

STATE OF MICHIGAN SIXTH JUDICIAL CIRCUIT OAKLAND COUNTY	ORDER REGARDING THE ESTABLISHMENT OF A JUVENILE DRUG TREATMENT COURT	ADMINISTRATIVE ORDER 2009-02
---	---	---------------------------------

**IT IS ORDERED:**

This administrative order is issued in accordance with MCL 600.1060 *et seq.* In June of 2001, a Juvenile Drug Treatment Court was established in the Sixth Circuit Court upon approval by the State Court Administrative Office (SCAO). All policies and procedures comply with the statute and are consistent with the 10 Key Components of Drug Treatment Courts promulgated by the National Association of Drug Court Professionals (see attachment A) as required by MCL 600.1060(c), as well as the 16 Strategies of Juvenile Drug Courts promulgated by the National Drug Court Institute (see attachment B).

1. The Court has entered into a Memorandum of Understanding (MOU) with each participating county prosecuting attorney in the circuit or district court district, a representative of the criminal defense bar, a representative of community treatment providers and other key parties pursuant to MCL 600.1062. The MOU describes the role of each party (see attached).
2. The Court has established eligibility criteria consistent with MCL 600.1064 and 600.1068.
3. In compliance with MCL 600.1064(3), no participant shall be admitted until a complete preadmission screening and substance abuse assessment are completed.
4. All participants shall sign a voluntary written consent to participate in the program in conformance with MCL 600.1068(1)(d).
5. The Court shall maintain case files in compliance with Trial Court General Schedule 16, the Michigan Case File Management Standards, and Part 2 of Title 42 of the Code of Federal Regulations to assure confidentiality of drug treatment court records.
6. The Court has established, as part of its program requirements, procedures to assure compliance with MCL 600.1072 and 600.1074.
7. Pursuant to MCL 600.1078, the Court shall provide the SCAO with the minimum standard data established by the SCAO for each individual applicant and participant of the drug treatment court program.
8. The Court shall use the Drug Court Case Management Information System (DCCMIS) to maintain and submit the minimum standard data as determined by the SCAO while receiving grant money from the SCAO.

9. The Court acknowledges that case disposition information regarding drug treatment court participation is unavailable from the Department of State driving record and criminal history record, and failure to use the DCCMIS will result in the absence of a complete record of drug treatment court participation in Michigan courts.
10. The Court acknowledges that it has completed the federal Drug Court Planning Initiative training sponsored by the Bureau of Justice Assistance, in compliance with MCL 600.1062(3).

This Administrative Order is effective May 7, 2009.

  
\_\_\_\_\_  
Wendy Potts, Chief Judge

5-7-09  
\_\_\_\_\_  
Date

## ATTACHMENT A

### **The 10 Key Components of Drug Treatment Courts** **as Promulgated by the National Association of Drug Court Professionals**

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

**Key Component #2:** Using a nonadversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.

**Key Component #3:** Eligible participants are identified early and promptly placed in the drug court program.

**Key Component #4:** Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.

**Key Component #5:** Abstinence is monitored by frequent alcohol and other drug testing.

**Key Component #6:** A coordinated strategy governs drug court responses to participants' compliance.

**Key Component #7:** Ongoing judicial interaction with each drug court participant is essential.

**Key Component #8:** Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.

**Key Component #9:** Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.

**Key Component #10:** Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

## ATTACHMENT B

### The 16 Strategies of Juvenile Drug Courts as Promulgated by the National Drug Court Institute

**Strategy #1: Collaborative Planning.** Engage all stakeholders in creating an interdisciplinary, coordinated, and systemic approach to working with youth and their families.

**Strategy #2: Teamwork.** Develop and maintain an interdisciplinary, non-adversarial work team.

**Strategy #3: Clearly Defined Target Population & Eligibility Criteria.** Define a target population and eligibility criteria that are aligned with the program's goals and objectives.

