

final minutes

State Drug Treatment Court Advisory Committee Meeting
10:00 a.m. • Tuesday, October 17, 2017
Legislative Council Conference Room • 3rd Floor Boji Tower Building
124 W. Allegan Avenue • Lansing, MI

Members Present:

Judge Amy Ronayne Krause, Chair
Judge Raymond Voet, Vice Chair
Judge Louise Alderson
Heidi Cannon
Judge Susan L. Dobrich
Judge Mark Latchana
Douglas Lloyd
Sheriff Michael Main
Judge Julia B. Owdziej
Dr. Jessica Parks
Mark Risk (via teleconference)
Judge Geno Salomone
Stacy Salon
Gary Secor
Mark Witte

Members Excused:

Jesse Billings
Andrew Konwiak

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. Welcome New Members

The Chair welcomed Judge Latchana and Judge Owdziej as new members of the Committee. Judge Latchana and Judge Owdziej provided an overview of their background.

IV. Approval of the Minutes of the July 18, 2017 Meeting

The Chair directed attention to the proposed minutes of the July 18, 2017 meeting and asked if there were any changes. There were none. **Mr. Secor moved, supported by Judge Dobrich, to approve the minutes of the July 18, 2017 State Drug Treatment Court Advisory Committee meeting as presented. There was no objection. The motion was unanimously approved.**

V. Recognition of Committee Members Who Have Resigned in 2017

The Chair reported that certificates of appreciation have been prepared for two former members—Judge Ervin and Judge Mulhauser—and for one member who is attending his last meeting today—Mark Witte. She noted that Mr. Witte has taken a position as Executive Director of Allegan County Community Mental Health Services and is resigning his position on the Committee. The Chair expressed appreciation for Mr. Witte's service to the Committee and wished him the best in his new position.

VI. Recommendation for Substance Abuse Coordinating Agency Representative

The Chair opened a discussion of possible candidates for the substance abuse coordinating agency representative. Mr. Witte recommended Ms. Christina Nicholas who serves as the administrator for substance abuse services in Oakland County. **Judge Voet moved, supported by Judge Salomone, that the Committee recommend to the Senate Majority Leader and the Speaker of the House that Ms. Christina Nicholas be appointed to the State Drug Treatment Court Advisory Committee to fill the remaining term of the substance abuse coordinating agency representative position that expires June 13, 2019. There were no objections. The motion was unanimously approved.**

VII. Subcommittee Updates

The Chair called on each subcommittee chair for an update.

Affordable Health Care Act Impact Subcommittee: Mr. Witte provided an update and noted there is nothing new on the state-side, but the subcommittee is watching the coverage arrangements being discussed at the federal level.

Best Practices and Certification Subcommittee

Judge Alderson deferred the subcommittee's update to the Legislative Subcommittee since the certification issue the subcommittee has been focusing on is now introduced in legislation.

Defense Attorney Participation Subcommittee:

Mr. Risk expressed concern about what is going on with defense attorneys who are not only serving on the drug court team without compensation, but also the conflict of interest issues that exist when an attorney represents the individual defendant and serves as a representative on the drug court team. He would like to see the availability of additional funding for defense attorneys to serve on the drug court team and suggested a dedicated conference or seminar for defense attorneys be held to educate attorneys on what treatment courts do and the role of the defense attorney. A discussion followed. Judge Alderson commented that at the last SDTCAC meeting Dr. Parks had talked about the ability of problem-solving courts to include a defense attorney in any funding requests and noted that MJI just put on a conference for drug court judges and a major portion of the discussion focused on the defense attorney's role. She supports Mr. Risk's request for a dedicated seminar or a breakout session for defense attorneys and suggested someone like Judge Bowler could be the speaker at that type of a session. Judge Salomone shared that MATCP is encouraging the participation of defense attorneys at their annual conference and recently passed a motion to increase the number of scholarships that are available to defense attorneys. Judge Dobrich suggested webinars might be used and would be a good educational tool at minimal expense. Mr. Lloyd offered that each county is in the process of creating standards as part of the Michigan Indigent Defense Commission and one of the standards is the payment of defense attorneys in all courts including specialty courts. He has also taken the position that it is ex parte communication if a defense attorney is not present and more prosecutors are also taking that position. Dr. Parks clarified that, in SCAO grants, the defense attorney is an allowable expense, but some courts choose not to include that in their applications and not all problem-solving courts receive SCAO grants.

Family Dependency Court Subcommittee:

Judge Dobrich reported that a strategic planning summit was held in Petoskey two weeks ago and Dr. Herman McCall, the head of the DHHS Children Services Agency, attended. She noted that Dr. McCall's participation was significant and she is encouraged that they are seeing more movement and involvement from the department.

Juvenile Issues Subcommittee:

With the retirement of Judge Mulhauser, the Chair asked Judge Owdziej if she would serve as chair the Juvenile Issues Subcommittee. Judge Owdziej agreed. Mr. Secor reported that the Mental Health Diversion Council is exploring the definition of violent defendant and a subcommittee that he has been appointed to is looking to rewrite the mental health code relative to juveniles. Mr. Risk then shared information about the success of the Juvenile Behavioral Health Court in Grand Traverse County and suggested Judge Melanie Stanton, who runs that program, might be helpful if Mr. Secor is looking for input or information.

Legislative Subcommittee:

Judge Voet asked Judge Hoffman to provide an update. Judge Hoffman provided information on Senate Bills 435, 436, 437 and 438. He noted that the bills were reported from the House Committee today. Judge Dobrich raised due process concerns with the admission to mental health requirements and the violent offender definition being discussed. Judge Hoffman will discuss these concerns with the workgroup at their next meeting.

Marijuana Subcommittee:

Judge Voet had no update to report.

Program Standardization and Alternative Funding Subcommittee:

Judge Salomone had no update to report.

Veterans Treatment Court Subcommittee:

Judge Voet had no update to report.

Vision Subcommittee:

Prosecutor Lloyd had no update to report.

VIII. Funding Update

Dr. Parks reported that all SCAO grants awards are out for problem-solving courts and provided details on the award amounts and contract timelines.

IX. Committee Member Comments

The Chair asked if there were any comments from Committee members. Sheriff Main shared that there will be breakout sessions on medication-assisted treatment (MAT) at an upcoming Michigan Sheriffs' Association conference. A discussion of MAT followed. There were no other comments.

X. Public Comment

The Chair asked for public comment. Dr. Jeanne Kapenga, President of Family Against Narcotics, provided information about her organization and offered to make a more in-depth presentation if the Committee desired. There were no other public comments.

XI. Next Meeting Date

The Chair announced that the date of the next meeting is January 16, 2018 **at 10:00 a.m.**

XII. Adjournment

There was no further business. The Chair adjourned the meeting at 11:13 a.m.

(Minutes approved at the January 16, 2018 SDTCAC meeting.)