

MONOGRAPH SERIES 8

Ensuring Sustainability For Drug Courts:

AN OVERVIEW OF FUNDING STRATEGIES



NATIONAL
DRUG COURT
INSTITUTE

Ensuring Sustainability for Drug Courts: An Overview of Funding Strategies

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INTRODUCTION

The National Drug Court Institute (NDCI) has developed this publication to assist courts in creating a sustainability plan that moves past initial implementation into long-term viability. NDCI sent out a call to the field, inviting drug courts from around the country to submit their sustainability strategies. The response was overwhelming, and in this publication NDCI presents these examples of creative sustainability strategies developed by drug courts around the country. This publication focuses primarily on the monetary aspect of sustainability, and to a lesser extent addresses the need for capacity building, educational efforts, and leadership development. However, it cannot be emphasized enough that sustainability means more than money. In this publication, we present both state and local sustainability strategies that offer avenues to sustain the ongoing operation and continued development of drug courts. We hope this publication will generate new efforts to ensure the long-term viability of local drug courts as effective interventions that not only statistically outperform traditional punitive rehabilitation, but also meaningfully impact people and communities around the world.

Long before accepting the first drug court participant, drug court teams should lay the foundation for sustainability through **careful strategic planning**.

The ultimate key to sustainability for any drug court is planning to become an integral and proven approach to the drug and alcohol problem, rather than an interesting experiment. Long before accepting the first drug court participant, drug court teams should lay the foundation for sustainability through careful and strategic planning. Such planning includes considerations of structure and scale, organization and participation and, of course, funding. When developing a long-term sustainability strategy, experienced practitioners suggest that jurisdictions start by developing a clear vision of their desired drug court model and an analysis of each necessary program component. Dissecting the

drug court into smaller components serves a two-fold purpose. First, it helps the drug court team understand what facilities or services are needed to meet client needs. Second, once there is a clear understanding of each component within the drug court program, a foundation is laid for the process of developing strategies to secure each component. Only then should a planning committee continue the process by determining how each component may be funded or supported.

The primary focus of the planning process should be addressing the needs of the target population and the community. Drug courts will need to continue exercising creativity and flexibility in securing funding sources over the lifetime of the program. Representatives from the state administrative office of the court, representatives from state and local alcohol and drug agencies, regional drug court managers, local drug court coordinators, judges, and interdisciplinary drug court team members should all participate in the development of a sustainability plan to ensure the prolonged existence of the drug court.

Many drug courts begin with initial seed money in the form of federal grants. However, as soon as a court applies for a grant, thought must also be given to sustaining the drug court program beyond grant funding. Federal funding opportunities are valuable resources that can be a vital source for initial program development, program evaluation, and training of drug court practitioners. Grants can provide a window of time to demonstrate positive results and publicize community impact. However, grants can impose limitations on expanding courts to an optimum

capacity. Grants also may include requirements that may not fit the community or the proposed target population in need of services. As all federal resources are limited in time and scope, it is critical that state and local resources are evaluated and incorporated into the strategic plan.

Hundreds of courts have moved beyond the initial seed money of federal funding by mobilizing existing state and local resources, and others have begun operation without any formal federal assistance. Although tapping into state and local resources may involve more complex stakeholder negotiations, these efforts are more likely to ensure the ongoing and stable operation of a drug court. Local resources can better adapt to local circumstances. Seeking out available resources begins with “community mapping,” identifying all applicable local resources that can support the functioning of the drug court.

Community mapping systematically reviews not only the availability of the broadest possible range of existing resources, but also the stability of those resources. In addition, community mapping identifies opportunities for building new resources. Once a plan is developed, courts should clearly identify all program cost elements and remain vigilant about examining potential areas for cost reductions. Program administration and stakeholders must be alert to circumstances that may affect current or future funding opportunities and craft contingency plans. Even if a drug court has a strategic funding plan, this plan must be reviewed and updated on a yearly basis to respond to changing circumstances and allow for the growth of the drug court.

Pursuit of methods of sustainability must be unyielding. In this era of fiscal uncertainty, drug courts across the country have learned, sometimes the hard way, the value of developing a sustainability plan. This publication shares the creative solutions courts have developed in response to sustainability obstacles. Part One examines sustainability strategies utilized at the state level, starting with a general description of the sustainability strategy followed by specific examples (NDCI maintains a directory of state drug court coordinators on line at www.ndci.org/coordinators that can be utilized in obtaining further information about state level strategies.). Part Two examines sustainability strategies employed at the local level, again offering a general description of the strategy and specific examples. Part Three explores aspects of sustainability apart from monetary considerations, including capacity building, pilot programs, community education, and team training. Part Four shares comprehensive sustainability strategies. These comprehensive strategies demonstrate how courts have utilized multiple methods to ensure sustainability and create robust programs with a myriad of resources. Though this publication can be read cover to cover, skimming through each section may stimulate creative ideas for inclusion in a sustainability plan specific to a local drug court or state system.

The state and local funding opportunities described are not at all comprehensive of every resource that may be tapped to support drug courts. Opportunities for funding on the state and local level are as different as the political landscape in each unique region. This publication has been designed to identify potential sources of funding and to spark creativity in the development of a comprehensive long-term strategic sustainability plan. The described sustainability strategies employed by other drug courts may provide a planning team with ideas to invigorate an initial planning effort or to build the quality and capacity of existing drug courts so they may continue to provide solutions for the community and the justice system for years to come.

PART ONE

STATE STRATEGIES FOR DRUG COURT SUSTAINABILITY

LEGISLATION AND APPROPRIATIONS

Integrating drug courts into the fabric of public policy is the ultimate strategy for sustainability and institutionalization. State legislative bodies may be the best catalysts to incorporate drug courts into renewable funding streams. Pursuing state legislative support can provide a local drug court with initial and ongoing funding or continuation funding when federal grants are concluded. Many courts with state legislative support receive specific appropriations through a drug court fund or receive funding through budget modifications to state agencies that trickle down to drug courts. Some states have linked mandatory sentencing guideline reductions to drug court funding. One of the best benefits of state legislation or an executive order is the clear legitimization it provides for drug courts, which in turn fosters support in the legal community.