**Strategy #4: Judicial Involvement & Supervision.** Schedule frequent judicial reviews and be sensitive to the effect that court proceedings can have on youth and their families.

**Strategy #5: Monitoring & Evaluation.** Establish a system for program monitoring and evaluation to maintain quality of service, assess program impact, and contribute to knowledge in the field.

**Strategy #6: Community Partnerships.** Build partnerships with community organizations to expand the range of opportunities available to youth and their families.

**Strategy #7: Comprehensive Treatment Planning.** Tailor interventions to the complex and varied needs of youth and their families.

**Strategy #8: Developmentally Appropriate Services.** Tailor treatment to the developmental needs of adolescents.

**Strategy #9: Gender-Appropriate Services.** Design treatment to address the unique needs of each gender.

**Strategy #10: Cultural Competence.** Create policies and procedures that are responsive to cultural differences and train personnel to be culturally competent.

**Strategy #11: Focus on Strengths.** Maintain a focus on the strengths of youth and their families during program planning and in every interaction between the court and those it serves.

**Strategy #12: Family Engagement.** Recognize and engage the family as a valued partner in all components of the program.

**Strategy #13: Educational Linkages.** Coordinate with the school system to ensure that each participant enrolls in and attends an educational program that is appropriate to his or her needs.

**Strategy #14: Drug Testing.** Design drug testing to be frequent, random, and observed. Document testing policies and procedures in writing.

**Strategy #15: Goal-Oriented Incentives and Sanctions.** Respond to compliance and noncompliance with incentives and sanctions that are designed to reinforce or modify the behavior of youth and their families.

**Strategy #16: Confidentiality.** Establish a confidentiality policy and procedures that guard the privacy of the youth while allowing the drug court team to access key information.

**OAKLAND COUNTY FAMILY-FOCUSED  
JUVENILE DRUG COURT**

**MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding is entered into by and between the Oakland County Circuit Court, Oakland County Prosecuting Attorney, Oakland County Sheriff's Office, Oakland County Health Division/Office of Substance Abuse Services, and Defense Counsel. The parties agree as follows:

1. The mission of the Oakland County Family-Focused Juvenile Drug Court is to promote public safety and reduce juvenile drug crime rates by helping substance abusing juvenile offenders and their families achieve drug free lifestyles and healthy family relationships.
2. The parties will work cooperatively to achieve the following goals:
  - A. Reduce drug use and ensure that participants maintain sobriety by requiring frequent random drug testing and close monitoring.
  - B. Reduce recidivism by providing qualified intensive supervision, substance abuse treatment, and relapse prevention.
  - C. Reduce the use of costly out-of-home placements by providing in-home alternatives to monitor and rehabilitate eligible youth.
  - D. Minimize delay between the offense and the initiation of treatment for program participants.
  - E. Improve juvenile and family functioning by providing ethnic and gender sensitive skill building initiatives for youth and families.
3. The Family-Focused Juvenile Drug Court will comply with the 10 key components of drug courts promulgated by the National Association of Drug Court Professionals:
  - A. Integration of alcohol and other drug treatment services with justice system case processing.

12/15/2004

- B. Use of a nonadversarial approach by prosecution and defense that promotes public safety while protecting any participant's due process rights.
  - C. Identification of eligible participants early with prompt placement in the program.
  - D. Access to a continuum of alcohol, drug, and other related treatment and rehabilitative services.
  - E. Monitoring of participants effectively by frequent alcohol and other drug testing to ensure abstinence from drugs or alcohol.
  - F. Use of a coordinated strategy with a regimen of graduated sanctions and rewards to govern the court's responses to participants' compliance.
  - G. Ongoing close judicial interaction with each participant and supervision of progress for each participant.
  - H. Monitoring and evaluation of the achievement of program goals and the program's effectiveness.
  - I. Continued interdisciplinary education in order to promote effective drug court planning, implementation, and operation.
  - J. The forging of partnerships among other drug courts, public agencies, and community-based organizations to generate local support.
4. The parties will follow the protocol set forth in the Oakland County Family-Focused Juvenile Drug Court Policy and Procedure Manual, which is incorporated by reference.

