



Vermont Judiciary Commission on Mental Health and the Courts

Third Annual Report

12-31-25

The Vermont Judiciary Commission on Mental Health and the Courts (hereinafter "Commission") was officially established by the Vermont Supreme Court by Charge and Designation in July 2022. The Commission submitted its First Annual Report on December 31, 2023. An Extended Charge and Designation in January 2024 authorized the Commission to remain in effect and tasked the Commission with submitting an annual report to the Court by December 31 of each year. The Extended Charge and Designation is set forth in [Appendix A](#). The Commission submitted its Second Annual Report on December 31, 2024. An Executive Summary of that Report is set forth in [Appendix B](#).

The Commission's Second Annual Report included five components of an Action Plan. The first part of this Third Annual Report summarizes the status of each of the five components of the 2025 Action Plan. It also provides an overview of the Commission's Third Annual Summit held at the Vermont Statehouse in September 2025. Lastly, the Report includes an Action Plan for 2026 that is based on recommendations of a Statewide Advisory Group and informed by the substantial input provided by participants at the Third Annual Summit.

Status of 2025 Action Plan

1. Mental Health and the Courts Project Director Goals

The first component of the 2025 Action Plan was for the Mental Health and the Courts Project Director D. Scott Acus to continue overseeing the planning and implementation of the three remaining Regional SIM Exercise Workshops in 2025. (Details regarding the three workshops are provided in the next section.) Project Director Acus was to also assist in the implementation of plans developed in the first two 2024 SIM Workshops and the remaining three 2025 SIM Workshops; to continue to play a consultative role with the Peer Support Committee and to provide leadership in convening a high-level committee to identify a vision for Vermont's future growth related to mental health and the courts. (Details regarding the Peer Support Committee are provided in the section after the SIM Workshops section.)

Project Director Acus convened a Statewide Advisory Group to develop recommendations regarding a vision for Vermont's work related to mental health and the courts. The Advisory Group included a broad array of experts representing all three branches of Vermont government. Entitled "Moving Forward at the Intersection of Justice, Mental Health and Substance Abuse", the Advisory Group's resulting report laid out three broad recommendations that included: "Strengthening Education, Training and Public Awareness"; "Improved Cross-System Collaboration"; and "System Navigation". A copy of the report is set forth in [Appendix C](#). The

recommendations were presented at the Third Annual Summit and substantial input was offered by groups organized by region. The 2026 Action Plan is derived from those recommendations and that input.

2. Continuation of Three Regional SIM Workshops.

The second component of the 2025 Action Plan was to plan for and conduct three regional mapping workshops in 2025 following the completion of two regional workshops in the Northeast Region and the Northwest Region in September 2024.

A Southwest Regional SIM Workshop covering Bennington, Rutland and Addison Counties with 66 attendees took place on April 11, 2025 in Rutland, Vermont. A Southeast Regional SIM Workshop covering Windsor, Windham and Orange Counties with 71 attendees took place in Springfield, Vermont on April 25, 2025. A Chittenden Regional SIM Workshop covering Chittenden County with 68 attendees took place on May 30, 2025.

Each regional workshop involved extensive planning, including surveying on-the-ground stakeholders about collaboration and capacity building access to relevant services in the region, trial courts and court services programs, and how the region could best create plans to effectively address substance use and mental health challenges. Planning subcommittees were set up in each region to learn about the causes and goals of the SIM workshops, and to guide decisions regarding logistics for the workshops, the identification of workshop participants and the relevant issues that were of the most concern in the regions served.

Attendees at each of the workshops included judges, court staff, state's attorneys, public defenders, representatives from Probation and Parole, the Vermont Department of Mental Health, local providers, emergency service personnel, law enforcement, and medical personnel. At the end of the workshop specific goals and plans for future work were identified. Individual attendees were identified as leaders who agreed to play a role in following up and ensuring that goals were met. Data regarding each workshop is provided in [Appendix D](#).

3. Peer Support Committee

The third component of the 2025 Action Plan was for the Peer Support Committee formed in 2024 to continue its work exploring how to best support peer support services at all intercepts of the criminal and court processes for persons with mental health and/or substance use issues. This included determining the role of a support person in court, assessing whether a pilot project in one county would be advisable and, if so, in which county, identifying funding options, examining the interplay with the ACT Teams, and establishing appropriate metrics.

