

**From:** region3-info@courts.mi.gov(Region3 Info)  
**To:** c21@isabellacounty.org, ldexter@isabellacounty.org  
**CC:** Region3 Info  
**Date:** 12/19/2008 11:32 AM  
**Subject:** UTC04 2008-03 Approved

UTC04 2008-03 Approved  
Order for the Establishment of the Isabella County Juvenile Drug Treatment Court

This is to advise that we have reviewed the above referenced administrative order and find that it conforms to the requirements of MCR 8.112(B). This order is being accepted and filed until advised by your court of any change.

Bruce Kilmer  
Region III Administrator  
Michigan State Court Administrative Office  
P.O. Box 750  
Mt. Pleasant, MI 48804-0750  
989-772-5934

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STATE OF MICHIGAN



ISABELLA COUNTY TRIAL COURT

300 NORTH MAIN STREET

Mt. Pleasant, Michigan 48858

TEL. (989) 772-0911 FAX (989) 772-7337

HON. PAUL H. CHAMBERLAIN  
CHIEF JUDGE

LANCE S. DEXTER  
COURT ADMINISTRATOR

HON. WILLIAM R. RUSH  
TRIAL JUDGE

HON. WILLIAM T. ERVIN  
TRIAL JUDGE

HON. MARK H. DUTHIE  
TRIAL JUDGE

LOCAL ADMINISTRATIVE ORDER 2008-3

**ORDER FOR THE ESTABLISHMENT OF THE  
ISABELLA COUNTY JUVENILE 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 the Isabella County Trial 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).

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.

MICHIGAN SUPREME COURT  
STATE COURT ADMINISTRATIVE OFFICE

DEC 04 2008



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 (DCPI) training sponsored by the Bureau of Justice Assistance (BJA), in compliance with MCL 600.1062(3).

Effective Date: December 1, 2008 \_\_\_\_\_

Date: 12-1-08



Honorable Paul H. Chamberlain  
Chief Judge



## 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.



## **Memorandum of Understanding for the Isabella County Juvenile Drug Treatment Court (JDTC)**

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Understanding by and between the Isabella County Prosecuting Attorney, Isabella County Trial Court, Isabella County Defense Counsel, Isabella County Trial Court Administrator, and Isabella County Substance Abuse Providers.

We agree to share the following vision of the JDTC: To enhance the quality of life throughout Isabella County by promoting healthier youth and families, to provide leadership through innovative services, continuously improve services, achieve program goals through teamwork, and to break the generational cycle of substance abuse and related criminal behavior.

We agree that the mission of the JDTC is: to promote public safety by reducing juvenile drug use and crime; by working with substance using youthful offenders and their families through strength-based interventions, accountability, and intensive case management, we will foster stronger families, healthier youth, and a safer community.

We endorse the goals and mission of our JDTC for the purpose of helping participants to eliminate future criminal behavior and to improve the quality of their lives. For our program to be successful, cooperation must occur within a network of systems to facilitate and achieve the mission, the challenge, and the vision of the JDTC.

We agree to the following challenge of the JDTC: Engaging substance abusing youth involved in the juvenile justice system in a continuum of treatment services and providing them with appropriate strength based interventions through treatment, rehabilitative programming, reinforcement and monitoring.

### **There are ten principles under which we will work cooperatively:**

1. Drug and alcohol addiction is a chronic relapsing disease which is treatable and substance abuse is a reversible behavior, but which, if unaddressed, may lead to continuing and increasing criminal behavior and other personal, family, and societal problems.
2. JDTC offers 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.
3. Treatment intervention should occur early on upon entry into the juvenile justice system to achieve maximum treatment outcomes.
4. Thorough assessments and evaluations are critical components of the JDTC.

5. Participants with drug and alcohol abuse issues cannot maximize their treatment potential without appropriate treatment intervention that includes their families.
6. Participant accountability is foremost in the Programs with written Program Agreements and Court monitoring of behavior on a frequent, even daily, basis. Court monitoring will include incremental sanctioning for negative behaviors and positive rewards for improved behaviors.
7. JDTC is 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.
8. Pre-adjudication participant entry into the Juvenile Drug Treatment Court Programs will be governed by written eligibility criteria as established by the JDTC Team.
9. Information about participant progress, participant family progress, and the functioning of the JDTC will be made available to all parties.
10. Effective evaluation of the JDTC will be sought with appropriate responses being made relative to these evaluations.

