



# STATEWIDE COORDINATION OF PROBLEM-SOLVING COURTS: A SNAPSHOT OF FIVE STATES

This fact sheet describes the goals five states are pursuing as they coordinate their problem-solving courts. The five states are: California, Idaho, Indiana, Maryland, and New York.

In recent years, states around the country have begun to centralize their administration of problem-solving courts — drug courts, mental health courts, domestic violence courts, community courts, and others. How effective have these coordination efforts been? What challenges have been encountered along the way? What lessons have been learned so far?

Starting with a roundtable discussion in 2008 that brought together court administrators, policymakers, researchers, and representatives of national organizations, the Bureau of Justice Assistance — in partnership with the Center for Court Innovation — has helped statewide problem-solving court coordinators assess their work and find new ways to advance their goals. This document draws upon that roundtable discussion as well as interviews with statewide coordinators in five jurisdictions to identify the most common goals of statewide coordination. The states surveyed are California, Idaho, Indiana, Maryland, and New York.

## GOALS OF STATEWIDE COORDINATION

### ☐ Quality Assurance

In many states, quality assurance — helping problem-solving courts apply state-of-the-art strategies and maintain appropriate standards to achieve the best possible outcomes — is the core goal of statewide coordination. The challenge, some statewide coordinators say, is to provide effective oversight without stifling local innovation. Some methods employed by statewide coordinators include:

- creating and promulgating guidelines for planning and operation of courts;
- monitoring compliance with guidelines;
- identifying and promoting promising practices; and
- providing technical assistance.

### ☐ Training

Statewide coordinators identified training as another common goal of statewide coordination. Regular training promotes effective court operations, bringing new staff up to speed on problem-solving principles and practices, refreshing skills of long-term staff, and keeping everyone current about new developments in the field. While annual statewide trainings were the most commonly cited strategy, some jurisdictions discussed how reduced resources have provided them with the opportunity to find innovative ways to meet training needs, including developing Internet-based learning systems.

## ❑ Funding

All the statewide coordinators acknowledged that they had an important role to play in helping to find resources for problem-solving courts, including:

- tracking grant opportunities;
- educating legislators; and
- developing tools that help jurisdictions quantify the impact of their work.

## ❑ Research and Evaluation

Statewide coordinators use research and evaluation as tools to achieve many of the other goals identified in this fact sheet. Research and evaluation are central to fundraising, improving court performance, and training. The statewide coordinators recommended a number of ways to promote strong research and evaluation practices, including:

- providing localities with the training and tools to do on-site action research that gives individual courts useful feedback about program operations and performance;
- organizing large-scale evaluations to help courts refine their practice and promote the problem-solving court model; and
- disseminating information learned from research and evaluation.

## ❑ Technology

Statewide coordination has played an important role in improving information management technology to support court operations, program management, and research. Among other things, statewide coordinators have:

- adapted information systems to accommodate the needs of case management and compliance monitoring (for instance, allowing for tracking of participants' attendance at mandated treatment);
- designed technology to meet research and evaluation needs;
- trained various members of the court team (judge, court clerks, case manager) and relevant government agencies on how to use data systems;
- put in place appropriate confidentiality controls for protection of participants' information; and
- integrated special systems with the general court system's information management tools.

## ❑ Advocacy

Statewide coordinators work both internally and externally to advance the concept of problem-solving justice. Some strategies they have used include:

- helping to develop new problem-solving court models;
- leading campaigns to educate the public about the advantages of the problem-solving approach; and
- sponsoring research on how to integrate problem-solving principles into conventional courtrooms.

## STATE PROFILES

### California

*The role of coordination is support of local innovation for broad application of collaborative justice court principles and creation of a branchwide collaborative justice court system.*

— Nancy Taylor  
Collaborative Justice Program of  
the Administrative Office of the Courts

The Collaborative Justice Program of the Administrative Office of the Courts provides statewide coordination for California's 500 collaborative justice courts. Statewide administrators in California attribute the robust development of problem-solving courts to a combination of statewide coordination and grassroots interest. In California, many problem-solving courts (called "collaborative justice courts") predate the unification of the statewide court system in 1998 and the subsequent development of the California Judicial Council's Collaborative Justice Courts Advisory Committee in 2000, though the momentum of expansion greatly accelerated after 2000. Despite a large statewide apparatus to support problem-solving justice, statewide coordinators say they seek to preserve local commitment to collaborative justice court development.

