

Procedural justice in mental health courts: Judicial practices, participant perceptions, and outcomes related to mental health recovery

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Abstract

Research on mental health courts (MHCs) to date has been disproportionately focused on the study of recidivism and reincarceration over the potential of these problem solving courts to facilitate the recovery process and affect the slope of recovery. This study attempts to shift the focal point of interest from well-established criminal justice outcomes to the experiences and perceptions of MHC participants. The authors hypothesize that the actions of MHC judges that are consistent with procedural justice theory will engender high perceptions of procedural justice among this sample of divertees with SMI. Defendant perceptions of procedural justice in 4 NYC-area MHCs were also compared to those of uninvolved observers. Results suggest that defendant perceptions are distinct from observer perceptions, which tended to be more sensitive to the differences in judges between the four courts. Overall, participants' perceptions of procedural justice were moderate and increased between baseline and 4-month follow-up. Procedural justice was negatively correlated with symptoms at baseline and was positively correlated with participant's attitudes toward their own recovery. Between baseline and 4-month follow-up, participants in our sample tended to increase in perceptions of procedural justice; interestingly, the increase in procedural justice was associated with a decrease in symptoms but not to an increase in attitudes toward the recovery. Implications and future directions are discussed.