

KENTUCKY JUDICIAL COMMISSION ON MENTAL HEALTH



Kentucky Judicial Commission on Mental Health Meeting Minutes	
Meeting Date, Time	March 23, 2023, 1:00 p.m. to 3:00 p.m. E.S.T.
Meeting Location	Administrative Office of the Courts 1001 Vandalay Drive Frankfort, KY 40601 Main Conference Room
Virtual Option	Meeting also offered virtually through Zoom.

Attendees	
Name	Organization
Hon. Debra Hembree Lambert	Deputy Chief Justice, Kentucky Supreme Court
Hon. Larry Thompson	Kentucky Court of Appeals Judge
Hon. Wes Butler	Kentucky Hospital Association
Hon. J. Foster Cotthoff	District Court Judge
Stephanie Craycraft	Department for Behavioral Health, Developmental and Intellectual Disabilities
Melony Cunningham	NAMI Kentucky
Lesa Dennis	Department of Community Based Services
Eric Friedlander	Secretary of Cabinet for Health and Family Services
Rebecca Frost	Warren State Hospital
Dr. Todd Gray	Kentucky Baptist Association
Nancy Hale	Operation Unite
Erica Hargis	Division of Probation and Parole
Jim Henderson	Kentucky Association of Counties
Hon. Tanisha A. Hickerson	District Court Judge
Yvette Hourigan	KYLAP, Kentucky Bar Association
Van Ingram	Kentucky Office of Drug Control Policy
Sarah Johnson	Department of Corrections
Hon. Lisa Jones	Circuit Court Judge
Hon. Kevin Mullins	District Court Judge
Hon. Damon Preston	Department of Public Advocacy
Brenda Rosen	National Association of Social Workers Kentucky

Steve Shannon	Kentucky Association of Regional Programs
Koleen Slusher	Kentucky Correctional Psychiatric Center
Hon. John Lindsay Tackett	District Court Judge
Hon. Stacy Tapke	Past President of County Attorneys Association
Hon. Marcus Vanover	Family Court Judge
Bryanna Carroll for J.D. Chaney	Kentucky League of Cities
Linda Avery	President Circuit Court Clerk Association
Hon. Denise Brown	Family Court Judge
Lisa Lee	Department of Medicaid Services
Carrie Ovey-Wiggins	Kentucky Commonwealth's Attorneys Association
Brooke Talley	Attorney
Jim Daley	Kentucky Jailers Association
Glenda Harrison	Kentucky Access to Justice Commission
Chris Griffith	Christian Appalachian Project
Hon. Laurance B. VanMeter	Chief Justice, Kentucky Supreme Court
Connie Milligan	Fayette Mental Health Court, NAMI Lexington
Marc Woods	Eastern State Hospital- University of Kentucky
John Wernert	Norton Healthcare
Jim Flynn	Kentucky Superintendent Association
Stacy Bruner	Kentucky Association of Circuit Court Clerks
LeeAnna Dowan	Attorney
Laurie Givens	Administrative Office of the Courts
Lisa DeJaco Crutcher	Catholic Charities of Louisville
Allen Brenzel	Department for Behavioral Health, Developmental and Intellectual Disabilities
Rep. David Meade	Kentucky House of Representatives
Rabbi Shlomo Litvin	Chabad of the Bluegrass
Andrew Cooley	Eastern State Hospital- University of Kentucky
Joe Ross	Logan County Attorney
Vestena Robbins	Department for Behavioral Health, Developmental and Intellectual Disabilities
Hon. Denise Clayton	Retired Judge
Terry Brooks	Kentucky Youth Advocates
Brian Wright	Kentucky Commonwealth's Attorneys Association
Rep. Kim Moser	Kentucky House of Representatives
Linda Avery	Circuit Clerks Association
Bryan Hubbard	Office of the Attorney General

Agenda	
I.	Registration and Lunch
II.	Opening Remarks and KJCMH Updates

- III. Criminal Justice Committee Update
 - a. Workgroup Updates
- IV. Civil and Family Justice Committee
 - a. Workgroup Updates
- V. Treatment and Access Committee
 - a. Workgroup Updates
- VI. Closing Remarks
- VII. Adjourn

Discussion

Opening Remarks and KJCMH Update

Deputy Chief Justice Debra Hembree Lambert welcomed everyone present at the meeting and acknowledged attendees participating remotely on Zoom. The Deputy Chief Justice thanked everyone in attendance and asked commission members attending their first commission meeting to introduce themselves.

Deputy Chief Justice Lambert reminded everyone about the Mental Health Summit at the Galt House in Louisville from May 31-June 2, 2023. Registration for the event was sent to Commission members on March 3, 2023. Judicial registration was sent on March 22, 2023. Registration will go out to allow others to register on March 24, 2023. She requested strategic sharing of registration to ensure even representation from all groups since solutions require cross agency collaboration. The tag line for the summit is “Sharing Solutions with Kentucky Courts and Communities.” Additionally, Sam Quinones was booked as a presenter for the summit. The summit will offer 5 iterations of 12 concurrent sessions for a total of 60 presentations. Justice Lambert and others went to the Galt House on March 10, 2023, for a site visit to review the space and found the venue to be well-suited for the Summit. Last, there will be an exhibit hall at the summit. Vendors will have to bid to follow procurement procedures. A special thank you was given to Sec. Eric Friedlander of the Cabinet for Health and Family Services (CHFS) for all the work he has done to assist with summit planning.

