

**LANCASTER COUNTY COURT OF COMMON PLEAS
ADULT MENTAL HEALTH COURT**

PARTICIPANT CRITERIA

Legal Criteria:

- The defendant must be a resident of Lancaster County, Pennsylvania.
- The defendant must be 18 years of age or older.
- The defendant's criminal charges must meet all eligibility guidelines. The following guidelines are in place regarding ineligible offenses:
 - Homicide/Attempted Homicide and Manslaughter
 - Serious Sex Offenses such as Rape, Involuntary Deviate Sexual Intercourse, and Possession of Child Pornography will not be considered. Other sex offenses will only be considered in extremely rare circumstances on a case-by-case basis and require victim and police consent.
 - Felony Drug offenses (i.e. Delivery, PWID) subject to mandatory minimum sentencing provisions.
 - First offense DUI (without another eligible offense)
- The defendant's sentence of Court Supervision must be a minimum of 18 months. This is to include new criminal offenses and violations of parole and/or probation.
- The conduct giving rise to the crime must be attributable to characteristics of the defendant's mental illness.
- The defendant cannot have any unresolved out-of-county or out-of-state criminal charges.
- Defendants and cases will be recommended for Mental Health Court only at the discretion of the District Attorney, and after consultation with the prosecuting law enforcement official and crime victim.

The Mental Health Court Team will also consider an offender's prior record when determining eligibility. A record of excluded offenses will not result in immediate dismissal of the referral; however, it could be considered an exclusionary factor. Final eligibility shall be at the discretion of the Mental Health Court Team and the presiding Mental Health Court Judge.

Clinical Criteria:

- The defendant must have a current (within the last 2 years) primary diagnosis of at least one of the following major mental health diagnoses (a serious mental illness) as defined by the DSM IV-TR:
 - Schizophrenia
 - Major Mood Disorder (Bipolar Disorder, Major Depressive Disorder)
 - Psychotic Disorder (Schizoaffective Disorder)
 - Borderline Personality Disorder
- If a defendant does not have a current diagnosis, the defendant must be evaluated by a psychiatrist or psychologist to determine if the defendant has a serious mental illness.
- Diagnosis of a co-occurring substance abuse disorder *is not* an exclusionary factor for Lancaster County Mental Health Court.

- Diagnoses of intellectual disabilities, Alzheimer's disease, dementia and organic brain injury shall be considered as possible exclusionary factors for Lancaster County Mental Health Court.