

# Final Minutes

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## State Drug Treatment Court Advisory Committee Meeting

9:30 a.m. • Tuesday, March 17, 2009

Legislative Council Conference Room • Boji Tower Building

### Members Present:

Judge Patrick Bowler, Chair  
Judge William Schma, Vice-Chair  
Kathleen Brickley  
Charita Coleman-Gladdis  
Pamela Davis  
Judge William Ervin  
Kevin Jones

Judge Brian MacKenzie  
Beth Morrison  
Dennis Priess  
Judge William Rush  
Homer Smith  
Richard Woods

### Members Excused:

Andrew Konwiak  
Jeffrey Sauter

### Others Present:

Susan Cavanagh, Office of the Legislative Council Administrator  
The Honorable Marilyn Kelly, Chief Justice of the Michigan Supreme Court  
Dawn Monk, SCAO  
John Strand, Legislative Council Administrator  
Others were present, but were not identified

### I. Convening of Meeting

The Chair called the meeting to order at 9:30 a.m. and asked the clerk to call the roll. A quorum was present. Absent members were excused.

### II. Welcome to Dennis Priess

The Chair introduced and welcomed the newest member, Dennis Priess, to the State Drug Treatment Court Advisory Committee. Mr. Priess shared that he is the Director of Northern Michigan Substance Abuse Services and has been involved in coordinating agency work for 27 years.

### III. Discussion with Chief Justice Marilyn Kelly

The Chair welcomed and thanked Chief Justice Marilyn Kelly for meeting with the Committee today. The Chief Justice expressed her support of drug treatment courts and outlined her recent efforts to secure continued funding for the drug court program. A discussion of the growth of other types of specialty courts and the need to have drug courts in some of the larger cities followed. Judge MacKenzie will contact Judge Hoffman to get statistics on the number of people who should be in a drug treatment court but do not qualify and get that information to Chief Justice Kelly. The importance of providing special training for judges that preside over drug courts was also discussed.

### IV. Approval of Minutes

The Chair directed the members' attention to the minutes of the November 25, 2008 meeting and asked for a motion to adopt the minutes as proposed. **Mr. Smith moved, seconded by Ms. Davis, to approve the proposed minutes of the November 25, 2008 State Drug Treatment Court Advisory Committee meeting. There was no further discussion. The minutes were unanimously adopted.**

### V. Legislative Report

The Chair called on Mr. Homer Smith to provide the legislative report due to the absence of Judge Harvey Hoffman at today's meeting. Mr. Smith proceeded with an update on the two bills they had been following last year that dealt with ignition interlocks noting that the high BAC bill was signed by the Governor and the bill that dealt with repeat offenders died in committee. He shared they are currently working on a proposal that involves an interlock for sobriety court participants and proceeded to outline the provisions of the bill that is expected to be introduced in early April. The Chair added that he and Judge Hoffman met with Chief Judge Paul Sullivan of the Kent Circuit Court who is preliminarily supportive of this measure. Judge Sullivan sent a letter to Terri Lynn Land and has requested a sit down session with Judge Hoffman. The Chair hopes that Mr. Smith can be a part of this meeting as well. Judge MacKenzie suggested that the Committee receive and evaluate the bill when it is introduced and issue a letter of support if necessary. **Judge MacKenzie moved, supported by Judge Rush, that Committee members receive and evaluate the interlocks for sobriety court participants bill when it is introduced; and that, if the Chair determines that immediate action is necessary, members be given the opportunity to vote by an allowable method permitted under the Open Meetings Act to support or oppose the preparation and distribution of a letter of support for the bill from the Committee; and that, if the Chair determines there is no need for immediate action, the matter will be taken up at the next State Drug Treatment Court Advisory Committee meeting. There was no further discussion. The motion was unanimously adopted.**

The Chair then raised one other legislative item—the prison presumptive proposal. He continued with a basic outline of the proposal which is one of the recommendations being made by the Justice Center of the Council of State Governments as to the state of the criminal justice system in Michigan. The proposal was discussed and the Chair commented that he did not think there is anything immediate happening on the proposal, but it will require a lot of discussion in the future.