Deputy Chief Justice Lambert spoke about her participation in the National Association on Mental Illness's advocacy day at the Capitol Rotunda with NAMI Kentucky. She witnessed former state senator Alice Forgy Kerr receive an award for her work with mental health. Lt. Governor Coleman also spoke about the Student Mental Health Initiative that she is leading. The System Mapping Workgroup will be dissolved due to its duplicative nature; other workgroups are already taking on the task. The members of the System Mapping Workgroup have been invited to join other workgroups. The Juvenile Justice workgroup has been working on the first sequential intercept mapping of the juvenile justice system in the nation. The Dependency, Neglect, and Abuse Workgroup is implementing Upstream to map out their system. The criminal justice system was mapped out using the sequential intercept model at the Administrative Office of the Courts on February 16 and 17, 2023. The National Center for State Courts representative Michelle O'Brien presented on the first day, and interactive activities were completed by the attendees. The goal was to address the complex nature of the legal system to simplify and make access as easy as possible. Last, District Judge Kevin Mullins was recognized for being identified to participate in the National Center for State Courts' Mental Health Diversion pilot.

Criminal Justice Committee Update

District Judge John Lindsay Tackett, chair, reported that the Criminal Justice Committee met on March 13, 2023. During this meeting, all workgroups reported on their current initiatives and the group also heard an update on the legislative session. Judge Tackett then turned it over to workgroup leads for reporting.

Workgroup Updates

Juvenile Justice

Chief Circuit Judge Lisa Jones, workgroup lead, reported that the first meeting focused on member introductions and barriers to an effective juvenile justice system. In additional meetings, the workgroup created and presented its work product, a Communication and Collaboration document that addresses wrap-around care for youth. The workgroup is additionally working on sequential intercept mapping, which they are conducting virtually. Polls will be sent out to obtain information from members of the group, and multiple days will

be scheduled to consider each intercept individually. Finally, the workgroup focused on juvenile commitment statutes. Data showed that statutes are infrequently used for addressing youth needs, and the workgroup discussed reasoning on why this was occurring. The discussion led to more questions, like whether the juvenile commitment statutes are different than the KRS Ch. 202A statutes and where the treatment facilities are located in the state. The group is planning to set up a panel of providers throughout the system to investigate barriers and determine needed changes.

Competency

Kentucky Correctional Psychiatric Center (KCPC) Director KOLEEN SLUSHER reported that the first workgroup meeting was held on March 9, 2023. The bulk of the discussion concerned flexible orders. The workgroup discussed what role KCPC plays in the continuum of care within the larger system. The workgroup considered the Council of State Government's Just & Well Report, which provided 10 strategies to focus on when considering competency. They discussed how misdemeanors tie in and how those with misdemeanors would also benefit from flexible orders. They further discussed the outpatient evaluation process and how it is a solution to expedite evaluations. Last, the workgroup discussed Assisted Outpatient Treatment and how its use could greatly benefit individuals prior to them becoming justice-involved.

Prearrest/Diversion

Logan County attorney and workgroup co-lead Joe Ross reported that the first meeting took place in early February. Discussion largely concerned law enforcement's decision to arrest suspects who are experiencing serious mental health issues rather than obtaining a mental health warrant. One concern was how individuals in jail can access treatment. Issues further discussed included the availability of service, accessibility of the services, employee turnover, and insurance for individuals in jail. The workgroup also deliberated on whether those incarcerated can apply to have Medicaid reinstated when they are about to be released. Jim Daley, Campbell County Jailer and workgroup co-lead, stated that many of the issues are starting at the jails. Once incarcerated, those in jail decompensate quickly. Daley stated he wants to find a solution for how services can be offered immediately upon entry into a detention center and identify services that are available, as well as how those services can be

funded. There is a need to look at services and funding available in all 72 jails throughout the state. Alternatives to jail were also discussed.

The workgroup spoke about deflection when the police arrive on a scene involving a mental health crisis. Future discussions and trainings may help police officers identify individuals experiencing a mental health incident. The workgroup plans to add additional members that represent the Commonwealth Attorney and County Attorney positions in rural and urban areas.

Civil and Family Justice Committee Update

District Judge J. Foster Cotthoff reported that the Civil and Family Justice Committee meeting included workgroup updates and a presentation from Kentucky Youth Advocates on Children in the Foster Care System. Judge Cotthoff turned it over to workgroup leads for reporting.

Workgroup Updates

Dependency, Neglect, and Abuse

Family Circuit Judge Marcus Vanover, workgroup lead, indicated the workgroup has met three times, and, during their second meeting, they discussed three main priorities and established leads for each priority. Those priorities are as follows:

- 1) A need to enhance collaboration with system partners.
- 2) To understand the roles and ethical guidelines for treatment providers.
- 3) To create a best practice guide for the court/child welfare and system partners.

