

New Treatment Court Judges Toolkit

Congratulations on your new role as a Treatment Court Judge! This toolkit serves as a guide for Idaho treatment court judges to provide a foundation of information, access to training resources, and offer advice on treatment court practices and responsibilities of judges. The following sections offer a range of educational and supportive information for judges as they take on this awesome responsibility.

- 1) Foundational Information & role of the judge.....pg. 2**
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Foundational Information & Role of the Judge

Below are a series of links that provide either full online courses with specific treatment court judge sessions or publications that have proven to be useful.

Online Trainings

Treatment Courts Online

www.treatmentcourts.org (select “Adult Drug Court”, then “Lessons”)

Examples of Included Courses:

- Role of the Judge
- Incentives and Sanctions
- Drug Testing
- Drug Use and Addiction
- Procedural Fairness

NADCP E-Learning Center

<https://www.nadcp.org/e-learning-center/>

Examples of Included Courses:

- Assessment and Treatment
- Target Population
- Equity & Inclusion



Publications

The Drug Court Judicial Bench Book

<https://www.ndci.org/resources/the-drug-court-judicial-benchbook-updated/>

This document is designed to provide judges with the background and design of the Treatment Court programs. It addresses topics such as roles of the judge, eligibility criteria, addiction, and treatment services.

Technical Assistance Guide for Drug Court Judges, Developed by the American University School of Public Affairs Justice Programs Office

<https://www.american.edu/spa/jpo/initiatives/drug-court/upload/a-technical-assistance-guide-for-drug-court-judges-on-drug-court-treatment-services.pdf>

Provides In-depth focus addressing topics such as:

- Key Concepts relevant to Treatment Courts and related services
- Medication Assisted Treatment
- Addressing the needs of special populations such as victims of trauma, co-occurring disorder, etc.

Targeting the Right Participants for Adult Drug Court

https://www.ndci.org/wp-content/uploads/Targeting_Part_I.pdf

Behavior Modification 101 for Drug Courts: Making the Most of Incentives and Sanctions

<https://www.ndci.org/wp-content/uploads/BehaviorModification101forDrugCourts.pdf>

Six Steps to Improve Outcomes for Adults with Co-Occurring Disorders

<https://www.ndci.org/wp-content/uploads/C-O-FactSheet.pdf>

National Drug Court Institute-Judicial Bench Card

<https://www.ndci.org/wp-content/uploads/2019/02/Judicial-Bench-Card.pdf>

This document provides questions that will assist judges with participant interactions. Because of the utility of this information, we have presented this open source information in its entirety below:

General Questions

1. What types of things did you do or can you do to help maintain sobriety?
2. What reconnections or new activities have you built into your life?
3. What are some of the community supports you can access?
4. What challenges did you face, and how did you handle them?

Other Questions

1. What did you do this week to stay sober?
2. Describe one of the most important reasons for you to be more honest.
3. What does responsibility mean to you?
4. What past hobbies or activities are you looking forward to getting re-involved in?
5. What are some things in your work or school that are getting in the way of your change efforts?

COMMUNITY DOMAIN: 6. What can you tell me about your community that helps support your long-term recovery goals?

HEALTH, MEDICAL DOMAIN: 7. What types of services or resources have you identified that may become a part of meeting other needs that you may have?

PURPOSE DOMAIN: 8. What are your short-/long-term recovery goals, and how are they meaningful in recovery?

Relapse Prevention

1. What are your main relapse triggers?
2. Who are your main relapse risks? Who do you need to avoid?
3. What are you doing to manage your triggers?
4. Do you have a relapse prevention plan? What is it?
5. Do you have a plan for what you'll say to your old using friends/relatives?

Motivational Interviewing /Motivational Enhancement Therapy

1. What stage of change are you in? What does that mean for you?
2. What are the motivators for you not to use and to change your life?
3. What are the things that might motivate you to use again?
4. What changed that helped you move to a different stage?
5. What are the benefits for you if you don't use?
6. How can treatment court help you with your motivation?

Cognitive Behavioral Therapy

1. Can you describe what you are working on in your counseling sessions?
2. CBT is about changing your thinking. Can you describe how your thinking has caused problems for you?
3. What things have you learned to help change your thinking errors?

Seeking Safety/Trauma Approaches DON'T ASK WHAT THE SPECIFIC TRAUMA IS

1. How have traumas that you have experienced been triggers for use for you?
2. Do you have problems dealing with stress? What helps?
3. What things can you do to deal with feelings that your trauma brings up?

Final Phase of the Program Questions

1. Who will you use for support once you finish this program?
2. If you find yourself suddenly wanting to get high, what do you do about that?
3. What's going to be your biggest challenge after you finish this program? After the participant responds, follow up with:
What are you doing now to prepare to meet that challenge?

