



Behavioral Health in the Courts

Breaking the Cycle

Wayne County, MI Probate Court
Behavioral Health Unit

February 2023

Behavioral Health Unit Supports Collaboration and Accountability

Over the last five years, 16,000 petitions for mental health treatment have been filed in the Wayne County Probate Court for 9,000 individuals. **Just 600 of those individuals accounted for 36% of all the cases filed.** They represent the classic revolving door syndrome. There was little evidence that these individuals, who repeatedly cycled through emergency departments, hospitals, and the court, connected to treatment in the community. A short hospital stay with no follow-up in the community is not a prescription for recovery.

In 2021, the Wayne County Probate Court established a Behavioral Health Unit (BHU) within the court to convene the stakeholders in the community to improve the justice system response to mental illness. Prior to this project, there was little collaboration between the stakeholders (law enforcement, hospitals, emergency departments, mental health providers, the Detroit Wayne Integrated Health Network (DWIHN), and the courts) who typically operated as silos, independent of one another with little communication or collaboration. The BHU created the opportunity to connect these silos to ensure that persons receive the appropriate treatment when and where they need it. The BHU program is focused on the civil justice system. By intervening early and coordinating care, it helps to break the cycle of repetitive emergency care, hospitalization, and engagement with the criminal justice system.

Breaking the Cycle

Wayne County, MI Probate Court Behavioral Health Unit

The BHU was launched with a three-year \$2.5 million grant from county government. Wayne County Executive Warren C. Evans has made mental health a major goal of his administration. "The BHU has made great strides in addressing the revolving door that plagues the delivery of mental health services in Wayne County." He further states, "My plan is to continue to work with the BHU, our health systems, and the dedicated stakeholders in our community to ensure citizens who need mental health services will receive them with the care and dignity they deserve."

Recent revisions to Michigan's Mental Health Code not only permit earlier intervention and the use of Assisted Outpatient Treatment (AOT) in lieu of hospitalization, these changes also create accountability for the individual and the treatment community that can be enforced by the court. Working with stakeholders, the court can measure and monitor system performance and determine if AOT orders are followed by the individual suffering from serious mental illness as well as the performance of the providers. The intent is to break the revolving door of incarceration and inpatient hospitalization by promoting the healing of persons with serious mental illness and co-occurring substance abuse issues such as opioid addiction.

For example, the court will monitor the performance of health care systems in complying with their duty to connect individuals with outpatient treatment. For those persons ordered to receive outpatient treatment, the court will monitor the performance of the community treatment providers.

The court has identified 76 individuals who have had at least 10 petitions in the last five years. Last year, the hospitalization cost for these individuals was over \$3.3 million. For these individuals, the court will schedule regular status conferences that require the attendance of the individual and the provider. The intent is to make sure the provider is engaging with the individual and to bring the court's attention to nonadherence.

Genesee County has a mature AOT system that has seen 90% compliance with treatment resulting in dramatic reductions in hospitalization and incarceration. The Wayne County Probate Court, through the BHU, intends to achieve similar results within the next three years.

Below is a detailed description of the staffing and responsibilities of the BHU.

- The BHU manager and two BHU clerks process the filing of assisted outpatient treatment (AOT) petitions and respond to customer inquiries which will be heavily utilized as part of this program.
- The BHU liaison manager works with the CBHJ (the Center for Behavioral Health and Justice at Wayne State University), interacts with and trains the public and other entities (hospital staff, jails, police departments, mental health service providers, prosecutor's office, and district courts), and coordinates the overall operation of the BHU. They also ensure the decisions of four subcommittees of the Diversion Work Group – Assisted Outpatient Treatment (AOT)/Familiar Faces, Information Sharing and Problem Solving, Sober Center and Crisis Drop-off, and Certified Community Behavioral Health Centers (CCBHC) and Diversion – are implemented and grant proposals are drafted.
- The BHU quality coordinator oversees the operation of the Unit and ensures AOT orders are implemented and followed. They also work with DWIHN and the mental health service providers to ensure AOT petitions are filed when necessary.
- The BHU administrative assistant supports the BHU liaison by typing correspondence and training materials, scheduling appointments, and answering customer service inquiries.
- Wayne State University's Center for Behavioral Health and Justice facilitates the ongoing efforts of the Wayne County Jail/Mental Health Initiative, including program design and implementation and measuring its effectiveness.

Breaking the Cycle

Wayne County, MI Probate Court Behavioral Health Unit

- A customer service coordinator oversees the dissemination of information and responds to requests to the public, attorneys, civic groups, hospitals, jails, police departments, and mental health service providers. They will also provide support and information to these individuals/entities regarding the state mandated e-filing system which is being implemented by the end of 2023 in the Wayne County Probate Court.
- Additional clerks distribute AOT orders after the hearings to DWIHN and the appropriate service providers and obtain the treatment plans from the providers.
- A trainer assists judges with training courtroom staff in line with BHU goals. They work with staff to ensure the AOT process is being administered correctly and used to the greatest extent possible and that court personnel are appropriately assigned to fulfill this function.
- An information services technician supports IT needs in line with the goals of the BHU. They coordinate the mental health data requirements (both from the court's case management system and from external entities) and the sharing of this information with hospitals, law enforcement, and mental health service providers.
- Detroit Wayne Integrated Health Network retains service managers for assignment to the BHU to enhance delivery of mental health services to citizens on AOT orders.

For additional information, please contact: Kristina Morgan at KMorgan@wpcpc.us.

This document was developed under the Mental Health Task Force State Technical Assistance Grant #SJI-21P050 from the State Justice Institute. The points of view expressed do not necessarily represent the official position or policies of the State Justice Institute.