Pursuing state legislative support can provide a local drug court with initial and ongoing funding or continuation funding when federal grants are concluded.

With the power of legislative authority, best practices and minimum standards of operation can be promoted. Additionally, drug court legislation can build court infrastructure by creating new positions or titles in the judicial branch and other branches of state government to run the drug court program. The benefits of legislation might also include a formalized legal eligibility standard for drug courts, which reduces localized legal challenges to program entry, allowing programs to reach capacity. This support can also be used to foster essential interagency collaboration and permanent cost-sharing.

Legislation and Appropriations: Creation of a Statewide Structure California

The California legislature has enacted funding bills (Comprehensive Drug Court Implementation (CDCI) Act of 1999; Drug Court Partnership Act of 1998) for drug courts by providing the Department of Alcohol and Drug Programs with two grants: \$7.6 million from State General Funds awarded to the Drug Court Partnership (DCP) Program and \$8.8 million awarded to the Comprehensive Drug Court Implementation (CDCI) Program. These programs built a statewide structure for drug courts, including a drug court partnership steering committee, that served to supplement funding for established drug courts, provided a mechanism for planning new drug courts and established funding for the evaluation of drug courts.

When the original Drug Court Partnership grant program expired, grant funding was extended by an assembly bill which redirected \$7.6 million from the Department of Corrections to continue to fund the DCP program. The original base CDCI grant award was for \$6.5 million, and an additional \$2.3 million was redirected to the CDCI program from the Department of Corrections. The funding from the Department of Corrections was restricted to serve convicted felons for whom supervision and education had not produced results. The legislature only redirected funds from the Department of Corrections after research demonstrated the positive results and cost-savings produced by California's drug courts.

The Department of Social Services entered into an interagency agreement with the Department of Alcohol and Drug Programs to award an additional \$1.8 million through the CDCI grant to support dependency drug courts. In this agreement the county alcohol and drug program administrator and the presiding judge in the county develop and submit a comprehensive multi-agency drug court plan for implementing cost-effective local drug court systems for adults, juveniles, and parents of children who are detained by, or are dependents of, the juvenile court. The court must provide a local action plan for implementing cost-effective drug court systems, including developing information-sharing systems to ensure that county actions are fully coordinated, and to provide data for measuring the success of the local action plan in achieving its goals. Acceptable uses of the funds include drug court coordinators, case management, training, drug testing, treatment, and transportation.

Legislation and Appropriations: Revising Sentencing Guidelines Washington

The legislature in the State of Washington passed a Senate House Bill (S. 5419, 2001) revising sentencing guidelines for non-violent drug offenders in state prisons, resulting in significant incarceration savings. This act revised sentences for drug offenses with a new drug offense sentencing grid. The resulting incarceration savings from the sentencing changes will be used for substance abuse treatment and drug courts. Seventy-five percent of the savings, with a cap of \$8.25 million per year, will now be transferred from the General Fund into the Criminal Justice Treatment Account (CJTA).

Because the bill provides for a balanced response to the drug problem, it received strong bipartisan support from both the House and the Senate. The bill, which set minimum requirements for participation of offenders in drug courts, states that criminal defendants are not entitled to any specific sentencing option, sanction, alternative or substance abuse treatment.

Research has indicated that drug courts in Washington State generate \$1.74 in benefits for each dollar of costs (Barnoski & Aos, 2003). CJTA funds may be used for substance abuse treatment and support services provided through a drug court program. The Division of Alcohol and Substance Abuse (DASA) was named as the fiscal agent for CJTA and must dispense 70 percent of CJTA funds to counties according to a methodology to be developed by a process outlined in the state legislation. The remaining 30 percent will be distributed as grants.

The Division of Alcohol and Substance Abuse (DASA), in consultation with a broad group of parties with expertise, established a fair and reasonable methodology for distribution. A designated panel must approve county plans submitted for the expenditure of formula funds. The county chemical dependency specialist, the county prosecutor, county sheriff, county superior court, county drug court professional, and a substance abuse treatment provider appointed by the county's legislative authority jointly submit a plan for disposition of all the funds provided from the CJTA within that county. The plan must be approved by the county's legislative authority and must be used solely to provide approved alcohol and substance abuse treatment and treatment support. Counties are encouraged to consider regional agreements. Any county found not to have used the funds appropriately must repay the fund. The Washington State Institute for

Public Policy is evaluating the effectiveness of Washington's drug courts and the impact of the new sentencing guidelines.

Legislation and Appropriations: Appropriated General Funds and Surcharges Idaho

The State of Idaho has supported drug courts through a dedicated drug court fund. The Idaho state legislature has been extremely supportive of drug courts since 2001, when expansion of drug courts to all seven judicial districts was set as a collaborative priority of the Governor's office, the Supreme Court and the legislature. In the 2001 legislative session state general funds were specifically appropriated to support basic infrastructure for drug court operations such as drug court coordinators and drug testing, as well as for expansion of drug and alcohol abuse treatment.

However, when an economic downturn resulted in drastic reductions in tax revenues, financial support for drug courts was seriously threatened. The Idaho legislature remained committed to funding drug courts and passed the Idaho Drug Court and Mental Health Court Act (2001) to create a dedicated fund for drug courts and family court services. Funds from a 2% surcharge on the gross sales of beverage alcohol sold by the Idaho State Liquor Dispensary system are appropriated by the legislature for the support of drug court and family court services. This surcharge is projected to produce approximately \$1.5 million per year.

In addition, state general funds continue to be appropriated for drug and alcohol abuse treatment services. These funds are combined with federal substance abuse block grant funding and other state funds administered by the single state substance abuse agency, the Idaho Department of Health and Welfare.

Further demonstrating their support for drug court efforts, the 2005 Idaho legislature appropriated added funds from an increase in maximum fines. These new funds will enable the expansion of drug court capacity as well as the implementation of mental health courts. The Department of Health and Welfare also allocated added funds for treatment, bringing the total treatment allocation to \$3.2 million.