## ❑ Quality Assurance

California has developed recommended guidelines for its various collaborative courts. California has also developed the *Collaborative Justice Courts: Resource Workbook* as a guide for planning and implementing effective collaborative justice court programs and *Applying Collaborative Justice Court Principles and*

*Practices*, a curriculum designed for collaborative justice court planners or those interested in incorporating collaborative justice court principles in conventional courtrooms. Quality assurance is also addressed through funding. Courts are required to adhere to 11 components identified by the Collaborative Justice Courts Advisory Committee that address all types of collaborative justice courts. Technical assistance, site visits, trainings and networking meetings help to ensure that courts are faithful to the 11 components.

### □ Training

California holds regional and statewide conferences and provides funding for a certain number of staff from each jurisdiction to attend. The Administrative Office of the Courts offers technical assistance to local courts, helping assess training needs and finding or providing resources to meet those needs. California also promotes mentorship by fostering connections between new judges and experienced judges and between new staff and experienced staff. More recently California has been looking to increase distance learning opportunities such as a Driving Under the Influence website for peer courts, a tool kit for veterans courts, and a “how-to” manual for Driving Under the Influence courts and Driving Under the Influence prevention programs. California provides networking meetings for collaborative justice court coordinators, listservs for judges, and networking conference calls by court type. The court system also provides educational programs in law schools and schools of social work, as well as placing interns from these schools in local collaborative justice courts.

### □ Funding

One of the tools used by California to address sustainability and funding is research. Positive research results have supported passage of appropriations bills for drug courts, mental health courts, reentry courts, peer courts, and homeless courts. To supplement state funding, courts are offered training and technical assistance in grant writing and grants administration. Over the years, collaborative justice work by the Administrative Office of the Courts has been funded by multiple funders, including the California Department of Mental Health, the California Department of Alcohol and Drug Programs, the California Emergency Management Agency, the Bureau of Justice Assistance, and several foundations.

Wanting to empower local jurisdictions, California is developing a validated tool to help individual courts produce cost-benefit information about

their own programs. The tool is web-based, and courts can enter data on their program’s procedures and participants and their associated costs (e.g., cost per drug test, average cost of a day of probation, etc.). The tool is able to calculate the costs and benefits of the program based on a comparison with a non-problem solving court using data collected in prior phases of the cost study. The tool will be launched initially only for drug courts, but there are plans to conduct additional cost-benefit studies for other court types. The hope is that jurisdictions will be able to regularly evaluate a court’s cost-effectiveness, without incurring large fees from outside evaluators, and be able to share this information with funders.

### □ Research and Evaluation

California’s statewide coordinators have tended to sponsor large evaluations of multiple programs rather than smaller evaluations of individual courts in the state. Examples of research include *Domestic Violence: A Descriptive Study* (an investigation of the potential challenges to implementing domestic violence courts) and *California Drug Courts: A Methodology for Determining Costs and Benefits* (a three-part evaluation involving nine courts to determine the cost-effectiveness of drug courts). A performance measures study of dependency drug courts (drug courts that address substance abuse issues that contribute to the removal of children from the care of their parents) is currently underway, as are evaluations of juvenile and adult mental health courts and reentry courts. In an effort to support the broad practice of collaborative justice court principles, the state administration also conducted a study entitled “Collaborative Justice in Conventional Courts.”

### □ Technology

The California court system is in the process of creating a statewide data management system. State administrators participated in the development of the system to ensure that case processing data for each type of collaborative court was included. The Administrative Office of the Courts, in partnership with Department of Alcohol and Drug Programs and with support from the Bureau of Justice Assistance, began the Statewide Collaborative Court Data Collection Project in December 2009. This multi-phase project focuses on assessing the data collection needs and capacities of collaborative justice courts in California, identifying and defining core data elements that should be collected by all collaborative courts throughout the state and pilot testing the feasibility of collecting such data on a statewide level. Design elements, such as data sharing capabilities,

are being discussed, and this information will eventually be used to create a statewide data collection system.

