



Overview of Problem-Solving Courts: Findings and Lessons Learned from Recent Needs Assessment

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Overview

- Problem-solving courts began in late 1980's in response to significant backlogs and jail overcrowding related to drug offenders
- These programs attempt to address underlying problems of addiction and have incorporated a range of evidence-based treatment principles
- There are over 3,100 problem-solving courts and represent a significant departure from adversarial proceedings and operations:
 - Participation is voluntary
 - Multidisciplinary team coordinates supervision and involvement in treatment

National Milestones in Problem Solving Courts

1989



- Height of National Crack Epidemic
- First Drug Court opens in Miami, FL

1994



- National Association of Drug Court Professionals (NADCP) founded

1995



- First Juvenile Drug Court opens in Visalia, CA
- First Family Drug Court opens in Reno, NV
- Drug Courts Program Office (DCPO) established in the U.S. Department of Justice

1997



- NADCP, DCPO, and the Bureau of Justice Assistance (BJA) release Defining Drug Courts: The Key Components
- First Mental Health Court opens in Broward, FL

1998



- National Drug Court Institute (NDCI) founded

2008



- First Veteran's Treatment Court established in Buffalo, NY

Ten Key Components of Drug Court

Key Component #1	Drug courts integrate alcohol and drug treatment services with justice system case processing.
Key Component #2	Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
Key Component #3	Eligible participants are identified early and promptly placed in the drug court program.
Key Component #4	Drug courts provide access to a continuum of alcohol, drug, and related treatment and rehabilitation services.
Key Component #5	Abstinence is monitored by frequent alcohol and illicit drug testing.
Key Component #6	A coordinated strategy governs drug court responses to participants' compliance.
Key Component #7	Ongoing judicial interaction with each drug court participant is essential.
Key Component #8	Monitoring and evaluating achievement of program goals is necessary to gauge effectiveness.
Key Component #9	Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
Key Component #10	Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

Methodology:

Needs Assessment Goals

- ❖ Determine whether the problem-solving court programs are complying with ten key components of drug court
- ❖ Identify perceived strengths and weaknesses of the problem-solving court programs from perspectives of key stakeholder staff
- ❖ Identify recommendations, including those by key stakeholder staff for improving the problem-solving court programs

Methodology:

Needs Assessment Activities

- **Qualtrics Survey:** Distributed to community treatment agencies working with 13th Judicial Circuit Problem-Solving Courts
- **Focus Groups:** Interviews were conducted with professional court staff working with problem-solving court programs
- **Review of Program Material:** The review included materials that help in guiding, monitoring and managing problem-solving court activities

Key Component 1:

Drug courts integrate alcohol and drug treatment services with justice system case processing

Purpose:

- ◆ Coordinated response to participants. Cooperation and collaboration of a team approach including drug court specialists, judges, prosecutors, defense counsel, corrections, law enforcement, and treatment agencies is important.

Key Component 1 Findings:

Oversight Committee

Findings:

- ◆ Three oversight committees exist by administrative order but do not meet on a regular basis

Recommendations:

- ◆ Establish one overall oversight committee (include key stakeholder such as PD and SA office, treatment, and court)

Policy Manual

Findings:

- ◆ No overall policies and procedures manual for the problem-solving courts

Recommendations:

- ◆ Develop/update written policies and procedures governing operation of problem-solving courts and review annually

Key Component 2:

Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights

Purpose:

- ◆ Balance is key in the following areas: (1) nature of relationship between prosecution and defense counsel, (2) problem-solving court programs remain responsible for promoting public safety; (3) protection of participants' due process rights

Key Component 2 Findings:

Case Processing

Findings:

- ◆ Defense counsel provide information about benefits and costs of drug court participation to their clients

Recommendations:

- ◆ Implementation of a policy manual that can help defense counsel to outline benefits and give the clients more of a genuine choice of participation in a problem-solving court

Eligibility Criteria for Juvenile Drug Court

Findings:

- ◆ Juvenile Drug Court (JDC) decreased their docket due to less juvenile arrests

Recommendations:

- ◆ Can expand eligibility criteria for JDC by including cases that are post-adjudicatory, multiple offender levels

Key Component 3:

Eligible participants are identified early and promptly placed in the drug court program

Purpose:

- ◆ This component is concerned with judicial (rapid and effective) action, taken promptly after arrest. Taking substance abuse concerns into consideration during booking and case deposition.

