JUDICIAL COUNCIL MEETING

AGENDA
Monday, July 22, 2013
Judicial Council Room
Matheson Courthouse
Salt Lake City, Utah

Chief Justice Matthew B. Durrant, Presiding

1.	9:00 a.m.	Welcome & Approval of Minutes . . . . . Chief Justice Matthew B. Durrant (Tab 1 - Action)
2.	9:05 a.m.	Chair's Report. . . . . Chief Justice Matthew B. Durrant
3.	9:15 a.m.	Administrator's Report. . . . . .Daniel J. Becker
4.	9:30 a.m.	Reports: Management Committee. . . . . .Chief Justice Matthew B. Durrant Liaison Committee. . . . . .Justice Jill Parrish Policy and Planning . . . . . .Judge Greg Orme Bar Commission. . . . . .John Lund, esq. (Tab 2 - Information)
5.	9:40 a.m.	Problem Solving Court Approval. . . . . Rick Schwermer (Tab 3 - Action)
6.	9:50 a.m.	Court Facilities Planning Committee Update. . . . . Judge James Davis (Tab 4 - Information) Alyn Lunceford
7.	10:10 a.m.	Problem Solving Court Certifications. . . . . .Judge Dennis Fuchs (Tab 5 - Action) Rick Schwermer
8.	10:30 a.m.	Legislative Update and Interim Highlights. . . . . .Rick Schwermer (Information)
	10:40 a.m.	Break
9.	10:50 a.m.	Concurrent Jurisdiction Discussion. . . . . .Ray Wahl (Tab 6 - Discussion)
10.	11:20 a.m.	Judicial Branch Education Committee Update. . . . . Tom Langhorne (Tab 7 - Information)
11.	11:40 a.m.	Roy Justice Court – Request for Court Hours Waiver. . . . . .Judge Scott Waterfall (Tab 8 - Action)

12. 11:55 a.m. Executive Session

12:05 p.m. Lunch

13. 12:35 p.m. Adjourn

Consent Calendar

The consent items in this section are approved without discussion if no objection has been raised with the Admin. Office (578-3806) or with a Council member by the scheduled Council meeting or with the Chair of the Council during the scheduled Council meeting.

TAB 3

MEMORANDUM

TO: Judge Royal Hansen, Third District Presiding Judge
Judge Deno Himonas, Third District Associate Presiding Judge
Judge Randall Skanchy, Chair of Third District Specialty Courts Committee
Peyton Smith, Third District Trial Court Executive
Chief Justice Matthew B. Durrant, Chair of Utah Judicial Council
Rick Schwermer, Utah Judicial Council Staff

FROM: Judge James Blanch

SUBJECT: Proposal for Third District Problem-Solving Court for High-Needs, Low-Risk Drug-Involved Offenders

DATE: May 17, 2013

SUMMARY

The purpose of this memorandum is to propose that the Specialty Courts Committee and Third District Court bench approve, and the Judicial Council certify, an alternative problem-solving court for high-needs, low-risk drug-involved offenders that will supplement the services provided by the Third District's current Drug-Court program. Presently, the Drug-Court program effectively addresses the needs of drug-involved offenders assessed as "high-risk, high-needs" according to the Risk and Needs Triage evaluative tool (the "RANT"). However, offenders assessed as "high-needs, low-risk" with the RANT are not eligible for Drug Court because of the important prohibition against mixing high-risk and low-risk populations in therapeutic courts. This leaves a significant unmet need for a large group of drug-involved offenders who suffer from addiction and could benefit from treatment and the structure of a problem-solving court, but who currently have no options available to them in the Third District other than regular probation.

The specialty court I propose would address the void we currently face with respect to these high-needs, low-risk defendants. Salt Lake County Criminal Justice Services backs the proposal and is prepared to devote to this new court the resources previously committed to the Alternative Resolution Court ("ARC") over which Judge Barrett presided. Prosecutorial resources, defense resources, treatment resources, and law-enforcement resources are all in place. All that remains is for the bench to approve the commitment of judicial resources. This court would convene every other week on Wednesday mornings and would also involve the regular monitoring of clients, through e-mail and otherwise, that is typical of the Drug-Court model. I am willing to assume responsibility for this court. Indeed, I've already constructed my calendar to incorporate these proceedings in the hope and anticipation that this problem-solving court will be approved. I ask that the issue be placed before the Third District bench for consideration as soon as possible so that if the court is approved, it can commence at the beginning of August when I start my regular criminal calendar.

BACKGROUND

The high-needs, low-risk court I propose will differ in important ways from Judge Barrett's ARC program, but it will build off the momentum associated with ARC and draw on many of the resources previously devoted to that program. As it evolved, ARC became known to many by the shorthand term "misdemeanor drug court," with the remainder of our Drug Court program referred to by contrast as "felony drug court." The sense was that ARC was for lower-level offenders who were typically more youthful and less involved criminal histories than the more serious and experienced offenders who populate "felony drug court." Young defendants charged with misdemeanor drug offenses were often referred to ARC out of ECR based on the well-intentioned intuition that such individuals could benefit more from a structured specialty court with available treatment options than from ordinary probation. As I understand it, potential clients were referred based on the level of offense committed—primarily marijuana-related misdemeanor offenses—and their lack of significant prior criminal involvement. They were not usually subjected to the RANT for formal determination of their risk and needs profiles, and there was little formal consideration of whether this client-selection process would result in the unintentional mixing of high-risk and low-risk populations, which research has consistently demonstrated to be detrimental to effective therapeutic courts. There was a mechanism available in ARC whereby clients who demonstrated a need for a higher degree of supervision could be referred to the formal Drug Court program, but clients were rarely referred in the other direction.

With the retirement of Judge Barrett, ARC is coming to an end, with a final court date of May 17, 2013. I have had many conversations with the Salt Lake County personnel involved with ARC, as well as the prosecution and defense attorneys involved in ARC, representatives of the Unified Police Department, and others who would like to see an alternative problem-solving court continue because of the many benefits it creates for the high-needs, low-risk population. The proposed court will correct the shortcomings of ARC (predominantly the lack of RANT screening for clients and the potential of mixing high-risk and low-risk populations), while retaining its substantial benefits.

PROPOSAL

A. Characteristics of Proposed Court

If approved, the problem-solving court I propose would involve screening each potential participant using the RANT. Those not categorized as high-needs, high-risk are ineligible for Drug Court, but they could qualify for the alternative track if they fall within the high-needs, low-risk quadrant. CJS indicates resources and procedure are in place to ensure there would be no mixing of high-risk and low-risk populations, either in court or in treatment groups. These two characteristics of the new court would overcome the shortcomings of ARC, while at the same time preserving ARC's benefits. Given the resources presently available, we would initially plan the court with capacity for approximately 65 clients, with the potential to expand the size in the future depending on our ability and that of CJS to handle a larger group.

Douglas Marlowe, the nation's leading expert on drug courts, has written articles in favor of establishing "alternative tracks" in connection with established Drug Court programs to meet the needs of defendants with different risk/needs profiles. Judge Fuchs and I have spoken with

Professor Marlowe about our proposed problem-solving court, and he has indicated that the proposal fits with goals he has identified in his writings. He has also encouraged us to arrange for a formal study of the effectiveness of this court should we choose to establish it.

The following are some quotations from Professor Marlowe's writing on alternative-track courts, together with descriptions of how the proposed court, as ARC often did before it, meets the stated objectives.

1. "*For these low risk/high need individuals, the primary emphasis should be on ensuring the provision of needed treatment services.*" An important benefit of the proposed court is that the high-needs, low-risk client receives immediate treatment services, including full assessment, substance abuse groups, educational classes, and individual sessions if needed. Criminal Justice Services can offer this because it has its own in-house treatment unit with fourteen therapist and two instructors. The alternative for these defendants most likely would be standard probation with Salt Lake County Probation Services. With standard probation, the wait for an initial treatment assessment can take a substantial amount of time. To actually get into treatment can take even longer.

2. "*Rather than spending substantial time in court interacting with high-risk antisocial peers, they should focus their energies in treatment. However, if they stop going to treatment, they should be brought immediately before the judge to receive a swift and certain sanction to ensure they reengage quickly*" Since the proposed court would have regularly scheduled bi-monthly court reviews, the client will see the Judge much sooner than with standard probation. The proposed court would offer intensive case management--65 clients as opposed to a standard probation case load of 100-plus. The court would also have the advantage of a Detective assigned to the court. The Detective would locate clients that fail to appear for court reviews or treatment sessions, conduct home visits, vehicle searches, etc.

3. "*It may be appropriate to hold status hearings for these individuals on an infrequent basis, such as monthly or bi-monthly, for the judge to offer encouragement and administer rewards.*" The proposed would convene bi monthly as suggested by Dr. Marlowe. As referenced in number 2, status hearings would not mix high-needs, high-risk clients with high-needs, low-risk. Only defendants screened as high-needs, low-risk would be accepted into the proposed court, so there will be no interacting with the different risk levels.

Some additional points:

CJS indicates that at the time referrals to the ARC program were stopped, there were a total of 99 participants with an 81 percent success rate. ARC involved two case managers. CJS has committed to dedicate one full-time case manager to this new proposed court. For reason, we would plan to begin with a target capacity of 65 clients, hopefully adjusting upwards in the future.

As with any risk assessment tool, the information reported from the client in connection with the RANT may not be truthful. If it becomes apparent, either through extensive relapses or new charges that a client requires more intensive supervision and treatment resources, the client can be transferred to the standard Drug Court program without an interruption in treatment.

Moreover, clients in traditional Drug Court who prove in practice to fall within the high-needs, low-risk profile can be transferred to the alternative track without interruption.

The proposed court would utilize the 10 Key Drug Court Components.

B. Resources Available and Support for Proposed Court

Salt Lake County, the District Attorney's Office, Salt Lake Legal Defender Association, and law enforcement all support the creation of the proposed problem-solving court for high-needs, low-risk offenders and have pledged the resources necessary to make the court a success. These entities have essentially pledged to continue to provide (or to redeploy) the resources previously committed to ARC. Attached as exhibits A-C are letters from Gary Dalton of Salt Lake County, Patrick Anderson of LDA, and Sgt. Stanton VanWagoner of the Unified Police Department confirming their support for a high-needs, low-risk court and committing the resources necessary to make it succeed. The District Attorney's Office has also verbally confirmed its support for the proposed court, and similar letter of that office is forthcoming. All that is necessary now is for the judiciary to put the final piece of the puzzle in place by certifying the court and committing the necessary judicial resources.

C. Commitment Needed From Third District Court

My request is that the judiciary acknowledge the commitment made by the other stakeholders described above my committing the necessary judicial resources to ensure the success of the court. First, I would request that the Third District Court bench pledge its support to the court. It is my desire to preside over the court, and that will require me to participate in staffing and handle a calendar every other Wednesday morning. It will also require me to participate in the frequent e-mail traffic and other discussions relating to bench warrants and other issues that are necessary elements of an effective therapeutic court. As for support, my assistant Cyndia Vigil, who previously assisted Judge Barrett with ARC, has committed to work with me as the in-court clerk for this new court. That would allow the court to function without diverting resources away from the specialty court staff who currently assist with the traditional Drug Courts and Mental Health Courts. Approval from the Third District Court bench should include a commitment to continue to support the court in event something were to happen to me to prevent me from continuing to preside over it. However, my present desire is to continue to preside over the court indefinitely, so I believe the probability that another judge would be burdened with responsibility for the court in the foreseeable future is quite small.

After approval from the Third District Court bench, I respectfully request that the Judicial Council formally certify the court pursuant to Rule 4-409 of the Rules of Judicial Administration. An application for formal approval pursuant to that rule is attached as Exhibit D.

EXHIBIT A

SALT LAKE COUNTY
HUMAN SERVICES

BEN McADAMS
Salt Lake County Mayor

LORI BAYS
Human Services Director

CRIMINAL JUSTICE SERVICES DIVISION

GARY K. DALTON
DIRECTOR

RONALD L. OLDROYD
ASSOCIATE DIRECTOR

ADMINISTRATION
385-468-3500
385-468-3431 FAX

COURT & TREATMENT SERVICES
385-468-3559
385-468-3560 FAX

DAY REPORTING CENTER
385-468-3557
385-468-3461 FAX

PRETRIAL SERVICES
385-468-3515
385-468-3430 FAX

PROBATION SERVICES
385-468-3558
385-468-3522 FAX

145 EAST 1300 SOUTH, SUITE 501
SALT LAKE CITY, UTAH 84115
WWW.CRIMINALJUSTICE.SLCO.ORG

MAY 13, 2013

TO: SHIRLEY JENKINS, SUPERVISOR

FR: GARY K. DALTON

RE: RESOURCES FOR SPECIALTY COURT

THE DIVISION OF CRIMINAL JUSTICE SERVICES HAS HISTORICALLY COMMITTED BOTH TREATMENT AND CASE MANAGEMENT SERVICES TO AN ALTERNATIVE RESOLUTION PROCESS THAT THE COURT SUPPORTED.

THOSE RESOURCES ARE STILL AVAILABLE IN OUR AGENCY. IF THE COURT SEES FIT TO IDENTIFY AN 'ALTERNATIVE RESOLUTION' OR SPECIALTY COURT FOR DRUG OFFENDERS, CJS WILL SUPPORT THE COURT WITH THE PRIOR ARC PERSONNEL. THIS INCLUDES THE USE OF ONE FTE CASE MANAGER, A MAJOR PORTION (80%) OF ONE TREATMENT WORKER, AND A MINOR PORTION (20-25%) OF A CASE MANAGEMENT AIDE FOR INCLUSION IN THE NEW SPECIALTY COURT.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME.