The Peer Support Committee includes a broad group representing diverse sectors relating to peer support. In its initial work it examined what peer support services presently exist, the need that exists beyond the services presently provided, the necessary steps to get from where we are to where we want to be, how peer certification will help and how to move forward together. The time committed to planning for and conducting the

Chittenden SIM Regional Workshop prevented the Peer Support Committee from completing the work detailed in the 2025 Action Plan. A variation of that work is encompassed in the 2026 Action Plan involving “System Navigation, Resource Linkage and Peer Support Services” described in the 2026 Action Plan section.

4. Competency Evaluation Committee Goals

The fourth component of the 2025 Action Plan was for the Committee on Competency Evaluations and Related Issues to continue monitoring S.91, a bill co-sponsored by Committee member State Senator Virginia (Ginny) Lyons to address many issues surrounding competency evaluations. Components of the bill included: expediting evaluations by way of adding qualified psychologists as evaluators; adding a clearer burden on counsel to explain the need for evaluations; bifurcating insanity and competency evaluations; ensuring timely records availability; and consolidating repeat requests where one person is the subject of multiple cases.

In the course of its work monitoring the effect of the bill's measures in 2024, the Committee concluded that legislative changes brought about by S.91 have made a significant impact, that competency evaluations are happening much more quickly, and that Emergency Department and hospital wait times have markedly improved. A copy of S.91 (Act 28) is provided as [Appendix E](#). It is anticipated that the Legislature may examine the merits of competency restoration measures in the next session.

5. On-Going Trainings

The Committee on Mental Illness and Disability Training presented two trainings in a webinar format in 2025. The first was entitled “Intellectual Disabilities 101” on January 13, 2025. It featured presenters who discussed common terminology and provided a review of Act 248 which authorizes a state criminal court to civilly commit a person with an intellectual disability who is a continuous risk of significant harm to others into the custody of Disabilities, Aging & Independent Living (DAIL). Presenters also discussed guardianship processes and services for persons with developmental disabilities, as well as the challenges people with disabilities face in their daily lives. A link to the webinar is posted on the Commission's website and is included in [Appendix F](#).

The second webinar was entitled “Mental Health and Substance Abuse Treatment Within Correctional Facilities 101” and was presented on March 18, 2025. The presenters provided an overview of the system of care in Vermont for incarcerated people with mental health and/or substance use disorders. The program discussed general health data in Vermont correctional facilities to include rates of psychiatric hospitalizations; the co-occurring, mental health and substance use workflow within facilities starting at intake; medication continuation in facility; mental health and substance use treatment options within the facilities; discharge planning; and barriers and/or challenges to care. A link to the webinar is posted on the Commission's website and is included in [Appendix G](#).

Third Annual Summit on Mental Health and the Courts

The Third Annual Summit on Mental Health and the Courts was held at the Vermont Statehouse on September 25, 2025. Chief Justice Paul Reiber, Vermont State Senator Virginia (Ginny) Lyons and Vermont Department of Mental Health Deputy Commissioner Samantha Sweet welcomed the more than 100 in-person and remote attendees, Keynote Speaker Margie Balfour, MD, PhD presented "Building a 21st Century Crisis System" and spoke eloquently about the role of Sequential Intercept Models in the process.

An overview of "SIM Exercise Region Reports" featured Susan Russell of the Community Justice Restorative Center as the representative of the NE Region; Recovery Coach Supervisor Melinda White as the representative of the NW Region; Rutland County Public Defender Chris Davis as the representative of the SW Region; Chittenden County Public Defender Josh O'Hara as the representative of the Chittenden Region; and Windham County Sheriff Mark Anderson as the representative of the SE region.

Project Director Acus, along with Statewide Advisory Group representatives Chief Superior Judge Thomas Zonay, State Representative Daisy Berbeco and Vermont Department of Mental Health General Counsel Karen Barber presented the Advisory Group's recommendations, with comments by National Center for State Courts Consultant Michelle O'Brien.

