



14-B DISTRICT COURT

7200 SOUTH HURON RIVER DRIVE
YPSILANTI, MICHIGAN 48197-7099

CRIMINAL/TRAFFIC (734) 483-1333
CIVIL (734) 483-5300
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HON. CHARLES POPE
DISTRICT COURT JUDGE

MARK W. NELSON
MAGISTRATE

Administrative Order [year] - [number] *2015-3*

ORDER FOR THE ESTABLISHMENT OF A DRUG TREATMENT COURT

IT IS ORDERED:

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

1. The court has entered into a Memorandum of Understanding with each participating county prosecuting attorney in the circuit or district court district, a representative of the criminal defense bar, a representative of community treatment providers and other key parties pursuant to MCL 600.1062. The Memorandum of Understanding is attached.
2. The court has established eligibility criteria consistent with MCL 600.1064 and 600.1068.
3. In compliance with MCL 600.1064(3), no participant shall be admitted until a complete preadmission screening and substance abuse assessment are completed.
4. All participants shall sign a voluntary written consent to participate in the program in conformance with MCL 600.1068(1)d.
5. The court shall maintain case files in compliance with Trial Court General Schedule 16, the Michigan Case File Management Standards, and Part 2 of Title 42 of the Code of Federal Regulations to assure confidentiality of drug treatment court records.

6. The court has established, as part of its program requirements, procedures to assure compliance with MCL 600.1072 and 600.1074.
7. Pursuant to MCL 600.1078, the court shall provide the SCAO with the minimum standard data established by the SCAO for each individual applicant and participant of the drug treatment court program.
8. The court shall use the Drug Court Case Management Information System (DCCMIS) to maintain and submit the minimum standard data as determined by the SCAO while receiving grant money from the SCAO.

Effective Date: 7-31-15

Date: 7-31-15

Chief Judge Signature: _____



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.



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HON. CHARLES POPE
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MARK W. NELSON
MAGISTRATE

MEMORANDUM OF UNDERSTANDING WASHTENAW COUNTY DRUG TREATMENT COURT

This is an understanding between the Washtenaw County Prosecuting Attorney, Ypsilanti Township Attorney, Washtenaw County Sheriff Department, Community Corrections, 22nd Judicial Circuit, 14A Judicial District Court, 14B Judicial District Court, 15th Judicial District Court, Defense Counsel Representative, Treatment Provider(s), University of Michigan Law School Human Trafficking Clinic, and Drug Court Project Coordinator.

1. The parties agree to share the following vision for the Washtenaw County Drug Court:
 - A. Enhance the quality of life throughout Washtenaw County;
 - B. Provide leadership through innovative services;
 - C. Continuously improve services;
 - D. Achieve program goals through teamwork;
 - E. Break the generational cycle of criminality and substance abuse.
 - F. Screen for and identify victims of human trafficking among Drug Court Defendants and provide appropriate services to address the issues beyond addiction for this subgroup of defendants.
2. We endorse the goals and mission of the Washtenaw County Drug Court Program in order for participants to eliminate future criminal behavior and improve the quality of their lives. For these programs to be successful, cooperation must occur within a network of systems to facilitate and achieve the mission, challenge and vision of the Washtenaw County Drug Court;
3. We agree that the mission of the drug court program shall be to successfully rehabilitate substance abusing individuals while maintaining public safety and;
4. We agree to the following challenge of the drug court program: Engaging substance abusing individuals involved in the criminal justice system in a continuum of treatment services and providing them with appropriate intervention through treatment, rehabilitative programming, reinforcement, and monitoring.
5. There are ten principles under which the respective agencies work cooperatively:
 - A. Drug and alcohol addiction is a chronic relapsing disease that is treatable and substance abuse is reversible behavior, but which, if unaddressed, may lead to continuing and increasing criminal behavior and other personal, family, and societal problems.

B. Drug court programs offer an opportunity to direct those in crisis with addictions and abuse to begin a rehabilitation process, which may ultimately lead to a reduction or elimination of addiction and abuse and permit the development of a productive lifestyle.

C. Treatment intervention should occur early on upon entry to the criminal justice system to achieve maximum treatment outcomes.

D. Thorough assessment and evaluation is a critical component of the drug court program.

E. Participants with drug and alcohol abuse issues cannot maximize their treatment potential without appropriate treatment intervention that includes their families.

F. Participant accountability is foremost in the program, with written program agreements and Court monitoring of behavior on a biweekly basis. Court monitoring will include incremental sanctioning for negative behaviors and positive rewards for improved behaviors.

G. Drug court programs are established with written protocols, which are well defined and documented through the Policies and Procedures Manual. The Program Manual will be updated annually, to respond to the changes in the needs of the programs, participants, families, agencies and community.

H. Preadjudication participant entry in to the drug court program shall be governed by written eligibility criteria as established by the Drug Court Policy Council with the concurrence of the prosecuting attorney.

I. Information about participant progress, participant family progress, and the functioning of the drug court program shall be made available to all parties.

J. Effective evaluation of the drug court program shall be sought with appropriate responses being made relative to these evaluations.

6. The roles of the parties are as follows:

A. Prosecuting attorney: Provide initial screening of eligible participants, participate in biweekly team meetings and biweekly court sessions. Provide feedback, ideas, and suggestions as needed. Represent the interests of the prosecutor and law enforcement.

B. County sheriff's department and community corrections: Attend biweekly team meetings and court sessions. Provide advice and suggestions on community corrections sanctions and provide feedback to the court on the drug court participants' follow-up on all ordered community corrections sanctions.

C. Probation department: Attend team meetings and biweekly sessions. Provide probation oversight for all drug court participants. Work with the drug court coordinator in supervising and monitoring the individuals in the program. Prepare presentence reports as needed. Schedule show causes for participants who have violated the program rules and are subject to dismissal.

D. Drug court judge: Chair meetings, preside in court, and coordinate team activities, evaluations, and planning.

E. Defense counsel representative: Attend team meetings and biweekly sessions. Insure that defendants' procedural and due process rights are followed. Provide feedback, suggestions, and ideas on the operation of the court.

F. Project coordinator: Attend meetings, arrange for additional screenings of persons screened by the prosecutor. Answer inquiries from defense attorneys on possible eligibility. Enter data into DCCMIS system. Liaison with treatment providers, drug testing contractor, district court intensive supervised probation, and residential treatment facilities.

G. Addiction recovery center, and substance abuse services: Attend meetings, report on progress of participants, and offer insights and suggestions on the treatment plans of individuals in the program.

~~BY University of Michigan Law School Human Trafficking Clinic attorneys providing immediate legal services to those participants screened and identified as victims of human trafficking.~~

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed by their duly authorized officers.

14B DISTRICT COURT

By: 

Honorable Charles Pope

14A DISTRICT COURT

By: 

Honorable Richard Conlin

15th DISTRICT COURT

By: 

Honorable Elizabeth Hines

22nd CIRCUIT COURT

By: 

Honorable David Swartz

WASHTENAW COUNTY PROSECUTING ATTORNEY

By: 


Brian Mackie, Prosecuting Attorney

YPSILANTI TOWNSHIP ATTORNEY

By: 

W. Douglas Winters, Township Attorney

DEFENSE COUNSEL


Mark Hamilton