Legislation and Appropriations: Replacement of Federal Funding Tennessee

The Tennessee General Assembly awarded an appropriation in Fiscal Year 2004 for the medical needs of the Davidson County Drug Court Residential Program (DCDCRP), to cover lost federal and non-profit grant funding. In addition, the DCDCRP technically "houses state prisoners" at a rate of \$37 per day, per resident. According to the Tennessee Department of Corrections, in 2004 the average cost of housing state prisoners was \$62 per day, per resident. Clearly, the DCDCRP produces a tremendous cost savings for the State of Tennessee, which has bolstered legislative support for additional funding.

Legislation and Appropriations: Liquor Tax Funds New Mexico

The Third Judicial District Court Drug Court in Las Cruces, New Mexico is a hybrid drug court, as the court accepts drug cases, felony DWI cases, and nonviolent cases where the underlying charges are drug-related. To fund drug courts in New Mexico, the state's governor decided to allocate some funds to drug courts from DWI grant money, which is money collected from taxes on the sale of liquor in the state. Each year a portion of these liquor tax funds has gone to support drug courts. The Third Judicial District Drug Court in Las Cruces has used these funds to help pay for salaries and training.

ADMINISTRATIVE STRUCTURES

States can support the stability of drug courts by **creating a state-level drug court administrative authority** to oversee all of the drug courts in the state.

Creating state administrative structures allows leaders and branch heads to create new administrative positions to oversee development, operations, and evaluation of drug courts. States can support the stability of drug courts by creating a state-level drug court administrative authority to oversee all of the drug courts in the state. Although local jurisdictions could still function autonomously, the state administrative structure might foster uniformity of practices by establishing comprehensive screening and assessment systems and statewide standards or guidelines for drug court operation. Some states promote uniformity through the development of a voluntary certification

system for drug courts, thereby promoting best practices and long-term sustainability.

A statewide structure could also develop funding allocation and accountability mechanisms, receive and administer federal and other grants, provide training opportunities, foster communication, develop statewide management information and evaluation systems and work to build interagency collaborative relationships. States utilizing administrative structures often assume operating costs for drug court personnel expenses associated with providing judges, probation, pretrial supervision, and clerks. Finally, an administrative structure can allow local courts to make modifications that might otherwise not be permitted. For example, in some states with administrative structures, courts are allowed to invite retired judges and magistrates to serve in drug courts, thus reducing the burden on the judiciary.

Administrative Structures: Statewide Sustainability Plan North Carolina

North Carolina has had state appropriations dedicated to drug treatment court operation since the program's inception in 1995. These appropriations were used initially to fund court operations, treatment, drug testing, and transportation for the initial five pilot courts started in North Carolina. Federal grant funds were used to implement additional courts. As those funds were exhausted, the state appropriation was stretched to fund or partially fund each of the existing courts.

The North Carolina Administrative Office of the Courts (NC AOC) was asked to submit a “Sustainability and Expansion Plan for North Carolina’s Drug Treatment Courts (DTC),” considering funding opportunities beyond the state appropriations. The NC AOC submitted a plan simultaneously with a request to expand appropriations. The expanded appropriations would fund the many operational drug treatment courts that had no other funding source.

With the support and participation of drug court team members and state-level stakeholders, the NC AOC sought creative answers to sustain the courts based upon the leveraging of existing resources dedicated to the populations served by North Carolina’s adult, juvenile, and family treatment courts. Their plan included a proposal to use Medicaid funds to pay for treatment, with particular applicability to juvenile and family DTC participants. To effectively utilize resources, the plan required all drug courts to target populations mirroring the North Carolina Division of Mental Health, Developmental Disabilities, and Substance Abuse Services state-funded treatment target populations. As result, all adult DTC participants must be high-risk, community-based offenders on probation. Because of this stipulation, the North Carolina Division of Community Corrections assumed primary case management duties for drug court participants and took over responsibilities associated with a minimum of two drug/alcohol tests per week.

The NC AOC was also able to parlay commitment from the North Carolina Department of Juvenile Justice and Delinquency Prevention to assume primary case management and drug testing responsibility for all juvenile DTC participants. As a result, the NC AOC was able to use the \$1.1 million in expanded appropriations (and any approved increase) to fund a case coordinator position for each adult, juvenile or family DTC, office supplies, computers, and a management information system to manage data and produce reports for the use of the courts. Finally, as a result of the sustainability plan, NC AOC has sought to provide cross-agency training for all DTC teams and help with ancillary costs associated with treating the drug court population including transportation, emergency housing and basic incentives.

State and local memoranda of agreement define roles and responsibilities of each agency and team member. There is also a set of state *Guidelines for North Carolina’s Drug Treatment Courts* that further defines the planning and operation of the courts.

The considered leveraging of existing, dedicated resources in conjunction with shared planning for growth, and a united voice regarding the use and continued need for resources to serve this population has strengthened the partnerships between North Carolina drug treatment courts and state and local agencies.

Administrative Structures: Voluntary State Certification Indiana

The first drug courts in Indiana began in 1996. As the number of drug courts increased, several drug courts began to seek support and certification from the Indiana Judicial Center (IJC) similar to that provided to other Court Alcohol and Drug Programs. In 2001, the Judicial Conference of Indiana Court Alcohol and Drug Program Advisory Committee (CADPAC) formed a subcommittee to conduct a pilot project to examine the possibility of developing a certification

program for drug courts. The pilot project was completed in 2001 and provided the subcommittee with a framework for drafting drug court legislation and drug court rules.

In 2002, the Indiana General Assembly enacted drug court legislation for adult and juvenile drug courts requiring them to submit to certification procedures overseen by IJC. In 2003, the Judicial Conference of Indiana adopted drug court rules, which provide a framework for certification of drug courts operating under the statute.

