

## Denise Kruger

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**From:** Region2 Info  
**Sent:** Tuesday, February 06, 2018 10:19 AM  
**To:** Honorable Michael Weipert (Michael\_weipert@monroemi.org)  
(Michael\_weipert@monroemi.org)  
**Subject:** C38 2018-01 Order for the Establishment of a Drug Treatment Court - Approved

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This is to advise that we have reviewed the above referenced administrative order and find that it conforms to the requirements of MCR 8.112(B). This order is being accepted and filed until advised by your court of any change.

Jodi M. Latuszek, JD  
Region II Administrator  
P.O. Box 30048  
Lansing, MI 48909  
517-373-9353

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# State of Michigan

HONORABLE MICHAEL A. WEIPERT

JUDGE • 38<sup>TH</sup> JUDICIAL CIRCUIT

Monroe County Courthouse • 106 E. First Street • Monroe, Michigan 48161-2180  
E-mail: michael\_weipert@monroemi.org

Administrative Order 2018 - 01

## ORDER FOR THE ESTABLISHMENT OF A DRUG TREATMENT COURT

### IT IS ORDERED:

This administrative order is issued in accordance with MCL 600.1060 et seq. The purpose of this order is to establish a drug treatment court in Monroe County 38th Circuit Court upon approval by the State Court Administrative Office (SCAO). All policies and procedures comply with the statute and are consistent with the 10 Key Components of drug treatment courts promulgated by the National Association of Drug Court Professionals (See attachment A) as required by MCL 600.1060(c).

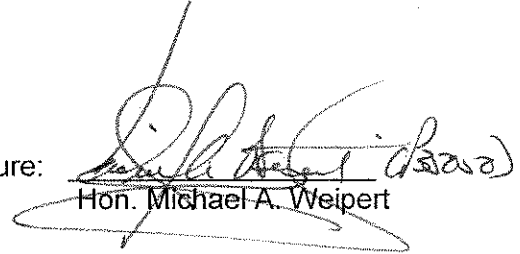
1. The court has entered into a Memorandum of Understanding with the Monroe County Prosecuting Attorney, a representative of the criminal defense bar, a representative of community treatment providers and other key parties pursuant to MCL 600.1062. The Memorandum of Understanding describes the role of each party and is attached to this Administrative Order.
2. The court has established eligibility criteria consistent with MCL 600.1064 and 600.1068.
3. In compliance with MCL 600.1064(3), no participant shall be admitted until a complete preadmission screening and substance abuse assessment are completed.
4. All participants shall sign a voluntary written consent to participate in the program in conformance with MCL 600.1068(1)d.
5. The court shall maintain case files in compliance with Trial Court General Schedule 16, the Michigan Case File Management Standards, and Part 2 of Title 42 of the Code of Federal Regulations to assure confidentiality of drug treatment court records.
6. The court has established, as part of its program requirements, procedures to assure compliance with MCL 600.1072 and 600.1074.

7. Pursuant to MCL 600.1078, the court shall provide the SCAO with the minimum standard data established by the SCAO for each individual applicant and participant of the drug treatment court program.
8. The court shall use the Drug Court Case Management Information System (DCCMIS) to maintain and submit the minimum standard data as determined by the SCAO while receiving grant money from the SCAO.

Effective Date: \_\_\_\_\_

Date: January 22, 2018

Chief Judge Signature: \_\_\_\_\_

  
Hon. Michael A. Weipert

## ATTACHMENT A

### The 10 Key Components of Drug Treatment Courts

#### as Promulgated by the National Association of Drug Court Professionals

**Key Component #1:** Drug courts integrate alcohol and other drug treatment services with justice system case processing.

**Key Component #2:** Using a nonadversarial 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 other related treatment and rehabilitation services.

**Key Component #5:** Abstinence is monitored by frequent alcohol and other 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 evaluation measure the achievement of program goals and 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.

