

Mental Health Court ~ Division 20, Hon. Nanette Warner

Defense Attorney: Process for transferring defendant to MHC

The following is the process for transferring defendants into the Mental Health Court (MHC) by the defense attorney. Reassignments should be made as soon as possible in the proceedings, but no later than at sentencing. Please follow and complete all steps in order, as Division 20 will reject clients without the appropriate information prior to a transfer. Thank you for your assistance!

Transferring into the Mental Health Court:

1. Determine your client's eligibility:
 - a. Is receiving services from (or enrolling/ re-enrolling with) a CPSA provider (COPE, CODAC, or La Frontera).
 - b. Has received a SMI (seriously mentally ill) determination with their provider/ CPSA. This information can be received through the BHP or by contacting CPSA's Criminal Justice Specialist Elaine Gray (869-6271).
 - c. No charges of murder (all types), sexual assault, or child molestation. Preference is given to cases that are, or are likely to be, probation eligible.

2. Complete a "Release of Information" form, allowing the MHC to confirm the SMI determination and communicate with your client's behavioral health provider on treatment related issues. The release form is available on the Superior Court website, through the MHC link.

3. File a "Request for Reassignment to Division 20 Specialty Court" with the currently assigned judge.
 - a. Division 20 Specialty Court must be indicated to ensure transfer into the MHC, and not the standard criminal caseload.
 - b. Division 20/ Hon. Nanette Warner, MHC Coordinator/ Dr. Glenn Matchett-Morris, and Elaine Calco-Gray/ CPSA must be copied on all notices.
 - c. The notice should state that the case has been identified as appropriate for transfer to the MHC, and preferably:
 - i. The client has been determined SMI.
 - ii. The client has been receiving services with a behavioral health provider (COPE, CODAC, or La Frontera).
 - iii. The most serious charges.
 - d. Attach the CPSA release. Releases may also be faxed to 740-8313 (Div. 20).

Division 20 will send a minute entry to all related parties (including the behavioral health provider), notifying when the transfer is complete. The JAA will contact you should it be determined the client is ineligible or if the transfer is incorrect (i.e. a release, etc. is missing). Please note the MHC has a limit of 90 cases. All transfers after the limit will be verified then placed on a waiting list until space becomes available.