

STATE OF MICHIGAN

IN THE 38th JUDICIAL CIRCUIT COURT FOR THE COUNTY OF MONROE

Local Administrative Order Number: 2009-02

ORDER FOR THE ESTABLISHMENT OF A JUVENILE DRUG TREATMENT COURT

This administrative order is issued in accordance with MCL 600.1060 et seq. The purpose of this order is to establish a juvenile drug treatment court in the Family Division of the 38th Judicial Circuit Court in Monroe County upon approval by the State Court Administrative Office (SCAO). All policies and procedures comply with the statute and are consistent with the 16 Strategies of Juvenile Drug Courts promulgated by the National Drug Court Institute and the National Council of Juvenile and Family Court Judges (see attachment A).


1. The court has entered into a Memorandum of Understanding with each participating county prosecuting attorney in the circuit or district court district, 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 shall describe the role of each party. The Memorandum of Understanding is attached.
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.
9. The court acknowledges that it has completed the federal Drug Court Planning Initiative (DCPI) training sponsored by the Bureau of Justice Assistance (BJA), in compliance with MCL 600.1062(3).

This order shall take effect June 15, 2009, or upon the date this order is approved by the State Court Administrative Office, whichever occurs later.

THEREFORE, IT IS ORDERED that this local Administrative Order is issued in accordance with MCL 600.1060 et seq, to establish a juvenile drug treatment court in the Family Division of the 38th Judicial Circuit Court in Monroe County, upon approval by the State Court Administrative Office

Date: June 4, 2009


Hon. Joseph A. Costello, Jr., Chief Judge
38th Circuit Court, Monroe County

P33769

ATTACHMENT A

The 16 Strategies of Juvenile Drug Treatment Courts

- 1) **Collaborative Planning:** Engage all stakeholders in creating an interdisciplinary, coordinated, and systemic approach to working with youth and their families.
- 2) **Teamwork:** Develop and maintain an interdisciplinary, non-adversarial work team.
- 3) **Clearly Defined Target Population and Eligibility Criteria:** Define a target population and eligibility criteria that are aligned with the program's goals and objectives.
- 4) **Judicial Involvement and Supervision:** Schedule frequent judicial reviews and be sensitive to the effect that court proceedings can have on youth and their families.
- 5) **Monitoring and Evaluation:** Establish a system for program monitoring and evaluation to maintain quality of service, assess program impact, and contribute to knowledge in the field.
- 6) **Community Partnerships:** Build partnerships with community organizations to expand the range of opportunities available to youth and their families.
- 7) **Comprehensive Treatment Planning:** Tailor interventions to the complex and varied needs of youth and their families.
- 8) **Developmentally Appropriate Services:** Tailor treatment to the developmental needs of adolescents.
- 9) **Gender-Appropriate Services:** Design treatment to address the unique needs of each gender.
- 10) **Cultural Competence:** Create policies and procedures that are responsive to cultural differences and train personnel to be culturally competent.
- 11) **Focus on Strengths:** Maintain a focus on the strengths of youth and their families during program planning and in every interaction between the court and those it serves.
- 12) **Family Engagement:** Recognize and engage the family as a valued partner in all components of the program.
- 13) **Educational Linkages:** Coordinate with the school system to ensure that each participant enrolls in and attends an educational program that is appropriate to his or her needs.

- 14) **Drug Testing:** Design drug testing to be frequent, random, and observed. Document testing policies and procedures in writing.
- 15) **Goal-Oriented Incentives and Sanctions:** Respond to compliance and noncompliance with incentives and sanctions that are designed to reinforce or modify the behavior of youth and their families.
- 16) **Confidentiality:** Establish a confidentiality policy and procedures that guard the privacy of the youth while allowing the drug court team to access key information.

“Attachment A”

**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.

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Juvenile Drug Court



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38th Judicial Circuit Court
Monroe, Michigan

MEMORANDUM OF UNDERSTANDING

Monroe County Juvenile Drug Court

The 38th Judicial Circuit Court, Family Division, having united in purpose with the Monroe County Prosecuting Attorney's Office, the Monroe County Defense Bar and a designated substance abuse treatment provider, Salvation Army Harbor Light, Monroe Treatment Center, agrees to collaborate in an effort to address juvenile substance abuse and drug related delinquent activity in Monroe County.