5. The roles and responsibilities of the parties are as follows:

**Juvenile Drug Court Judge:** The Oakland County Juvenile Drug Court Judge assumes the primary role to motivate participants, ensure a cooperative atmosphere for team members and related facilitators, provide appropriate rewards and sanctions for participants, and assume a leadership role for the team. The judge presides at weekly status review hearings, participates in all prehearing conferences, and attends pertinent drug court team training.

**Juvenile Drug Court Referee:** The referee participates in weekly status review hearings, as well as case conferences. The referee acts as a quasi-judicial

officer, and provides coverage for any absences of the Juvenile Drug Court Judge.

Prosecuting Attorney: The Chief of the Juvenile Unit reviews police complaints on youth potentially eligible for the Juvenile Drug Court program and prepares petitions for the Court to authorize. Following review, the assistant prosecutor advises Drug Court staff of those cases meeting eligibility criteria for referral. The assistant prosecutor participates in weekly case conferences and status review hearings and attends drug court team training.

Defense Attorney: The defense attorney represents potential participants in Drug Court. The attorney meets with the assigned assistant prosecutor to negotiate pleas, make appropriate motions for the dismissal of charges upon successful completion of the program, and represent participants who are rejected or unsuccessfully discharged from the program. The attorney attends drug court training and participates in weekly case conferences and review hearings.

Probation Officers: Specially trained Juvenile Drug Court probation officers are responsible for the daily monitoring of assigned drug court participants. They are also responsible for presenting written and oral reports to the team at case conferences and status review hearings.


Juvenile Drug Court Coordinator: The coordinator oversees the running of the program, both internally and externally, and is responsible for planning and scheduling trainings for the drug court team.

Substance Abuse Coordinating Agency: The Oakland County Health Division/Office of Substance Abuse Services participates in weekly case conferences, and serves as a consultant to the team on issues of clinical assessment, client treatment needs, and available community resources.

Contract Treatment Agencies: Treatment providers under contract with the Drug Court participate in weekly case conferences, attend status review hearings and provide information and recommendations about specific treatment issues for individual participants and their families.

Researchers/Evaluators: Representatives on active evaluation projects regularly attend case conferences and reviews. The evaluators are responsible for providing process and outcome program evaluation.

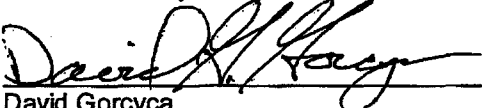
Sheriff's Office: The Oakland County Sheriff's Office transports detained program participants and provides security for the Juvenile Drug Court.

  
\_\_\_\_\_  
Wendy L. Potts, Chief Judge  
Oakland County Circuit Court

Date: 12/22/04 *cm*

  
\_\_\_\_\_  
Edward Sosnick, Juvenile Drug Court Judge  
Oakland County Circuit Court

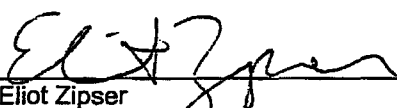
Date: 12/22/04 *cm*

  
\_\_\_\_\_  
David Gorcyca  
Oakland County Prosecuting Attorney

Date: 1-4-05

  
\_\_\_\_\_  
Michael Bouchard  
Oakland County Sheriff

Date: 12/21/04

  
\_\_\_\_\_  
Eliot Zipser  
Defense Attorney

Date: 12-22-04

  
\_\_\_\_\_  
George Miller, Manager/Health Officer  
Oakland County Health Division

Date: 1-3-05

  
\_\_\_\_\_  
Michael S. Earl, President  
Oakland Family Services

Date: 12-27-04