CC: FILE
JANINE HANSEN, PROGRAM MANAGER
RON OLDROYD, ASSOC. DIRECTOR

EXHIBIT B

SALT LAKE LEGAL DEFENDER ASSOCIATION
Established in 1965

424 East 500 South, Suite 300
SALT LAKE CITY, UTAH 84111
(801) 532-5444
FAX (801) 532-0330
EMAIL Admin@sllda.com

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Patrick L. Anderson
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Howard R. Lemcke
Theresa Martinez
Daniel Medwed

March 5, 2013

To Whom It May Concern

RE: Support for Court to Assist ARC Population

Salt Lake Legal Defender Association, Salt Lake County District Attorney's office and the Third District Court were instrumental in establishing Utah's first Felony Drug Court. LDA's commitment to alternative courts has, and continues to be, unconditional and unwavering. The benefits of alternative courts, such as Drug Court, Mental Health Court, Veterans Court, ARC and other courts throughout our State, cannot be overstated.

Our office was recently contact by Salt Lake Criminal Justice Services about our commitment to the creation of a specialty court that would serve high risk, low needs clients previously serviced by the ARC program. Should Salt Lake County establish a specialty court for those clients previously served by the ARC program, I assure you that LDA will sufficiently staff that court.

If you have any further questions or would like to discuss this issue further, please feel free to contact me.

Sincerely yours,

Patrick L. Anderson, Director
Salt Lake Legal Defender Association

EXHIBIT C

Utah State Courts

Judge James Blanch <jblanch@utcourts.gov>

New Problem Solving Court

Stanton VanWagoner <SVanWagoner@updsl.org> Tue, Apr 30, 2013 at 5:14 PM
To: James Blanch <jblanch@utcourts.gov>
Cc: Kendra Herlin <KHerlin@updsl.org>, Jason Mazuran <JMazuran@updsl.org>

Dear Judge Blanch,

This is in response to our earlier conversation regarding the possibility of forming another problem solving court. As requested I'm posting the opinion of my personal experience with the already existing programs as well as what impact the community would see as a result of a new problem solving court.

I'm excited to learn that a new problem solving court is being considered by the judicial. As you know the Sheriff is in full support of programs that offer alternatives to the status quo. You've been able to observe first hand how successful drug court is in directing people's lives toward fulfillment outside the boundaries of drug addiction and criminality. This is due to the structure and direction courts of this type offer. Having been the supervisor of the Unified Police Department Narcotics Diversion Unit for a number of years I can attest to the change in our community that I would refer to as therapeutic law enforcement. I regularly observe the people whom we supervise make drastic comebacks from their criminal past merely because someone showed them a different direction. This comes from the regular report to a magistrate such as yourself who guides offenders toward the needed treatment and supervision that a program like this would support.

My unit recently added an additional detective to provide more direct supervision in the community. This was done because the Salt Lake County Sheriff and Unified Police Department are committed to making our community better for all of us. We know that jail fixes no one. Support of programs like this succeed in reuniting families, providing long term rehabilitation and directing offenders away from their past. This only occurs where all the resources come together as partners. This includes the judicial, prosecutors, legal defenders, law enforcement and treatment. An additional program that would supplement the already existing felony drug courts would go a long way in extending the ideals that our agency and programs of this type were built upon .

The vision of the Unified Police Department is to provide equal service to all through compassion, empathy and respect while defending the rights of individuals and improving the quality of life. Our Mission statement, in partnership with our community, to provide the highest quality service uniquely tailored to individual needs; to safeguard the lives and property of the people we serve; to increase confidence in safety and reduce crime through effective problem solving and responsible resource management. Our strength lies within the diversity of our individual communities creating a depth in our organization enabling a strong collaborative response through safe and progressive law enforcement principles.

As you can clearly see an additional problem solving court would fulfill all that the Unified Police Department and our community deserve. The drug courts have the support of the Sheriff and the Unified Police Department for the long term. We will pledge our support to the additional proposed problem solving court.

Respectfully,

Sergeant VanWagoner

Unified Police Dept. of Greater Salt Lake

Narcotics Diversion Unit

Cellular (801) 505-8330

Office (801) 743-5799

EXHIBIT D

APPLICATION FOR INITIAL PROJECT PLANNING APPROVAL FOR PROPOSED PROBLEM SOLVING COURT PROJECT

Name/Working Title of Proposed Project: Alternative Court for HN/LR Offenders

Court Location: Third District Court

Application Submitted by: James Blanch

I. Target Population

Describe the types of cases or the description of the population that will be served by this project. Please be specific.

The court will target high-needs, low-risk drug-involved offenders as identified by the RANT. It will serve as an alternative track to Drug Court. See Memorandum for greater detail.

II. Purpose/Goal of Project

Please explain why you believe this project is necessary or desirable. How will a problem solving approach benefit your target population?

The project will satisfy an unmet need of HN/LR offenders who can benefit from treatment but are screened out and ineligible for regular Drug Court. Please see the Memorandum for greater detail.

III. What is the size of the proposed project?

Approximately how large is your target population and how many participants would likely be served by the proposed project?

We propose to begin with a target population of 65 clients, with the hope we can expand in the future.

IV. What is the anticipated impact on court staff, clerks and judges, and how will that need be met?

This impact should be minimal and manageable. I would preside over a calendar every other Wednesday morning, with clerk support from my assistant Lyndia Vigil. Additional support from the specialty court staff should not be necessary.

V. Funding considerations/stakeholders

Identify the stakeholders and what they will need to contribute to the project. If you have identified a funding source to support the project, please specify.

Salt Lake County Criminal Justice Services, the DA's Office, LDA, and the Unified Police Department have all pledged to commit the resources and/or funding necessary to support the court. See Memorandum for greater detail.

Trial Court Executive Comment:

Date: _____ Signature: _____
Trial Court Executive

Presiding Judge Comment:

Date: _____ Signature: _____
Presiding Judge

Date: May 17, 2013 Signature: _____
Applicant

TAB 4

Courts Facility Planning

Standing Committee

And

Security and Emergency Preparedness

Subcommittee

2013 Annual Report

RULE 3-409

Courts Facility Planning

Intent:

- Provide for the responsibilities of the Courts Facility Planning Committee
- Provide for the effective planning of courts capital facilities
- Promote the efficient use of new and existing courthouses through application of co-location and multi-use court facility concepts
- Establish a framework for the conceptual, planning, development and implementation phase of courts capital facilities
- Provide for Council review and approval of all proposed court capital facilities
- Ensure adherence to the design and space guidelines and other requirements of the Utah Judicial System Capital Facilities Master Plan

Committee Responsibilities:

Review trends and projections in population, caseload, and other growth indicators to anticipate courthouse construction needs:

2010 – 2011 The Committee studied Davis County.
2011 – 2012 The Committee studied Juab and Sanpete Counties
2012 – 2013 The Committee is currently studying Utah, Duchesne and Carbon Counties
Future studies will include Weber, Iron and San Juan Counties.

Review the evaluations of courthouses required by this rule and recommend the prioritized placement of courthouse construction projects within the Master Plan:

The Committee has reviewed and updated the ten year building plan to reflect the changes in court needs for all court facilities. We have included the Ten Year Building Plan as an attachment to this report. Our review looked at the needs of both owned and leased facilities.

Review recommendations from the facility coordinator on construction projects and the Master Plan:

As part of the budget process the facility coordinators are required to submit a list of projects for funding consideration to the Committee; these requests are reviewed, evaluated and prioritized for the Capital Improvement Project Funding.

Make recommendations to the Council regarding the reordering of Master Plan priorities and amendments to Design and Space Guidelines:

The Master Plan is reviewed as events, conditions or opportunities develop. The Committee evaluates how they affect the prioritization of the Master Plan. The Committee presents any recommendations to change the order of the Master Plan to Council annually and any information related to the recommended changes.

The Design and Space Guidelines were updated and presented to Judicial Council for approval in 2012. As part of the design contract for the new Ogden Juvenile Court the architect is required to update the Design Guidelines to show any changes in the new building. These updates will be reviewed by the Committee and presented to the Judicial Council for approval.

We are requiring the design teams for all future development projects to update the Design Guidelines at the conclusion of the project.

Compare construction requests with the Design and Space Guidelines of the Master Plan to ensure the current and anticipated needs of the court are met:

All construction requests are reviewed for compliance to the Design and Space Guidelines.

Develop timetable for construction requests so the Committee presents recommendations to the Council in advance of the Annual Planning Workshop:

Construction requests are required to be turned in along with the budget request. This allows for staff to review and to evaluate the requests by the Standing Committee.

Make recommendations to the Council for the approval, modification, or disapproval of construction requests:

All Capital Development project requests are evaluated for need, cost, and compliance with the Master Plan. The requests are prioritized for presentation to the Council along with recommendations of funding sources. The Council can then modify or change the list before taking action.

Develop procedures for the delegation of committee responsibilities to the facility coordinator:

The Committee has delegated the responsibility of defining and requesting improvement projects to the facility coordinators for their district. The procedures for evaluating and developing these requests have been incorporated into the annual budget request process. The facility coordinators are attending the construction meetings within their district and over the past year we have transferred more responsibility for managing improvement project them.

Subcommittee on Security and Emergency Preparedness
Annual Update to Facilities Standing Committee
June 14, 2013

Membership: Judge Davis (Chair), Judge Chamberlain, Ray Wahl, Peyton Smith, Terri Yelonek, Alyn Lunceford, Tim Shea, Nancy Volmer, Carol Price. The subcommittee meets quarterly on the first Wednesday of the month.

I. Security Reviews

- Pattern continues with lack of weapon recognition skills by security officers (being addressed by online x-ray simulation training provided by the Courts and through additional training software to be added for Sheriff's Office internal training/testing programs)

- Farmington
- Orem Juvenile
- Cedar City
- St. George
- Matheson
- Ogden District (one-year follow-up)
- Ogden Juvenile (one-year follow-up)
- Tooele (one-year follow-up)
- Vernal (one-year follow-up)
- Provo Juvenile (in process)
- Layton (in process)
- Heber City (in process)

II. Continuity of Operations Plan

- Major revision to the plan which was originally approved by the Judicial Council in May, 2009
- Revision approved by Management Committee on June 11, 2013, anticipated approval of Judicial Council on June 24, 2013.

III. Incident Reporting

- Reports are distributed to subcommittee members and TCEs on a quarterly basis

IV. Judicial Security Survey

Courts Facility Planning

Standing Committee

Capital Development Master Plan

Updated July 2013

UTAH STATE COURTS
TEN YEAR BUILDING PLAN
Updated July 2013

State Owned Sites

Project Project Status	Scope and Cost Estimates	Programming and Master Plan	Update and Proposed Legislative Session
Ogden Juvenile Court Status: Construction is will begin September 2013 All approvals received contract out for bid July 15, 2013	Property located at 20th and Wall avenue in Ogden has been acquired. The new building will consist of 85,000 square feet, and the 2009 estimated cost for construction is estimated at $30,000,000. Planning and Programming completed October 2009 FY 2014 construction cost estimated to be $ 29,300,000	Complete	**The 2008** Legislature funded $3,250,000 for property acquisition. **2011 Session** - We are requesting funding for design and construction. **2013 session** funded $ 29,300,000 for construction, pending DEQ approval of the site.
Provo District Expansion Status: Fourth District Master Planning completed in 2009	To provide a Court facility with nine additional courtrooms (eighteen in total), cost estimates will be determined by the Planning and Programming. Courtroom and clerical space will be included in the project for the Provo City Justice Court (Provo City will pay the cost associated with their space). Planning and Programming will evaluate the options of expanding the building to the north or west along with constructing a replacement facility on site. The Planning and Programming will evaluate how and if the Provo and Orem Juvenile Courts can be included the project. Planning and Programming for the project will be completed Fall of 2013.	Updated – Master Plan complete and approved by Judicial Council May 2009 Planning and Programming Fall 2013	**2014 Session -** 1. Request funding for design costs to expand up to nine additional courtrooms in Provo. 2. The Updated Master Plan measured the impact of Northern Utah County growth patterns to determined final project scope.
Davis County Court Facilities Layton District Court Farmington District and Juvenile Courts Bountiful District Court	To provide a Court facility with additional courtrooms. Courtroom and clerical space needs will be defined in the Planning and Programming project. The Planning and Programming project will evaluate the needs of Davis County and the court facility located in Farmington and Bountiful. Current courthouses could probably accommodate Courts until 2020 to 2025, but thereafter expansion option becomes a problem.	Planning and Programming will be funded in FY 2016	**2015 Session**

Cedar City Courts Expansion	Provide for 33,686 SF of addition space for a maximum of 6 courtrooms. Current facility has 3 courtrooms, cost of $10 million. (Cost to be updated for inflation)	Study Completed 2001	**2016**
Ogden District Expansion	Identify timing for expansion of existing courthouse. Currently have capacity for 11 courtrooms (one is currently used for juvenile court).	Study Underway	**2018**

Leased Court Sites

Project Project Status	Scope and Cost Estimates	Programming and Master Plan	Update and Proposed Legislative Session
Juab County Nephi Project under construction Construction started June 2013 to be completed January 2014	Construct a new single courtroom courthouse Cost $3,000,000 County funded twenty year cost pass-through Lease High Cost Lease approval 2013 Legislative session	Complete	**The 2012** started talks with Juab County. The County agreed to fund the project on a Cost Pass-through Lease. **2013 legislative session** Courts received a High Cost Lease authorization.
Duchesne County Duchesne County is designing an addition to the current facility.	Build a juvenile courtroom, Judges Chambers and remodel the Clerical work area. Project Cost estimates $2,500,000 to $3,200,000 County funded twenty year cost pass through lease on new space (current space will remain at the current rate)	Planning and Programming to be completed fall 2013	**The 2013** Legislature authorized two new judicial positions in 8th district Additional funding will be a budget request for **FY 2015** We are looking into one time funding for the project
Carbon County (Price) has agreed to participate in the remodel or replacement of the current court facility	Correct the facility operation and security short falls of the current facility	Planning and Programming to be completed Fall 2013	**The 2012** started talks with Carbon County, the County has agreed to fund 50% of the Planning and Programming project. The project to be presented to the **2015 Legislature** for funding as needed

OTHER PROJECTS UNDER CONSIDERATION
LOCAL GOVERNMENT FUNDING
WITH IMPACT ON COURTS LEASE BUDGET

1. **Wayne County** - Letter has been received from Wayne County stating the County will need to new facility within 10 years, and wants the State to participate. No formal talks have yet been scheduled with the County. Wayne County is talking with DFCM to contract about Planning and Programming a new county facility that would include the Courts needs.