The goals and objectives of the Monroe County Juvenile Drug Court (JDC) are to assure that juvenile offenders and their families have access to programs and services in the community that address substance abuse issues and treatment needs while providing accountability and responsibility through offender control, high levels of supervision, mandatory drug testing and graduated incentives and sanctions defined by behavior. By doing so, the JDC addresses not only juvenile justice issues, including recidivism and public safety, but confronts the public health issue of reducing substance abuse and affects public policy by controlling costs via a community-based treatment strategy.

In an effort to support a justice-driven, community-based program of services that meets the needs of qualified juvenile participants, the above-cited partners commit to the following:

In creating this partnership and uniting to address substance abuse, an underlying problem affecting the youth and families of our community, we pledge to enhance communications between the courts, law enforcement and treatment programs. Through the Juvenile Drug Court program we expect to expand opportunities for intervention and treatment and improve effectiveness in addressing the alcohol and drug abuse of juvenile offenders in Monroe County.

Roles of The Drug Court Team Members

Drug Court Judge: The 38th Judicial Circuit Court agrees to provide a Judge to preside over the Juvenile Drug Court. The Drug Court Judge will ensure fairness in the proceedings. The Judge conducts regularly scheduled formal review hearings for each participant, as well as, the weekly pre-hearing conferences. At each pre-hearing session, the Judge seeks input from each Drug Court Team members summarizing the progress of the juvenile participant and their family in order to meet individual case management plans and treatment goals. Based on the information received, the Drug Court Judge makes decisions that direct the participant and their family toward achieving their goals and objectives. The Judge works in conjunction with other Team members to assess both the strengths and weaknesses of each JDC participant and family. In addition, the Drug Court Judge also monitors the performance of all Team members and determines whether the team is working together cooperatively, with the proper amount of respect and deference for each other's views and opinions.

MEMORANDUM OF UNDERSTANDING

Monroe County Juvenile Drug Court

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Drug Court Program Coordinator: The Drug Court Program Coordinator, provided by the Family Division, manages the administrative responsibilities of the JDC and oversees the day-to-day operations of the program. The Program Coordinator's responsibilities include: reporting to the Drug Court Team regarding operations; monitoring and compiling the program statistics; collating the necessary statistical data and preparing quarterly summary reports of trends; monitoring grant and funding requirements; and performing periodic program budget reviews. In addition, the Program Coordinator is responsible for the management of the program staff, serves as a member of the Juvenile Drug Court Team and, as a qualified Referee, conducts the Drug Court docket in the absence of the Drug Court Judge.

Assistant Prosecuting Attorney: The Prosecutor's Office will provide an Assistant Prosecuting Attorney to work with various professionals to accomplish treatment goals for youthful drug/alcohol abusers, while addressing the public's concern for the safety of the citizens of Monroe County. The responsibilities of the Prosecutor include: taking an active role in culminating the policies and procedures the JDC utilizes and maintains; expediting the process for authorizing cases when juveniles appear to be eligible for the program; presenting information to the court, as well as, the team when a juvenile is eligible for the program; crafting appropriate plea agreements to provide incentives for successful JDC participants; and taking part in JDC hearings, pre-hearing conferences, and other meetings to review the status of the program, resources, and professionals involved.

Treatment Program Clinical Supervisor: Salvation Army Harbor Light will employ a Treatment Program Clinical Supervisor to serve as a treatment liaison and contact person for the JDC Program. He/she is responsible for providing insight to others regarding substance abuse treatment methods and approaches. This person may provide training and information to the JDC Team, JDC staff, as well as, various persons in the community relative to the types of treatment that are available for use by the Juvenile Drug Court Program.

Juvenile Defense Attorney: The JDC Defense Attorney represents and advocates for each juvenile participating in the JDC program in accordance with the Michigan Rules of Professional Responsibility. The Defense Attorney reviews case files and program documents with the juvenile to ensure his/her understanding of program requirements. The Defense Attorney advocates for the juvenile participants at JDC Team meetings and JDC review hearings. He/she consults with the participants prior to each Status Review Hearing and ensures that the rights of the juvenile are maintained during the course of the JDC Program.