## □ Advocacy

California's Collaborative Justice Courts Advisory Committee has been investigating how to take collaborative justice principles to scale. In collaboration with the Center for Court Innovation, the committee issued two reports on transferring collaborative justice principles to mainstream courts and created the curriculum described above under 'Quality Assurance.' Members of the committee worked closely with the Judicial Council's Task Force for Criminal Justice Collaboration on Mental Health Issues to produce recommendations that feature many collaborative justice court principles and practices. A partnership with the California Department of Alcohol and Drug Programs and the Department of Social Services led to expanded funding of dependency drug courts and to a statewide inter-branch project to take dependency drug courts to scale. Similarly, statewide coordinators partnered with the Office of Traffic Safety to expand DUI courts, and to develop DUI prevention programs in peer courts and "DUI Court in Schools" programs. State administration worked with the Center for Court Innovation to develop a report on the history of California's collaborative justice courts for use in policy and public education environments.

## Idaho

*The development of problem-solving courts in Idaho has been a three-branch collaborative effort — with support from the executive branch, the legislature, and the supreme court.*

— Norma Jaeger  
Idaho Drug and Mental Health Court  
Coordinating Committee

While local leadership played an important role, leadership from the top has been critical to the expansion of problem-solving justice in Idaho. Opening its first drug court in 1998, Idaho had nine additional drug courts in operation by 2000. Judicial leaders, recognizing the intervention's potential to impact their large docket of drug dependent defendants, made expansion of drug courts their number-one priority for 2000's legislative session. That same year, the governor, in response to requests for increased funding for new prison construction, created a programmatic and budget package aimed at expanding access to substance abuse treatment. This initiative included funding for substance

abuse treatment for drug court participants. In 2001, the legislature passed the Idaho Drug and Mental Health Court Act (later amended to include Mental Health Courts), which set aside funding for problem-solving courts and created the Drug and Mental Health Court Coordinating Committee. By 2002, drug courts operated in all seven of Idaho's judicial districts, and by 2010, there were 57 drug and mental health courts across the state.

## □ Quality Assurance

The Drug and Mental Health Court Coordinating Committee requires that local jurisdictions give them notice before they open — or close — a problem-solving court. Approval by the committee is necessary to open a new problem-solving court. "We want to make sure that the plan for the court is consistent with best practices, that there are adequate resources to operate it, and that those participating have initial training," explains Judge Daniel Eismann, chief justice of the Idaho Supreme Court and chair of the Idaho Drug and Mental Health Court Coordinating Committee.

The coordinating committee has also developed guidelines for the operation of adult drug courts, juvenile drug courts, and mental health courts. The guidelines include information on screening and assessment of program participants, selection of appropriate treatment providers, case management, and evaluation. Idaho has used an annual, self-administered checklist to review compliance with statewide guidelines, and is developing a structured peer-review process, based on these guidelines and on additional research on evidence-based drug court practices. The coordinating committee will be further reviewing the current statewide guidelines with an eye to establishing required standards of operation. Finally, special judicial advisors have been appointed to visit local drug and mental health courts and offer support and assistance in achieving desired outcomes.

## □ Training

Idaho has sought to address the high cost of travel associated with holding its annual statewide training. The Drug and Mental Health Court Coordinating Committee developed two strategies to respond to this concern. The first was to move from having one statewide training to having multiple regional trainings. Idaho found that holding three regional trainings instead of one statewide training saves roughly 50 percent on the cost of travel for practitioners. The second strategy Idaho has pursued is increasing its

distance learning offerings. Idaho is developing webinars and holding online meetings with local practitioners.

Idaho continues to supplement its regional trainings with trainings for individual jurisdictions or targeted trainings on particular topics for designated groups, such as a training for new court coordinators. Idaho has also created a handbook for new coordinators that includes information on practical matters such as how to use the data management system.