Foundational Information by Specific Court Type

<i>Court Type</i>	<i>Population Characteristics</i>	<i>Foundational Information</i>
<i>Felony Drug Court</i>	Adult offenders that have pled or been found guilty of a Felony offense	<i>National Association of Drug Court Professionals</i> https://www.nadco.org/
<i>Misdemeanor/ DUI Drug Court</i>	Adult offenders have pled or been found guilty of a Misdemeanor offense that can be drug related or DUI	<i>National Center for DWI Courts</i> https://www.dwicourts.org/
<i>DUI Court</i>	Adult offenders that have pled or been found guilty of a DUI related offense	<i>National Center for DWI Courts</i> https://www.dwicourts.org/
<i>Child Protection Drug Court</i>	Adult offenders that have an open child protection petition	<i>The National Center on Substance Abuse and Child Welfare</i> https://ncsacw.samhsa.gov/topics/family-treatment-courts.aspx
<i>Juvenile Drug Court</i>	Juvenile offenders (under the age of 18 at time of admission) that have pled guilty to an offense	<i>Office of Juvenile Justice and Delinquency Prevention</i> https://ojjdp.ojp.gov/proarams/juvenile-drug-treatment-court-guidelines <i>Idaho Juvenile Drug Treatment Court Best Practice Guidelines</i> https://isc.idaho.gov/txc/2020-JTC- Guidelines-Final.pdf
<i>Juvenile Mental Health Court</i>	Juvenile offenders (under the age of 18 at time of admission) that have pled guilty to an offense and meet the criteria including that of serious emotional disturbance	<i>American Bar Association:</i> Overview of JMHCs
<i>Mental Health Court</i>	Adult offenders that have pled guilty to an offense and have been diagnosed with a severe and persistent mental illness	<i>Justice Center-Council of State Governments</i> https://csajusticecenter.org/projects/mental-health-courts/
<i>Veterans Treatment Court</i>	Adult offenders that have served their country and have pled guilty to a felony or misdemeanor offense and have a behavioral health and/or substance use disorder history	<i>Justice for Vets</i> https://justiceforvets.org/what-is-a-veterans-treatment-court/ Click here for our Fact Sheet about Veterans Treatment Court

<p><i>Domestic Violence Drug Court</i></p>	<p>Adult offenders that have pled or been found guilty of a domestic violence offense and have significant substance dependence and/or mental health issues</p>	<p><i>Idaho Domestic Violence Courts</i> https://isc.idaho.gov/domestic-violence/dvc-home</p> <p><i>SAMHSA-Substance Abuse and Domestic Violence Tip</i> https://store.samhsa.gov/sites/default/files/SAMHSA_Digital_Download/SMA12-3390_508.pdf</p>
		<p><i>Idaho Council on Domestic Violence-State Approved DV Offender Intervention Programs and Standards</i> https://icdv.idaho.gov/offender-intervention-programs/offender-intervention/</p>
<p><i>Young Adult Court (YAC)</i></p>	<p>Adult offenders 18-25 that have pled or been found guilty to a felony or misdemeanor offense and have behavioral health issues</p>	<p>https://justicelab.columbia.edu/sites/default/files/content/Key%20Elements%20of%20Specialized%20Courts%20for%20Emerging%20Adults.pdf</p>



Practical Tips and Suggestions

In Idaho we have had Treatment Courts since 1998 so many of the treatment courts are mature and well known within the court system. Whether it is a new court being formed or a new judge in an existing court, the guidance below should assist during this transition to becoming a treatment court judge. In either case, it is important to note that district leadership determines if a new court will go forward in the process and the assignment of judges to existing treatment courts.

- ▶ Shadow the exiting judge when possible. If not possible, spend time with another treatment court judge observing their staffings and hearings.
- ▶ You are the leader of this court. This goes without saying in the court room, but also applies behind the scenes.
- ▶ Meet with the team outside of a normal staffing to ask about the court and how they see their role.
- ▶ Give yourself grace to ask questions about new terms or acronyms the team may use.
- ▶ Try to find other judges that preside over the same type of court or similar court that you will be presiding over.
- ▶ Reach out to district leadership regarding treatment courts for insights on district processes.

*In treatment court,
everybody gets new
shoes, including the
judge!*



- ▶ Ask your district leadership which judge they can go to in the district to ask about treatment courts and provide guidance.
- ▶ Read the Policy and Procedure Manual and review the Participant Handbook for your court or district.
- ▶ If your court uses them, ask for sample treatment court contracts and phase contracts.
- ▶ Take your own notes during staffings and hearings and have them handy so you can remember things about participants as you get to know them.
- ▶ During staffings, ask specific questions from probation and treatment. “They had a good week,” isn’t as informative as it could be. The Judge is part of accountability for the participant and the team.
- ▶ Try to not call for a vote from team members on responses to behaviors. You will ask the team for opinions or recommendations, but you are the final arbiter.