2. **Kane County** – We have contracted with Kane County for additional space that has been remodeled into a lobby area and larger security space. The additional space will accommodate the needs of the Juvenile Probation when their lease ends.

3. **Wasatch County** - Recent population growth has prompted the Courts to consider adding additional court space to the current facility. We are looking at adding one additional courtroom to accommodate Juvenile.

4. **San Juan County** - Expanding the existing courthouse to add an additional courtroom to be shared between State Juvenile Court and County Justice Courts, with additional space for other court staff. This would also provide for separation between the Courts personnel and County employees. This project is currently on hold by the County.

5. **Summit County** – Recent population growth and case load has prompted the Courts to consider adding additional courtrooms. Being considered is a two or three courtroom addition to accommodate the case load; we are also looking at the location of the current facility and the transportation issues related to the current location. Third District Court has been working with us and the County to identify future expansion needs and options.
Schematic floor plans have been developed to add two courtrooms to the current facility.

6. **Sanpete County** - (Contract Site) - The Sanpete County Courthouse project was originally presented as a development project to change the site from a contract court site to a state court site. The Capital Development request was for funding to pay the State's share of a lease revenue bond. The authorization for the county revenue bond was defeated in 2008 election (the bond was defeated by an 11 vote margin). The budget request to make the bond payment was withdrawn from the budget request presented to the 2009 legislative session. We have remodeled the current facility improving the security profile of the building and provide better program delivery for the clerical staff.
This project is currently ranked third on the Leased Court Facility priority list; we will contract for Planning and Programming in FY 2014. Options include new state funded facility or a long term lease with the County that would renovate the current facility or construct a new facility on a site (we do not have a new site selected).

The Courts Master Plan for Capital Development is a prioritized court facility by program, security, population and building condition needs. We have designed Master Plan to evaluate and rank building needs for Capital Development and Improvement projects. Over the past fifteen years this prioritization process has resulted in the construction of ten new state owned and twelve new leased court facilities. We evaluate and update the prioritization of future Capital Development requests each year.

This prioritization evaluates the facilities based on security, compliance with current Design Guidelines, facility condition, court programmatic needs, the county population and county growth potential as of January each year.

Evaluation criteria

Security Score 1 to 10 – 1 meets current standard, 10 doesn't meet standards

- Does the facility meet current Security Standards
- Security check points in the building
- Access control systems
- Camera system
- Security equipment (x-ray – metal detector)

Building Condition Score 1 to 10 – 1 very good, 10 needs major work

- Does the facility meet current Design Guidelines
- Can the building be renovated to meet current Design Guidelines
- Building location

Adequacy Score 1 to 10 – 1 meets all current needs, 10 fails to meet needs

- Number of courtroom / number of judges
- Courtroom utilization
- Clerical work area
- Probation work area
- Building renovation potential

County Size Factor Score 1 to 5 – 1 least populated, 5 most populated

- Population of the county
- Court location within the county
- Population centers of the county
- Current court locations (numbers of courthouses, courtrooms)
- Accessibility within and between population centers
- Transportation considerations

County Growth Factor Score 1 to 5 – 1 least growth potential, 5 largest growth potential

- Projected population of the County
  - Five years
  - Ten year
  - Fifteen year
  - Twenty year

Facility Evaluation Scoring

Summary Sheets

2013

All Court Facilities by District

District	County	Facility Type	State / Contract	Unit Name	Lease / Owned	Courtrooms	Square Feet	Security	Condition	Adequacy	County	Growth	Total
1	Box Elder	Courthouse	State	Brigham City	Owned	3	35,000	2	1	1	2	1	7.00
1	Cache	Courthouse	State	Logan	Owned	6	73,644	1	1	2	3	2	9.00
1	Rich	Courthouse	Contract	Randolph	Leased	1	2,415	7	7	5	1	1	21.00
2	Davis	Courthouse	State	Bountiful	Leased	2	26,804	4	3	1	4	4	16.00
2	Davis	Courthouse	State	Farmington 810 W state	Owned	10	131,699	3	2	3	4	4	16.00
2	Davis	Courthouse	State	Layton (lease purchase)	Owned	2	20,025	3	5	2	4	4	18.00
2	Morgan	Courthouse	Contract	Morgan	Leased	1	2,727	7	8	6	2	1	24.00
2	Weber	Courthouse	State	Ogden Dist	Owned	11	91,000	2	3	2	4	4	15.00
2	Weber	Courthouse	State	Ogden JV	Owned	3	23,857	10	4	10	4	4	32.00
3	Salt Lake	Office	State	City Center Probation (1950 West)	Leased	0	8,312	1	1	1	5	5	13.00
3	Salt Lake	Office	State	JV 3500 south building	Owned	0	20,594	2	3	1	5	5	16.00
3	Salt Lake	Courthouse	State	Matheson	Owned	37	417,000	2	2	2	5	4	15.00
3	Salt Lake	Courthouse	State	West Jordan	Owned	10	117,439	2	1	3	5	4	15.00
3	Salt Lake	Office	State	West Valley City JV Prob	Owned	1	26,300	2	2	1	5	5	15.00
3	Summit	Courthouse	State	Park City (Silver Summit)	Leased	2	15,100	4	6	8	3	3	24.00
3	Tooele	Courthouse	State	Tooele	Owned	2	58,968	2	1	2	3	3	11.00
4	Juab	Courthouse	State	Nephi	Leased	1	3,080	10	10	5	2	2	29.00
4	Millard	Office	State	Delta JV Prob	Leased	0	702	5	5	1	1	1	13.00
4	Millard	Courthouse	Contract	Fillmore	Leased	1	8,598	4	4	2	1	2	13.00
4	Utah	Courthouse	State	American Fork	Leased	3	27,588	2	2	4	4	3	15.00
4	Utah	Courthouse	State	Orem	Owned	4	16,080	7	6	5	5	3	26.00
4	Utah	Courthouse	State	Provo Dist	Owned	9	59,928	6	6	10	5	3	30.00
4	Utah	Courthouse	State	Provo JV	Owned	3	18,303	8	7	2	5	3	25.00
4	Utah	Courthouse	Contract	Salem	Leased	0	104	0	0	1	4	2	7.00
4	Utah	Courthouse	State	Spanish Fork	Leased	2	31,779	2	1	2	4	3	12.00
4	Wasatch	Courthouse	State	Heber City	Leased	1	10,043	5	3	7	3	3	21.00
5	Beaver	Courthouse	State	Beaver	Leased	1	7,088	5	2	2	2	2	13.00
5	Iron	Courthouse	State	Cedar City	Owned	3	17,037	4	3	4	3	3	17.00
5	Iron	Office	State	Cedar City JV Prob	Leased	0	5,089	2	2	2	2	2	10.00
5	Iron	Courthouse	State	Parowan	Leased	1	3,077	7	5	1	2	1	16.00
5	Washington	Courthouse	State	St George	Owned	7	95,550	1	1	1	3	3	9.00
6	Garfield	Courthouse	Contract	Panguitch	Leased	1	2,481	3	1	1	1	1	7.00
6	Piute	Courthouse	Contract	Junction	Leased	1	4,120	3	2	1	1	1	8.00
6	Kane	Courthouse	Contract	Kanab	Leased	2	3,846	10	7	5	1	1	24.00
6	Kane	Office	State	Kanab JV	Leased	0	2,180	5	5	5	3	3	21.00
6	Sanpete	Courthouse	State	Manti	Leased	2	7,301	8	7	7	2	1	25.00
6	Sanpete	Office	State	Manti JV	Leased	0	1,940	5	5	5	3	3	21.00
6	Sevier	Courthouse	State	Richfield	Owned	2	19,839	3	4	2	2	1	12.00
6	Wayne	Courthouse	Contract	Loa	Leased	1	2,600	10	9	5	1	1	26.00
7	Carbon	Courthouse	State	Price	Leased	3	18,279	8	8	5	2	1	24.00
7	Emery	Courthouse	State	Castle Dale	Leased	2	8,800	3	2	1	1	1	8.00
7	Grand	Courthouse	State	Moab	Leased	2	11,936	6	3	2	1	1	13.00
7	San Juan	Office	State	Blanding JV	Leased	0	374	5	5	5	3	3	21.00
7	San Juan	Courthouse	State	Monticello	Leased	1	3,206	5	5	7	1	1	19.00
7	San Juan	Office	State	Monticello JV Prob	Leased	0	320	4	4	4	2	2	16.00
8	Daggett	Courthouse	Contract	Manila	Leased	1	3,137	7	7	5	1	1	21.00
8	Duchesne	Courthouse	State	Duchesne	Leased	1	7,013	3	2	1	1	2	9.00
8	Duchesne	Courthouse	State	Roosevelt	Leased	1	4,786	3	3	4	1	2	13.00
8	Uintah	Courthouse	State	Vernal	Owned	3	33,331	2	1	1	2	3	9.00
8	Uintah	Other	State	Vernal training / public programs	Owned	0	4,786	4	4	4	2	2	16.00

All Courthouses

District	County	Facility Type	State / Contract	Unit Name	Lease / Owned	Courtrooms	Square Feet	Security	Condition	Adequacy	County	Growth	Total
2	Weber	Courthouse	State	Ogden JV	Owned	3	23,857	10	4	10	4	4	32.00
4	Utah	Courthouse	State	Provo Dist	Owned	9	59,928	6	6	10	5	3	30.00
4	Juab	Courthouse	State	Nephi	Leased	1	3,080	10	10	5	2	2	29.00
4	Utah	Courthouse	State	Orem	Owned	4	16,080	7	6	5	5	3	26.00
6	Wayne	Courthouse	Contract	Loa	Leased	1	2,600	10	9	5	1	1	26.00
7	Carbon	Courthouse	State	Price	Leased	3	18,279	9	6	6	3	1	25.00
4	Utah	Courthouse	State	Provo JV	Owned	3	18,303	8	7	2	5	3	25.00
6	Sanpete	Courthouse	State	Manti	Leased	2	7,301	8	7	7	2	1	25.00
3	Summit	Courthouse	State	Park City (Silver Summit)	Leased	2	15,100	4	6	8	3	3	24.00
2	Morgan	Courthouse	Contract	Morgan	Leased	1	2,727	7	8	6	2	1	24.00
6	Kane	Courthouse	Contract	Kanab	Leased	2	3,846	10	7	5	1	1	24.00
1	Rich	Courthouse	Contract	Randolph	Leased	1	2,415	7	7	5	1	1	21.00
4	Wasatch	Courthouse	State	Heber City	Leased	1	10,043	5	3	7	3	3	21.00
8	Daggett	Courthouse	Contract	Manila	Leased	1	3,137	7	7	5	1	1	21.00
7	San Juan	Courthouse	State	Monticello	Leased	1	3,206	5	5	7	1	1	19.00
2	Davis	Courthouse	State	Layton	Owned	2	20,025	3	5	2	4	4	18.00
5	Iron	Courthouse	State	Cedar City	Owned	3	17,037	4	3	4	3	3	17.00
2	Davis	Courthouse	State	Bountiful	Leased	2	26,804	4	3	1	4	4	16.00
2	Davis	Courthouse	State	Farmington 810 W state	Owned	10	131,699	3	2	3	4	4	16.00
5	Iron	Courthouse	State	Parowan	Leased	1	3,077	7	5	1	2	1	16.00
2	Weber	Courthouse	State	Ogden Dist	Owned	11	91,000	2	3	2	4	4	15.00
3	Salt Lake	Courthouse	State	Matheson	Owned	37	417,000	2	2	2	5	4	15.00
3	Salt Lake	Courthouse	State	West Jordan	Owned	10	117,439	2	1	3	5	4	15.00
4	Utah	Courthouse	State	American Fork	Leased	3	27,588	2	2	4	4	3	15.00
4	Millard	Courthouse	Contract	Fillmore	Leased	1	8,598	4	4	2	1	2	13.00
5	Beaver	Courthouse	State	Beaver	Leased	1	7,088	5	2	2	2	2	13.00
7	Grand	Courthouse	State	Moab	Leased	2	11,936	6	3	2	1	1	13.00
8	Duchesne	Courthouse	State	Roosevelt	Leased	1	4,786	3	3	4	1	2	13.00
4	Utah	Courthouse	State	Spanish Fork	Leased	2	31,779	2	1	2	4	3	12.00
6	Sevier	Courthouse	State	Richfield	Owned	2	19,839	3	4	2	2	1	12.00
3	Tooele	Courthouse	State	Tooele	Owned	2	58,968	2	1	2	3	3	11.00
1	Cache	Courthouse	State	Logan	Owned	6	73,644	1	1	2	3	2	9.00
5	Washington	Courthouse	State	St George	Owned	7	95,550	1	1	1	3	3	9.00
8	Duchesne	Courthouse	State	Duchesne	Leased	1	7,013	3	2	1	1	2	9.00
8	Uintah	Courthouse	State	Vernal	Owned	3	33,331	2	1	1	2	3	9.00
6	Piute	Courthouse	Contract	Junction	Leased	1	4,120	3	2	1	1	1	8.00
7	Emery	Courthouse	State	Castle Dale	Leased	2	8,800	3	2	1	1	1	8.00
1	Box Elder	Courthouse	State	Brigham City	Owned	3	35,000	2	1	1	2	1	7.00
4	Utah	Courthouse	Contract	Salem	Leased	0	104	0	0	1	4	2	7.00
6	Garfield	Courthouse	Contract	Panguitch	Leased	1	2,481	3	1	1	1	1	7.00
				Totals		149	1,444,608	4.63	3.83	3.53	2.65	2.25	16.875

