

# Final Minutes

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## State Drug Treatment Court Advisory Committee Meeting

9:30 a.m. • Tuesday, July 28, 2009

Legislative Council Conference Room • Boji Tower Building

### Members Present:

Judge Patrick Bowler, Chair  
Pamela Davis  
Kevin Jones  
Andrew Konwiak  
Judge Brian MacKenzie

Dennis Priess  
Judge William Rush  
Jeffrey Sauter  
Homer Smith  
Richard Woods

### Members Excused:

Kathleen Brickley  
Sophia Burr  
Charita Coleman-Gladdis  
Judge William Ervin  
Chris Luty  
Beth Morrison  
Judge William Schma

### Others Present:

Susan Cavanagh, Office of the Legislative Council Administrator  
Judge Harvey Hoffman  
Dominick Pallone, Midwest Strategy  
Bruce Timmons

### I. Call to Order

The Chair called the meeting to order at 9:30 a.m.

### II. Roll Call

The Chair asked the clerk to call the roll. A quorum was present. Those present introduced themselves and absent members were excused.

### III. Approval of March 17, 2009 Meeting Minutes

The Chair directed the members' attention to the proposed minutes of the March 17, 2009 meeting and, there being no objections, asked for a motion to adopt the minutes as drafted. **Mr. Jones moved, seconded by Judge Rush, to approve the proposed minutes of the March 17, 2009 State Drug Treatment Court Advisory Committee meeting. There was no further discussion. The minutes were unanimously adopted.**

### IV. Discuss Proposed Amendments to 2004 PA 224

The Chair called on Mr. Woods to present an overview of the Committee's Strategic Planning session held on May 8, 2009 and a plan to amend drug court legislation. Mr. Woods noted that he had only received two responses to his request to provide feedback regarding proposed changes to the drug court statute. A handout identifying the proposed changes was distributed to the members and is attached to these minutes. Judge Hoffman noted that there was one other change discussed which was cleaning up the research data requirements. A proposed change to remove the prosecutor as the gatekeeper if there is no dismissal or reduction of the criminal charges was then discussed.

Mr. Sauter indicated that prosecutors would be opposed to this change and a discussion of the concerns followed.

**Judge MacKenzie moved, supported by Ms. Davis, that the SDTCAC create a subcommittee to review and investigate whether a proposed amendment to the statute or language to the Memorandum of Understanding is needed or can be written to address the concerns raised by the gatekeeper issue and that Judge MacKenzie, Judge Hoffman, and Mr. Sauter be appointed to the subcommittee. There was no objection and the motion passed unanimously.**

Mr. Woods continued with a general explanation of the other general issues and proposed changes to the drug treatment court legislation and provided an overview of the timeline for the action steps identified on the plan to amend drug court legislation document.

### V. Review of Strategic Action Plan

Ms. Davis provided a review of the strategic action plan meeting held on May 8, 2009. She reported that a mission statement was prepared and four goals with objectives for future action were developed (see Strategic Action Plan attached to these minutes for more details.) **Judge Rush moved, supported by Judge MacKenzie, to adopt the Strategic Action Plan as presented. There were no objections and the motion passed unanimously.**

The Chair requested that, as a follow-up on the action plan, each subcommittee make a report of their activities at the next meeting and an assessment be made as to whether any subcommittee should be dissolved due to inactivity because there is no work still to be done.

**VI. Review of Proposed Timeline to Amend 2004 PA 224**

Mr. Woods referred the members to the five objectives listed on the Plan to Amend Drug Court Legislation document and noted that the proposed due dates may need to be revisited. The Chair asked that each of the subcommittees listed on the plan determine an appropriate timeline at the next meeting.

**VII. Funding Update**

Mr. Woods provided the following update on funding:

- Michigan Drug Court Grant Program has 71 applicants with requests exceeding \$7 million and SCAO only has \$1 million to distribute. Judge Bowler asked Mr. Woods to provide the Committee with SCAO data on drug court types.
- Under the American Recovery and Reinvestment Act Funding, Michigan Drug Treatment Courts were awarded approximately \$3,257,000.
- Approximately, \$500,000 of Office of Highway Safety Planning funding for 2010 is available and SCAO is in the process of posting the grant application on the website.
- Still waiting to hear amount of FY 2010 Bryne-JAG funding from the Office of Drug Control Policy.

**IX. Legislative Report**

Judge Hoffman provided an update on the evidence-based practices proposal which is on hold for now due to funding issues and the interlock bills which he reported are moving ahead. He detailed the two interlock bills that are to be introduced in the near future.

**X. Update on Pilot Mental Health Courts**

Mr. Woods reported that SCAO received \$1.65 million over three years from Economic Recovery Act funding.

**XI. Public Comment**

The Chair asked for public comment. There was none.

**XII. Adjournment**

**Having no further business, Mr. Smith moved, supported by Judge Rush, to adjourn the meeting. Without objection, the motion was approved.** The meeting was adjourned at 11:25 a.m.

**NEXT MEETING DATE**

The next meeting is tentatively scheduled for **Tuesday, September 22, 2009 at 9:30 a.m.** in the Legislative Council Conference Room, 3<sup>rd</sup> Floor Boji Tower, 124 W. Allegan, Lansing, MI; however, it was noted that the date may need to be changed.

