

WASHINGTON STATE JUDICIAL BRANCH
 2013-2015 BIENNIAL BUDGET REQUEST
 Detailed Decision Package

Agency: Administrative Office of the Courts
Decision Package Title: Therapeutic Court Coordinator
Budget Period: 2013-2015 Biennial Budget Request
Budget Level: Policy Level

Recommendation Summary Text

This request proposes resources for one full-time Senior Court Program analyst at the Administrative Office of the Courts who will work statewide with existing therapeutic courts, judicial association drug court committees, drug court professional associations, and others to strengthen evaluation, reporting, standards and principles.

This position will coordinate statewide efforts related to therapeutic courts among court leadership, both at the superior and limited jurisdiction court levels. This coordination will strengthen the overall quality and success of the state's existing therapeutic courts and provide guidance to programs being created.

Fiscal Detail

Operating Expenditures	FY 2014	FY 2015	Total
001-1 General Fund-State	\$92,000	\$92,000	\$184,000
Staffing			
FTEs	FY 2014	FY 2015	Total
1	1	1	1

Package Description

To date, there are more than 70 therapeutic courts located in 26 of 39 counties in Washington State. There are eight different kinds of therapeutic courts, including adult felony drug, juvenile drug, adult misdemeanor drug, veterans, mental health, At Risk Youth drug, family treatment, and juvenile gang courts. Despite their growing number, there has not been state investment to secure court infrastructure, a regular emphasis on evaluation or tracking participant outcomes, educational opportunities, or coordinated participation in statewide stakeholder groups.

Each county court has administrative responsibility for the operation of their therapeutic court, however, that can take several different forms:

- Court staff provide case management, program coordination, staff support for the bench, contract directly for treatment, and liaison with treatment providers, or;
- Court staff provide case management but all treatment is provided by county human services contracted treatment providers, or;
- A county human service agency or treatment provider handles all program coordination, case management, and treatment.

The therapeutic court coordinator will provide assistance in bringing conformity to therapeutic courts administrative functions and will present informational updates on a regular basis, ensuring courts have access to the most current research on effective therapeutic court management and evaluation. This will be accomplished through the development of cross-court communications and collaborations through the ongoing maintenance of the existing problem solving court directory, staffing of the Superior Court Judges Association (SCJA) and District and Municipal Court Judges Association (DMCJA) therapeutic courts committees, and management of listservs developed for judges, coordinators and administrators.

The statewide coordinator position will enhance the trial courts' ability to implement coordinated best practices and policies for existing or new therapeutic court programs. The Board for Judicial Administration (BJA) has expressed interest in identifying generic standards, and possibly a general statute, that authorizes therapeutic courts assuming mandatory standards are met. This will promote consistent standards and measurement statewide, despite the type of therapeutic court. The coordinator would take the lead in staffing that project and other similar statewide court-related efforts

The statewide coordinator will provide a central point of contact within the judicial branch for technical assistance requests from trial courts both when new therapeutic courts are being planned and during their implementation. The position will also serve as a state level judicial agency liaison with the Washington Association of Drug Court Professionals, the Criminal Justice Treatment Account Panel, federal agencies involved in drug court programming, and other similarly involved state and county organizations. A central point of contact promotes consistency in practice, education, and evaluation, and facilitates coordinated long range planning and program development at the state level. Further, having one point of expertise in the branch will increase visibility in the larger stakeholder community.

The statewide program coordinator will be positioned to support and offer coordinated trainings to therapeutic courts, judges and their staff. The coordinator will provide a training curriculum relevant to all types of therapeutic courts which can be used for judicial college, judicial conferences, or case manager trainings.

Lastly, the coordinator will be available to work toward a long term goal of integrating therapeutic court case management systems within existing JIS applications.

Narrative Justification and Impact Statement:

This package contributes to the Judicial Branch Principle Policy Objectives as noted below.

Fair and Effective Administration of Justice in All Civil and Criminal Cases. *Washington courts will openly, fairly, efficiently and effectively administer justice in all criminal and civil cases, consistent with constitutional mandates and the judiciary's duty to maintain the highest level of public trust and confidence in the courts.*

This decision package supports the fair and effective administration of justice by: 1.) facilitating the sharing of information across Washington's therapeutic courts, 2.) promoting consistent and proven therapeutic court program principles and practices 3.) the collection of data with regard to therapeutic courts that helps local and state government tailor their programs to be as effective as possible, 4.) supporting efforts to identify and resolve operational and legal issues related to therapeutic court programs, 5.) providing a centralized point of contact for Washington's therapeutic courts that assures a statewide perspective on the implementation of those courts within Washington State.

Accessibility. *Washington courts, court facilities and court systems will be open and accessible to all participants regardless of cultural, linguistic, ability-based or other characteristics that serve as access barriers.*

This package will provide information, assistance, leadership, and direction to assure that all therapeutic court programs are accessible to all participants regardless of cultural, linguistic, ability-based or other characteristics that serve as access barriers.