State Owned Courthouse

District	County	Facility Type	Unit Name	Lease / Owned	Courtrooms	Square Feet	Security	Condition	Adequacy	County	Growth	Total
2	Weber	Courthouse	Ogden JV	Owned	3	23,857	10	4	10	4	4	32.00
4	Utah	Courthouse	Provo Dist	Owned	9	59,928	6	6	10	5	3	30.00
4	Utah	Courthouse	Orem	Owned	4	16,080	7	6	5	5	3	26.00
4	Utah	Courthouse	Provo JV	Owned	3	18,303	8	7	2	5	3	25.00
2	Davis	Courthouse	Layton	Owned	2	20,025	3	5	2	4	4	18.00
5	Iron	Courthouse	Cedar City	Owned	3	17,037	4	3	4	3	3	17.00
2	Davis	Courthouse	Farmington 810 W state	Owned	10	131,699	3	2	3	4	4	16.00
2	Weber	Courthouse	Ogden Dist	Owned	11	91,000	2	3	2	4	4	15.00
3	Salt Lake	Courthouse	Matheson	Owned	37	417,000	2	2	2	5	4	15.00
3	Salt Lake	Courthouse	West Jordan	Owned	10	117,439	2	1	3	5	4	15.00
6	Sevier	Courthouse	Richfield	Owned	2	19,839	3	4	2	2	1	12.00
3	Tooele	Courthouse	Tooele	Owned	2	58,968	2	1	2	3	3	11.00
1	Cache	Courthouse	Logan	Owned	6	73,644	1	1	2	3	2	9.00
5	Washington	Courthouse	St George	Owned	7	95,550	1	1	1	3	3	9.00
8	Uintah	Courthouse	Vernal	Owned	3	33,331	2	1	1	2	3	9.00
1	Box Elder	Courthouse	Brigham City	Owned	3	35,000	2	1	1	2	1	7.00
			Totals		115	1,228,700						
			Average	15	115	80,778	4	3	3	4	3	16.63

Leased Court Facilities

District	County	Facility Type	Unit Name	Lease / Owned	Courtrooms	Square Feet	Security	Condition	Adequacy	County	Growth	Total
4	Juab	Courthouse	Nephi	Leased	1	3,080	10	10	5	2	2	29.00
7	Carbon	Courthouse	Price	Leased	3	18,279	9	6	6	3	1	25.00
6	Sanpete	Courthouse	Manti	Leased	2	7,301	8	7	7	2	1	25.00
3	Summit	Courthouse	Park City (Silver Summit)	Leased	2	15,100	4	6	8	3	3	24.00
4	Wasatch	Courthouse	Heber City	Leased	1	10,043	5	3	7	3	3	21.00
7	San Juan	Courthouse	Monticello	Leased	1	3,206	5	5	7	1	1	19.00
2	Davis	Courthouse	Bountiful	Leased	2	26,804	4	3	1	4	4	16.00
5	Iron	Courthouse	Parowan	Leased	1	3,077	7	5	1	2	1	16.00
4	Utah	Courthouse	American Fork	Leased	3	27,588	2	2	4	4	3	15.00
5	Beaver	Courthouse	Beaver	Leased	1	7,088	5	2	2	2	2	13.00
7	Grand	Courthouse	Moab	Leased	2	11,936	6	3	2	1	1	13.00
8	Duchesne	Courthouse	Roosevelt	Leased	1	4,786	3	3	4	1	2	13.00
4	Utah	Courthouse	Spanish Fork	Leased	2	31,779	2	1	2	4	3	12.00
8	Duchesne	Courthouse	Duchesne	Leased	1	7,013	3	2	1	1	2	9.00
7	Emery	Courthouse	Castle Dale	Leased	2	8,800	3	2	1	1	1	8.00
			Total		25	185,880						
			Average		25	12,392	5.1	4	4	2	2	17.20

Contract Court Sites

District	County	Facility Type	Unit Name	Lease / Owned	Courtrooms	Square Feet	Security	Condition	Adequacy	County	Growth	Total
6	Wayne	Courthouse	Loa	Leased	1	2,600	10	9	5	1	1	26.00
2	Morgan	Courthouse	Morgan	Leased	1	2,727	7	8	6	2	1	24.00
6	Kane	Courthouse	Kanab	Leased	2	3,846	10	7	5	1	1	24.00
1	Rich	Courthouse	Randolph	Leased	1	2,415	7	7	5	1	1	21.00
8	Daggett	Courthouse	Manila	Leased	1	3,137	7	7	5	1	1	21.00
4	Millard	Courthouse	Fillmore	Leased	1	8,598	4	4	2	1	2	13.00
6	Piute	Courthouse	Junction	Leased	1	4,120	3	2	1	1	1	8.00
4	Utah	Courthouse	Salem	Leased	0	104	0	0	1	4	2	7.00
6	Garfield	Courthouse	Panguitch	Leased	1	2,481	3	1	1	1	1	7.00
			Totals		9	30,028						
			Contract Courthouse Average		9	3,336	5.7	5	3.4	1.4	1.2	16.78

Juvenile Probation and Work Crew Facilities

District	County	Facility Type	Unit Name	Lease / Owned	Courtrooms	Square Feet	Security	Condition	Adequacy	County	Growth	Total
6	Kane	Office	Kanab JV	Leased	0	2,180	5	5	5	3	3	21.00
6	Sanpete	Office	Manti JV	Leased	0	1,940	5	5	5	3	3	21.00
3	Utah	Work Crew	Provo JV Probation Work Crew	Owned	0	18,302	7	6	1	4	2	20.00
3	Salt Lake	Work Crew	JV 3500 south building	Owned	0	20,594	2	3	1	5	5	16.00
7	San Juan	Office	Monticello JV Prob	Leased	0	320	4	4	4	2	2	16.00
3	Salt Lake	Office	West Valley City JV Prob	Owned	1	26,300	2	2	1	5	5	15.00
3	Salt Lake	Office	City Center Probation (1950 West)	Leased	0	8,312	1	1	1	5	5	13.00
4	Millard	Office	Delta JV Prob	Leased	0	702	5	5	1	1	1	13.00
4	Millard	Court House	Fillmore	Leased	1	8,598	4	4	2	1	2	13.00
5	Iron	Office	Cedar City JV Prob	Leased	0	5,089	2	2	2	2	2	10.00
			Owned Other	3	1	46,542	14	13	7	12	10	56
			Probation Office Leases	7	1	45,475	19	20	12	17	18	86
			Average			9,234	3.7	3.7	2.3	3.1	3	15.80

TAB 5

Iron County Adult Drug Court
Cedar City

CERTIFICATION SITE VISIT

PROGRAM: IRON COUNTY ADULT DRUG COURT, CEDAR CITY

JUDGE: JUDGE JOHN WALTON

NUMBER OF PARTICIPANTS: 38

DATE: APRIL 3, 2013

REQUIRED:

YESXXX NO Minimum length of program is twelve months.

Comments:

YESXXXXNO Program requires at least 90 days clean to graduate.

Comments:

YESXXX NO Court has a participant agreement and waiver.

Comments:

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments:

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments:

YESXXX NO Staffing occurs prior to every court session.

Comments:

YESXXX NO Participants sign a release of confidentiality.

Comments:

YESXXX NO Court has written policies and procedures.

Comments:

YESXXX NO Eligibility criteria do not exclude non-drug charges.

Comments:

YESXXX NO Participants undergo a substance abuse assessment.

Comments:

YESXXX NO Participants undergo a criminogenic risk assessment.

Comments:

Comments:

YESXXX NO Treatment is provided by a state licensed provider.

Comments:

YESXXX NO Gender specific treatment is provided.

Comments:

YESXXX NO Drug testing is frequent and random and performed at least twice per week.

Comments:

YESXXX NO Secular alternative to community support groups if required.

Comments:

YESXXX NO Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

YESXXX NO Judge spends an average of three minutes with each participant.

Comments:

YESXXX NO Program has more than 15 but less than 125 participants.

Comments:

YESXXX NO Program does not impose more than an average of three jail days as sanction.

Comment:

YESXXX NO Judge is leader of team and maintains an active role.

Comments:

YESXXX NO Court fees are reasonable and based on participants ability to pay.

Comments:

EVIDENCE BASED PRACTICES:

YESXXX NO Law enforcement is a member of the team
Comments:

YESXXX NO Team members are assigned for no less than two years.

Comments:

.YESXXXNO Team members use electronic communication.

Comments:

YESXXX NO Incentives and sanctions are in writing and shared with participants and other team members.

Comments:

YESXXX NO The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

YESXXX NO Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

YESXXX NO Participants are screened and not denied the program for mental health issues.

Comments:

YESXXX NO Eligibility criteria are written.

Comments:

YESXXX NO Treatment fees are based on a sliding fee schedule.

Comments:

YESXXX NO Program has policy dealing with challenges to drug tests.

Comments:

YESXXX NO Court has a written policy dealing with medically assisted treatment.

Comments:

YESXXX NO Clients are placed in program within 50 days of arrest.

Comments:

BEST PRACTICES:

YESXXX NO Treatment group is no more than 15 members.

Comments:

YESXXX NO Treatment is conducted in multiple phases.

Comments:

YESXXX NO Treatment and court phases are not dependent on each other.

Comments:

YESXXX NO Treatment addresses family, parenting, and education.

Comments:

YESXXX NO Participants have the aid of an attorney if requested.

Comments:

YESXXX NO Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

YESXXX NO Program conducts an exit interview for self improvement.

Comments:

YESXXX NO Program maintains adequate data for program monitoring.

Comments:

STAFF MEMBER COMMENTS:

Defense: They have had the contract for the drug court since inception. Thinks the program is working well.

Prosecution: Thinks that his boss, the County Attorney is a little tough on letting people into the program. He has been with the program for two and a half years. Most participants come in after an application from the defense attorney.

Tracker: Has been with the program for the last two years. Will probably be with the program one more year. He tries to make one contact a night with the participants in phase I. He usually gets out once per week to make house checks. If there is a problem during a routine house he will contact the Judge before taking any action.

Treatment: Treatment does not have any problems with the program.

PARTICIPANT COMMENTS:

All of the participants I talked to really liked the program and feel that if it was not for the program they would be in prison or dead. They had no criticisms.

SUGGESTIONS: Giving participants an option of community service or pay with gift certificates to help support the incentives.

To start using a fish bowl and a drawing as one of the incentives for the program.

Judge could ask participants how many clean days they have.

RECOMMENDATION: CERTIFY

Carbon County Adult Drug Court
Price

CERTIFICATION SITE VISIT

PROGRAM: CARBON COUNTY ADULT DRUG COURT, PRICE

JUDGE: THOMAS

NUMBER OF PARTICIPANTS: 37

DATE: JUNE 5, 2013

REQUIRED:

YESXXX NO Minimum length of program is twelve months.

Comments:

YESXXX NO Program requires at least 90 days clean to graduate.

Comments:

YESXXX NO Court has a participant agreement and waiver.

Comments:

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments: Also attended by Tracker.

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments: Also attended by Tracker.

YESXXX NO Staffing occurs prior to every court session.

Comments:

YESXXX NO Participants sign a release of confidentiality.

Comments:

YESXXX NO Court has written policies and procedures.

Comments:

YESXXX NO Eligibility criteria do not exclude non-drug charges.

Comments:

YESXXX NO Participants undergo a substance abuse assessment.

Comments:

YESXXX NO Participants undergo a criminogenic risk assessment.

Comments:

YESXXX NO Program uses RANT.

Comments:

YESXXX NO Treatment is provided by a state licensed provider.

Comments:

YESXXX NO Gender specific treatment is provided.

Comments:

YESXXX NO Drug testing is frequent and random and performed at least twice per week.

Comments:

YESXXX NO Secular alternative to community support groups if required.

Comments:

YESXXX NO Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

YESXXX NO Judge spends an average of three minutes with each participant.

Comments:

YESXXX NO Program has more than 15 but less than 125 participants.

Comments:

YESXXX NO Program does not impose more than an average of three jail days as sanction.

Comment:

YESXXX NO Judge is leader of team and maintains an active role.

Comments:

YESXXX NO Court fees are reasonable and based on participants ability to pay.

Comments:

EVIDENCE BASED PARACTICES:

YESXXX NO Law enforcement is a member of the team
Comments: Tracker

YESXXX NO Team members are assigned for no less than two years.

Comments:

YESXXX NO Team members use electronic communication.

Comments:

YES NOXXX Incentives and sanctions are in writing and shared with participants and other

team members.

Comments: Judge was instructed to get his team together and prepare a sanction and incentive grid which could be used by the team and distributed to the participants. Judge told me that this was already being planned by the team.

