

final minutes

State Drug Treatment Court Advisory Committee Meeting

10:00 a.m. • Tuesday, January 31, 2017

Senate Appropriations Room • 3rd Floor State Capitol Building

100 N. Capitol Avenue • Lansing, MI

Members Present:

Judge Amy Ronayne Krause, Chair
Judge William Ervin, Vice Chair (via teleconference)
Judge Louise Alderson (via teleconference)
Heidi Cannon (via teleconference)
Andrew Konwiak (via teleconference)
Douglas Lloyd
Sheriff Michael Main
Dr. Jessica Parks
Mark Risk (via teleconference)
Judge Geno Salomone (via teleconference)
Gary Secor
Judge Raymond Voet (via teleconference)
Mark Witte

Members Excused:

Jesse Billings
Judge Susan L. Dobrich
Judge Frederick Mulhauser
Stacy Salon

I. Call to Order

The Chair called the meeting to order at 10:00 a.m.

II. Roll Call

The Chair asked the clerk to take the roll. A quorum was present and absent members were excused.

III. Approval of the Minutes of the October 18, 2016 Meeting

The Chair directed attention to the proposed minutes of the October 18, 2016 meeting and asked if there were any changes. There were none. **Mr. Witte moved, supported by Mr. Secor, to approve the minutes of the October 16, 2016 SDTCAC meeting as presented. There was no objection. The motion was unanimously approved.**

IV. Discussion of Best Practices and Certification Initiative

The Chair called on Dr. Parks to lead the discussion of the plans for the certification and best practices initiative. Dr. Parks provided an overview of the joint effort of the SCAO and the Michigan Association of Treatment Court Professionals has made over the last year to identify standards and best practices for adult treatment courts. She noted they have produced a draft of a manual that contains all the standards required by statute and case law, best practices that research has shown make a program more effective, and a section on promising practices. The manual will be circulated in March and she explained that the grant application process that normally occurs in May will morph into a certification application requiring courts to receive certification from SCAO on a 4-year cycle. Programs that are not certified will not be able to call themselves a drug court program. A discussion followed. Judge Alderson commented that she believes everyone should be following the statutes and there must be minimum standards, but specialty courts have always had a wide-latitude to try new things that are appropriate to their clientele. She hopes this effort does not punish courts for trying new, innovative ideas.

V. Discussion of Possible Revision of Drug Treatment Court Statute

The Chair then called on Judge Harvey Hoffman for background on the discussion of a possible revision of the drug court statute. Judge Hoffman explained that the best practices and certification initiative may need a revision to the statute and he proposes a discussion start with the SDTCAC, SCAO, and MATCP working together to review what may be needed. Judge Salomone inquired if this certification process would impact the use of an ignition interlock. Dr. Parks responded that if a program is not a recognized drug court than it would not be able to issue a restricted driver's license. Mr. Secor also inquired if funding would be provided if additional costs are incurred to meet the certification requirements such as having court appointed counsel or having medication assisted treatment services. Dr. Parks indicated that this has not been discussed, but it could potentially be available. She noted that there is still a need to identify what best practices will be required. Judge Hoffman suggested a SDTCAC subcommittee be appointed to work with SCAO and MATCP to identify any recommendations that could then be brought to the full committee for consideration. The Chair agreed and called for a motion. **Mr. Lloyd moved, supported by Judge Alderson, to**

create the Best Practices and Certification Subcommittee with Judge Alderson as Chair and Judge Krause, Mr. Risk, and Mr. Lloyd as members. There was no objection. The motion was unanimously approved.

VI. Subcommittee Updates

The Chair called on each subcommittee chair for an update.

Affordable Health Care Act Impact Subcommittee: Mr. Witte had no report other than what alterations may be made with the change in the administration.

Defense Attorney Participation Subcommittee:
Mr. Risk was present, but had no update to report.

Family Dependency Court Subcommittee:
Judge Dobrich was not present. No report was given.

Juvenile Issues Subcommittee:
Judge Mulhauser was not present. No report was given.

Legislative Subcommittee:
Judge Voet provided an update on current legislative efforts including talk about the expansion of mental health courts. He noted that it may be particularly important for the Committee to play a role in the legislative process.

Marijuana Subcommittee:
Judge Voet reported that the legalization efforts to decriminalize marijuana may be coming back in 2018 and the Court of Appeals has issued an unpublished opinion that medical marijuana is not a right while on probation. Mr. Secor inquired about People vs. Latz which is an improper transport case. Judge Voet indicated he is familiar with the case, but the Legislature will need to find another way to make the transport of marijuana illegal. Regarding the MIP statute that goes into effect January 1, 2018, Judge Voet noted that there is a wrinkle as it relates to how the information is abstracted to the Secretary of State, but he is confident it will be worked out.

Program Standardization and Alternative Funding Subcommittee:
Judge Salomone reported that the effort discussed earlier about the certification process addresses the program standardization issues discussed by his subcommittee. He added that there are two developments to report on alternative funding. The first is that there has been no commitment from the insurance companies to further invest in ignition interlock studies, but talks continue. The second is a SAMPSA grant being processed by the State of Michigan for more funding for treatment. He is waiting to hear if the State gets the grant.

Veterans Treatment Court Subcommittee:
Judge Voet had no update to report.

Vision Subcommittee:
The Chair opened a continuation of the discussion of the vision of the Committee which began at the last meeting. Mr. Lloyd explain that, as the subcommittee chair, he is seeking guidance on the long-range goals of the Committee. Judge Hoffman noted that the subcommittee was originally created as a long-term, goal-planning process and MATCP has a policy committee that does the same type of thing. Mr. Lloyd appreciated Judge Hoffman's comments and better understands the goal of the Vision Subcommittee and the fact that legislation and the work of the Legislative Subcommittee might help guide the Committee's direction. Judge Salomone noted that the Committee is unique in that it brings numerous stakeholders to the table to discuss issues facing treatment courts. Mr. Witte commented that it is important that treatment integration that occurs in drug courts be aligned with where health care is moving in terms of addiction. He explained that one way of integrating recovery is by having providers that are common between the PIP system and the court system to insure continuity of care. Another is the integration of medication assisted treatment. The Chair appointed Judge Salomone and Mr. Witte to the Best Practices and Certification Subcommittee.

Mr. Witte suggested a change is needed to the drug court statute to change the term "coordinating agency" to "department-designated community mental health entity". Judge Voet will have the Legislative Subcommittee review Mr. Witte's suggestion and bring a recommendation to the full committee to consider. Mr. Witte will forward the information to the Committee clerk.

VII. Funding Update

The Chair called on Dr. Parks for a funding update. Dr. Parks shared that the only item she is aware of that SCAO is going to ask be renewed in FY 18 is the one-time MAT funding appropriated in FY 2017. She noted that she is not aware of any additional funding request, but will have a better update at next meeting.

VIII. Public Comment

The Chair asked for public comment. There was none.

Mr. Secor inquired if the Michigan Sheriffs' Association is considering providing MAT services in jails. Sheriff Main will reach out for an official stance. A discussion followed. The Chair assigned the issue to the Legislative Subcommittee and asked that this issue be added to the next meeting's agenda.

IX. Next Meeting Date

The Chair announced that the date of the next meeting is **April 18, 2017 at 10:00 a.m.**

X. Adjournment

There was no further business. The Chair adjourned the meeting at 11:00 a.m.

(Meeting minutes approved at the April 18, 2017 SDTCAC meeting.)