



Vermont Judiciary Commission on Mental Health and the Courts
Second Annual Report
Executive Summary

The Commission was established in July 2022 as a Tri-Branch effort to examine the interaction between the judicial and mental health systems and to propose measures to better respond to the needs of court-involved individuals with mental health issues. In its first year, the Commission's four committees focused on pre-charge interventions, post-charge pre-trial services, competency and sanity evaluations and trainings geared to identifying and responding to signs of mental illness and intellectual disability. A First Annual Summit on Mental Health and the Courts was held in September 2023. An Action Plan emerged from the Commission's work that included five components detailed in the Commission's First Annual Report:

1. Identify and retain a Behavioral Health Consultant.
2. Plan for and implement Sequential Intercept Model (SIM) Exercises across five regions in Vermont in the next two years.
3. Monitor the effects of changes brought about through S.91
4. Form a new committee focused on peer support services.

5. Continue to develop and offer state-wide trainings associated with mental illness and intellectual disabilities.

The Second Annual Report includes a detailed summary of the status of each of the 2024 Action Plan components. By way of brief summary:

1. D. Scott Acus was hired in March 2024 as the Judiciary's Mental Health and the Courts Project Director and immediately began planning and implementing SIM Regional Workshops in the Northeast and the Northwest Regions.
2. The SIM Regional Workshops took place in September 2024 and active working groups from those regions meet regularly to achieve local goals established at the workshops.
3. A highly engaged Peer Support Committee was formed and presented informative content at the Second Annual Mental Health and the Courts Summit in September 2024 regarding peer support strategies statewide that has informed on-going exploration of a specific recommendation for a peer support structure in the courts.
4. The Competency/Sanity Committee has monitored the significant impact that S.91 (Act 28) has had on competency evaluations and is evaluating what additional measures regarding competency evaluations might be warranted.
5. The Committee on Mental Illness and Intellectual Disability Training developed a disabilities training that was postponed until 2025 and is

developing an additional training focused on persons in the custody of the Department of Corrections.

The Second Annual Report also includes an Action Plan for 2025, including the following recommendations:

1. The Judiciary's Mental Health and the Courts Project Director is to continue overseeing the planning and implementation of the three remaining Regional SIM Exercises scheduled to be completed by July 2025; to assist in the implementation of the substantial plans developed in the 2024 SIM Workshops and anticipated to be developed in the 2025 SIM Workshops including determining the feasibility of establishing a pilot Court Mental Health Navigator position; to continue to play a consultative role with the Peer Support Committee and as needed throughout the court system; and to provide leadership in convening a high-level committee to study other states' programs related to mental health and the courts for the purpose of identifying a vision for Vermont's future growth in this area.
2. The Peer Support Committee that formed in 2024 is to continue its work exploring how to best support peer support services at all intercepts of the criminal and court processes for persons who have mental health and/or substance use issues, including determining the function of a support person in the court, whether a pilot project in one county is advisable and if so in what county, funding options, interplay with the ACT Teams and appropriate metrics.
3. The Committee on Competency Evaluations and Related Issues is to continue its work monitoring the effects of S.91 (Act 28) and determining whether modifications are warranted regarding: issues surrounding

refusals to participate; continued workplace violence; the merits of a competency restoration program; the efficacy of remote evaluations; consistency in standardized testing; the effect of housing shortages on discharge options; and transportation challenges.

4. The Committee on Mental Illness and Intellectual Disability Training is to continue its work developing and offering state-wide trainings associated with mental illness including “Intellectual Disabilities 101” and on Mental Health for persons in the custody of the Department of Corrections.

The Second Annual Report also includes an overview of the Second Annual Mental Health and the Courts Summit held at the Vermont Statehouse in September 2024.