*(Minutes approved at the November 24, 2009 State Drug Treatment Court Advisory Committee meeting.)*

**State Drug Treatment Court Advisory Committee  
PLAN TO AMEND DRUG COURT LEGISLATION**

<b>Objective</b>	<b>Action Step(s)</b>	<b>Resource/Assignment</b>	<b>Due Date</b>
<p>Determine sections of the existing drug court legislation that can be condensed.</p>	<p>Solicit input from adult DTC and DWI court judges.</p>	<p>SCAO (Richard Woods)</p>	<p>July 2009</p>
<p>1</p>	<p>Identify administrative portions of statute that can be addressed through Supreme Court A.O. and/or Local A.O.</p>	<p>Vision Subcommittee</p>	<p>October 2009</p>
<p>Draft separate legislation to address family dependency treatment court.</p>	<p>Condense remaining sections of the drug court legislation not addressed by Supreme Court A.O. or Local A.O.</p>	<p>Vision Subcommittee</p>	<p>October 2009</p>
<p>2</p>	<p>Solicit input from family DTC judges.</p>	<p>SCAO (Richard Woods)</p>	<p>July 2009</p>
<p>Draft separate legislation to address juvenile drug treatment court.</p>	<p>Identify administrative issues that can be addressed through Supreme Court A.O. and/or Local A.O.</p>	<p>Juvenile Issues Subcommittee (Judge William Ervin and Pamela Davis)</p>	<p>October 2009</p>
<p>3</p>	<p>Follow DTC legislation format, draft proposed legislation not addressed by Supreme Court A.O. or Local A.O.</p>	<p>Juvenile Issues Subcommittee (Judge William Ervin and Pamela Davis)</p>	<p>October 2009</p>
<p>Draft separate legislation to address juvenile drug treatment court.</p>	<p>Solicit input from juvenile DTC judges.</p>	<p>SCAO (Richard Woods)</p>	<p>August 2009</p>
<p>Draft separate legislation to address juvenile drug treatment court.</p>	<p>Identify administrative issues that can be addressed through Supreme Court A.O. and/or Local A.O.</p>	<p>Juvenile Issues Subcommittee (Judge William Ervin and Pamela Davis)</p>	<p>October 2009</p>
<p>3</p>	<p>Follow DTC legislation format, draft proposed legislation not addressed by Supreme Court A.O. or Local A.O.</p>	<p>Juvenile Issues Subcommittee (Judge William Ervin and Pamela Davis)</p>	<p>October 2009</p>

4	Draft proposed changes to existing drug court legislation that addresses confidentiality issues.	Prepare a memo for SCAO with proposed language that addresses 42 CFR Part 2 issues.	Confidentiality Subcommittee (Jeff Sauter & Richard Woods)	July 2009
5	Submit final proposed changes.	Amend final drafts of proposed changes to the existing drug court legislation and solicit final input from SDTCAC members.  Present final drafts of proposed changes to the Legislature and Michigan Supreme Court.	Vision Subcommittee  SDTCAC Chair (Judge Bowler)	October 2009  December 2009

# STATE DRUG TREATMENT COURT ADVISORY COMMITTEE

Strategic Action Plan (05/2009 – 5/2010)

**Mission Statement:** The mission of the State Drug Treatment Court Advisory Committee is to monitor and advocate for effective strategies for drug treatment courts in Michigan.

Goal	Objective(s)	Action Step(s)	Assignment	Time Frame
1 <b>Monitor Effectiveness of the State Drug Treatment Court Advisory Committee</b>	<ol style="list-style-type: none"> <li>1. Conduct Strategic Planning</li> <li>2. Conduct S.W.O.T.T. Analysis</li> </ol>	<ol style="list-style-type: none"> <li>1. Schedule sub-committee meetings</li> <li>2. Prepare written report and submit to Vision subcommittee</li> <li>3. Vision sub-committee to provide report to SDTCAC</li> </ol>	<ul style="list-style-type: none"> <li>▪ Each Sub-committee Chair</li> <li>▪ Vision Sub-committee Chair</li> </ul>	Annually
2 <b>Monitor the Qualitative Effectiveness of Michigan Drug Treatment Courts</b>	<ol style="list-style-type: none"> <li>1. Review reports and data regarding Michigan Drug Treatment Courts</li> <li>2. Coordinate efforts with MADCP</li> <li>3. Coordinate efforts with NADCP</li> </ol>	<ol style="list-style-type: none"> <li>1. Review the statute for possible improvements</li> <li>2. Review SCAO annual report</li> <li>3. Invite NADCP to review collected data and participate in annual strategic planning</li> </ol>	<ul style="list-style-type: none"> <li>▪ Each Sub-committee Chair</li> <li>▪ SDTCAC</li> </ul>	Ongoing
3 <b>Advocate for effective strategies for Drug Treatment Courts in Michigan</b>	<ol style="list-style-type: none"> <li>1. Expand and coordinate efforts with stakeholders</li> <li>2. Increase Legislative, Judicial and Executive awareness, understanding and knowledge of effective strategies</li> <li>3. Promote Drug Treatment Courts as a Funding Priority</li> </ol>	<ol style="list-style-type: none"> <li>1. Identify stakeholders and secure input</li> <li>2. Identify other types of problem-solving courts and secure input as needed</li> <li>3. Provide testimony to appropriate legislative bodies</li> <li>4. Maintain contact with appropriate Executive agencies</li> <li>5. Disseminate information and data to Executive, Legislative and Judicial branches</li> <li>6. Provide input to SCAO, MJI and MADCP on funding issues</li> </ol>	<ul style="list-style-type: none"> <li>▪ Vision Sub-committee</li> <li>▪ Funding Alternative Sub-committee</li> <li>▪ SDTCAC</li> <li>▪ Evidence-based Practices Sub-committee</li> </ul>	Ongoing
4 <b>Improve Michigan Drug Treatment Court Statute</b>	<ol style="list-style-type: none"> <li>1. Submit report and recommendations to Legislature</li> </ol>	<ol style="list-style-type: none"> <li>1. Assess the need for proposed legislative changes</li> </ol>	<ul style="list-style-type: none"> <li>▪ SDTCAC</li> </ul>	Annually