To obtain certification by IJC, drug courts must demonstrate compliance with the drug court statute, drug court rules, and the Ten Key Components (NADCP, 1997). The certification procedure examines six key areas including application procedures, administration, the Ten Key Components, program management, drug court operations, facilities, fiscal management, and personnel management. Drug courts that demonstrate compliance with each of these areas may receive a certificate of approval to operate as a certified drug court for up to 3 years, at the end of which time the drug court must submit to recertification procedures as required by the drug court rules.

The drug court statute authorizes certified drug courts to assess and collect a user fee of up to \$500 per referral to cover drug court services including screening for eligibility, clinical assessment, education, referral, service coordination, case management, and other appropriate services. In addition, only certified drug courts are eligible for drug court related training, grants, and scholarships administered by IJC and the Indiana Criminal Justice Institute.

Administrative Structures: Statewide Coverage New York

By advocating for a statewide system, New York's Office of Court Drug Treatment Programs did not intend to implement a homogeneous approach toward drug treatment in every jurisdiction. Instead, the effort was designed to recognize local circumstances and needs. To ensure that treatment was offered to the full universe of eligible criminal offenders, a comprehensive system was developed whereby defendants are questioned, on a voluntary basis, about any current drug use and drug dependency. Responses are combined with information gleaned from the arrest information and the defendant's "rap sheet", and eligible defendants are referred to the drug court program.

Two methods have been utilized to allow comprehensive geographic jurisdiction coverage for adult criminal drug courts in New York State. One method was the creation of a statutory designation pursuant to CPL §170.15(4) establishing local criminal court "hub courts" that can accept referrals from other local criminal courts in the same county that do not have operating drug courts. Once a defendant has been identified as a possible candidate for drug treatment, the case is sent to a hub court that has the resources to conduct a more extensive assessment. All defendants referred for an assessment are administered a comprehensive evaluation conducted to determine if they have an addiction and their legal eligibility to participate in the program.

New York State has issued formalized procedures to obtain designation as a hub drug treatment court. First, the proposed hub drug court judge and/or project manager meet with town and

village justices to describe the program, answer any questions, and develop local support. For optimal utilization of resources, the hub drug court team can use existing templates to develop the procedures and forms that will be used to transfer eligible cases to the hub drug court. Once these forms are completed and local support has been assured, the local Administrative Judge will request hub drug court status from the Deputy Chief Administrative Judge of the Office of Court Drug Treatment Programs. Once hub court status is approved, established procedures are used to transfer cases from city, town, and village courts to the hub drug court.

Another method utilized to ensure comprehensive drug court coverage in the State of New York has been the implementation of Part 43 of the Rules of the Chief Judge and Part 143 of the Rules of the Chief Administrator, allowing for the establishment of Superior Courts for Drug Treatment. Superior Courts for Drug Treatment have as their purpose the hearing and determination of criminal cases from any superior or local criminal court in their county that are appropriate for disposition by a drug treatment court.

Administrative Structures: Regional Funding Kentucky

A local congressman and the Kentucky Supreme Court Chief Justice used their combined political influence to create Operation UNITE, a nonprofit organization that receives federal grants and corporate donations. Operation UNITE funds 22 drug courts throughout Kentucky. Operation UNITE has funded the development of 17 drug courts that serve 20 counties, and continues to support 5 previously funded drug courts. In order to maximize resources, UNITE drug courts are funded on a regional basis. Drug court staff is shared across jurisdictions. In the beginning, staff worked on a part-time basis and courts accepted 15 participants per county. However, UNITE has increased funding to \$3.2 million in order to expand the capacity of Kentucky's drug courts.

COURT ASSESSMENTS AND FEE SYSTEMS

Some states have used revenues collected from offenders to fund their drug courts. Drug court assessments have been included in traditional court costs and are often held centrally for distribution. States have also imposed drug court fees assessed on all drug convictions or drug court litigation taxes, which is a tax on all drug and alcohol related criminal warrants settled without a proceeding. DUI treatment fees, assessed to every DUI conviction, are used widely by DUI courts to support treatment services. States have also enacted increased court processing fees on a wide variety of infractions and violations to support intervention and treatment for drug court clients. Litigation taxes on criminal cases have also been distributed to indigent defense funds, which may support drug court programming.

Some states use revenues collected from offenders to fund their drug courts.

Court Assessments and Fee Systems: Legislatively Mandated Funds Mississippi

The State of Mississippi created a state strategy for sustainable drug court funding that established an administrative foundation for drug courts through the passage of legislation. However, the statute did not fund treatment services rendered by drug court programs. According to the statute, the costs of alcohol and drug services could be paid by the participant, through user fees, or through other state, federal or private funds that may be made available. The statute also allowed courts to assess reasonable fees for participation. According to state coordinator Joseph Craft, “the minimal amount of monies created from this code section were not enough to sustain a drug court program. Several successful drug court programs in the state were in jeopardy of closing unless a stable long-term funding strategy was developed”.

Mississippi’s State Drug Court Advisory Committee recognized the critical need for a statewide sustainability plan. The State Drug Court Advisory Committee developed a series of initiatives to fully support Mississippi’s drug courts and presented these ideas to the state legislature. Legislators incorporated these ideas into a bill, which was widely supported by the legislature and was approved by the Governor’s Office.

As a result, Mississippi Code Ann. § 99-19-73 was amended to provide fee assessments on certain criminal offenses to be deposited in a newly created special fund known as the Drug Court Fund. The monies derived through these assessments would be used to provide supplemental funding to all drug courts in the state. The statute adds a \$10 assessment to violations including traffic violations, implied consent law violations, game and fish law violations, litter law violations, and any felony violations not specified by the law. The statute also adds an \$8 assessment to all misdemeanor violations not specified by the law, stating that monies from this fund derived from assessments under Section 99-19-73 shall be distributed “to the drug courts where the respective violations occur in the state, and funds from other sources (municipalities and counties without drug courts), shall be distributed to the drug courts based on a formula set by the State Drug Court Advisory Committee”. The law is expected to generate approximately \$5.1 million for Mississippi’s drug courts.