### ❑ Funding

Continued funding for drug and mental health courts relies on forging strong partnerships with key stakeholders, including the Department of Health and Welfare, state and county probation agencies, elected county clerks and their deputies, and communities across the state. These partnerships led to a three-branch initiative of the governor, legislature, and the courts to address drug- and alcohol-related needs in the criminal justice system in 2001. In the midst of a prison overcrowding crisis, the legislature set aside money for drug courts and, subsequently, for mental health courts. In 2003, the Legislature established a special fund for drug and mental health courts, with revenues coming from a 2-percent surcharge on sales by the Idaho liquor dispensaries. The fund was later augmented by an increase in court fines. This fund, together with ongoing legislative appropriations for drug and alcohol treatment, has continued to provide a stable foundation for drug and mental health court operations.

### ❑ Research and Evaluation

The Drug and Mental Health Court Coordinating Committee has sponsored two evaluations of drug court outcomes and one evaluation of DUI court outcomes. A few local Idaho jurisdictions have conducted process evaluations, but the coordinating committee has been reluctant to encourage local jurisdictions to undertake outcome evaluations on their own. According to Norma Jaeger, statewide drug and mental health court coordinator, "Evaluation is best handled by someone with expertise and the ability to determine whether the data available is adequate for a particular type of evaluation. It is more likely that we on the state level would have the resources and the information necessary to accomplish evaluations. Given the limited resources and personnel, we really have not pushed local evaluation."

### ❑ Technology

Idaho has a statewide problem-solving information management system — originally developed when the Drug and Mental Health Court Coordinating Committee wanted to conduct an evaluation of its drug courts, and the experts hired from the University of Cincinnati to perform the evaluation found that there was not enough data collected by the courts to be evaluated. The coordinating committee requested that the experts provide them with a mandatory minimum of data elements that a court must collect in order to perform an evaluation. The system has since been augmented to provide for more sophisticated management and analysis. The problem-solving court data system is a module that is part of the larger court system's management information system.

In implementing its system, the coordinating committee confronted the challenge of manpower limitations on data entry. It found that court coordinators did not always have the time to input all of the necessary data. To address the problem, Idaho allowed jurisdictions to use some of their court coordination funding for data entry. Usually this took the form of hiring a part-time assistant to enter data.

### ❑ Advocacy

Advocacy for problem-solving courts has been a priority of the state's highest court and has been personally led by all of the chief justices, beginning in 2001. Drug courts and mental health courts have been marketed as a means of reducing prison populations. Because rising incarceration costs were a major concern, aligning drug courts with the legislature's agenda helped make the initiative attractive to legislators. To maintain support, the judiciary has delivered annual reports to legislators and invited legislators to participate in graduation ceremonies in their home district.

More recently, the judiciary petitioned the legislature to allow drug courts to issue restrictive driving permits to DUI defendants who have been in good standing for 45 days. The legislation passed unanimously despite the fact that it raised some initial media controversy. National endorsement of DUI courts by Mothers Against Drunk Driving was important to its passage. The support of Mothers Against Drunk Driving was earned by demonstrating that getting people into treatment, when combined with close supervision and strict court-administered accountability, is an effective strategy for reducing drunk driving.

## Indiana

*The Judicial Conference and the Indiana General Assembly provide courts with a framework within which to operate which is not overly prescriptive. Our system permits problem-solving courts a great deal of flexibility and independence.*

— Mary Kay Hudson  
Indiana Judicial Center

Problem-solving courts in Indiana have been shaped by legislation. The first drug court opened in Indiana in 1996. In 2002, lobbying by the Indiana Association of Drug Court Professionals led to the adoption of drug court legislation by the Indiana legislature. As part of the legislation, the Indiana Judicial Center of the Judicial Conference of Indiana was authorized to create a certification process for drug courts. In 2006, the legislature adopted legislation for reentry courts. In 2010, the legislature adopted general problem-solving courts legislation that authorizes the Indiana Judicial Center to certify all types of problem-solving courts.