Access to Necessary Representation. *Constitutional and statutory guarantees of the right to counsel shall be effectively implemented. Litigants with important interest at stake in civil judicial proceedings should have meaningful access to counsel.*

Through staff support of the judicial association therapeutic court committees, liaison with the state drug court association, and other interested agencies and organizations, this position will support statewide efforts to assure appropriate and necessary representation is available to therapeutic court participants.

Commitment to Effective Court Management. *Washington courts will employ and maintain systems and practices that enhance effective court management.*

On a regular basis, new therapeutic courts are authorized by statute. In fact, in the 2012 Legislative session, two separate bills were filed to expand the menu of therapeutic courts: juvenile gang court and veterans' court. While best practices and standards have been promulgated nationally, in Washington State the judicial branch, AOC, and the trial courts have not formally adopted any general principles

or best practices necessary to operate a therapeutic court. Even the definition of a therapeutic court has been the subject of debate. There is no coordinated court level advocacy for therapeutic courts, either to support the existing courts or to add new courts. This decision package provides a centralized staff person whose role be to support, facilitate, and when appropriate, lead efforts to address these deficits.

For existing therapeutic courts, regular and repeatable reporting standards have not been institutionalized. Periodically, a therapeutic court program requests a “snapshot” evaluation of their program, but no meaningful long term evaluation of programs has materialized in Washington’s therapeutic court community. Absent a baseline of ongoing evaluation, funding (local, state, and federal) is unstable.

Currently, the judicial branch and trial courts have been absent from policy and funding decisions related to therapeutic courts and standards. There has not been a court coordinated effort to engage with stakeholders who control access to funding, treatment, and evaluation. This position will increase the courts statewide visibility as an equal partner with the Department of Social and Health Services Division of Behavioral Health and Recovery (DBHR). The visibility is particularly important, as the primary state funding for drug courts comes through DBHR. Implementing an AOC therapeutic court coordinator will ensure sustainability in the state and demonstrate the commitment of the judicial branch.

Because there has not been a deliberate effort to establish standards, principles, or best practices, evaluation of therapeutic courts has not occurred as an ongoing effort. Fidelity to the therapeutic court model is generally considered the primary means to ensure successful client outcomes. Without deliberate attention to evaluation, there is only anecdotal information about the success of therapeutic court participants, therefore weakening the sustainability of funding.

Grant funding, through WA-CARES, was used to purchase nine drug court case management licenses. In the meantime, larger courts including King, Spokane, Pierce and Clark spent considerable time and money to develop their own unique drug court information systems. Yet, other courts operate without a case management system and are unable to consolidate data statewide. There is no coordinated movement to consolidate or build a unified drug court case management component or merge the current systems with JIS. The state’s ability to compile analysis on drug court outcomes is challenging because of the disjointed nature of the data.

The establishment of a dedicated therapeutic court coordinator will support the courts efforts to overcome these management and funding issues, and facilitate statewide policy and best practices for the administration of justice within the therapeutic court model.

Appropriate Staffing and Support. *Washington courts will be appropriately staffed and effectively managed, and court personnel, court managers and court systems will be effectively supported.*

This decision package directly addresses this goal. It will provide a staff position to support court personnel, managers, and systems on a statewide basis as relates to therapeutic courts in this state. This capability does not currently exist, and its lack contributes to poor coordination of effort, lack of quality control, duplication of effort, and other inefficiencies within the therapeutic courts in Washington.

Measure detail

Impact on clients and services

This decision package will ultimately result in greater consistency of operations among programs, adherence to best practices, production of evaluative and outcome data necessary to decision-making, training of therapeutic court judges and team members, coordination of effort, utilization of resources, and other efficiencies, all of which contribute directly to improved services and outcomes for therapeutic court clients.

Impact on other state programs

State funding for treatment for therapeutic court clients is currently maintained within the budget(s) of other state agencies such as the Division of Behavior, Health and Recovery Services. This decision package will provide a dedicated point of contact for state agencies, within AOC, and through that position, the state associations and their sub-committees, to liaison around funding and service concerns.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

There is no logical alternative to this decision package. There is no court driven, centralized, statewide point of contact for therapeutic courts in Washington. The Administrative Office of the Courts is clearly positioned to house this position, and indeed is the only agency that can realistically do so.

Distinction between one-time and ongoing costs and budget impacts in future biennia

Costs are ongoing salary requirements for one full-time senior court program analyst.

Effects of non-funding

If this decision package is not funded, therapeutic courts in this state will continue to operate with little coordination of effort, a lack of evaluative data needed for

determining outcomes, inadequate staff support for court associations and committees responsible for dealing with therapeutic court practices and principles, poor ability to respond to funding and legislative dynamics, and no statewide court perspective on therapeutic courts and their role in the court system.

Expenditure Calculations and Assumptions

<u>Object Detail</u>	<u>FY2014</u>	<u>FY2015</u>	<u>Total</u>
Staff Costs	\$92,000	\$92,000	\$184,000
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$92,000	\$92,000	\$184,000

Staff Costs

Costs are based on the current judicial branch salary schedule, plus calculated benefits.

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