Court Assessments and Fee Systems: Administrative Assessment Nevada

In Nevada, when a defendant pleads guilty or is found guilty of a misdemeanor, including the violation of any municipal ordinance, the judge includes in the sentence the sum of \$7 as an administrative assessment for the provision of specialty court programs. The judge renders a judgment against the defendant for the assessment. Even if a defendant is sentenced to perform community service in lieu of a fine, the sentence must include the administrative assessment. The money collected for an administrative assessment must be stated separately on the court’s docket and must be included in the amount posted for bail. If bail is forfeited, the administrative assessment included in the bail must be disbursed to a special account in the State General Fund administered by the Office of Court Administrator.

The Office of Court Administrator allocates the money credited to the State General Fund to assist with the funding or establishment of specialty court programs. Money that is apportioned to a court from administrative assessments must be used by the court for specified purposes. The money must be used to fund treatment and testing or to hire personnel and staff, to provide training and education, to study the management and operation of the program, to conduct audits of the program, or to acquire or use appropriate technology.

Court Assessments and Fee Systems: Convictions Assessment Tennessee

The Alcohol and Drug Addiction Treatment Fund (ADAT), which is administered by the Tennessee Department of Health, has permitted many multiple DUI offenders to obtain a continuum of alcohol and drug treatment services drug courts have relied heavily on this funding for its treatment services for DUI offenders. Eligibility for ADAT funding is premised on having two or more DUI convictions, inability of the client to pay for treatment (treatment indigency), and a court order requiring treatment, usually as a condition of probation. The ADAT fund was initially started by a grant to Tennessee from the National Highway Traffic and Safety Administration (NHTSA) and the fund is renewed with a portion of the costs collected on every DUI conviction entered in the state of Tennessee.

The State of Tennessee Code also created a county DUI fund, which is segregated from county General Funds, and may only be expended for the purposes of providing treatment for alcohol and drug abuse, or for education efforts related to alcohol and drug abuse. The funds are collected from DUI offenders as part of their court costs. Much of this money goes to DARE programs, but a portion is used for treatment for addicted offenders and for drug court programs.

Tennessee Code also authorized each county to implement an indigent defense fund, also referred to as the “\$12.50” tax, which is a litigation tax on all criminal cases. A 5% portion of the money is reserved by the clerk, and the balance is a semi-discretionary fund accessed by the public defender for indigent defense. Those monies have been, in part, used to access treatment for drug court offenders.

Furthermore, the Tennessee legislature approved the Tennessee Drug Court Litigation Tax, which is a tax on all drug and alcohol related criminal warrants settled in Tennessee. The clerk of the affected courts is to collect \$75 on each such warrant, reserve a 5% clerk’s commission and the balance of those funds are to be used by the drug court for that particular county. If no such drug court exists, the funds are remitted to the Tennessee Drug Court Association after 1 year. Those funds are then available statewide to any drug court program on a grant basis. These funding initiatives were enacted through legislation written by the Tennessee Association of Drug Court Professionals.

The Tennessee Department of Health also administers the federal “Access to Recovery” grant. Funds for alcohol and drug treatment with a broad range of ancillary services are made available on a voucher system, and the fund is administered in much the same fashion as the ADFAT fund referred to above, which is also administered by the Department of Health. To maximize available services, faith-based providers are included under this program.

INTERAGENCY AGREEMENTS

State agencies with common missions often join together to fund and support drug courts. State agencies may also have their own potential for grant funding opportunities that can be utilized to support or strengthen program components. State commissions, formed to reduce crime, improve

State agencies with common missions often join together to fund and support drug courts.

highway safety, or increase access to treatment may be approached for court or program funding. State agencies also fund drug courts through the utilization of supervision fees including pretrial or probation supervision fees or conviction surcharges imposed on offenders convicted of drug offenses. Education and prevention programs mandated for at risk offenders are

often sources of funding for drug courts, utilizing lower level offenders' program fees to support higher level offender treatment and supervision costs.

Interagency Agreements: Courts and Probation Funding Colorado

The Denver District Court was the location of the first Colorado drug court in 1994, funded through federal grants and the contribution of in-kind staff resources from both the trial courts and probation department. When the federal funding ended the scope of the drug court was reduced such that the cost of operation could be absorbed within existing court and probation budgets. Since then the majority of the drug courts in Colorado have followed a similar path, moving from partial federal funding support to absorbing as much of the operation as can be sustained into existing resources. There are now 21 drug courts operating in Colorado, in 9 of the states' 23 judicial districts.

As the drug courts reduced their reliance on federal funding, the Division of Probation Services has been able to provide some limited long-term financial assistance to some of the courts. Defendants sentenced to probation in Colorado are required to pay a monthly probation supervision fee of \$50, and the revenue from collection of these fees is deposited in the Offender Services Cash Fund. This is the source of an annual allocation to the 23 probation departments in the state for the purpose of purchasing treatment and services for offenders. In fiscal year 2006-2007 the Offender Services Cash Fund provided approximately \$1.35 million in supplemental funding to nine drug courts, with 16.5% of the funding supporting court staff, 56.4% supporting probation staff and 17.1% supporting supplemental treatment resources.

Colorado's Office of the State Court Administrator is preparing to hire a specialty court coordinator during 2007. This individual will be working on developing some standardized models for the various specialized courts in Colorado, determining the funding needs to support these courts and developing strategies for securing state funding for existing courts and new courts.

Interagency Agreements: Drug and Alcohol Abuse Agency Funding Missouri

The State of Missouri is advancing the link between drug courts and the Missouri Division of Alcohol and Drug Abuse. The Missouri Division of Alcohol and Drug Abuse has provided Medicaid and state funds to substance abuse treatment programs around the state including those serving drug court clients. Many clients in drug courts qualify for Medicaid or a reduced fee, which allows state point-of-service dollars to be used for those clients. In addition, county governments are allowed to provide a match in order to receive additional Medicaid dollars for drug court clients. The new director with the Missouri Division of Alcohol and Drug Abuse has indicated that drug courts will become a priority and a new treatment model for drug courts will be developed for statewide use.

