

**TABLE 7.1****Key Differences Between Drug Courts and Mental Health Courts**

PROGRAM COMPONENT	DRUG COURTS. . .	MENTAL HEALTH COURTS. . .
<b>Charges accepted</b>	Focus on offenders charged with drug related crimes	Include a wide array of charges
<b>Monitoring</b>	Rely on urinalysis or other types of drug testing to monitor compliance	Do not have an equivalent test available to determine whether a person with a mental illness is adhering to treatment conditions
<b>Treatment plan</b>	Make treatment plans structured and routinized; apply sanctioning grid in response to noncompliance, culminating with brief jail sentence	Ensure that treatment plans are individualized and flexible; adjust treatment plans in response to nonadherence along with applying sanctions; rely more on incentives; use jail less frequently
<b>Role of advocates</b>	Feature only minimal involvement from advocacy community	Have been promoted heavily by some mental health advocates, who are often involved in the operation of specific programs; other mental health advocates have raised concerns about mental health courts, either in general or in terms of their design
<b>Service delivery</b>	Often establish independent treatment programs, within the courts' jurisdiction, for their participants	Usually contract with community agencies; require more resources to coordinate services for participants
<b>Expectations of participants</b>	Require sobriety, education, employment, self sufficiency, payment of court fees; some charge participation fees	Recognize that even in recovery, participants are often unable to work or take classes require ongoing case management and multiple supports; few charge a fee for participation

Source: Council of State Governments Justice Center. (2008) *Mental Health Courts: A Primer for Policymakers and Practitioners*. New York: Council of State Governments Justice Center Criminal Justice/Mental Health Consensus Project (for the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice). [https://www.bja.gov/Publications/MHC\\_Primer.pdf](https://www.bja.gov/Publications/MHC_Primer.pdf)