

2020 Texas Tech Mental Health Law Symposium Presented by  $Texas\ Tech\ Law\ Review$  Via Zoom November 20, 2020

8:15 - 8:30	Welcoming Remarks
8:30 – 9:15 (45 minutes)	The Evolving State of Mental Health Care in Texas and Its Impact on Judges: Lessons from MMHPI's Community Assessments John Petrila Senior Executive Vice President of Policy Meadows Mental Health Policy Institute
9:15 – 10:00 (45 minutes)	It Takes a Community to Decriminalize Mental Illness The Honorable Milton L. Mack, Jr. State Court Administrator, Emeritus State of Michigan
10:00 - 10:15	Break
10:15 – 11:00 (45 minutes)	Managing Mental Health Populations The Honorable Brent Carr Judge, Tarrant County Criminal Court 9 The Honorable Nelda Cacciotti Judicial Staff Counsel / Mental Health Magistrate Tarrant County, Texas
11:00 – 11:45 (45 minutes)	Community Treatment Options and Developing Partnerships between the Courts and Local Mental Health Authorities Beth Lawson Chief Executive Officer, StarCare Specialty Health System Lubbock, Texas Lee Johnson Deputy Director, Texas Council of Community Centers Austin, Texas
11:45 – 12:00	Break
12:00 – 12:45 (45 minutes)	Untenable Space: How the Law Hinders Liberty for Individuals and Families of Color Living with Severe Mental Illness. Sabah Muhammad Legislative & Policy Counsel, Treatment Advocacy Center Arlington, Virginia
12:45 – 1:30 (45 minutes)	Recent Significant Texas Mental Health Legislation & Proposals for 2021 Brian Shannon Horn Distinguished Professor Texas Tech University School of Law

# John Petrila, JD, LLM

Senior Executive Vice President of Policy Meadows Mental Health Policy Institute



Mr. Petrila is Senior Executive Vice President of Policy and was a member of the founding Board of MMHPI. He is a national leader in the formulation of mental health policy and the use of data to address policy questions. Mr. Petrila is an attorney with more than 40 years of experience in mental health and health law and policy. Before joining MMHPI, he chaired the Department of Health Policy & Management at the University of South Florida College of Public Health. Prior to that he chaired the Department of Mental Health Law & Policy at the Florida Mental Health Institute where he built a department that worked extensively with administrative data to inform policy at the county and state level. He also was the first Director of Forensic Services in the Missouri Department of Mental Health and was Chief Counsel and Deputy Commissioner in the New York State Office of Mental Health. He received his law degree and an advanced degree in mental health law from the University of Virginia School of Law. He is a national expert on data sharing and wrote the chapter on confidentiality for the 1999 Surgeon General's report on mental health. He was a member of the John and Catherine MacArthur Foundation Research Network on Mandated Community Treatment and is past President of the International Association of Forensic Mental Health Services. In 2011 he was named a Fulbright Scholar to the Netherlands and taught and conducted research at the Forensic Psychology Program at Maastricht University. He has authored three books and more than 100 articles, chapters and monographs and his book Psychological Evaluations for the Courts (Melton, Petrila, Poythress, Slobogin, 4th ed. Guildford Press, 2017) has been a standard reference in the field since its initial publication in 1987.

# The Honorable Milton L. Mack, Jr.

State Court Administrator, Emeritus



Milton L. Mack, Jr. is State Court Administrator Emeritus for Michigan having served as State Court Administrator from 2015 to 2020. He previously served as a judge for the Wayne County Probate Court from 1990 to 2015 and as Chief Judge from 1998 to 2015.

He served as Co-Chair of the National Initiative Advisory Committee which has transitioned to the National Judicial Task Force to Examine State Courts' Response to Mental Illness where he now serves on the Civil, Probate, and Families Work Group.

Judge Mack currently serves as Chair of the Governor's Mental Health Diversion Council. He also served on Governor Granholm's Michigan Mental Health Commission in 2004, the Michigan Partners in Crisis Public Policy Committee and the Michigan Supreme Court Guardianship Task Force.