## **VI. Status of Mental Health Courts**

Mr. Woods provided an update on the status of the mental health courts and reported five out of the nine pilots are operational. He noted there is a mandatory follow-up training session scheduled for April 20 and they are still waiting to get clarification on the funding of the mental health courts from the Recovery Act. Ms. Davis reported that they are moving forward with the implementation of the mental health court in her county.

## **VII. Certification Subcommittee Report**

The Chair asked Judge Rush for an update from the Certification subcommittee. Judge Rush indicated that he had no activities to report. Judge MacKenzie shared that work is being done by the Michigan Association of Drug Court Professionals' Certification Committee and suggested Judge Rush contact Judge Kropf who is the Chair of the MADCP's Certification Committee.

## **VIII. Subcommittee Updates**

**Confidentiality Issues:** Dennis Priess was appointed to the Confidentiality Issues subcommittee. The Chair suggested the subcommittee look at something that would advise all the courts in Michigan as to the best practices for courts to follow. A discussion of the issues with the federal regulation followed.

**Juvenile Issues:** The Chair suggested the Juvenile Issues subcommittee come up with some recommendations to address some of the concerns they have been reviewing so that they can be included in the May 8 strategic planning session discussion.

**Defense Attorney Participation:** Ms. Brickley provided a brief explanation of the purpose of this subcommittee which was created to look into defense attorney involvement in the drug court program. Judge Schma mentioned that this subcommittee might want to keep an eye on what is going on with the proposals and recommendations that public defender programs be initiated in more areas.

**Funding Alternative:** The Chair explained this subcommittee's update was part of the earlier funding issues discussion.

**Vision Subcommittee:** The Chair reported that this subcommittee came up with the idea for the strategic planning session on May 8.

**Evidence-Based Sentencing:** The Chair explained that this was part of the prison presumptive proposal discussed earlier.

## **IX. Strategic Planning Session**

The Chair opened a discussion of possible facilitators that could run the strategic planning session and Judge Schma agreed to make some contacts. A handout prepared by Mr. Woods was also reviewed (see attachment). Ms. Davis suggested it might be helpful for the Committee to decide what the goal of the meeting is and whether the session will involve true strategic planning which includes activities such as the development of a mission statement and defining future goals. **Ms. Coleman-Gladdis moved, supported by Judge Rush, to appoint Ms. Davis (Chair), Judge Bowler, Judge Schma, and Mr. Woods to a subcommittee to organize the May 8 strategic planning session. There was no further discussion. The motion was unanimously adopted.**

## **X. Committee Appointments**

Judge MacKenzie and Mr. Davis will make some calls to find possible candidates the Committee can recommend to fill the two current Committee vacancies.

## **XI. Public Comment**

The Chair asked for public comment. There was none.

## **XII. Adjournment**

**Having no further business, Judge MacKenzie 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 strategic planning session is scheduled for **Friday, May 8, 2009 at 8:30 a.m.** at location at the Hall of Justice.

*(Minutes approved at the July 28, 2009 State Drug Treatment Court Advisory Committee meeting.)*

**TO:** State Drug Treatment Court Advisory Committee (SDTCAC)

**FROM:** Richard Woods, Deputy Director, Trial Court Services Division  
SDTCAC Vision Subcommittee Member



**DATE:** March 17, 2009

**RE:** Proposed Strategic Planning Goal

The proposed goal of the strategic planning session, scheduled for May 8, 2009 at the Hall of Justice, is to craft amendments to 2004 P.A. 224, and new legislation that includes provisions that apply the "therapeutic jurisprudence" model to other specialty courts (i.e. juvenile drug treatment courts, family dependency treatment courts, DWI treatment courts, mental health courts, domestic violence treatment courts, and veterans treatment courts). Bruce Timmons was identified as a contact person who can recommend the best way to approach amending the drug court legislation and crafting new legislation for the other specialty courts. It is suggested that the committee's name be changed to "Problem-Solving Treatment Courts Committee" to accurately reflect the broader mission, goals and objectives of the committee if other problem solving courts are included. To ensure that all issues are addressed, stakeholders for each type of specialty court would be included on the subcommittees for those court types. The following diagram displays the proposed changes.