**MEMORANDUM OF UNDERSTANDING  
MONROE INTENSIVE DRUG ADDICTION SUPERVISION PROGRAM**

The following parties enter into this Memorandum of Understanding to document the roles and responsibilities in the planning and operation of the MIDAS program:

Monroe County Circuit Court Chief Judge  
Monroe County Prosecuting Attorney  
Monroe County Sheriff's Office  
Monroe County Bar Association - Criminal Defense Attorney  
Monroe County Community Corrections  
MIDAS Case Managers  
Michigan Department of Corrections - Circuit Court Probation  
Salvation Army Harbor Light

1. The undersigned parties share the following vision for the Monroe Intensive Drug Addiction Supervision program which includes:
  - a. Coordinating a community-based effort to reduce criminal activity related to prescription drug abuse and heroin addiction in Monroe County;
  - b. Providing intensive supervision services through the court, case management, peer support and MIDAS panel;
  - c. Providing leadership through innovative services designed to reduce relapse, recidivism and incarceration rates among the participants;
  - d. Providing a medical assisted treatment component (naltrexone) designed to provide participants with an opportunity to break the cycle of substance abuse;
  - e. Achieving program goals through teamwork and collaboration;
2. We endorse the goals and mission of the MIDAS program in order for participants to eliminate future criminal behavior and improve the quality of their lives. For this program to be successful, cooperation must occur within a network of agencies to facilitate and achieve the mission, challenge and vision of the MIDAS program;
3. We agree that the mission of the MIDAS program shall be to successfully rehabilitate substance abusing individuals while maintaining public safety and;
4. We agree to the following challenge of the MIDAS program: Engaging substance abusing individuals involved in the criminal justice system in a continuum of treatment services and providing them with appropriate intervention through behavioral counseling, medically assisted treatment, rehabilitative programming, peer support, and intensive monitoring.
5. There are ten principles under which the respective agencies work cooperatively:
  - a. Drug abuse and alcohol addiction is a chronic relapsing disease that is treatable and substance abuse is reversible behavior, but which, if unaddressed, may lead to continuing and increasing criminal behavior and other personal, family, and societal problems.
  - b. Drug court programs offer an opportunity to direct those in crisis with addictions and abuse to begin a rehabilitation process, which may ultimately lead to a reduction or

elimination of addiction and abuse and permit the development of a productive lifestyle.

- c. Treatment intervention should occur early on upon entry to the criminal justice system to achieve maximum treatment outcomes.
- d. Thorough assessment and evaluation is a critical component of the drug court program.
- e. Participants with drug and alcohol abuse issues cannot maximize their treatment potential without appropriate treatment intervention that includes their families.
- f. Participant accountability is foremost in the program, with written program agreements and Court monitoring of behavior on a biweekly basis. Court monitoring will include incremental sanctioning for negative behaviors and positive rewards for improved behaviors.
- g. Drug court programs are established with written protocols, which are well defined and documented through the Policies and Procedures Manual. The Program Manual will be updated annually, to respond to the changes in the needs of the programs, participants, families, agencies and community.
- h. Pre-adjudication participant entry in to the drug court program shall be governed by written eligibility criteria as established by the MIDAS program parties with the concurrence of the prosecuting attorney.
- i. Information about participant progress, participant family progress, and the functioning of the drug court program shall be made available to all parties.
- j. Effective evaluation of the drug court program shall be sought with appropriate responses being made relative to these evaluations.

6. The roles of the parties are as follows:

- a. Monroe County Prosecuting Attorney's Office: Organize and participate in the planning committee. Provide initial screening of eligible participants and make recommendations for entry into MIDAS program, participate in the plea negotiation process, make recommendations regarding progress in the program, attend any pre-court MIDAS meetings and attend court sessions. Provide feedback, ideas, and suggestions as needed. Represent the interests of the prosecutor and law enforcement.
- b. Monroe County Sheriff's Office: Participate in the planning committee. Cooperate with the identification of in-custody defendants for participation in the MIDAS program. Coordinate with MIDAS Case Managers and/or Peer Coaches to provide access for pre-admission screening and program evaluation. Develop and implement a Jail Vivitrol (naltrexone) Program to screen, test and administer the initial injection to program participants.
- c. Monroe County Bar Association Defense counsel representative: Attend team meetings and court sessions. Insure that defendants' procedural and due process rights are followed. Provide feedback, suggestions, and ideas on the operation of the court.
- d. Monroe County Community Corrections: Provide advice and suggestions on community corrections sanctions and submit feedback to the MIDAS Case Managers on the participants follow-up on all court-ordered community corrections sanctions.
- e. MIDAS Case Managers: Conduct pre-admission screenings, review program requirements with potential participants, answer inquiries from defense attorneys on possible eligibility, make recommendations regarding program eligibility, arrange for