Judge Mack is the author of COSCA's 2016-2017 Policy Paper: Decriminalization of Mental Illness: Fixing a Broken System. He also wrote "Involuntary Treatment for the 21st Century" published in the Quinnipiac Probate Law Journal in 2008.

In 2017, he received the Snyder-Kok Award from the Mental Health Association in Michigan, was named Judge of the Year by the Michigan Guardianship Association and Advocate of the Year by NAMI Michigan. In 2010 he received the Treat Award for Excellence from the National College of Probate Judges. In 1999 he received the Tom Bradley Leadership Award from the National Association of Regional Counsels.

### The Honorable Brent Carr

Judge, Tarrant County Criminal Court 9



Judge Brent A. Carr is a U. S. Marine Corps veteran honorably discharged at the rank of major and a graduate of South Texas College of Law. Judge Carr's legal service began in 1983 as an Assistant District Attorney with the Tarrant County Criminal District Attorney's Office. Leadership positions included chief felony trial attorney and chief prosecutor of the Tarrant County Narcotics Task Force.

In 1990 Judge Carr was elected to the office of Judge, Tarrant County Criminal Court 9. During his time in office he has conducted over 1,000 trials and disposed of over 75,000 cases. In addition to court duties, Judge Carr has created three specialty court programs: Mental Health Diversion, Veterans Treatment Court, and the RISE program for female felony offenders involved in commercial sexual trafficking. He is also the supervising judge of the Enhanced Mental Health Services docket for frequently incarcerated, mentally ill offenders. Judge Carr, his staff and programs, have received numerous local, state and national awards for their efforts in criminal justice and specialty court matters.

Judge Carr is licensed in Texas and federal courts, Board Certified in Criminal Law and Certified in Judicial Criminal Jurisprudence. He has taught undergraduate criminal justice courses for over 20 years, and is a frequent speaker at the local, state and national level on topics which include search and seizure, ethics, mental health and specialty court related matters. He currently serves as a Governor's appointee to the Texas Specialty Court Advisory Council, as a Commissioner on the Texas Judicial Commission on Mental Health and as Chair of the Commission's legislation implementation task force and curriculum committees. Judge Carr continues to serve on local community non-profit organizations and as the Local Presiding Judge of the Tarrant County Statutory Courts.

### The Honorable Nelda Cacciotti

Judicial Staff Counsel and Mental Health Magistrate | Tarrant County Criminal Courts



Nelda Cacciotti has been a Judicial Staff Counsel for the Tarrant County Criminal Courts since May 2015. She was appointed as the Mental Health Magistrate in July 2016 and presides over incompetency and insanity proceedings, outpatient and jail-based competency dockets as well as other mental health related matters for the Tarrant County Criminal Courts. Prior to working for the Tarrant County Criminal Courts, she was a trial prosecutor for the Tarrant County Criminal District Attorney's Office for about nine years and also handled mental health matters. Preceding her criminal law practice, she worked in civil law for five years. She is a graduate of Texas Wesleyan University School of Law (now Texas A&M University School of Law) in Fort Worth, Texas and of St. Edward's University in Austin, Texas. She is licensed to practice law in Texas and in the United States District Court for the Northern District of Texas. She serves on the Judicial Commission on Mental Health Collaborative Council, on the Benchbook Committee for the Judicial Commission on Mental Health, on the Outpatient Competency Restoration External Stakeholder Rules Workgroup, on the Mental Health Conference Planning Subcommittee for the Texas Center for the Judiciary and on the Court Case Processing Learning Collaborative. She has also served on a subcommittee workgroup for the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) Advisory Committee.

#### Beth Lawson

Chief Executive Officer, StarCare Specialty Health System



Beth Lawson has been with Lubbock Regional MHMR Center dba/StarCare Specialty Health System (StarCare) for 28 years. She began her career as a Case Manager in the Intellectual and Developmental Disabilities (IDD) Program, served for a number of years as the company's Chief Financial Officer, was promoted to the position of Associate Chief Executive Officer and was named Chief Executive Officer in October of 2017. As CEO, Beth is responsible for all aspects of StarCare's operations, including leadership and management of the company's \$48 million budget, 500+ member workforce and multiple service lines – mental health, substance abuse, intellectual/developmental disability, aging and veteran services. Beth's primary goal is to work diligently so people can have *HOPE*.