Despite the active involvement of the legislature and the Indiana Judicial Center, Mary Kay Hudson, problem-solving court administrator for Indiana, believes the development of problem-solving justice in Indiana has been driven by demand from the localities. “Development has been initiated at the local level with support from the supreme court and the legislature. When we have new courts opening it is because a jurisdiction has learned about the model and has taken the initiative to begin planning on their own,” she said. Indiana currently has 31 drug courts, seven reentry courts and one mental health court that are certified by the Indiana Judicial Center. (There are some problem-solving courts that are not certified by the Indiana Judicial Center.)

### Quality Assurance

In 2010, the Indiana state legislature authorized the Indiana Judicial Center to offer certification of problem-solving courts. The Judicial Conference Problem-Solving Courts Committee is currently developing protocols for certifying a court as “problem-solving.” Once complete, the voluntary certification process will involve a review of the court’s policies, procedures, and operations to make sure they are in compliance with what is required by legislation, Judicial Conference Rules and case law. Courts that choose to participate in the process must be re-certified at least every three years.

Mary Kay Hudson explains that for a jurisdiction without a unified court system, developing rules for problem-solving courts can be a challenge due to

the variation in practices among local jurisdictions. Certification improves the local courts’ fidelity to the problem-solving court model. However, Indiana does not require problem-solving courts to be certified. Rather, the state encourages certification by making certified courts eligible for certain state grants and training opportunities.

### Training

The Indiana Judicial Center sponsors an annual training conference for problem-solving courts. The topics covered vary from year to year but the conference is designed to be broad enough to address the needs of the various types of courts and the differing experience levels of court team members. In 2010, the Indiana Judicial Center sponsored a conference on problem-solving court planning, which it hopes to turn into an annual event. Topics covered at the planning conference included confidentiality, screening and eligibility, principles of effective intervention, and use of incentives and sanctions. All trainings offered by the Indiana Judicial Center are open to problem-solving court team members of an operational court or a court in planning and offered free of charge. However, the Indiana Judicial Center does not cover the cost of lodging or travel for training events.

### Funding

Indiana does not have state appropriations for problem-solving courts. However, the Indiana Judicial Center works with local jurisdictions to support problem-solving court expansion (in 2002, there were 14 drug courts; by 2010, there were 31). Mary Kay Hudson attributes this success to local jurisdictions actively pursuing grant funding and finding inventive ways to use available resources. The Indiana Judicial Center supports local jurisdictions by being a resource for information on funding opportunities, assisting in grant writing and preparing letters of support, and fostering relationships with state and national organizations that provide funding or technical assistance.

### Research and Evaluation

The Indiana Judicial Center has contracted with an outside agency to conduct evaluations of Indiana’s problem-solving courts. Between 2006 and 2007, NPC Research, a private research and evaluation consulting firm, conducted process, outcome, and cost-study evaluations on five adult drug courts. The center also encourages local jurisdictions to perform their own evaluations. As part of its certification process, the center frequently recommends that juris-

dictions implement a research and evaluation program. In addition, the center uses the latest research on problem-solving justice to inform the recommendations that it makes to local jurisdictions during the certification process.

### ❑ Technology

Indiana is in the process of creating a statewide data management system for its general court system. The community supervision module of the system will be responsive to the needs of problem-solving courts. For example, the new system will allow problem-solving courts to track the following information: drug screens, medications, sanctions, and administrative hearings. The supervision module is currently being piloted.

### ❑ Advocacy

The Indiana Judicial Center has been consulting with Madison County on developing a way to take problem-solving justice to scale. The county received a grant as part of the American Recovery and Reinvestment Act to pursue integrating the administrative structures of its mental health, reentry, and drug courts with the goal of creating an umbrella structure that improves efficiency and resource allocation.