Key Component 3 Findings:

Screening and Assessment Process for Co-occurring Disorders

Findings:

- ◆ Screening process is not standardized across courts and does not provide sufficient clinical information

Recommendations:

- ◆ Utilization of additional screening and assessment tools

Residential Wait-List

Findings:

- ◆ Most problem-solving courts have a waitlist for treatment beds and many participants may wait in jail due to relapse

Recommendations:

- ◆ Identify opportunities to increase secure beds in detox facilities
- ◆ Need clear guidelines and clarification regarding priority and exclusionary criteria filling beds

Key Component 4:

Drug courts provide access to a continuum of alcohol, drug, and related treatment and rehabilitation services

Purpose:

- ◆ Ensuring frequent communication to provide timely reporting of patient progress and compliance. The problem-solving team will focus on co-occurring problems and factors that may impair the individuals success in treatment.

Key Component 4 Findings:

EBP Treatment Services for Co-occurring Disorders

Findings:

- ◆ Not an overall set of treatment principles used to guide clinical services for co-occurring disorders and trauma-informed care

Recommendations:

- ◆ Develop best practices and clinical standards for providers and utility of EBPs for co-occurring disorders and trauma-informed care should be reviewed on an annual basis

Treatment Accessibility

Findings:

- ◆ Some areas in Hillsborough County are not in close proximity to treatment providers

Recommendations:

- ◆ Possibility of utilizing a mobile treatment van

Key Component 5:

Abstinence is monitored by frequent alcohol and illicit drug testing

Purpose:

- ◆ As alcohol use frequently contributes to relapse who's primary drug of choice is not alcohol, randomized court-ordered drug testing is key. This will allow the participant to be active and involved in the treatment process. Being held accountable for their progress.

Key Component 5 Findings:

Drug and Alcohol Testing

Findings:

- ◆ Majority of treatment providers responded they have capability for random drug and alcohol testing and presumptive screening
- ◆ Almost half do not have a written drug testing policy
- ◆ Only one-third offer on-site drug testing

Recommendations:

- ◆ All treatment providers that work with the problem-solving courts must adhere to drug testing policies and procedures
- ◆ Policies and procedures should reflect NADCP guidelines (administer randomly, test sufficiently to determine participant's drug of choice, include process of notification to the court)

Key Component 6:

A coordinated strategy governs drug court responses to participants' compliance

Purpose:

- ◆ The criminal justice system representatives and the treatment providers develop a series of complementary, measured responses that will encourage compliance such as incentives and sanctions.

Key Component 6 Findings:

Incentives and Sanctions

Findings:

- ◆ Problem-solving courts are stretched for tangible resources
- ◆ Difficulty offering rewards of more than minor value, but concept of incentives and sanctions is inherent

Recommendations:

- ◆ Opportunity to use "fishbowl" where participants are allowed to earn chances to draw paper from fishbowl and have a chance at tangible and non-tangible incentives
- ◆ Participant flyers should explain incentives and sanctions

Key Component 6: Example of Incentives and Sanctions

Incentives	<ul style="list-style-type: none">• Encouragement and recognition• Furloughs to travel out of county or out of state• Advancement to the next phase of treatment• Early termination of probation• Formal graduation and a certificate of completion• Other incentives the court deems appropriate• Community service hours
Sanctions	<ul style="list-style-type: none">• Increased frequency of substance abuse testing• Extended probation• Demotion to an earlier phase of treatment• More extensive treatment regimen• Brief periods of incarceration• Termination from the problem-solving court program• Reinstatement of criminal proceedings

Key Component 7:

Ongoing judicial interaction with each drug court participant is essential

Purpose:

- ◆ The structure of problem-solving courts allows for early judicial intervention. The judge must be prepared to encourage appropriate behavior and discourage and penalize inappropriate behavior.

Key Component 7 Findings:

Specialized Dockets/Tracks

Findings:

- ◆ Some problem-solving courts have very large dockets that make it difficult to conduct regular staffings and court hearings

Recommendations:

- ◆ Courts with larger court dockets could implement specialized dockets/tracks (opioid users, young adult offenders, women)
- Specialized docket would help to keep caseloads manageable and assist in identification of EBPs for each specialized docket

Key Component 8:

Monitoring and evaluating achievement of program goals is necessary to gauge effectiveness

Purpose:

- ◆ It is critical that problem-solving courts be designed with ability to gather and manage information for monitoring daily activities, evaluating the quality of services provided, and producing longitudinal evaluations.

