



# ILLINOIS JUDICIAL BRANCH

## Desk Card: Responding to Mental Health at Court 05.2026 v. 1

**Like physical health, every person has mental health. Some may have mental health conditions or experience distress that impairs functioning. Understanding this can promote safety, fairness, and effective communication in a courtroom setting.**

### What is a mental health condition?

- Mental health conditions affect mood, thinking, behavior, or feeling. They are common, and appropriate treatment can reduce disruption of daily life.
- In 2025, the [National Alliance on Mental Health](#) reported on mental health conditions in Illinois:
  - 1 in 5 adults live with a mental illness, such as anxiety or depression.
  - 494,000 adults [live with serious mental illness \(SMI\) like bipolar disorder or schizophrenia.](#)

### Why does mental health matter in court?

- Arrest and incarceration:
  - People with mental illness are **10x more likely** to be incarcerated than hospitalized.
  - People with SMI account for **nearly 2 million arrests** each year.
  - **Over 70%** of people in American jails and prisons have at least one mental illness, substance use disorder, or both.
  - **Nearly 1/3** of those incarcerated have SMI, often making jails the largest behavioral health facilities in a community.
- Court users with mental illness may:
  - Miss hearings or misunderstand orders.
  - Struggle with memory, communication, focus, appearance, emotional regulation, or impulse control.
  - Have faced trauma, stigma, or barriers accessing the legal system or treatment.

**Your awareness and action can reduce barriers, promote dignity, enhance engagement, and improve the experience for court users with mental illness.**

### How can you support court users with mental health conditions?

1. **Observe:** Be mindful of changes in speech, mood, cognition, hygiene, or behaviors that may warrant additional support.
2. **Refer:** If available and appropriate, refer court users experiencing mental health challenges for screening or assessment by a trained professional or licensed clinician for diagnosis and recommendations.
3. **Partner:** Every person is unique, so work closely with the individual to best understand their needs. Support diversion, treatment, or case plan recommendations where appropriate.

### What resources are available when court users are in crisis?

- Law enforcement involvement should be a *last resort*, used only when needed for safety, as it may escalate distress and exacerbate symptoms.
- Instead of calling 911, prioritize interventions that *de-escalate*, which can safely address the person's immediate needs.
- Consider connecting with:
  - [Designated Service Area Providers](#) (for mobile crisis response)
  - [988](#), the national dialing code that connects people to immediate mental health support and crisis intervention.
    - *Note: This service will contact 911 in high-risk situations.*
  - [Illinois Substance Use Helpline](#)
  - [Illinois Department of Human Services](#)
  - [Youth Behavioral Health Services](#) (BEACON)

For information on judicial tools to respond to crisis in the courtroom, see [Bench Card: Mental Health Crisis & Judicial Response](#).

**What other resources can help court users with mental illness?**

- *Mental Health Problem Solving Court (MHPSC):*
  - MHPSCs have specialized dockets focused on defendants with SMI, proven to reduce recidivism and increase treatment engagement.
  - Where available, cases can be referred to MHPSCs by prosecutors, defense counsel, screening staff, or judges.
- *Court Disability Coordinators (CDCs)*
  - CDCs address reasonable accommodation requests in accordance with the [Illinois Supreme Court Policy on Access for People with Disabilities](#).
  - Every court has a CDC. Use the [Court’s directory](#) to find yours.
- *Behavioral Health Liaisons*
  - Pretrial and probation personnel who may be available to help identify treatment needs and ensuring ongoing support.

**Common Mental Health Diagnoses**

1. **Major depressive disorder:** Severe depression with a deep sadness that interrupts daily life.
2. **Bipolar disorder:** Mood condition associated with extended swings between depression and mania, disrupting stability and function.
3. **Schizophrenia spectrum disorder:** Illness that involves trouble with thinking, perception, or reality, and experiences of hallucinations or delusions.
4. **Post-Traumatic Stress Disorder (PTSD):** Ongoing trauma symptoms that interfere with perceptions of safety, focus, and functioning.
5. **Anxiety disorder:** Experiences of ongoing fear or panic that limit daily life activities.
6. **Substance-related condition:** Addiction that negatively affects mood, judgment, and behavior. Can occur comorbidly with other illnesses.

**“Do’s and Don’ts” of Supporting Court Users with Mental Illness**

**DO**

- ✓ Collaborate with the court user and their support system, CDCs, staff, behavioral health treatment providers, and peer specialists.
- ✓ Use plain, calm, respectful language. Be patient and check for understanding, repeating or rephrasing as needed.
- ✓ Court users with mental illness may prefer person-first language or identify-first language. Before addressing the person, ask, **“How would you like me to address you?”**
  - Person-first: *“I am a person living with schizophrenia.”*
  - Identify-first: *“I am schizophrenic.”*
- ✓ Consider addressing complicated or time-consuming matters for people with known mental health needs first or last to minimize stress for all parties.
- ✓ Partner with security and court staff as appropriate to navigate security concerns in a way that balances de-escalation and safety.
- ✓ Remain calm and consistent, even when disruptive behavior occurs.

**DON’T**

- ⊗ **Unnecessarily question** the court user about sensitive behavioral health information in open settings when others are present.
- ⊗ **Judge the court user’s experience.** Ask what works for them and try to honor their perspective and feedback.
- ⊗ **Shout, speak too fast, or use language that could be perceived as threatening,** confrontational, or disrespectful.
- ⊗ **Use legal jargon** that may not be easily understood.
- ⊗ **Use last-resort tactics** like law enforcement engagement, unless safety requires it, without first considering options for de-escalation.