## **RESPONSIBILITIES AND COMMITMENTS**

### **Drug Treatment Court Judge:**

The JDTC Judge assumes the primary role to motivate and monitor youth, actively represent the JDTC in the community, ensures a cooperative atmosphere for Team members, issues the appropriate rewards and sanctions for participants' behaviors, assumes a leadership role in the promotion and growth of the JDTC, assumes a leadership role for the Treatment Team, and facilitates all Court responsibilities for the JDTC, and participates in the Treatment Team and Community Advisory Committee. The JDTC Judge will comply with all JDTC policies and procedures.

### **Drug Treatment Court Coordinator:**

The Juvenile Drug Treatment Court Coordinator has both service and managerial responsibilities and duties. In the area of service, the Coordinator conducts intake and follow-up interviews, substance abuse assessments, coordinates appropriate referral to treatment, confirms and verifies interview information, provides direct intervention with participants and their families, provides case management to monitor compliance with participants' goals. In the area of program management, the Coordinator completes and files all case documentation, prepares and distributes weekly reports, attends and participates in weekly status review hearings, makes recommendations to the Court and Treatment Team, monitors fee collection, collects data for program evaluation and manages participant information on the DCCMIS, compiles information for inclusion in quarterly and annual reports to funding sources, makes recommendations about the program changes, audits records, and participates in the JDTC Treatment Team and Community Advisory Committee, prepares agendas, keep minutes, and facilitate Case Review

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meetings, maintains regular communication with the Treatment Team and Community Advisory Committee, meets with the Isabella County Providers Group, and conducts drug testing. The Coordinator will comply with all JDTC policies and procedures.

**Office of the Prosecuting Attorney:**

The Prosecuting Attorney, or designee, makes and/or reviews JDTC referrals and decides and advises if the proposed participant meets the eligibility requirements in consultation with the Treatment Team. The Prosecutor, or designee, establishes the plea and/or dispositional terms and conditions of participation.

The Prosecutor, or designee, facilitates cooperation and communication between the Prosecutors office and the JDTC, participates in the JDTC Team and the Treatment Team and promotes the JDTC within the community. The Prosecuting Attorney, or designee, will comply with all JDTC Policies and Procedures.

**Defense Attorney:**

A Defense Attorney who is a Public Defender in the Isabella County area participates on the JDTC Team. The Defense Attorney who is a member of the Team does not represent any dug court participant. This Defense Attorney participates in making recommendations to the team with regards to rewards and sanctions and with policies and procedures.

The Defense Attorney, who represents clients in the juvenile drug court, will comply with all JDTC Policies and Procedures insofar as they do not conflict with the Defense Attorney's primary obligation to defend their client as defined by the Code of Professional Conduct.

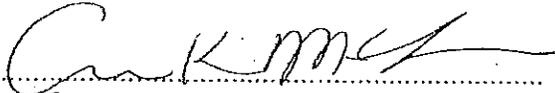
**Treatment Providers:**

Treatment Provider representative(s) participate in biweekly Court sessions and provide written reports for use at biweekly Court sessions, report absences and highlight special circumstances requiring the Coordinator's intervention or action, prepare "Biweekly Status Reports" detailing attendance information for distribution to the JDTC Treatment Team, and monitor and amend the participant's treatment plan in accordance with their recovery progress with input from the JDTC Team. If an individual is in a residential treatment setting, the Provider has an obligation to report planned and unplanned discharges immediately. Treatment Providers will comply with all JDTC Policies and Procedures.

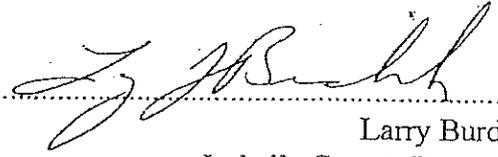
All reports regarding participant treatment activity will be documented, released, and transmitted in accordance with Federal Regulation 42 CFR Part 2; Confidentiality of Alcohol and Drug Abuse Patient Records.