The next workgroup meeting is scheduled for April 24, 2023. Judge Vanover also discussed Upstream efforts. The Upstream planning committee met on March 3 and March 21, 2023.

Guardianship and Commitment

Stacy Tapke, Kenton County Attorney and workgroup lead, reported that the workgroup met on February 7, 2023. In its first meeting the workgroup discussed barriers, which included clarity of the restoration of rights statute, the role of the County Attorney in cases, inconsistencies in guardianship and conservatorship proceedings, and differences in private and court-appointed counsel. The workgroup decided that it will split into two separate workgroups because multiple issues exist under each topic. The next meeting will split the topics into 1) Guardianship and 2) Involuntary Commitments.

Domestic Violence

Family Circuit Judge Denise Brown advised on the workgroup. A focus area was developing best practices for Civil and Family Courts when dealing with families and children experiencing domestic violence. The workgroup also planned to create a formal goal statement, with specified agency leaders, that will be presented to the full workgroup on April 13, 2023.

Treatment and Access Committee Update

Judge Mullins introduced the “ABCs” of the Treatment and Access Committee. This includes A: Acknowledging the problems and barriers that need to be addressed; B: Believing a better system is possible; and C: Community. The Treatment and Access Committee meeting also included updates from each respective workgroup. Judge Mullins turned it over to workgroup leads for reporting.

Workgroup Updates

Court Responses

District Judge Stephanie Burke was unable to attend due to docket obligations. Judge Mullins advised that her workgroup meeting focused on training court personnel on how to identify individuals with mental health issues that appear before them. The workgroup seeks to conduct Mental Health First Aid training for court personnel and community partners. The workgroup also has several other priority areas that they will begin to expand on during their next meeting.

Strengthening Community Response

Wes Butler, CHFS General Counsel and workgroup lead, reported for the workgroup. Their focus is to look at touchpoints where providers have contact with justice-involved individuals. The workgroup has conducted two meetings, and the third meeting will be held on April 10, 2023. Observations included recognizing the lack of stable resources, and the inequitable distribution and allocation of those resources, which perpetuate healthcare and mental health treatment deserts throughout the state. Another was transportation and its effect on accessing resources. Medicaid will be helping to assess the transportation topic. There is also a need for more safety and advocacy mechanisms to catch individuals who need help before they enter the court system.

Intellectual and Developmental Disabilities

Melony Cunningham, director of NAMI Kentucky and workgroup lead, advised that the workgroup met on March 17, 2023. Around 10 individuals attended, and they will be adding additional members. The workgroup discussed barriers for treatment. The workgroup will meet every month on the third Friday of the month and will be asking providers to attend meetings to share their experience and insights. Melony will have more to report at the next quarterly meeting. Judge Jones then spoke further about juveniles with intellectual or developmental disabilities (IDD) and how they are housed in facilities, which are not all well-equipped to deal with this unique population.

Closing Remarks

Court of Appeals Chief Judge Larry Thompson spoke of his appreciation for the Kentucky Judicial Commission on Mental Health. Collaborating with interagency departments will be very beneficial to the work of the commission. Judge Thompson personally thanked everyone participating in the Commission for the time and effort they are contributing.

Justice Lambert indicated Chief Justice Laurance B. VanMeter had been on zoom earlier and had to step away. She shared that the Chief Justice, and every Justice, is appreciative of the work the commission is doing. Justice Lambert indicated the next meeting will be on June 2, 2023, at the end of the Mental Health Summit. Commission members will be notified of the location.

The meeting adjourned at 2:29 p.m.

No.	Action	Owner	Due Date	Status	Notes
1	<i>Draft and share meeting minutes</i>	<i>KJCMH Staff</i>	<i>June 2, 2023</i>		
2	<i>Strategic Plan</i>	<i>KJCMH Staff</i>	<i>June 2, 2023</i>		
3	<i>Share Mental Health Summit Registration</i>	<i>Commission Members</i>	<i>Upon Release</i>		
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Additional Information

Members of the public in attendance:

KJCMH Support Staff in attendance:

Name	Department
Shawna Mitchell	Office of Statewide Programs
Jason Reynolds	Government Affairs
McKenzie Marshall	Specialty Courts
R. Ian Shepard	Office of Statewide Programs
Seth Stevens	Office of Statewide Programs
Debbie Hall	Specialty Courts
Tina Morrow	Office of Statewide Programs
Angela Darcy	Pretrial Services
Elizabeth Nichols	Specialty Courts
Jacindia Rowe	Court of Justice
Chris Brown	Family and Juvenile Services
J.R. Hopson	Family and Juvenile Services
Rachel Bingham	Office of Statewide Programs
Katie Shepherd	Supreme Court
Patrick Carrington	AOC
Nathan Goins	Family and Juvenile Services
Jason Dufeck	Pretrial Services
Ashley Clark	Pretrial Services
Vanessa Chauhan	Family and Juvenile Services
Deb Bennett	Pretrial Services
Eboni Thompson	Family and Juvenile Services

These minutes describe the discussions held during the Kentucky Judicial Commission on Mental Health meetings and do not constitute an official finding of the Commission.