## Maryland

*Coordination has made the difference for us. Being able to promote problem-solving in a systematic way and have quality control over problem-solving courts has been important to the development of the movement.*

— Judge Jamey Hueston  
Maryland Judicial Conference's Committee on  
Problem-Solving Courts

Judicial leaders have been a major force behind problem-solving courts in Maryland. In 2002, the judiciary established the Drug Treatment Courts Commission to promote the development of drug courts through promulgation of promising practices, provision of training and technical assistance, and facilitation of evaluation. Membership in the commission included representatives of the Governor's Office, legislators, circuit and district court judges, and various state agencies. Wanting to institutionalize the work of the commission and expand its scope to all problem-solving courts, in 2006 the judiciary created the Judicial Conference Committee on Problem-Solving Courts. As a standing committee of the Judicial Conference, the Committee on Problem-Solving

Courts is embedded in the judiciary's administrative system.

Although problem-solving courts enjoy support from both executive and legislative branches, Maryland does not have formal legislation that regulates problem-solving courts. By 2010, Maryland had over 40 problem-solving courts.

### ❑ Quality Assurance

All jurisdictions interested in starting a problem-solving court must apply to the Judicial Conference Committee on Problem-Solving Courts. The application process involves a review of the court's policies, procedures, projected caseload, service offerings to court participants, funding sources, and agency/service organization partnerships. Once the applicant's proposal has been vetted by the committee on Problem-Solving Courts, the application is sent to the Maryland Court of Appeals for final approval. As an aid to planning, the committee has also developed guides to assist in implementing drug courts (including juvenile drug treatment, DUI, and dependency drug treatment courts).

In addition to the application process, other strategies in the committee's oversight plan for problem-solving courts include: periodic site visits, regular review of program capacity rates, periodic review of progress and statistical reports and technical assistance to individual jurisdictions to help address challenges.

### ❑ Training

Maryland statewide coordinators sponsor a yearly two-day training symposium. The symposium brings in experts from around the country to cover topics of importance to practitioners, such as treating juveniles, conducting clinical assessments, and drug testing. Since its inception in 2003, the symposium's attendance has steadily increased, and in 2009, the symposium hosted over 250 drug court team members. While originally focused on drug courts, the symposium has expanded to include topics relevant to mental health and truancy courts.

In 2009, in partnership with Goodwill Industries of the Chesapeake, the Office of Problem-Solving Courts also held "roles training" for drug court case managers and representatives from partnering agencies such as Probation and the Department of Juvenile Services. The purpose of the training was to explain the role of the case manager in drug court. Held over a six-month period, the training consisted of 60 hours of instruction on such

topics as motivational interviewing, case notes, clinical tools, ethics, and confidentiality.

The Office of Problem-Solving Courts has created a “Drug Court 101” course as an introduction for new drug court staff. The course provides an overview of how drug courts operate and describes the roles and responsibilities of each member of the drug court team.

While the current economic climate has required the Office of Problem-Solving Courts to stop funding out-of-state travel for training, the Office of Problem-Solving Courts may cover the cost of in-state training and travel for practitioners through funds granted to problem-solving courts by the state legislature.

### ❑ Funding

Maryland employed an educational campaign to secure state funding for its problem-solving courts. Educational efforts aimed at legislators, which also benefitted from the support of the state’s chief judge, Robert Bell, included many in-person meetings. While time consuming, these meetings were critical to the success of the campaign because they provided the opportunity to improve understanding of the benefits of problem-solving courts, identify mutual goals, and develop coordinated strategies.

Maryland’s Office of Problem-Solving Courts currently manages approximately five million dollars received from the state legislature. It distributes these funds directly to local jurisdictions through an application process. It also underwrites treatment of program participants by providing money to the Maryland Drug Abuse Administration. Because of its expertise, the Drug Abuse Administration is viewed as being better able to monitor the use of treatment dollars.

### ❑ Research and Evaluation

Maryland has a detailed strategic evaluation plan that includes process, outcome, and cost-benefit evaluations. Working with NPC Research, Maryland has been able to complete process evaluations of all of its drug courts. It has also been able to conduct outcome and cost-benefit evaluations of drug courts that are sufficiently large to generate adequate data to study. Maryland is now working with the University of Maryland to expand its evaluation program to include other problem-solving courts. “The only way we are going to survive is through evaluations,” says Judge Jamey Hueston, chair of the Committee on Problem-Solving Courts.

