

# Anderson County Mental Health Court Initial Referral

Date of referral: \_\_\_\_\_

Referred by:  Solicitor  Defense Attorney  Probation/Parole Officer  Other: \_\_\_\_\_

Name of person referring: \_\_\_\_\_

Phone # of person referring: \_\_\_\_\_

Email of person referring: \_\_\_\_\_

Defendant's Name: \_\_\_\_\_

Defendant's Address: \_\_\_\_\_

Defendant's Phone #: \_\_\_\_\_

Warrant #(s): \_\_\_\_\_

Please attach copies of warrant(s).

Is there evidence that the Defendant has a severe mental illness?  Yes  No

If yes, please describe: \_\_\_\_\_

Is the Defendant currently on Probation or Parole?  Yes  No

Is the Defendant currently In Jail?  Yes  No

Is the Solicitor aware of this referral?  Yes  No

Please complete and return to:  
Marlene.mcclain@solicitor10.org  
Mental Health Court Program  
PO Box 8002  
Anderson, SC 29622  
Office 864-260-4094; Cell 864-276-2014  
Fax 864-260-4187

# Anderson County Mental Health Court Eligibility Criteria

## Eligibility Criteria – Anderson County

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**A defendant must meet ALL of the following eligibility requirements in order to apply to the Mental Health Court Program.**

1. The defendant must be 18 years of age or older and be a resident of Anderson County.
2. The defendant must be charged with a misdemeanor offense or a nonviolent felony. All other charges will be assessed on a case-by-case basis, with final determination on participation determined by the Solicitor.
3. The defendant must be diagnosed with a severe and persistent mental illness, which was the motivating factor in the defendant's current involvement in the criminal justice system.

Examples include:

- Major Depressive Disorder
  - Generalized Anxiety Disorder
  - Post Traumatic Stress Disorder
  - Bipolar Disorder
  - Schizophrenia
  - Other diagnoses will be assessed on a case-by-case basis.
4. The defendant must be legally competent to participate and able to demonstrate the cognitive ability to understand the basic purpose of the Mental Health Court Program and the program's requirements for successful completion.
  5. The defendant has not previously participated in a Mental Health Court Program in South Carolina.
  6. In cases of co-occurring mental illness and substance use disorders, the mental illness must be the primary diagnosis.
  7. The defendant must not have a history of violent charges, including sexual assault or stalking.
  8. The defendant will not be considered if he/she has prior felony convictions involving a child victim.
  9. The defendant must not have offenses of the nature described above pending in Anderson County or before any other court.
  10. The defendant must not be suffering from any condition that could prevent or restrict the person's active participation in the program.
  11. The defendant must have reliable transportation.
  12. This is a voluntary program. The participant must express a desire to participate in the program and must be willing to agree to the terms and conditions of participation as described in the Waivers and Agreement consent form.