The primary funding source for drug court programs is through the Drug Courts Resources Fund that is administered by the Drug Courts Coordinating Commission (2001). The statutory commission is comprised of four judicial appointments and four executive branch appointments from the Missouri Departments of Social Services, Corrections, Public Safety, and Mental Health. The Missouri General Assembly has provided general revenue funding to the Resources Fund for several years. The funds can be used for treatment services, drug testing, contract services, wraparound services, sanctions, and educational materials. The funding is provided to adult, juvenile, family, and DWI drug courts.

A unique interagency agreement was formed between the State of Missouri drug courts, the American Liver Foundation (ALF), and the Option Care organization. These organizations have joined together to provide Hepatitis C testing and treatment for drug court clients and their partners. The ALF and Option Care arrange for doctors in each community to test and receive the results of Hepatitis C tests. Prior to the testing, an educational program about Hepatitis C is provided to all participants. For those who test positive and are unable to pay for treatment, the ALF and Option Care organizations provide assistance in arranging free or reduced cost treatment. The need for this partnership was evident as the national and state average for testing positive for Hepatitis C is 3%, and the drug court average is approximately 17%.

Interagency Agreements: Children and Family Agency Funding Florida

Treatment sustainability for Volusia County's adult and juvenile drug court shifted when funding that was previously provided by the Bureau of Justice Assistance federal grants changed to funding from the Florida Department of Children and Families (DCF). DCF contracts with local agencies to provide substance abuse treatment across the state. DCF funding includes both state general revenue and federal Substance Abuse Prevention Treatment (SAPT) block grant dollars. By using this funding approach, court-mandated offenders are prioritized for treatment funding. Chet Bell, executive vice president of the Stewart-Marchman Center in Daytona Beach, Florida says, "the reality is that DCF funding is totally appropriate for financing drug court treatment. In fact, the additional motivation to remain engaged in treatment through the leverage applied by the drug court team results in improved outcomes for those clients referred from drug court relative to other referral sources. This means making choices about where to put dollars to

achieve the best outcomes for clients, but also the best outcomes for the community”. The process for obtaining funding is relatively simple. The treatment agency annually negotiates a contract with DCF. In that contract, the provider specifies the modalities of treatment to be offered and the number of units of service to be provided. A DCF funded treatment provider can negotiate with DCF to take over funding for those services.

Interagency Agreements: Partnerships Justify Appropriations Vermont

The Court Administrator's Office in Vermont has worked with other partner agencies to provide staff, resources, and services to drug treatment courts, based on the understanding that these agencies would be providing services to drug court participants in the absence of a drug court. At the local level, these partners include attorneys, probation officers, law enforcement, various treatment providers and case managers. The Court Administrator's Office works with these partners to maximize the effectiveness of the present service delivery system. Each local team first determines what local partners can do differently to meet the needs of the drug court, and only then assesses the need for additional funding.

At the state level, the Court Administrator's Office has worked with the Agency of Human Services (AHS), Division of Alcohol and Drug Abuse Programs (ADAP) to secure and increase funding for coordination and case management for drug treatment courts. Presently, ADAP provides funding for coordination in two counties and case management in four counties. The Court Administrator's Office receives state funding for the state treatment court coordinator. Additional funding from the governor's office for the DETER program (Drug Education, Treatment, Enforcement and Recovery) has funded some of the case management services.

Interagency partnerships both sustain and enhance treatment resources, and have also been used as a justification for the state legislature to continue and increase legislative appropriations for treatment services and case management for drug court participants. The legislature presently allocates a total of \$175,000 for drug treatment court coordination and case management.

The Court Administrator's Office is also working with evaluators to disseminate process and outcome evaluation reports and implement changes or recommendations from evaluations. Reports will include information on the cost-effectiveness of drug courts as well as cost avoidance in other agencies. The state treatment court coordinator has presented overviews of the process evaluations and preliminary outcome evaluation to the Court Administrator's Office, Department of Health Division of Alcohol & Drug Abuse Prevention, the Vermont State legislature, and local communities to justify state funding.

Drug courts in Vermont are working to develop relationships with local colleges and universities and offer internship opportunities in the areas of screening, evaluation, and substance abuse. Drug courts also participate in collaborative community efforts to secure federal and state grants to provide treatment and prevention services. In an effort to engage community stakeholders, local courts continue to seek support from community members for participant incentives programs. Volunteers work with local businesses to secure funding and in-kind donations for

incentives. Court staff members give presentations in the community to increase awareness of drug court programs.

MEDICAID AND MANAGED CARE

Medicaid, a state-administered medical services reimbursement program, has been used to cover treatment for many drug court participants. Medicaid is a combination federal and state funded program that has been used in a variety of ways to support the treatment necessary for drug courts. In some states, legislation has allowed for Medicaid reimbursement for all “court mandated” treatment services provided under the Medicaid system. In other states, county governments have provided funds to the state to match the federal Medicaid dollars. Courts have also been able to take advantage of some court discretionary funding to match Medicaid supported treatment. Likewise, courts have sought to work in partnership with managed care organizations to provide necessary treatment services to drug court populations by utilizing health management liaisons in the court and expediting qualification procedures by improving assessment practices.

Medicaid has been used to cover treatment for many drug court participants.

A report from the Bazelon Center for Mental Health Law, *Recovery in the Community: Funding Mental Health Rehabilitative Approaches under Medicaid*, (Koyanagi & Semansky, 2001) indicates that the use of Medicaid to fund rehabilitation and targeted case management services has increased significantly; however, most states that cover these services have somewhat limited descriptions of what can be furnished under the rehabilitation option. This report suggests that states have sometimes missed opportunities to support flexible, individualized, consumer-driven services founded on evidence-based practices, and that many states have not revised their Medicaid plan and related rules for a number of years. Federal law provides broad national guidelines on eligibility and definitions of covered services leaving states with significant flexibility to define the implementation details.