YESXXX NO The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

YESXXX NO Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

YESXXX NO Participants are screened and not denied the program for mental health issues.

Comments:

YESXXX NO Eligibility criteria are written.

Comments:

YES NOXXX Treatment fees are based on a sliding fee schedule.

Comments: Was informed that treatment was charging a minimum of 30.00 per month to remain in the program. Was told of an example where a participant was denied treatment because she was behind on fees. Talked to State Substance Abuse and they were going to check into this and put a stop to it.

State substance abuse was assured that this was not happening and it was a participant who was using it as an excuse for not attending treatment.

YESXXX NO Program has policy dealing with challenges to drug tests.

Comments:

YESXXX NO Court has a written policy dealing with medically assisted treatment.

Comments:

YESXXX NO Clients are placed in program within 50 days of arrest.

Comments:

BEST PRACTICES:

YESXXX NO Treatment group is no more than 15 members.

Comments:

YESXXX NO Treatment is conducted in multiple phases.

Comments:

YESXXX NO Treatment and court phases are not dependent on each other.

Comments:

YESXXX NO Treatment addresses family, parenting, and education.

Comments:

YESXXX NO Participants have the aid of an attorney if requested.

Comments:

YESXXX NO Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

YESXXX NO Program conducts an exit interview for self improvement.

Comments:

YESXXX NO Program maintains adequate data for program monitoring.

Comments:

STAFF MEMBER COMMENTS:

Prosecutor: The prosecutor has worked in drug court for the last 10 years. He is a valuable member of the team. The Carbon County Attorney is very supportive of drug court. Anyone that applies and meets eligibility criteria is let into the program. Only issue is he feels the program needs more incentives.

Adult Probation and Parole: They have been an active team member since inception of the drug court. Originally the agent went in kicking and screaming but know is an ardent supporter of the program and works well with the other team members and the participants.

Trackers: the two present trackers have been with the program since January 2013. They are excellent and truly understand addiction and their role in the program. All of the participants spoke very highly of the trackers. They are also the same two trackers that staff the Dependency Court presided over by Judge Johansen.

Defense: This is the same Defense Attorney that staffs the Dependency Court with Judge Johansen. HE has been with the drug courts for over 5 years. He has an excellent understanding of his role in drug court and is a good team member.

PARTICIPANT COMMENTS:

Had trouble with prior trackers but the two they have now are excellent.

They are having a problem with the no association rule of the program.

Participants do not always know why some participants are being treated differently for the same conduct.

In Phase I the drug tests are too far apart.

They would love to see an alumni association and a mentor program be started.

Comments: The Judge does a good job controlling and leading the staffing. There was really good participation among team members. The team was talking about suggestions they heard at their local conference and incorporating them into their drug court program.

In court the Judge did a fine job. He always ended on a positive. I liked the fact that the Judge asked every participant for the number of clean days. The Judge is very positive with the participants.

Recommendations:

Suggested to the Judge that he have treatment and the rest of the staff give a report in court.

It was recommended that the staff schedule a retreat to discuss a sanction and incentive grid. He stated it was already planned.

Looking into treatments charging participants for treatment and then refusing entrance if they fall behind.

Might want to increase drug testing during Phase I.

Suggested they re-evaluate the no association rule they have in the program.

The Judge was very receptive to all of the above recommendations and immediately incorporated those that he could.

CERTIFY

Salt Lake County Adult Drug Court
Judge Skanchy

CERTIFICATION SITE VISIT

PROGRAM: SALT LAKE COUNTY ADULT DRUG COURT

JUDGE: SKANCHY

NUMBER OF PARTICIPANTS: 138

DATE: JANUARY 7, 2013

REQUIRED:

YESXXX NO Minimum length of program is twelve months.

Comments:

YESXXX NO Program requires at least 90 days clean to graduate.

Comments:

YESXXX NO Court has a participant agreement and waiver.

Comments:

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments:

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments:

YESXXX NO Staffing occurs prior to every court session.

Comments:

YESXXX NO Participants sign a release of confidentiality.

Comments:

YESXXX NO Court has written policies and procedures.

Comments:

YESXXX NO Eligibility criteria do not exclude non-drug charges.

Comments:

YESXXX NO Participants undergo a substance abuse assessment.

Comments:

YESXXX NO Participants undergo a criminogenic risk assessment.

Comments:

YESXXX NO Program uses RANT.

Comments:

YESXXX NO Treatment is provided by a state licensed provider.

Comments:

YESXXX NO Gender specific treatment is provided.

Comments:

YESXXX NO Drug testing is frequent and random and performed at least twice per week.

Comments:

YESXXX NO Secular alternative to community support groups if required.

Comments:

YESXXX NO Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

YESXXX NO Judge spends an average of three minutes with each participant.

Comments: However due to the number of participants some of those that are doing well are rewarded by being called up first by Phase and then dismissed early.

YESXXX NO Program has more than 15 but less than 125 participants.

Comments: When those who are incarcerated or out on warrant are not counted.

YESXXX NO Program does not impose more than an average of three jail days as sanction.

Comment:

YESXXX NO Judge is leader of team and maintains an active role.

Comments:

YESXXX NO Court fees are reasonable and based on participants ability to pay.

Comments:

EVIDENCE BASED PARACTICES:

YESXXX NO Law enforcement is a member of the team
Comments:

YESXXX NO Team members are assigned for no less than two years.

Comments:

.YESXXXNO Team members use electronic communication.

Comments:

YESXXX NO Incentives and sanctions are in writing and shared with participants and other

team members.

Comments:

YESXXX NO The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

YESXXX NO Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments: Officers test during home visits.

YESXXX NO Participants are screened and not denied the program for mental health issues.

Comments:

YESXXX NO Eligibility criteria are written.

Comments:

YESXXX NO Treatment fees are based on a sliding fee schedule.

Comments:

YESXXX NO Program has policy dealing with challenges to drug tests.

Comments:

YESXXX NO Court has a written policy dealing with medically assisted treatment.

Comments:

YESXXX NO Clients are placed in program within 50 days of arrest.

Comments:

BEST PRACTICES:

YESXXX NO Treatment group is no more than 15 members.

Comments:

YESXXX NO Treatment is conducted in multiple phases.

Comments:

YESXXX NO Treatment and court phases are not dependent on each other.

Comments:

YESXXX NO Treatment addresses family, parenting, and education.

Comments:

YESXXX NO Participants have the aid of an attorney if requested.

Comments:

YESXXX NO Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

Salt Lake County Adult Drug Court
Judge Bernard-Goodman

CERTIFICATION SITE VISIT

PROGRAM: SALT LAKE COUNTY ADULT DRUG COURT

JUDGE: BERNARD-GOODMAN

NUMBER OF PARTICIPANTS: 140

DATE: JANUARY 17, 2013

REQUIRED:

YESXXX NO Minimum length of program is twelve months.

Comments:

YESXXX NO Program requires at least 90 days clean to graduate.

Comments:

YESXXX NO Court has a participant agreement and waiver.

Comments:

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments:

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments:

YESXXX NO Staffing occurs prior to every court session.

Comments:

YESXXX NO Participants sign a release of confidentiality.

Comments:

YESXXX NO Court has written policies and procedures.

Comments:

YESXXX NO Eligibility criteria do not exclude non-drug charges.

Comments:

YESXXX NO Participants undergo a substance abuse assessment.

Comments:

YESXXX NO Participants undergo a criminogenic risk assessment.

Comments:

YESXXX NO Program uses RANT.

Comments:

YESXXX NO Treatment is provided by a state licensed provider.

Comments:

YESXXX NO Gender specific treatment is provided.

Comments:

YESXXX NO Drug testing is frequent and random and performed at least twice per week.

Comments:

YESXXX NO Secular alternative to community support groups if required.

Comments:

YESXXX NO Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

YESXXX NO Judge spends an average of three minutes with each participant.

Comments:

YESXXX NO Program has more than 15 but less than 125 participants.

Comments: The program usually reaches the target number when individuals who are out on warrant or in jail are not counted as active participants.

YESXXX NO Program does not impose more than an average of three jail days as sanction.

Comment:

YESXXX NO Judge is leader of team and maintains an active role.

Comments:

YESXXX NO Court fees are reasonable and based on participants ability to pay.

Comments:

EVIDENCE BASED PARACTICES:

YESXXX NO Law enforcement is a member of the team
Comments:

YESXXX NO Team members are assigned for no less than two years.

Comments:

.YESXXXNO Team members use electronic communication.

Comments:

YESXXX NO Incentives and sanctions are in writing and shared with participants and other

team members.

Comments:

YESXXX NO The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

YESXXX NO Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments: Usually weekend tests are conducted by law-enforcement during home visits.

YESXXX NO Participants are screened and not denied the program for mental health issues.

Comments:

YESXXX NO Eligibility criteria are written.

Comments:

YESXXX NO Treatment fees are based on a sliding fee schedule.

Comments:

YESXXX NO Program has policy dealing with challenges to drug tests.

Comments:

YESXXX NO Court has a written policy dealing with medically assisted treatment.

Comments:

YESXXX NO Clients are placed in program within 50 days of arrest.

Comments:

BEST PRACTICES:

YESXXX NO Treatment group is no more than 15 members.

Comments:

YESXXX NO Treatment is conducted in multiple phases.

Comments:

YESXXX NO Treatment and court phases are not dependent on each other.

Comments:

YESXXX NO Treatment addresses family, parenting, and education.

Comments:

YESXXX NO Participants have the aid of an attorney if requested.

Comments:

YESXXX NO Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

YESXXX NO Program conducts an exit interview for self improvement.

Comments:

YESXXX NO Program maintains adequate data for program monitoring.

Comments:

STAFF MEMBER COMMENTS:

Defense Attorney: She has been with the court for over 5 years and has extensive training and experience. She feels the court is running well and had made some significant changes since state-wide training 2 years ago. She is looking forward to additional training at the state conference and the national conference.

Case-Manager: Feels the program is operating well.

Treatment: Really likes the Judge and the way the program is operating. Judge gives due consideration to therapeutic responses.

Law-Enforcement: Really enjoys working with the program. He will be conducting a session at the Utah State Training in regards to Problem Solving Courts and alternatives to incarceration.

PARTICIPANT COMMENTS: The Participants seemed to appreciate the Judge and everything the team was doing to support them. Felt like they were being treated fairly. They really appreciated the relationship with law-enforcement. They felt the UAs were adequate to keep them in line. They had no recommendations for improvement of the program.

RECOMMNEND: CERITIFY

YESXXX NO Program conducts an exit interview for self improvement.

Comments:

YESXXX NO Program maintains adequate data for program monitoring.

Comments:

STAFF MEMBER COMMENTS:

Drug Court Therapist: She attends all staffings and as many court sessions as possible. She feels the program is running well.

Case Manager: Enjoys working with the program and feels it is running well.

Drug Court Detective: Really enjoys the work although came into the program reluctantly. He has established a relationship with a number of the participants.

Defense Attorney: She has been working with Drug Courts for over ten years. It is her impression that Judge does a really good job. She has seen him change over the years.

Prosecutor: He is the newest member of the team. He is feeling his way although he did attend when prior prosecutor was unavailable. He thinks he could use some training and is planning on attending the state wide training and hopefully the national training.

PARTICIPANT COMMENTS: The participants are very pleased with the program. They feel that everyone on the team is trying to help them. There was a comment that sometimes it feels like the case managers are just doing their job and are not really interested in the clients. They all liked and had respect for the Judge.

RECOMMENDATION: CERTIFY

Washington County Adult Drug Court
Judge Shumate

CERTIFICATION SITE VISIT

PROGRAM: WASHINGTON COUNTY, ADULT DRUG COURT

JUDGE: SHUMATE

NUMBER OF PARTICIPANTS: 90

DATE: APRIL 10, 2013

REQUIRED:

YESXXX NO Minimum length of program is twelve months.

Comments:

YESXXX NO Program requires at least 90 days clean to graduate.

Comments:

YESXXX NO Court has a participant agreement and waiver.

Comments:

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments:

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments:

YESXXX NO Staffing occurs prior to every court session.

Comments:

YESXXX NO Participants sign a release of confidentiality.

Comments:

YESXXX NO Court has written policies and procedures.

Comments:

YESXXX NO Eligibility criteria do not exclude non-drug charges.

Comments:

YESXXX NO Participants undergo a substance abuse assessment.

Comments:

YESXXX NO Participants undergo a criminogenic risk assessment.

Comments:

YESXXX NO Program uses RANT.

Comments:

YESXXX NO Treatment is provided by a state licensed provider.

Comments:

YESXXX NO Gender specific treatment is provided.

Comments:

YESXXX NO Drug testing is frequent and random and performed at least twice per week.

Comments: The participants related that there could be some more flexibility in the time that participants are required to show for drug testing.

YESXXX NO Secular alternative to community support groups if required.

Comments:

YESXXX NO Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

YESXXX NO Judge spends an average of three minutes with each participant.

Comments: Judge did a good job in conversing with participants. It was suggested to the Judge that he might ask for a treatment and other staff members reports in court so he had more information to discuss with the participants.

YESXXX NO Program has more than 15 but less than 125 participants.

Comments:

YESXXX NO Program does not impose more than an average of three jail days as sanction.

Comment: Still struggling with the practice of therapeutic responses to behavior and not as much jail.

YESXXX NO Judge is leader of team and maintains an active role.

Comments:

YESXXX NO Court fees are reasonable and based on participants ability to pay.

Comments:

EVIDENCE BASED PARACTICES:

YESXXX NO Law enforcement is a member of the team
Comments: Use trackers in this court. Participants have to pay for the trackers at the rate of $30.00 per week. Sheriff will not help without reimbursement.