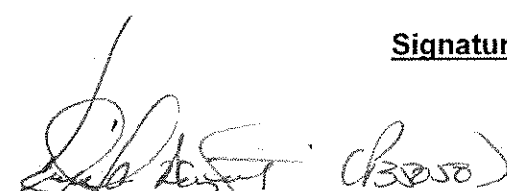
behavioral counseling and medically assisted treatment with naltrexone for participants, meet with participants to develop individualized program goals, work closely with Peer Coaches to monitor participants progress, attend monthly MIDAS panel review meetings and regular court review hearings, report on participants status and make recommendations regarding progress including phase advancement, progression, graduation and/or dismissal. Enter data into DCCMIS system or similar data base. Liaison with treatment providers and drug testing contractor, circuit court probation department and residential treatment facilities.

- f. Michigan Department of Corrections - Monroe County Circuit Court Probation: Attend court sessions. Provide probation oversight for all MIDAS participants. Coordinate with the MIDAS Case Managers in transition of participants from intensive supervision segment of program to traditional probation segment of program. Coordinate with Peer Coaches during the supervision and monitoring of participants while on probation in the program. Prepare presentence reports as needed.
- g. MIDAS Judge: Determine whether to admit a defendant to the MIDAS program, using the criteria set forth in MCL 600.1064, MCL 600.1066, and MCL 600.1068. Chair pre-conference review meetings with participating MIDAS parties to review status of participants, preside in court, review recommendations from Case Managers and MIDAS community panel, make court orders consistent with goals and objectives of program.
- h. Monroe County Circuit Court: Transfer eligible approved candidates for supervision to the MIDAS judge.
- i. Salvation Army Harbor Light: Provide Peer Coaches who will meet regularly with participants and assist them with meeting their individualized program goals and court ordered conditions. Report to Case Managers on progress of participants.

#### ADDENDUM TO MEMORANDUM OF UNDERSTANDING


7. Withdrawal, Amendment and Termination: Any party may withdrawal from this Memorandum of Understanding by providing not less than sixty (60) days prior written notice to each of the other parties to this agreement. Additionally, this Memorandum of Understanding shall terminate 1 year after the effective date of this agreement but may be amended and/or renewed prior to termination for an additional specified period of time with the approval of all the parties, or their successors, to this agreement

#### Signature and Date of all Parties

  
\_\_\_\_\_  
Hon. Michael A. Weipert, Chief Circuit Court Judge  
MIDAS Program Judge

\_\_\_\_\_  
Date

January 22, 2018

  
\_\_\_\_\_  
William Paul Nichols, Prosecutor  
Monroe County Prosecutor's Office

\_\_\_\_\_  
Date

1/12/2018

*Dale Malone*

Dale Malone, Sheriff  
Monroe County Sheriff's Office

11/14/17  
Date

*Jessica Richileau*

Jessica Richileau, Defense Attorney Representative  
Monroe County Bar Association - President

11/15/17  
Date

*Holly Flint*

Holly Flint, Coordinator  
Monroe County Community Corrections

11.14.17  
Date

*Paul Simonton*

Paul Simonton  
MIDAS Case Manager

11-13-2017  
Date

*Cheryl Wassus*

Cheryl Wassus  
MIDAS Case Manager

11-13-17  
Date

See attached signature

Heidi Washington, Director  
Michigan Department of Corrections

\_\_\_\_\_  
Date

See attached signature

Salvation Army Harbor Light  
Secretary, Bramwell Higgins

\_\_\_\_\_  
Date





\_\_\_\_\_  
Dale Malone, Sheriff  
Monroe County Sheriff's Office

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jessica Richileau, Defense Attorney Representative  
Monroe County Bar Association - President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Holly Flint, Coordinator  
Monroe County Community Corrections

\_\_\_\_\_  
Date

\_\_\_\_\_  
Paul Simonton  
MIDAS Case Manager


\_\_\_\_\_  
Date

\_\_\_\_\_  
Cheryl Wassus  
MIDAS Case Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Steven Matthews, Region 9 Manager  
Michigan Department of Corrections

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Salvation Army Harbor Light  
Secretary, Bramwell Higgins

\_\_\_\_\_  
Date