Evaluation has helped court administrators cultivate bipartisan support for problem-solving courts at the local and state levels.

### ❑ Technology

Maryland has a statewide management information system in use by all of its drug courts. The impetus to develop the system came from the need to collect data for evaluation purposes but the system has uses beyond research. One of these is a mechanism for inter-agency data sharing that improves communication, collaboration, and coordination among the courts and partner agencies. A strict electronic client release (consent) procedure helps prevent breaches of client confidentiality.

### ❑ Advocacy

Maryland’s statewide coordination body has worked to build strong support for problem-solving initiatives within the judicial, legislative, and executive branches. Key to its strategy has been the strong leadership of the chief judge.

## New York

*For New York State to effectively build a large network of problem-solving courts, we needed a statewide office with the authority, expertise, and staff to develop and oversee planning and implementation.*

— Judge Judy Harris Kluger  
Chief of Policy and Planning for the New York State  
Unified Court System

The development of problem-solving courts in New York was propelled by judicial leadership. Early support from judicial leaders such as former Chief Judge Judith Kaye and current Chief Judge Jonathan Lippman has been critical to the success of the movement. Having witnessed the impact of drug courts, first opened in New York in the 1990s, former Chief Judge Judith Kaye convened an independent commission to investigate New York State courts’ handling of drug cases. Based on the recommendation of the commission that drug treatment courts be made available in every jurisdiction, the Office of Court Drug Treatment Programs was established to promote the development of drug courts.

Judge Judy Harris Kluger was appointed to oversee the development and operation of problem-solving courts beginning in 2003, and, as other types of courts opened, her statewide coordination was expanded to include integrated domestic violence courts, domestic violence courts, community courts, sex offense courts, mental health courts, drug courts, and family treatment courts. Most recently, New York has introduced veterans’ tracks

in conjunction with existing drug or mental health courts. New York has over 300 problem-solving courts.

#### ❑ Quality Assurance

Before planning a new problem-solving court, the Office of Policy and Planning works with local administrative judges to determine the location for the court and select the presiding judge. Typically, staff from the Office of Policy and Planning and the Center for Court Innovation then work closely with the designated judge and court staff through a several month planning process that includes local stakeholders. That process culminates in the creation of a document that the Office of Policy and Planning and the local administrative judge must approve before the court begins hearing cases. Through this planning process, each court is created according to the statewide model, with flexibility to accommodate some local variation.

To support the problem-solving courts and promote consistency, the Office of Policy and Planning has created numerous guides and operations manuals, including *Integrated Domestic Violence and Domestic Violence Tool Kits*, the *Sex Offense Court Training and Legal Resource Materials* binder, and the *Drug Court Recommended Practices* guide.

The Office of Policy and Planning maintains contact with the nearly 300 problem-solving courts around the state. Through site visits, statistical review and communications with judges and court personnel, New York's statewide coordinators identify problems before they become serious.

#### ❑ Training

The Office of Policy and Planning works with the Center for Court Innovation and other national experts to ensure that appropriate training is available for each court type and its judges, staff, and other stakeholders. The office conducts a statewide training program of its own. It also sends judges and court staff in the problem-solving courts to national trainings as well.

Given the current fiscal crisis, New York has been exploring ways to provide training at a reduced cost. For example, the Office of Policy and Planning offers webinars and videotaped training to judges and court staff without the need for travel within the state. Recently, in partnership with the Center for Court Innovation, New York developed an online training website for drug courts. The online learning system includes presentations by national experts on core topics (such as adolescent chemical use, pharmacology of addiction, and incentives and sanctions), a resource library with materials on best practices in

planning and implementing a drug court, and a virtual site tour of a drug court.

#### ❑ Funding

During uncertain fiscal times, statewide coordination has become even more important to the continued vitality of problem-solving courts in New York. "We have worked hard to access grant funding for our courts, which has allowed us to send more people to treatment," explains Judge Judy Kluger, chief of the Office of Policy and Planning. New York has also used grant funds to develop training programs. The Office of Policy and Planning has been working with local jurisdictions to analyze ways to improve efficiency, particularly looking at how to maximize the use of existing staff across multiple projects.