YESXXX NO Team members are assigned for no less than two years.

Comments: Had just been assigned a new prosecutor but he claimed his boss was supportive and that he would remain with the court an indefinite period of time.

.YESXXXNO Team members use electronic communication.

Comments:

YESXXX NO Incentives and sanctions are in writing and shared with participants and other team members.

Comments: Like all of the drug courts the program could use some more incentives.

YESXXX NO The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

YESXXX NO Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

YESXXX NO Participants are screened and not denied the program for mental health issues.

Comments:

YESXXX NO Eligibility criteria are written.

Comments:

YESXXX NO Treatment fees are based on a sliding fee schedule.

Comments:

YESXXX NO Program has policy dealing with challenges to drug tests.

Comments:

YESXXX NO Court has a written policy dealing with medically assisted treatment.

Comments:

YESXXX NO Clients are placed in program within 50 days of arrest.

Comments:

BEST PRACTICES:

YESXXX NO Treatment group is no more than 15 members.

Comments:

YESXXX NO Treatment is conducted in multiple phases.

Comments:

YESXXX NO Treatment and court phases are not dependent on each other.

Comments:

YESXXX NO Treatment addresses family, parenting, and education.

Comments:

YESXXX NO Participants have the aid of an attorney if requested.

Comments:

YESXXX NO Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

YESXXX NO Program conducts an exit interview for self improvement.

Comments:

YESXXX NO Program maintains adequate data for program monitoring.

Comments:

STAFF MEMBER COMMENTS:

Prosecutor: The prosecutor is brand new to the program. He has been with drug court approximately one month. It is his understanding he will be there for at least two years. Prior to his assignement he had filled in when needed so he was aware of what drug court did. He claims his boss is supportive of drug court and there is a positive feeling in the office among the other attorneys.

Treatment: The program needs more incentives for the participants. They are thinking of reinstituting a fish bowl as an incentive. They are just starting an alumni association and a mentoring program. In the past there has been a problem with communication between the trackers and treatment but they claim that has been improving.

PARTICIPANT COMMENTS: The participants are excited about the mentor program that is being instituted. They claim the trackers do a good job and are fair and easy to communicate with. They think the treatment staff is good. Have a difficult time with the limited amount of time they are given to report for their drug tests. The participants would like to see the rule regarding association change so that they can associate with other participants who are doing well in the program.

Suggestions: Suggested to the Judge the following: More flexibility in drug testing.

Have treatment give a report in court.

Rein in the trackers a little.

Objective criteria for entry into the program.

Association among participants.

The Judge was very receptive to the suggestions and stated that he would make the necessary changes.

Recommendation: CERTIFY

Carbon County Family Dependency
Price - Judge Johansen

CERTIFICATION SITE VISIT

PROGRAM: CARBON COUNTY FAMILY DEPENDENCY, PRICE

JUDGE: JOHANSEN

NUMBER OF PARTICIPANTS: 17

DATE: May 29. 2013

REQUIRED:

YESXXX NO Minimum length of program is twelve months.

Comments:

YESXXX NO Program requires at least 90 days clean to graduate.

Comments:

YESXXX NO Court has a participant agreement and waiver.

Comments:

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments: Since this is a Family Dependency Drug Court staffing is also attended by a Tracker, DCFS workers, Guardian-ad-Litem, Attorney General, and

an individual from Four Corners Counseling that is in charge of keeping track of fees.

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments: Same as above.

YESXXX NO Staffing occurs prior to every court session.

Comments:

YESXXX NO Participants sign a release of confidentiality.

Comments:

YESXXX NO Court has written policies and procedures.

Comments:

YESXXX NO Eligibility criteria do not exclude non-drug charges.

Comments:

YESXXX NO Participants undergo a substance abuse assessment.

Comments:

YESXXX NO Participants undergo a criminogenic risk assessment.

Comments:

YESXXX NO Program uses RANT.

Comments:

YESXXX NO Treatment is provided by a state licensed provider.

Comments:

YESXXX NO Gender specific treatment is provided.

Comments:

YESXXX NO Drug testing is frequent and random and performed at least twice per week.

Comments:

YESXXX NO Secular alternative to community support groups if required.

Comments:

YESXXX NO Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

YESXXX NO Judge spends an average of three minutes with each participant.

Comments: Judge did a good job trying to spend sufficient time with each participant. Instructed Judge to have treatment and the rest of the team give a report in court so the Judge can be fed more information to discuss with each participant.

YESXXX NO Program has more than 15 but less than 125 participants.

Comments:

YES NOXXX Program does not impose more than an average of three jail days as sanction.

Comment: the Judge on occasion will impose significantly more jail time than three days. Judge was instructed that additional jail time is not therapeutic but I am not sure he cares or listens. Judge also attended training given by Rick Schwermer and myself in which he was instructed that more than three days jail is counterproductive.

YESXXX NO Judge is leader of team and maintains an active role.

Comments:

YESXXX NO Court fees are reasonable and based on participants ability to pay.

Comments:

EVIDENCE BASED PARACTICES:

YESXXX NO Law enforcement is a member of the team
Comments: The Tracker is a member of law enforcement.

YESXXX NO Team members are assigned for no less than two years.

Comments:

.YES NOXXX Team members use electronic communication.

Comments: The team was instructed to do so.

YES NOXXX Incentives and sanctions are in writing and shared with participants and other team members.

Comments: Team was instructed to prepare a grid and try to follow it. They were also instructed that the grid should be shared with the participants.

YESXXX NO The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

YESXXX NO Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

YESXXX NO Participants are screened and not denied the program for mental health issues.

Comments:

YESXXX NO Eligibility criteria are written.

Comments:

YESXXX NO Treatment fees are based on a sliding fee schedule.

Comments:

YESXXX NO Program has policy dealing with challenges to drug tests.

Comments:

YESXXX NO Court has a written policy dealing with medically assisted treatment.

Comments:

YESXXX NO Clients are placed in program within 50 days of arrest.

Comments: In most instances however all participants are referred by DCFS.

BEST PRACTICES:

YESXXX NO Treatment group is no more than 15 members.

Comments:

YESXXX NO Treatment is conducted in multiple phases.

Comments:

YESXXX NO Treatment and court phases are not dependent on each other.

Comments:

YESXXX NO Treatment addresses family, parenting, and education.

Comments:

YESXXX NO Participants have the aid of an attorney if requested.

Comments:

YESXXX NO Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

YESXXX NO Program conducts an exit interview for self improvement.

Comments: Program was instructed to expand the exit interview to cover participants that have failed the program.

YESXXX NO Program maintains adequate data for program monitoring.

Comments:

STAFF MEMBER COMMENTS:

Defense: Thought there was too much use of jail and that the jail stays were too long. He thought there needed to be better training for new team members. He thought there needed to be better dissemination of participant progress prior to staffing. He was enthusiastic about email communication.

Trackers: The Trackers thought it would be beneficial for there to be a better coordinated treatment plan between DCFS and Treatment. They thought it would be useful for them to know what the treatment plan was especially when they went on home visits. They thought that DCFS was using too many case-workers and that the drug court clients needed to be more centralized. They thought the program needed more incentives. The Trackers have been very innovative and have started classes in nutrition, finances, and have started an intern program with some of the small businesses in town.

AG: Did not have much to say. He is the newest member of the team.

Treatment: Needed more incentives in the program. Jail is used too heavily.

PARTICIPANT COMMENTS: Participants were very complimentary of the program. They especially liked the Trackers and did not have enough good to say about them. Participants thought that the drug testing could be increased and be a little bit more random. Participants complained about the rule not allowing association. They thought the rule was too rigid. They were in favor of the establishment of an alumni association and starting a mentoring program.

Recommendation: CERTIFY

Sanpete County Adult Drug Court
Manti - Judge Bagley

CERTIFICATION SITE VISIT

PROGRAM: SANPETE COUNTY, MANTI, ADULT DRUG COURT

JUDGE: BAGLEY

NUMBER OF PARTICIPANTS: 11

DATE: JULY, 2013

REQUIRED:

YESXXX NO Minimum length of program is twelve months.

Comments:

YESXXX NO Program requires at least 90 days clean to graduate.

Comments:

YESXXX NO Court has a participant agreement and waiver.

Comments:

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments:

YESXXX NO Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments:

YESXXX NO Staffing occurs prior to every court session.

Comments:

YESXXX NO Participants sign a release of confidentiality.

Comments:

YESXXX NO Court has written policies and procedures.

Comments:

YESXXX NO Eligibility criteria do not exclude non-drug charges.

Comments:

YESXXX NO Participants undergo a substance abuse assessment.

Comments:

YESXXX NO Participants undergo a criminogenic risk assessment.

Comments:

YESXXX NO Program uses RANT.

Comments:

YESXXX NO Treatment is provided by a state licensed provider.

Comments:

YESXXX NO Gender specific treatment is provided.

Comments:

YESXXX NO Drug testing is frequent and random and performed at least twice per week.

Comments:

YESXXX NO Secular alternative to community support groups if required.

Comments:

YESXXX NO Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments

YESXXX NO Judge spends an average of three minutes with each participant.

Comments: Judge did an excellent job communicating with the participants.

YES NOXXX Program has more than 15 but less than 125 participants.

Comments: Program has 11 participants but has had up to 16.

YES NOXXX Program does not impose more than an average of three jail days as sanction.

Comment: Program has used jail as detox since nothing else is available.

YESXXX NO Judge is leader of team and maintains an active role.

Comments:

YESXXX NO Court fees are reasonable and based on participants ability to pay.

Comments:

EVIDENCE BASED PARACTICES:

YESXXX NO Law enforcement is a member of the team
Comments:

YESXXX NO Team members are assigned for no less than two years.

Comments:

.YESXXXNO Team members use electronic communication.

Comments:

YESXXX NO Incentives and sanctions are in writing and shared with participants and other

team members.

Comments:

YESXXX NO The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

YESXXX NO Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

YESXXX NO Participants are screened and not denied the program for mental health issues.

Comments:

YESXXX NO Eligibility criteria are written.

Comments:

YESXXX NO Treatment fees are based on a sliding fee schedule.

Comments:

YESXXX NO Program has policy dealing with challenges to drug tests.

Comments:

YESXXX NO Court has a written policy dealing with medically assisted treatment.

Comments:

YESXXX NO Clients are placed in program within 50 days of arrest.

Comments:

BEST PRACTICES:

YESXXX NO Treatment group is no more than 15 members.

Comments: Only have 11 participants.

YESXXX NO Treatment is conducted in multiple phases.

Comments:

YESXXX NO Treatment and court phases are not dependent on each other.

Comments:

YESXXX NO Treatment addresses family, parenting, and education.

Comments:

YESXXX NO Participants have the aid of an attorney if requested.

Comments:

YESXXX NO Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

YESXXX NO Program conducts an exit interview for self improvement.

Comments:

YESXXX NO Program maintains adequate data for program monitoring.

Comments:

STAFF MEMBER COMMENTS:

Defense attorney: Program runs well for a small community. Thinks maybe jail is used too frequently.

Prosecutor: Likes the program and is very willing to look at all arrestees for eligibility.

Coordinator: Brand new to the program. She has been with the program for one month. She is in recovery herself and her husband is a graduate of the program. Got the impression she will be very good in her job. She is planning on attending the state-wide training in October. I referred her to two national websites for training and information.

Participants: One of the participant's complaints was how far they had to travel to report for a drug test. They did feel that treatment needed more structure. There seemed to be some disagreement as to whether participants could enter phase four if not current on fees.

RECOMMENDATION: CERTIFY

Box Elder Adult Mental Health Court
Brigham City - Judge Allen

BOX ELDER ADULT MENTAL HEALTH COURT, BRIGHAM

Judge ALLEN

BRIGHAM CITY

FEBRUARY 2013

Overview:

A. Authority: this review was conducted under the authority of CJA Rule 4-409 and the Judicial Council.

B. Purpose and Scope: the purpose of the review is to provide oversight and assistance to mental health courts operating in the State of Utah.

C. Methodology: The certification process included a review of the drug court policies, procedures and practices, and the (10) essential elements of a mental health court. Interviews were conducted with the mental health court staff, team members, and other persons involved in the operation of the mental health court.

D. Rating Criteria:

Compliant: Subject area was in compliance with standards.

Compliant with Comment: Subject area was in general compliance with standards but specific areas need to be addressed.

Non-compliant: Subject area has one or more significant problems with standards.

F. Mental Health Court Description: Judge Allen runs an excellent Mental Health Court. His team consists of treatment, probation, defense and prosecution, and a mental health court coordinator. All are present for staffing and for court. There was excellent discussion concerning participants during the staffing. There was no reluctance during court for the team members to speak concerning participants. The probation agent is excellent with mentally ill clients.