The federal law sets forth a list of services that states must cover under their program (“mandatory services”) and a list of services that a state may choose to cover (“optional services”). Each state’s Medicaid program is described in its state Medicaid plan, a document that specifies the amount, duration, and scope of benefits provided; the qualifications of providers; and other aspects of the program. The federal agency that administers Medicaid, the Centers for Medicare and Medicaid Services (CMS) in the U.S. Department of Health and Human Services, approves each state’s Medicaid plan by evaluating the state’s choices against federal requirements. Within these broad national guidelines, each state establishes its own eligibility standards and therefore has the ability to incorporate drug court treatment services into the state’s Medicaid plan.

Medicaid and Managed Care: Statutory Reimbursement and Deficit Funding New York

The New York Social Services Code (Medicaid Managed Care Act of 1996) requires Medicaid managed care organizations (MCOs) to provide services to drug court participants provided that such services are within the Medicaid benefits package and are reimbursable under Title XIX of the federal Social Security Act. If an MCO enrollee exceeds the benefits while under a court order for alcohol and substance abuse services, the benefits continue and the plan bills Medicaid via a stop-loss program, which ensures that the provider continues to receive payment for services rendered. All court-ordered services delivered by New York State Office of Alcoholism and Substance Abuse Services licensed Medicaid reimbursable programs will be paid for by the managed care organization. Additionally, an MCO plan is obligated to pay for out-of-network services ordered by the court if that provider is participating in Medicaid. However, local plans are encouraged to include the service providers preferred by the court in their network. When it is necessary to use an out-of-network provider to comply with a court order, such reimbursement is at the Medicaid fee-for-service rate. The court can determine the type of treatment, the length of treatment, and the provider of treatment, and the managed care organization is obliged to cooperate. New York State has a “deficit funding system” that draws on money from the state Office of Alcoholism and Substance Abuse Services to meet the cost of services that are not reimbursed under Medicaid or other payment systems.

Medicaid and Managed Care: Cross System Collaboration Rhode Island

The Rhode Island Family Court Juvenile Drug Court utilizes Medicaid reimbursement to fund substance abuse treatment and mental health services for participants in the drug court program. This funding source has been critical to the success of the court as it enables the program to pay for many services that would otherwise be unavailable. The family court was extremely proactive in collaborating with the Rhode Island Department of Human Services (DHS) to coordinate and implement this initiative. DHS's intention was to establish and operate an accounting system for the purchase of appropriate, effective, high-quality, intensive intervention services for juveniles referred by the drug court.

To accomplish this, DHS certified two case coordination providers (CCPs). CCPs conduct an independent comprehensive assessment of individual and family needs. Based on the assessment, an individualized treatment plan is proposed for review by DHS and approval as a court order of the juvenile drug court for service and payment authorization by DHS. The CCPs are the key parties responsible for keeping the process moving in an integrated fashion. To be effective, the CCPs are required to work across systems that impact the lives of youth. The CCPs must navigate various systems and social settings to bring together the ingredients for success, which includes working and communicating directly with the drug court. The CCPs work with DHS in such areas as Medicaid eligibility determination, service, and payment prior authorization, and reporting. The CCPs also work with medical care providers and health insurers/HMOs to ensure that physical health needs are identified and met. This process aims to guarantee insurance coverage, to access benefits provided through HMOs, and to identify and track third party liability opportunities where possible. The CCPs work with the substance abuse

and mental health treatment providers to monitor treatment, including drug screens, outlined in each treatment plan. The CCPs also assure active collaboration with the school system and neighborhood groups and communities, as part of a comprehensive community linkage plan.

Medicaid and Managed Care: Building Relationships with HMOs New York

The Buffalo Treatment Court^{*†} team recognizes the importance of building “a working relationship” with local HMOs, based on mutual cooperation instead of the power of a legislative order. Judge Robert Russell, who presides over the Buffalo Treatment Court, has encouraged managed care organizations “to cooperate voluntarily”. The director of Medicaid managed care for the Erie County Department of Social Services has improved communication between managed care organizations and the criminal justice system by assigning a member of his staff to work full-time in each of Erie County’s six drug courts. The result is that court-ordered mandates for treatment are determined on site to be appropriate recommendations for placement based upon thorough assessment and review. An additional benefit is that the Department of Social Services no longer closes cases when a client is jailed if the jail term is a sanction of the drug court.

Medicaid and Managed Care: Creation of Managed Care Organization Pennsylvania

The City of Philadelphia has taken a unique approach to provide health care for citizens. To combat fragmented arrangements that once existed for mental health and drug and alcohol treatment, the city formed a unique partnership with the Commonwealth of Pennsylvania to create its own managed care organization under the city's Department of Behavioral Health. This organization, called Community Behavioral Health, was designed to provide behavioral health coverage for all citizens and is one of the only city agencies in the nation to do so. As a result, the city has realized substantial savings through improved management efficiencies that are reinvested to expand services even further. This development was the result of an award from the Robert Wood Johnson Foundation's Program for Chronic Mental Illness. The grant was used to explore how to create a unified system in which funding could be used more flexibly and creatively to provide affordable housing, effective case management, and a broad range of treatment services and supports. The grant enabled Philadelphia to analyze the implications of creating one system in which all three funding streams (Medicaid, state hospital dollars, and state program dollars) could be integrated. When in 1990 the state closed Philadelphia State Hospital, consumers, family groups, treatment providers, advocates, and government officials successfully lobbied the commonwealth to transfer \$60 million from the hospital closure to the city to develop this unified approach to providing health care.

In February 1997, the city launched Community Behavioral Health (CBH), a nonprofit corporation, to provide a variety of social services. Philadelphia's system has become a national model for the delivery of high-quality, cost-effective, managed behavioral health services and has produced significant savings that are being reinvested in a wide range of programs for

* Indicates DCPI participant. See Appendix B.

† Indicates recipient of Drug Court Discretionary Grant Funding. See Appendix C.

homeless persons, children in schools and other support services; increased access to treatment; better coordination of services across all jurisdictions and funding streams; and greater accountability to consumers of services and their families, including involvement in planning and monitoring services.