- ▶ Sign up for peer reviews. You will be able to visit another jurisdiction and give them feedback through a structured process, while taking that information and new ideas back to your court.
- ▶ Be mindful to have compassion but set healthy boundaries between you and participants/ participants families.
- ▶ Understand that trauma impacts participants and team members, including yourself. See this benchcard for ways to address trauma related matters in and out of the the court room. [Trauma Informed Bench Card](#)
- ▶ Plan for breaks and coverage in the Court now. Research shows that a treatment court judge that leaves the court and comes back does even better!
- ▶ On day one, think about succession planning for how you want to leave this court even better than when you started.

Idaho Specific Resources & Contacts

Links

Idaho Rules for Treatment Courts (IRTC)

<http://isc.idaho.gov/irtc>

Idaho Treatment Court Best Practice Standards Vol I and II

https://isc.idaho.gov/psc/ITXCBPS_Standards_Vol_I_2020.pdf

https://isc.idaho.gov/psc/ITXCBPS_Standards_Vol_II-2020c.pdf

Idaho Treatment Court Quality Assurance Plan

<https://isc.idaho.gov/psc/ISC-TXC-QA-Plan-030620.pdf>

Idaho Supreme Court Website for Treatment Courts

<https://isc.idaho.gov/solve-court/home>

Budget Information

Treatment Courts in Idaho are funded through several sources. There are appropriated state funds from the legislature for substance use disorder treatment that are managed by the Idaho Supreme Court, and private or county providers receive reimbursement for services delivered. State funds are limited, but each court is provided funds based on calculated data on use, and each Treatment Court District Manager is expected to monitor those funds and make changes to meet their needs within their overall district budget.

There is also a separate statewide budget for residential and recovery support services (inpatient treatment, transportation, and safe & sober housing) managed by the Supreme Court that is accessed through a request form submitted by coordinators to be reviewed by Idaho Supreme Court staff.

Participants may also be Medicaid eligible and are required to fill out their eligibility forms, and private providers may bill Medicaid for those treatment services covered by Medicaid.

In addition, the legislature appropriates funds known as the Drug Court, Mental Health Court, and Family Court Services that funds the following:

- State Operations
- TXC District Managers and AOC Treatment Court staff
- Coordinators
- Drug Testing
- Treatment Court Committee
- Statewide Treatment Court Conference (every 2 years)
- Quality Assurance Related Activities

And lastly, there is a county drug court fund where participant fees are set by the Administrative District Judge but can be reduced or waived by the treatment court judge. These fees are paid to the clerk of the court by participants and can be utilized for use in accordance with statutory language:

IC 19-5608

<https://legislature.idaho.gov/statutesrules/idstat/Title19/T19CH56/SECT19-5608/>

IC 31-3201[E]

<https://legislature.idaho.gov/statutesrules/idstat/Title31/T31CH32/SECT31-3201E/>

CONTACTS

Coordinators Contacts and Judges for Other Treatment Courts

https://isc.idaho.gov/txc/Idaho-Txc-Coordinators-Judges_December_1_2022.pdf

TREATMENT COURT DISTRICT MANAGERS

There is a Treatment Court District Manager (TXC DM) in every judicial district that is responsible for the coordination of one or more court but also assists the Trial Court Administrators and Administrative District Judges as part of the leadership team for the district. The TXC DM typically helps to manage funds and build budgets, maintain critical local and state partnerships, and serves as a resource for education and other information regarding best practices.

District	Name	Contact Info
1	Angela Reynolds	208-446-1220 areynolds@kcgov.us
2	Lisa Martin	208-790-1748 LisaM@co.nezperce.id.us
3	Ron Christian	208-571-2149 Ron.Christian@canyoncounty.id.gov
4	Marreen Burton	208-287-7670 mbakerburton@adacounty.id.gov
5	Israel Enriquez	208-736-4122 Israel.enriquez@tfco.org
6	Jared Marchand	208-236-7010 jaredm@bannockcounty.us
7	Aimee Austin	208-529-1350 ext. 3020 aaustin@co.bonneville.id.us

ADMINISTRATIVE OFFICE OF THE COURTS- JUSTICE SERVICES DIVISION DIRECTORY

Position	Name	Contact Info
Director, Justice Services Division	Taunya Jones	947-7438 tjones@idcourts.net
Senior Court Programs & Services, Treatment Courts	Scott Ronan	947-7428 sronan@idcourts.net
Senior Court Programs & Services, Children & Family Services	Amber Moe	947-7451 amoe@idcourts.net
Behavioral Health & Quality Assurance Manager	Ryan Porter	947-7430 rporter@idcourts.net
Court Programs & Services, Adult Criminal Justice	Sandy Jones	947-7406 sjones@idcourts.net
Court Programs & Services, Child Protection	Teresa Vance	947-7599 tvance@idcourts.net
Quality Assurance, Application Specialist	Lynn Proctor	947-7455 lproctor@idcourts.net
Lead Administrative Assistant	Jana Filer	947-7452 jfiler@idcourts.net
Administrative Assistant	Lorrie Byerly	947-7426 lbyerly@idcourts.net

