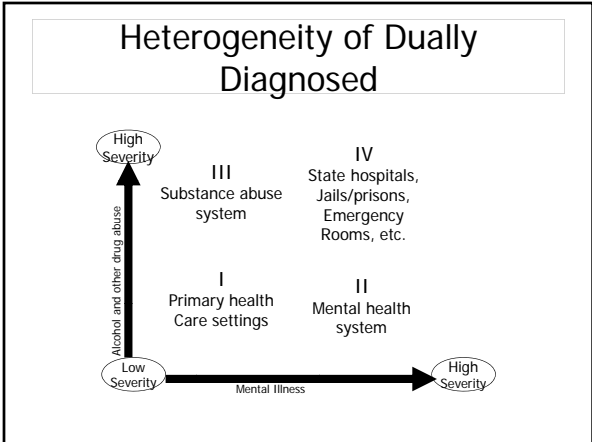


THE NATIONAL JUDICIAL COLLEGE
CASES INVOLVING PEOPLE WITH CO-
OCCURRING DISORDERS
DRUG AND MENTAL HEALTH COURT
DOCKETS
Hon. Stephanie Rhoades

Definition: Co-Occurring Disorders

- The term refers to co-occurring substance use (abuse or dependence) and mental disorders.
- Clients are said to have co-occurring disorders when at least one disorder of each type can be established independently of the other and is not simply a cluster of symptoms resulting from a single disorder.



Time Frames

- DCs: immediate post arrest linkage to treatment
- MHCs: eval. of complex co-occurring conditions and tx planning could take weeks; immediate linkages to scarce services (supportive housing, intensive case management, assertive community treatment teams) may take months

Expectations of Participants

- DCs: Use is a crime
- Sobriety, employment, self-sufficiency, stabilization of co-occurring disorders, complete change of peers and supports is desirable
- MHCs: MI is not a crime, nor is it a crime to fail or refuse to take medications
- Psychiatric stability and life-long treatment engagement are desirable – but even in recovery will always be 'disabled', participants require ongoing case management and multiple supports

Monitoring

- DCs: Urinalysis and drug testing
- Judicial and team monitoring through regular court appearances
- MHCs: No objective test to determine participants' ability or adherence to treatment conditions
- Judicial and team monitoring through regular court appearances

Response to Violations

DCs: Often set incentives and sanctions for compliance and noncompliance:

- graduated sanctions, brief jail sentences
- relationship with judge and court team are important for motivation

MHCs: Heavier reliance on incentives:

- treatment plan adjustment, use jail less frequently
- relationship with judge and court team are also important for motivation

Collaboration with Treatment

DCs: Justice and substance abuse treatment share goal of sobriety, align on use of rewards and sanctions

MHCs: Tension between mental health system's emphasis on individual autonomy, consumer voice, recovery and empowerment and criminal justice system's emphasis on mandates and accountability