Beth earned a Master of Business Administration from Wayland Baptist University and a Bachelor of Science in Psychology from the University of Maryland. She currently serves as an appointed Commissioner on the Judicial Commission on Mental Health; is a member of the Lubbock Chamber of Commerce Board of Directors' Executive Committee; is a Board Member/Finance Committee Chairperson for the Lubbock Area United Way; serves as Secretary of the Texas PACE Association; and is a member of Texas Tech University, Master of Public Administration Advisory Committee. Beth was named the YWCA's Woman of Excellence, Government and Human Services in 2011 and is a graduate of the Leadership Lubbock Class of 1999.

Beth and her husband, William D. Lawson, PE, PhD, are active members of Southcrest Baptist Church. They have three children – Dieterich, Henry and Josephine. They are also the proud parents of Piper, the adorable poodle.

Lee Johnson
Deputy Director, Texas Council of Community Centers



Lee Johnson, MPA, serves as the Deputy Director for the Texas Council of Community Centers, a state association that represents the 39 Community Centers of Texas. In this role, Mr. Johnson advises on legislative strategy, appropriations issues, strategic communications, public policy development and implementation. Prior to joining the Texas Council, he served as Legislative Director for a State Representative and, in the private sector, managed the Urban and Land Use Planning efforts of a commercial development firm in Austin, Texas, engaging county and city officials across the state. Mr. Johnson holds undergraduate and masters degrees in Public Administration and Political Science from Texas State University.

## Sabah Muhammad

Legislative & Policy Counsel, Treatment Advocacy Center



Sabah Muhammad is legislative and policy counsel with Treatment Advocacy Center, part of a team of advocates working to improve state and federal commitment laws and promote evidence-based policies to positively affect those with severe mental illness. Sabah joined TAC in 2019, bringing many years of nonprofit and grassroots advocacy experience. Her prior work includes serving as a public defender in Henry County, Georgia, promoting college and career readiness with The Scholarship Academy, and advancing community servant leadership through AmeriCorps Atlanta. Prior to receiving her juris doctor from Florida Agricultural and Mechanical University, Sabah received a bachelor of fine arts degree from Georgia State University.

### Brian D. Shannon

Horn Distinguished Professor, Texas Tech School of Law



Brian Shannon is a Horn Distinguished Professor at the Texas Tech University School of Law. He earned his J.D. from the University of Texas, graduating first in his class, and a B.S. in Mathematics from Angelo State. He formerly practiced in the Office of the General Counsel to the Secretary of the Air Force, and at the Austin office of the former firm, Hughes & Luce.

Shannon serves on the Texas Judicial Commission on Mental Health, and he served four terms on the Governor's Committee on People with Disabilities and chaired the State Bar's Disability Issues Committee. He is on the board for StarCare Specialty Health Care System and is a past chair. Shannon also served on the Legislative Task Force that wrote Chapter 46B. He serves as Texas Tech's Faculty Athletics Representative (FAR) to the NCAA and Big 12. In that role, he is the immediate past president of the national association of FARs and served on the NCAA's Division I governing Council.

Shannon is the author or co-author of many articles and books, including six editions of *Texas Criminal Procedure & the Offender with Mental Illness: An Analysis & Guide*.



The *Texas Tech Law Review* is a general-interest academic law journal published quarterly by students of Texas Tech University School of Law. First published in 1970, the Law Review's membership stands at five times as large as its original membership of just over a dozen students. As a Law Review, we strive to produce a quality publication that enriches legal scholarship by encouraging discourse on current legal issues. The Law Review also hosts an annual lecture series, as well as an annual symposium at the Texas Tech School of Law. Each year, the Law Review publishes one volume that is comprised of four books released between November and June. Two of our issues contain articles written by prominent legal scholars and practitioners, as well as comments written by Law Review staff members concerning various state, national, and international legal issues. Our Fifth Circuit Survey outlines the important cases decided by the Fifth Circuit each year during the survey period. A fourth issue features articles written by the speakers from our annual symposium.

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