H. The Ten (10) Essential Elements:

1. A BROAD BASED GROUP OF STAKEHOLDERS REPRESENTING THE CRIMINAL JUSTICE, MENTAL HEALTH, SUBSTANCE ABUSE TREATMENT, AND RELATED SYSTEMS AND THE COMMUNITY GUIDES PLANNING AND ADMINISTRATION OF THE COURT.

a. Used in design phase COMPLIANT

b. Determined eligibility criteria, monitoring mechanisms, and articulated clear, specific, and realizable goals. COMPLIANT

c. The planning committee designated members of an Advisory Group which monitor the court's adherence to its mission. COMPLIANT

2. ELIGIBILITY CRITERIA ADDRESS PUBLIC SAFETY AND CONSIDER A COMMUNITY'S TREATMENT CAPACITY, IN ADDITION TO THE AVAILABILITY OF ALTERNATIVES TO PRETRIAL DETENTION FOR DEFENDANTS WITH MENTAL ILLNESS.

a. Take into account the relationship between metal illness and a defendant's offenses. COMPLIANT

b. Specialized police based responses and pre-trial services programs. COMPLIANT

c. Closely coordinated with other problem solving courts such as drug court. COMPLIANT

3. PARTICIPANTS ARE IDENTIFIED, REFERRED, AND ACCEPTED INTO MENTAL HEATLH COURTS, AND THEN LINKED TO COMMUNITY-BASED SERVICE PROVIDERS AS QUICKLY AS POSSIBLE.

a. Welcome referrals from an array of sources such as law enforcement officers, jail and pretrial services staff, defense counsel, Judges, and family members. COMPLIANT

b. Advertise eligibility criteria and actively educates referral sources. COMPLIANT

c. The time required to accept someone into the program does not exceed the length of the sentence that someone would have received for the crime. COMPLIANT

d. Final determination of eligibility is a team decision. COMPLIANT

4. TERMS OF PARTICIPATION ARE CLEAR, PROMOTE PUBLIC SAFETY, FACILITATE THE DEFENDANT'S ENGAGEMENT IN TREATMENT, ARE INDIVIDUALIZED TO CORRESPOND TO THE LEVEL OF RISK THAT THE DEFENDANT PRSENTS TO THE COMMUNITY, AND PROVIDE FOR POSITIVE LEGAL OUTCOMES FOR THOSE INDIVIDUALS WHO SUCCESSFULLY COMPLETE THE PROGRAM.

a. There is a written treatment plan shared with the participant prior to entry into the program and the participant is made aware of noncompliance. COMPLIANT

b. Participants are made aware of all of the collateral consequences of a criminal conviction, i.e. housing, employment, future treatment. COMPLIANT

c. Length of program is not longer than maximum length of probation or incarceration the participant would have received. COMPLIANT

d. Intensity of supervision is determined by seriousness of the crime they committed. COMPLIANT

e. Length of the program is determined by the participant's progress in treatment. COMPLIANT

f. A participant is allowed to withdraw from the program, if in compliance, at any time without any adverse consequences. COMPLIANT

5. DEFENDANTS FULLY UNDERSTAND THE PROGRAM REQUIREMENTS FEFORE AGREEING TO PARTICIPATE IN A MENTAL HEALTH COURT. THEY ARE PROVIDED LEGAL COUNSEL TO INFORM THIS DECISION AND SUBSEQUENT DECISIONS ABOUT PROGRAM INVOLVEMENT. PROCEDURES EXIST IN THE MENTAL HEALTH COURT TO ADDRESS, IN A TIMELY FASHION, CONCERNS ABOUT A DEFENDANT'S COMPETENCY WHENEVER THEY ARISE.

a. Staff ensures that defendants fully understand the terms of participation, including the legal consequences if they do not adhere to the program conditions. COMPLIANT

b. Counsel is always present at a minimum when there is a risk of sanctions or removal from the program. COMPLIANT

6. MENTAL HEALTH COURTS CONNECT PARTICIPANTS TO COMPRHENSIVE AND INDIVIDUALIZED TREATMENT SUPPORTS AND SERVICES IN THE COMMUNITY.

a. The program provides coordinated treatment for both mental illness and substance abuse if needed. COMPLIANT

b. The case-manager has a caseload that allows for the performance of core functions and allows for the monitoring of the overall condition of the participant. COMPLIANT

c. The program assures that treatment and services will remain available after court supervision ends. COMPLIANT

7. HEALTH AND LEGAL INFORMATION SHOULD BE SHARED IN A WAY THAT PROTECTS POTENTIAL PARTICIPANTS'CONFIDENTIALITY RIGHTS AS MENTAL HEALTH CONSUMERS AND THEIR CONSTITUTIONAL RIGHTS AS DEFENDANTS.

a. The program adheres to federal and state laws that protect the confidentiality of medical, mental health, and substance abuse treatment records. COMPLIANT

b. The court maintains clinical records separate from court files. COMPLIANT

c. Discussions involving clinical information in open court is avoided. COMPLIANT

8. A TEAM OF CRIMINAL JUSTICE AND MENTAL HEALTH STAFF AND SERVICE AND TREATMENT PROVIDERS RECIEVES SPECIAL, ONGOING TRAINING AND HELPS MENTAL HALTH COURT PARTICIPANTS ACHIEVE TREATMENT AND CRIMINAL JUSTICE GOALS BY REGULARLY REVIEWING AAND REVISING THE COURT PROCESS.

a. The judge leads and encourages collaboration among the mental health court team. COMPLIANT

b. Team members take part in cross-training. COMPLIANT

c. The team attends national and/or in-state training and has the opportunity to observe the operation of other mental health courts. COMPLIANT

d. There is periodic review and revision of the court process. COMPLIANT

9. CRIMINAL JUSTICE AND MENTAL HEALTH STAFF COLLABORATIVELY MONIITOR PARTICIPANTS' ADHERENCE TO COURT CONDITIONS, OFFER INDIVIDUALIZED GRADUATED INCENTIVES AND SANCTIONS, AND MODIFY TREATMENT AS NECESSARY TO PROMOTE PUBLIC SAFETY AND PARTICIPANTS' RECOVERY.

a. Court staff is informed of participant's progress from all agencies involved. COMPLIANT

b. Sanctions are explained to participants prior to entering the program. COMPLIANT

c. There are incentives for a participant that exceeds the expectations of the program. COMPLIANT

10. DATA IS COLLECTED AND ANALYZED TO DEMONSTRATE THE IMPACT OF THE MENTAL HEALTH COURT, ITS PERFROMANCE IS ASSESSED PERIODICALLY, COURT PROCESSES ARE INSTITUTIONALIZED, AND SUPPORT FOR THE COURT IN THE COMMUNITY IS CULTIVATED AND EXPANDED.

a. Court and treatment conduct an exit interview with participants. COMPLIANT

b. The court has formulated and written policies and procedures. COMPLIANT WITH COMMENT: Court is in the process of formulating written policies and procedures.

c. The court has a plan for continued funding. COMPLIANT

d. The court has a plan on how to respond to serious program failures. COMPLIANT

Comments: The program is developing as they operate. The Judge and staff have all attended training and plan on additional training in the future. Treatment has done a number of presentations concerning the dynamics of mental illness. They are in the process of starting a mentoring program. This is a good program with a Judge that is willing to listen and learn. He has a good team behind him.

THIS COURT SHOULD BE USED AS A MENTORING COURT FOR THE REST OF THE STATE OF UTAH.

J. Recommendations: Preliminary Certification.

Cache County Juvenile Mental Health Court
Judge Larry Jones

CACHE COUNTY JUVENILE MENTAL HEALTH COURT

Judge LARRY JONES

DATE: JUNE 24,2013

Overview:

A. Authority: this review was conducted under the authority of CJA Rule 4-409 and the Judicial Council.

B. Purpose and Scope: the purpose of the review is to provide oversight and assistance to mental health courts operating in the State of Utah.

C. Methodology: The certification process included a review of the drug court policies, procedures and practices, and the (10) essential elements of a mental health court. Interviews were conducted with the mental health court staff, team members, and other persons involved in the operation of the mental health court.

D. Rating Criteria:

Compliant: Subject area was in compliance with standards.

Compliant with Comment: Subject area was in general compliance with standards but specific areas need to be addressed.

Non-compliant: Subject area has one or more significant problems with standards.

F. Mental Health Court Description: Judge Jones presides over a Juvenile Mental Health Court in both Cache County and Box Elder County. Neither Court meets the Ten Essential Elements of a Mental Health Court. Staffing is conducted between the Mental Health Court Coordinator and Treatment once a month. Neither the Judge, Prosecutor , or Defense are present for the staffing. The Judge stated that if Bear River Mental Health was required to come to staffing every week they would withdraw from the program. HE also stated that the Coordinator gets treatment information not only from Bear River but also from all the private providers. However, insurance will usually only pay for approximately ten visits with a private provider and after those ten visits the participants in the program do not receive any additional counseling. Most of his participants seem to be in the program because of problems with theft related charges and mental health issues.

There are 7 participants in the Cache County Program.

During court the Defense Counsel was present but there was not a prosecutor. The Judge stated that usually the prosecutor was present and not the defense attorney. Treatment was not present during the court session. The Mental Health Coordinator read a detailed report from treatment in court. There was no staffing prior to court so during the court session the Judge was given the information for the first time along with any attorneys that were present.

No sanctions were imposed that I observed and for incentives the participants are given a certain number of points every two weeks depending on their performance. When they reach a certain number of points they are rewarded with a cake or candy or some other incentive. The only immediate incentive is the praise and clapping from the Judge.

H. **The Ten (10) Essential Elements:**

1. A BROAD BASED GROUP OF STAKEHOLDERS REPRESENTING THE CRIMINAL JUSTICE, MENTAL HEALTH, SUBSTANCE ABUSE TREATMENT, AND RELATED SYSTEMS AND THE COMMUNITY GUIDES PLANNING AND ADMINISTRATION OF THE COURT.

a. Used in design phase. NON-COMPLIANT

b. Determined eligibility criteria, monitoring mechanisms, and articulated clear, specific, and realizable goals N/A

c. The planning committee designated members of an Advisory Group which monitor the court's adherence to its mission. NON-COMPLIANT

2. ELIGIBILITY CRITERIA ADDRESS PUBLIC SAFETY AND CONSIDER A COMMUNITY'S TREATMENT CAPACITY, IN ADDITION TO THE AVAILABILITY OF ALTERNATIVES TO PRETRIAL DETENTION FOR DEFENDANTS WITH MENTAL ILLNESS.

a. Take into account the relationship between metal illness and a defendant's offenses. COMPLIANT

b. Specialized police based responses and pre-trial services programs. N/A

c. Closely coordinated with other problem solving courts such as drug court. N/A

3. PARTICIPANTS ARE IDENTIFIED, REFERRED, AND ACCEPTED INTO MENTAL HEATLH COURTS, AND THEN LINKED TO COMMUNITY-BASED SERVICE PROVIDERS AS QUICKLY AS POSSIBLE.

a. Welcome referrals from an array of sources such as law enforcement officers, jail and pretrial services staff, defense counsel, Judges, and family members. N/A

b. Advertise eligibility criteria and actively educates referral sources. N/A

c. The time required to accept someone into the program does not exceed the length of the sentence that someone would have received for the crime. N/A

d. Final determination of eligibility is a team decision. N/A

4. TERMS OF PARTICIPATION ARE CLEAR, PROMOTE PUBLIC SAFETY, FACILITATE THE DEFENDANT'S ENGAGEMENT IN TREATMENT, ARE INDIVIDUALIZED TO CORRESPOND TO THE LEVEL OF RISK THAT THE DEFENDANT PRSENTS TO THE COMMUNITY, AND PROVIDE FOR POSITIVE LEGAL OUTCOMES FOR THOSE INDIVIDUALS WHO SUCCESSFULLY COMPLETE THE PROGRAM.

a. There is a written treatment plan shared with the participant prior to entry into the program and the participant is made aware of noncompliance. N/A

b. Participants are made aware of all of the collateral consequences of a criminal conviction, i.e. housing, employment, future treatment. COMPLIANT

c. Length of program is not longer than maximum length of probation or incarceration the participant would have received. COMPLIANT

d. Intensity of supervision is determined by seriousness of the crime they committed. COMPLIANT

e. Length of the program is determined by the participant's progress in treatment. COMPLIANT

f. A participant is allowed to withdraw from the program, if in compliance, at any time without any adverse consequences. COMPLIANT

5. DEFENDANTS FULLY UNDERSTAND THE PROGRAM REQUIREMENTS FEFORE AGREEING TO PARTICIPATE IN A MENTAL HEALTH COURT. THEY ARE PROVIDED LEGAL COUNSEL TO INFORM THIS DECISION AND SUBSEQUENT DECISIONS ABOUT PROGRAM INVOLVEMENT. PROCEDURES EXIST IN THE MENTAL HEALTH COURT TO ADDRESS, IN A TIMELY FASHION, CONCERNS ABOUT A DEFENDANT'S COMPETENCY WHENEVER THEY ARISE.

a. Staff ensures that defendants fully understand the terms of participation, including the legal consequences if they do not adhere to the program conditions. COMPLIANT

b. Counsel is always present at a minimum when there is a risk of sanctions or removal from the program. NON-COMPLIANT

6. MENTAL HEALTH COURTS CONNECT PARTICIPANTS TO COMPRHENSIVE AND INDIVIDUALIZED TREATMENT SUPPORTS AND SERVICES IN THE COMMUNITY.

a. The program provides coordinated treatment for both mental illness and substance abuse if needed. COMPLIANT

b. The case-manager has a caseload that allows for the performance of core functions and allows for the monitoring of the overall condition of the participant. N/A

c. The program assures that treatment and services will remain available after court supervision ends. NON-COMPLIANT

7. HEALTH AND LEGAL INFORMATION SHOULD BE SHARED IN A WAY THAT PROTECTS POTENTIAL PARTICIPANTS'CONFIDENTIALITY RIGHTS AS MENTAL HEALTH CONSUMERS AND THEIR CONSTITUTIONAL RIGHTS AS DEFENDANTS.

a. The program adheres to federal and state laws that protect the confidentiality of medical, mental health, and substance abuse treatment records. COMPLIANT

b. The court maintains clinical records separate from court files. COMPLIANT

c. Discussions involving clinical information in open court is avoided. COMPLIANT

8. A TEAM OF CRIMINAL JUSTICE AND MENTAL HEALTH STAFF AND SERVICE AND TREATMENT PROVIDERS RECIEVES SPECIAL, ONGOING TRAINING AND HELPS MENTAL HALTH COURT PARTICIPANTS ACHIEVE TREATMENT AND CRIMINAL JUSTICE GOALS BY REGULARLY REVIEWING AAND REVISING THE COURT PROCESS.

a. The judge leads and encourages collaboration among the mental health court team. NON-COMPLIANT

b. Team members take part in cross-training. NON-COMPLIANT

c. The team attends national and/or in-state training and has the opportunity to observe the operation of other mental health courts. COMPLIANT

d. there is periodic review and revision of the court process. COMPLIANT

9. CRIMINAL JUSTICE AND MENTAL HEALTH STAFF COLLABORATIVELY MONIITOR PARTICIPANTS' ADHERENCE TO COURT CONDITIONS, OFFER INDIVIDUALIZED GRADUATED INCENTIVES AND SANCTIONS, AND MODIFY TREATMENT AS NECESSARY TO PROMOTE PUBLIC SAFETY AND PARTICIPANTS' RECOVERY.

a. Court staff is informed of participant's progress from all agencies involved. COMPLINAT

b. Sanctions are explained to participants prior to entering the program. COMPLIANT

c. There are incentives for a participant that exceeds the expectations of the program. COMPLIANT WITH COMMENT: NOT ENOUGH IMMMEDIATE INCENTIVES.