**Trial Court Administrator:**

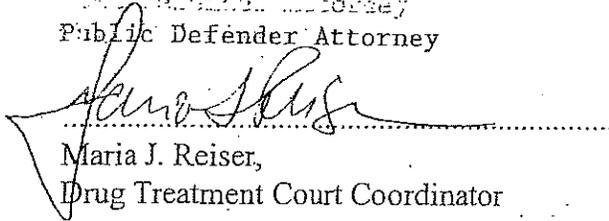
The Trial Court Administrator will be responsible for obtaining all Treatment funding for the day to day operation of the JDTC in general and the Coordinator in particular. Additionally, the Administrator will be responsible for obtaining funding for ongoing training of the Treatment Team and other required or necessary training(s). The Administrator will be responsible for complying with all reporting requirements of the funding sources. The Trial Court Administrator will comply with all JDTC Policies and Procedures.



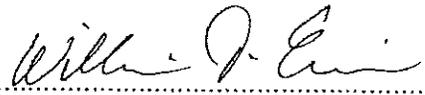
Ann McLellan,  
Public Defender Attorney



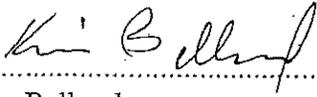
Larry Burdick,  
Isabella County Prosecutor



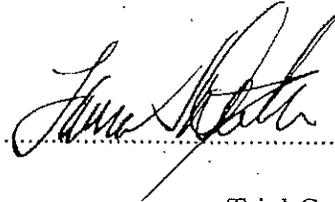
Maria J. Reiser,  
Drug Treatment Court Coordinator



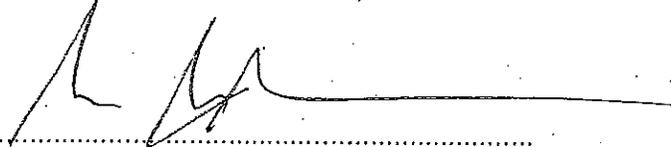
Honorable William T. Ervin,  
Juvenile Drug Treatment Court Judge



Kim Belland,  
Isabella County Treatment Providers' Panel

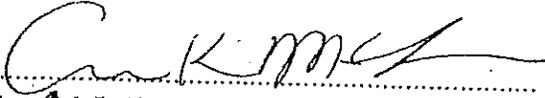


Lance S. Dexter,  
Trial Court Administrator

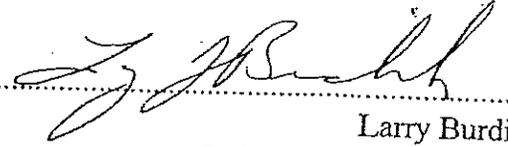


Gordon Bloem,  
Private Practice Defense Attorney

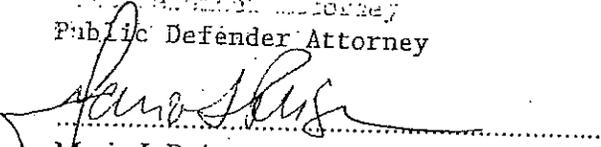
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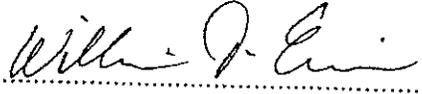
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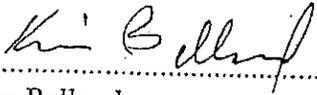
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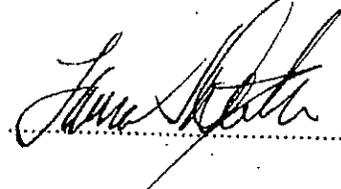
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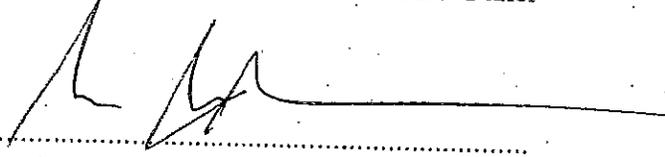
Honorable William T. Ervin,  
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Kim Belland,  
Isabella County Treatment Providers' Panel



Lance S. Dexter,  
Trial Court Administrator



Gordon Bloem,  
Private Practice Defense Attorney

Date: 6-1-06