Key Component 8 Continued:

Management Information System (MIS)

Findings:

- ◆ Only two problem-solving courts consistently use a data system

Recommendations:

- ◆ Ability to make accurate management decisions related to funding, resource management, and program outcome would be enhanced by use of data system

Key Component 9:

Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations

Purpose:

- ◆ Continued education and training, by problem-solving court staff, ensures that goals and objectives, as well as policies and procedures, are understood by the court team members.

Key Component 9 Continued:

Training

Findings:

- ◆ Team members used grant funding to attend NADCP and Vet Con but not all problem-solving court staff attend conferences
- ◆ Lack of a systematic local and statewide training on a regular basis

Recommendations:

- ◆ Training regarding some of the key components will assist in strengthening problem-solving court team and improve decision-making related to clinical interventions
- ◆ Quarterly training is recommended

Key Component 10:

Forging partnerships among drug courts, public agencies, and community based organizations generates local support and enhances drug court program effectiveness

Purpose:

- ◆ This component is concerned with developing coalitions among community-based organizations, public criminal justice agencies, and substance use treatment systems to expand the continuum of care.

Key Component 10 Continued:

Community Linkages

Findings:

- ◆ Problem-solving courts used to have a prominent presence at community agency meetings
- ◆ Some staff attend meetings, but not on a regular basis

Recommendations:

- ◆ Identify various community organization meetings to attend on a monthly basis

Lessons Learned

Methodology

- Follow-up interviews with treatment providers
- Focus group with current and alumni problem-solving court participants and family members
- Yearly follow-up with problem-solving court team members regarding recommendations

Implementation

- Buy-in from key administration
- Needs assessment process takes time
- Funding opportunities

Recommendations Update

Key Components	Completed	In Process	Still to Complete
One: Drug courts integrate alcohol and drug treatment services with justice system case processing	<ul style="list-style-type: none"> • Quarterly Oversight Committee mtgs • Policy manual and flyers for all problem-solving courts • Formal court staffings 	<ul style="list-style-type: none"> • Informal court staffings (some courts don't meet regularly) 	
Two: Drug courts integrate alcohol and drug treatment services with justice system case processing	<ul style="list-style-type: none"> • Policy manual for all problem-solving courts • Addition of Juvenile Mental Health Court 		<ul style="list-style-type: none"> • Expansion of JDC eligibility criteria
Three: Eligible participants are identified early and promptly placed in the drug court program		<ul style="list-style-type: none"> • Standardized screening and assessment policies for providers 	<ul style="list-style-type: none"> • Residential waitlist
Four: Drug courts provide access to a continuum of alcohol, drug, and related treatment and rehabilitation services	<ul style="list-style-type: none"> • Quarterly treatment provider mtgs with consensus on EBPs 	<ul style="list-style-type: none"> • Developing best practices for providers • Capturing additional demographics for grant programs 	<ul style="list-style-type: none"> • Treatment accessibility
Five: Abstinence is monitored by frequent alcohol and illicit drug testing			

Recommendations Update

Key Components	Completed	In Process	Still to Complete
Six: A coordinated strategy governs drug court responses to participants' compliance	<ul style="list-style-type: none"> Increased amount of incentives from community resources 		
Seven: Ongoing judicial interaction with each drug court participant is essential		<ul style="list-style-type: none"> Considering a specialized docket for opiates 	
Eight: Monitoring and evaluating achievement of program goals is necessary to gauge effectiveness	<ul style="list-style-type: none"> Updated MIS system for all problem-solving courts 		
Nine: Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations	<ul style="list-style-type: none"> Increased training opportunities for all problem-solving court staff 	<ul style="list-style-type: none"> New AOC position created to focus more on training opportunities 	
Ten: Forging partnerships among drug courts, public agencies, and community-based agencies to enhance drug court effectiveness	<ul style="list-style-type: none"> Connections being made to various community 	<ul style="list-style-type: none"> Attending community-based meetings on a monthly basis 	

Summary

- This is a first step in examining the effectiveness of the 13th Judicial Circuit Problem-Solving Court
- Findings from this needs assessment are overall favorable; long-term goal is in reducing criminal recidivism and substance use among program participants

Next steps should examine problem-solving court programs over time to identify criminal justice involvement, program retention and graduation, substance abuse, and employment over at least a one year follow-up period