10. DATA IS COLLECTED AND ANALYZED TO DEMONSTRATE THE IMPACT OF THE MENTAL HEALTH COURT, ITS PERFROMANCE IS ASSESSED PERIODICALLY, COURT PROCESSES ARE INSTITUTIONALIZED, AND SUPPORT FOR THE COURT IN THE COMMUNITY IS CULTIVATED AND EXPANDED.

a. Court and treatment conduct an exit interview with participants. COMPLIANT

b. The court has formulated and written policies and procedures. NOIN-COMPLIANT

c. The court has a plan for continued funding. NON-COMPLIANT

d. the court has a plan on how to respond to serious program failures. NON-COMPLIANT

J. Recommendations: PROVIDE OVERSITE STATING WHAT MUSST OCCUR FOR THE PROGRAM TO BE CERITIFIED.

Iron County Mental Health Court
Cedar City - Judge Walton

IRON COUNTY MENTAL HEALTH COURT, CEDAR CITY

Judge Walton

DATE April 2013

Overview:

A. Authority: this review was conducted under the authority of CJA Rule 4-409 and the Judicial Council.

B. Purpose and Scope: the purpose of the review is to provide oversight and assistance to mental health courts operating in the State of Utah.

C. Methodology: The certification process included a review of the drug court policies, procedures and practices, and the (10) essential elements of a mental health court. Interviews were conducted with the mental health court staff, team members, and other persons involved in the operation of the mental health court.

D. Rating Criteria:

Compliant: Subject area was in compliance with standards.

Compliant with Comment: Subject area was in general compliance with standards but specific areas need to be addressed.

Non-compliant: Subject area has one or more significant problems with standards.

F. Mental Health Court Description: This court is presided over by Judge John Walton. Judge Walton does an excellent job in mental health court. He should be considered a leader and mentor when it comes to this problem solving court. His team is cohesive and present during staffing and court. He has the addition of NOMI being present at all times. His team is experienced having been involved in drug court for a number of years.

H. **The Ten (10) Essential Elements:**

1. A BROAD BASED GROUP OF STAKEHOLDERS REPRESENTING THE CRIMINAL JUSTICE, MENTAL HEALTH, SUBSTANCE ABUSE TREATMENT, AND RELATED SYSTEMS AND THE COMMUNITY GUIDES PLANNING AND ADMINISTRATION OF THE COURT. Compliant

a. Used in design phase. Compliant

b. Determined eligibility criteria, monitoring mechanisms, and articulated clear, specific, and realizable goals. Compliant

c. The planning committee designated members of an Advisory Group which monitor the court's adherence to its mission. Compliant

2. ELIGIBILITY CRITERIA ADDRESS PUBLIC SAFETY AND CONSIDER A COMMUNITY'S TREATMENT CAPACITY, IN ADDITION TO THE AVAILABILITY OF ALTERNATIVES TO PRETRIAL DETENTION FOR DEFENDANTS WITH MENTAL ILLNESS.

a. Take into account the relationship between metal illness and a defendant's offenses. Compliant

b. Specialized police based responses and pre-trial services programs. Compliant

c. Closely coordinated with other problem solving courts such as drug court. Compliant

3. PARTICIPANTS ARE IDENTIFIED, REFERRED, AND ACCEPTED INTO MENTAL HEATLH COURTS, AND THEN LINKED TO COMMUNITY-BASED SERVICE PROVIDERS AS QUICKLY AS POSSIBLE. Compliant

a. Welcome referrals from an array of sources such as law enforcement officers, jail and pretrial services staff, defense counsel, Judges, and family members. Compliant

b. Advertise eligibility criteria and actively educates referral sources. Compliant

c. The time required to accept someone into the program does not exceed the length of the sentence that someone would have received for the crime. Compliant

d. Final determination of eligibility is a team decision. Compliant

4. TERMS OF PARTICIPATION ARE CLEAR, PROMOTE PUBLIC SAFETY, FACILITATE THE DEFENDANT'S ENGAGEMENT IN TREATMENT, ARE INDIVIDUALIZED TO CORRESPOND TO THE LEVEL OF RISK THAT THE DEFENDANT PRSENTS TO THE COMMUNITY, AND PROVIDE FOR POSITIVE LEGAL OUTCOMES FOR THOSE INDIVIDUALS WHO SUCCESSFULLY COMPLETE THE PROGRAM. Compliant

a. There is a written treatment plan shared with the participant prior to entry into the program and the participant is made aware of noncompliance. Compliant

b. Participants are made aware of all of the collateral consequences of a criminal conviction, i.e. housing, employment, future treatment. Compliant

c. Length of program is not longer than maximum length of probation or incarceration the participant would have received. Compliant

d. Intensity of supervision is determined by seriousness of the crime they committed. Compliant

e. Length of the program is determined by the participant's progress in treatment. Compliant

f. A participant is allowed to withdraw from the program, if in compliance, at any time without any adverse consequences. Compliant

5. DEFENDANTS FULLY UNDERSTAND THE PROGRAM REQUIREMENTS FEFORE AGREEING TO PARTICIPATE IN A MENTAL HEALTH COURT. THEY ARE PROVIDED LEGAL COUNSEL TO INFORM THIS DECISION AND SUBSEQUENT DECISIONS ABOUT PROGRAM INVOLVEMENT. PROCEDURES EXIST IN THE MENTAL HEALTH COURT TO ADDRESS, IN A TIMELY FASHION, CONCERNS ABOUT A DEFENDANT'S COMPETENCY WHENEVER THEY ARISE. Compliant

a. Staff ensures that defendants fully understand the terms of participation, including the legal consequences if they do not adhere to the program conditions. Compliant

b. Counsel is always present at a minimum when there is a risk of sanctions or removal from the program. Compliant

6. MENTAL HEALTH COURTS CONNECT PARTICIPANTS TO COMPRHENSIVE AND INDIVIDUALIZED TREATMENT SUPPORTS AND SERVICES IN THE COMMUNITY. Compliant

a. The program provides coordinated treatment for both mental illness and substance abuse if needed. Compliant

b. The case-manager has a caseload that allows for the performance of core functions and allows for the monitoring of the overall condition of the participant. Compliant

c. The program assures that treatment and services will remain available after court supervision ends. Compliant

7. HEALTH AND LEGAL INFORMATION SHOULD BE SHARED IN A WAY THAT PROTECTS POTENTIAL PARTICIPANTS'CONFIDENTIALITY RIGHTS AS MENTAL HEALTH CONSUMERS AND THEIR CONSTITUTIONAL RIGHTS AS DEFENDANTS. Compliant

a. The program adheres to federal and state laws that protect the confidentiality of medical, mental health, and substance abuse treatment records. Compliant

b. The court maintains clinical records separate from court files. Compliant

c. Discussions involving clinical information in open court are avoided. Compliant

8. A TEAM OF CRIMINAL JUSTICE AND MENTAL HEALTH STAFF AND SERVICE AND TREATMENT PROVIDERS RECIEVES SPECIAL, ONGOING TRAINING AND HELPS MENTAL HALTH COURT PARTICIPANTS ACHIEVE TREATMENT AND CRIMINAL JUSTICE GOALS BY REGULARLY REVIEWING AAND REVISING THE COURT PROCESS. Compliant

a. The judge leads and encourages collaboration among the mental health court team. Compliant

b. Team members take part in cross-training. Compliant

c. The team attends national and/or in-state training and has the opportunity to observe the operation of other mental health courts. Compliant

d. there is periodic review and revision of the court process. Compliant

9. CRIMINAL JUSTICE AND MENTAL HEALTH STAFF COLLABORATIVELY MONIITOR PARTICIPANTS' ADHERENCE TO COURT CONDITIONS, OFFER INDIVIDUALIZED GRADUATED INCENTIVES AND SANCTIONS, AND MODIFY TREATMENT AS NECESSARY TO PROMOTE PUBLIC SAFETY AND PARTICIPANTS' RECOVERY. Compliant

a. Court staff is informed of participant's progress from all agencies involved. Compliant

b. Sanctions are explained to participants prior to entering the program. Compliant

c. There are incentives for a participant that exceeds the expectations of the program. Compliant

10. DATA IS COLLECTED AND ANALYZED TO DEMONSTRATE THE IMPACT OF THE MENTAL HEALTH COURT, ITS PERFROMANCE IS ASSESSED PERIODICALLY, COURT PROCESSES ARE INSTITUTIONALIZED, AND SUPPORT FOR THE COURT IN THE COMMUNITY IS CULTIVATED AND EXPANDED. Compliant

a. Court and treatment conduct an exit interview with participants. Compliant

b. The court has formulated and written policies and procedures. Compliant

c. The court has a plan for continued funding. Compliant

d. the court has a plan on how to respond to serious program failures. Compliant

J. Recommendations: The court is presently working on written policies and procedures. He follows the guidelines and has no set graduation time. All graduations are figured on a case by case basis. The court has no phases but does use an All Star Docket.

They are trying to work on a shorter amount of time till entry into the program. They are having a problem with establishing direct referrals from the jail so it is taking too much time starting participants in the program.

They have established a duel jurisdiction with the Justice court so that participants can be referred to the program from the justice court.

RECOMMENDATION: CERTIFY

TAB 7

Standing Education Committee Report to the Judicial Council: July 22, 2013

Year in Review Highlights:

Greater community collaborations: The UEN, the U law school, the NJC, Michigan State University

Begin creating a distance learning capacity: Early emphasis on new judge orientation, interpreters

Revised and enhanced the new judge orientation process for District, Juvenile and Appellate judges

- NJO offered twice each calendar year
- Online resources and one on one training immediately after Senate confirmation to "fill the gap"
- Individually tailored NJO curriculum, e.g., those lacking criminal, civil, delinquency, welfare

Re-engineered and emphasized interpreter training for all court segments: Create civil glossary

Developed a "Train the Faculty" curriculum: Begin creating self-sustainable cadre of internal trainers

Partnered with Michigan State's "Judicial Administration Certificate Program":

- Mandatory 10 core course curriculum for TCE's, Clerks of Court, Chief Probation Officers
- To be treated as analogous to a Bachelor's degree for Utah courts' purposes
- "Blend" of ten in person and online courses to be completed within 5 years

Restructured probation officer education committee: Responsibility for professional development and career development placed with the Chief Probation Officers

Migrating to "paperless" judicial conferences: Must specifically "opt in" to receive hard copy materials

Developed audit "course observer evaluation" form for state judicial and clerks' conferences/classes

Offered for first time a joint Justice Court Judge and Clerk "Leadership Institute"

Delivered a very high volume of educational and professional development opportunities:

- Over 100 individual half day and full day courses were offered (over 1,000 students)
- Conduct at least 26 major statewide conferences (over 2,100 students)
- **Over 125 individual learning events reaching approximately 3,100 students**[1]

[1] The 3,100 student figure includes students who have attended more than one learning event in the last FY

TAB 8

Roy Justice Court

5051 South 1900 West
Roy, Utah 84067
(801) 774-1051
Fax (801) 774-1060
www.royutah.org

July 1, 2013

Utah Judicial Council
P.O. Box 140241
Salt Lake City, Utah 84114-0241

Re: Request for Court Hours Waiver

Dear Judicial Council,

Roy City is the sponsoring municipality for justice courts serving Hooper, Huntsville, Roy, West Haven, and unincorporated Weber County. For the summer only, June through August, Roy determined that the public and employees would be better served by adjusting the open hours of the city offices from the standard Monday-Friday, 8:00 am to 5:00 pm (40 hours) to Monday–Thursday 7:30 am to 5:30 pm and Friday 7:30 am to 11:30 am (44 hours).

Statute requires Class I justice courts to be open "(a) five days per week; or (b) no less than four days per week for at least 11 hours per day." UCA 78A-7-213. The court is one of the several Roy City departments. Concurrent with court business, the public may also need contact with other city departments: prosecutor, traffic school, code enforcement, dog license, city attorney, etc. It may be problematic if the court operates hours differently than the other city departments.

The Roy City Justice Court respectfully requests a waiver of the statutory four or five day open requirement to a modified four and one-half day schedule for the three summer months, consistent with the general Roy City office schedule as shown above.

Sincerely,

Judge Scott Waterfall

c: Christopher Davis, Roy City Manager

Court Services for: *Hooper • Huntsville • Roy City • Weber County • West Haven*