Superior Court Judges John Pacht, John Valente, John Treadwell and Mary Morrissey facilitated break-out groups by region in thoroughly discussing the

report recommendations and then reported to the Summit attendees as a group on the feedback that each break-out group provided. Associate Justice Nancy Waples thanked out-going Commission Co-Chair Associate Justice (retired) Karen Carroll for her immense contributions to the Commission before concluding the Summit with “Next Steps and Wrap Up” in Justice Waples’ new role as Commission Co-Chair with Chief Justice Reiber.

The Summit Agenda is provided as [Appendix H](#) and a recording of the Summit is linked [HERE](#). Information gathered during the Summit greatly informed the Commission’s 2026 Action Plan.

2026 Action Plan

1. Strengthen Education, Training and Public Awareness
2. Improved Cross-System Collaboration
3. System Navigation, Resource Linkage and Peer Support Services

1. Strengthen Education, Training and Public Awareness

The Education Committee Chair will survey the Committee to identify and prioritize topics for potential programs, including those that have been recommended in the SIM and Summit Workshops. The Committee will produce online trainings similar to those produced in previous years, with an intended audience including the Judiciary, systems of care and community stakeholders. The goal will be to produce two trainings per

year.

Judges will also receive ongoing training grounded in research and national best practices on the impact of trauma as part of the Judicial College programs and court staff will receive training on the same topic during in-service trainings in the coming year.

It is noted that Byrne State Crisis Intervention Program (SCIP) grant monies that funded prior trainings are available for pass-through funding in the coming year. The Judiciary is also requesting funding for the Mental Health and the Courts Project Director in its FY27 Budget Request.

2. Improved Cross-System Collaboration

The Judiciary and stakeholders throughout the system of healthcare and human services will regularly and actively engage in strategic discussions on mental health and substance use challenges, education/training opportunities, and innovative pilot programs. An important outcome of these conversations will be increased collaboration throughout the system. Commission staff will provide initial support for regions to establish ongoing, regular collaborative meetings to suit local needs, using the Franklin County Monthly SIM Meeting as an example of a successful model, as well as Situation Table meetings in some communities.

Feedback loops will be developed between the groups and communities at large. Judges or other court staff will play an active and ongoing role in these collaboratives, including regular attendance at meetings.

The Commission will also ensure judiciary participation in statewide meetings that impact mental health and substance use services, policies, and practices. Commission members will ensure awareness about all such statewide workgroups and meetings and will facilitate Judiciary staff invitation/participation.

Policies and tools used at the intersection of mental health, substance use, and justice systems will be collaboratively and regularly reviewed for effectiveness and fairness, with recommendations developed collaboratively with providers and informed by training and data. Leaders from any of the three branches may initiate these reviews as needed.

3. System Navigation, Resource Linkage and Peer Support Services

The Judiciary will support and engage in system navigation/linkage and peer support services for justice-involved individuals. Commission staff will provide information about successful models of system navigation (for example, using the Caledonia County model or models that have been successful in other states) and will support the convening of interested stakeholders to develop court-based navigation and resource linkage.

Courts will facilitate and support navigation and linkage (for example, by providing courthouse space following arraignments which can be utilized for providing warm handoffs to navigators, etc.) In addition, similar navigation and linkage opportunities will be sought at other intercepts as

needed, including the possibility of utilizing existing resources and on-site clinical assessment.

With support from Commission staff, courts will build capacity for peer service providers to collaborate with court personnel, creating stronger pathways to community-based services and supports, and ensuring timely, effective connections for individuals engaged with the justice system.

Peer support services will be voluntary and person-centered. In the process of initiating and facilitating these services courts will integrate ongoing, evidence-based training on mental health and substance use peer support services, developed in collaboration with Vermont organizations demonstrating expertise and ethics in the area of peer support.

Conclusion:

The Commission met as a body on March 31, 2025, June 30, 2025, September 29, 2025, and December 15, 2025. Commission members worked with stakeholders throughout 2025 to accomplish many of the measures outlined in the Commission's Second Annual Report. The Commission respectfully provides this Third Annual Report to the Vermont Supreme Court with a request for approval of the 2026 Action Plan contained herein.