#### ❑ Research and Evaluation

New York relies on the Center for Court Innovation to perform research and evaluation of problem-solving courts. The center has conducted numerous independent evaluations (process, outcome, and cost-benefit analysis) that the statewide coordinators' office uses to improve court programs. For instance, a center study found that participation in batterer intervention programs did not impact recidivism. The Office of Policy and Planning disseminated that information to all domestic violence courts, and, as a result, domestic violence courts in New York rarely include batter programs to effect behavior change, but use them as a mandate and as means of monitoring defendants. In 2011, the center will spearhead a major evaluation of New York drug courts that will include 87 sites. The study will seek to determine which drug court policies and procedures have positive or negative effects on outcomes.

#### ❑ Technology

New York has developed a number of supportive technology applications for problem-solving courts to track cases and record information on case status, activity, and services. The Division of Technology, in collaboration with the Office of Policy and Planning, developed and supports applications for criminal drug courts and family treatment courts, integrated domestic violence courts and domestic violence courts, sex offense courts, and mental health courts. The drug court application, one of the earliest of these systems, includes instruments to screen clients for admission, assess their treatment needs, and track compliance in drug courts. Staff from the Center for Court Innovation work closely with the Office of Policy and Planning and the Division of Technology to prioritize system improvements, assist in designing

new systems, provide user support, develop data reports, and conduct training.

With one of the largest problem-solving court networks in the country, New York leverages technology to allow it to remain nimble in its response to changing conditions. With the reform in 2009 of the Rockefeller-era drug-sentencing laws, New York has seen a rise in defendants being sent to treatment instead of jail. New York is investigating how technology can be used to expand drug court capacity, particularly looking at building an automated-screening system that would screen new arrests for drug court.

### □ Advocacy

The existence of a central coordinator's office enabled not only the propagation of additional problem-solving courts in New York but also the creation of new problem-solving court types. Sex offense courts and mental health courts, for example, gained traction under the leadership of the Office of Policy and Planning.

The Office of Policy and Planning brings into the state new ideas and information on problem-solving courts and on the underlying subject matter of these courts. The Office of Policy and Planning views training as a form of advocacy. For example, training for sex offense court judges and staff includes information on the latest research on sex

offender management and treatment, much of which has changed the way judges think about sex offense cases.

The Office of Policy and Planning promotes coordination and information-sharing between the courts and outside agencies such as the Division of Criminal Justice Services and the Office of Mental Health, which in turn helps to support the work of problem-solving courts.

## FOR MORE INFORMATION

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[www.courtinnovation.org](http://www.courtinnovation.org)

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## FURTHER READING

***'A New Way of Doing Business': A Conversation about the Statewide Coordination of Problem-Solving Courts***  
[http://www.courtinnovation.org/sites/default/files/statewide\\_rt\\_2\\_09.pdf](http://www.courtinnovation.org/sites/default/files/statewide_rt_2_09.pdf)

***Applying the Problem-Solving Model Outside of Problem-Solving Courts***  
<http://www.courtinnovation.org/sites/default/files/Applying%20Problem-SolvingModel.pdf>

***Breaking with Tradition: Introducing Problem Solving in Conventional Courts***  
<http://www.courtinnovation.org/sites/default/files/break%20with%20trad.pdf>

***Going to Scale: A Conversation About the Future of Drug Courts***  
<http://www.courtinnovation.org/sites/default/files/goingtoscale1.pdf>

***Principles of Problem-Solving Justice***  
<http://www.courtinnovation.org/sites/default/files/Principles.pdf>

***Problem-Solving and the American Bench: A National Survey of Trial Court Judges***  
[http://www.courtinnovation.org/sites/default/files/natl\\_judges\\_survey.pdf](http://www.courtinnovation.org/sites/default/files/natl_judges_survey.pdf)

***The Hardest Sell? Problem-Solving Justice and the Challenges of Statewide Implementation***  
<http://www.courtinnovation.org/sites/default/files/Hardest%20Sell1.pdf.pdf>