Law Enforcement Officer: Law enforcement's role in the Juvenile Drug Court is to assist the Court with requests that are consistent with the legal powers provided by statute including: reporting police contacts that involve JDC participants to the JDC Team, assisting the Prosecutor and the Court to establish a workable program, where law enforcement can take a positive role in the JDC Program's success, serving as a liaison for law enforcement to the JDC; acting as a resource person for other Juvenile Drug Court Team members, and keeping the law enforcement community informed of the JDC's purpose, progress and any changes that may affect them on a day-to-day basis.

Educational Advocate: The Education Advocate is an employee of the Intermediate School District (ISD) and serves as an Educational Resource Liaison by reporting Juvenile Drug Court Team information to the ISD Superintendent and Legal Counsel. Decisions related to student information, school protocol and drug-related policies are reviewed and approved by the ISD prior to inclusion in drug court standards and requirements. Local Student Assistance Program

(SAP) materials and outlines are coordinated with drug court programs to prevent duplication of resources. In addition, this person coordinates educational interventions for drug court participants and their families with the local school district.

Monroe Community Mental Health Authority Representative: As a member of the Juvenile Drug Court Team, the Monroe Community Mental Health Authority Representative is a mental health treatment liaison for the JDC and a primary contact person. The Mental Health Representative's responsibilities include: providing insight to others regarding mental health treatment methods and approaches; providing training and information to the JDC Team, staff and the community as to the types of mental health intervention and treatment that may be used by the Juvenile Drug Court Program.

Case Management Consultant and Data Collection Specialist: Develops individual Case Management Plans for participants and serves as the JDC's case management advisor and researcher. Provides knowledge, expertise, and assistance to the JDC Team and the Drug Court Intensive Probation Officers in the methodologies, techniques and best practice principles of effective case management planning, evaluation and research. Assists in the JDC data collection process by gathering data and program information using the Michigan Drug Court Case Management Information System (DCCMIS). Provides comparative analysis of the program's critical processes, outputs, outcomes and impacts to support the JDC Team's assessment of the effectiveness of JDC programming. The Case Management Consultant attends all of the JDC Team meetings to present case management plans and provide consultation.

Juvenile Drug Court Intensive Probation Officer (DCIPO): The DCIPO is responsible for, but not limited to, the following duties: serving as the gatekeeper who determines eligibility for placement in the JDC based on program criteria, providing frontline supervision of juveniles with 24 hour, seven-day-a-week availability, providing case management for participants, enforcing compliance with all Court orders by participants and family members, maintaining contact with JDC participants and/or families at home, school, employment, treatment, via face-to-face or telephone, as required by their level status, gathering all legal, academic, treatment and social reports for use in the assessment of needs and services for juveniles and their families, providing the aforementioned reports to all JDC Team members at the Juvenile Drug Court pre-hearing conference meetings, and administering random drug/alcohol screens, as deemed necessary, by JDC Program Levels.


Monroe Community Mental Health Authority (MCMHA) Representative - The MCMHA representative's role on the Juvenile Drug Court Team is that of a mental health treatment liaison and contact person responsible for providing insight regarding treatment methods and approaches for participants and their families. Other responsibility may include providing mental health intervention, training and treatment information for use by the JDC Team, staff and the community relative to the types of that may be available to be used by the Juvenile Drug Court Program.

Term of the Agreement

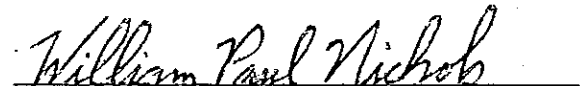
This agreement is effective May 1, 2008, and may be renewed each year upon mutual agreement of all parties. It subject to the continuation of Drug Court funding for treatment and testing of JDC participants.

The agreement is subject to revision as required to support the Monroe County Juvenile Drug Court program. Any changes shall be in writing and signed by all parties herein or their duly appointed representatives.


Dated this 1st day of May 2008.




Hon. John A. Hohman, Jr.
Judge, 38th Judicial Circuit Court



William Paul Nichols
Monroe County Prosecuting Attorney



Monroe County Defense Bar
By Jeffrey A. Yorkey, Esq.



René Shaw
Salvation Army Harbor Light
Outpatient Program

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Date: 7/1/2009 11:39 AM
Subject: C38 2009-02 Approved

C38 2009-02 Approved
Establishment of a Juvenile Drug Treatment Court

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.

Deborah Green
Region I Administrator
Michigan State Court Administrative Office
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