As a result, the Philadelphia Treatment Court*† works with two distinct funding streams, which are both government funded. Clients entering the court are usually uninsured and have to submit an application to Community Behavioral Health for coverage. Until the approval comes through—and it can take up to 30 days—the client’s treatment is paid on a separate city budget line. This temporary funding allows the program to engage the client and conduct an evaluation by a physician on staff who can verify that the client is unemployable. This evaluation is used to expedite the process of receiving benefits from Community Behavioral Health.

Medicaid and Managed Care: Support from Medicaid Reimbursement Louisiana

The Jefferson Parish Juvenile Drug Court† in Gretna, Louisiana, has continued past the expiration of federal implementation grants by tapping into several sources. The drug court is diversely funded through state appropriations, Medicaid and some local nonprofit funding. The Louisiana State Legislature dedicates state appropriations to the Louisiana Supreme Court. Each jurisdiction applies to the state Supreme Court for funding.

However, the state appropriation does not provide enough money for the entire program. As a result, each month the treatment provider must assist funding treatment for drug court clients by drawing down Medicaid dollars for the client's mental health services. This funding is invested in the juvenile drug court program, as opposed to the general treatment pool. Through these resources, the Jefferson Parish Juvenile Drug Court has actually been able to expand its capacity. According to program coordinator Dawn Palermo, only the continued support and dedication of the treatment providers and the drug court team has allowed the court to provide the highest quality of services to this challenging population.

PART TWO

LOCAL STRATEGIES FOR DRUG COURT SUSTAINABILITY

FUNDING FROM COUNTIES AND MUNICIPALITIES

Local elected officials have a key public safety responsibility and unique access to community resources. In addition, local government officials provide a link to state legislators to provide information and education on the impact of drug courts at the local level. The key for drug courts to obtain local funds is to develop strong relationships with local governmental officials and present an effective case for the need for drug courts by demonstrating the economic benefit to the local community. Typically, local funding application processes are relatively simple and have minimal reporting requirements. Not all funds obtained through city or county governments originate as local dollars. Local officials may control many federal funds. The Community Development Block Grants (CDBG) are a good example of federal funds that are controlled locally.

The key to local funds is **developing strong relationships with local officials** and presenting an effective case by **demonstrating economic benefit** to the local community.

Municipalities and counties have been able to support drug court models by reallocating other state or federal funds received by the county or creating new funding streams to support the courts. Cities and counties have developed internal funding strategies to support drug court programs including redirecting money from taxes, fines, and forfeitures or reapplying funding from prevention and health programs or offender programs such as traffic safety programming. Other possible funding sources on the local level include abandoned property funds, abandoned trust funds, punitive damage awards, and non-dispersed class action funds. In developing drug court funding strategies, some jurisdictions have successfully looked to local, county, and municipal government for funding or

in-kind staff. In many instances, there are funding opportunities that have gone untapped or assessment systems that could be revised to support critical local intervention efforts.

Counties and Municipalities: County Commissioner's Support Alachua County, Florida

The adult felony drug court program[†] in the 8th Judicial Circuit in northern Florida has been fully funded by the Alachua County Board of County Commissioners (BOCC) since 1998 when the original block grants ran out. The program became operational in 1994. The drug court was awarded a Department of Justice drug court enhancement grant in 1998, and when that grant expired in 2000, the BOCC continued to fund the program at a higher amount. In 2005 the program was expanded further, with additional funding from the county, to include a postplea program for participants who were not eligible for the original diversionary program because of prior criminal convictions. The Alachua County Drug Court charges the participants fees which are returned directly to the county general fund, but these fees generally cover only about 10% of the actual cost of operating the program.

The BOCC decided to fund the drug court in Alachua County after recognizing the value of the program. As a result of participation in the program, nonviolent offenders are not taking up expensive jail beds. In addition, they are receiving treatment, which reduces recidivism; are working to support their families; and are paying taxes. Participants are much more closely

supervised in drug court than they would be on probation and are held accountable for their actions while in the program. As a rule, most participants are productive members of the community while in drug court, few commit new legal violations while in the program, and many continue to stay out of the criminal justice system upon leaving the program. Jim Santangelo, Alachua County Department of Court Services drug court program manager says, “We realize we are rather unique in several ways in that our drug court program is run by the Alachua County Department of Court Services which has a drug court staff, along with many other community corrections programs, that are dedicated just to the operation of drug court. The County Commission supports the idea that well-operated community programs that provide treatment and require accountability on the part of the participants are a more effective way to deal with many nonviolent drug offenders than incarceration”.

Counties and Municipalities: Regional Planning Hall County, Nebraska

The Central Nebraska Drug Court*† is a prime example of regionalization. The Central Nebraska Drug Court started taking participants in March of 2002. This was the culmination of 5 years of planning and working together. According to Sheriff Jerry Watson, past executive director for the Central Nebraska Drug Court, in 1997 the drug court in Hall County began to consider ways to develop a program with a larger population base. According to Watson, at the time Hall County had approximately 53,000 residents. The drug court team began to think about including two other adjoining counties, Adams County, population 30,000, and Buffalo County, population 42,000, in their court. Combining all three counties would give the court a population base of 125,000 people.

Once visits were made to each jurisdiction, both Adams County and Buffalo County decided to participate. Within a few months, Phelps County, population 9,700, contacted the team to express their interest in participating. In 2001, Central Nebraska Drug Court was formed to serve these four counties. Sheriff Watson says, “this was by far the most important decision made when looking down the road at sustainability of the program. It just made more sense to spread the overall costs of the program between four funding sources.”

The planning team faced several obstacles in creating this multi-jurisdictional court, but was able to succeed through cooperation and concession. “One obstacle that needed to be overcome was that egos needed to be checked at the door. Everyone sitting around the table was a leader,” said Watson. According to Watson, “it was pretty daunting, the first few meetings, with four county attorneys, four district court judges, four public defenders, probation, and law enforcement from each county sitting around one table. Concession and cooperation are two key ingredients that must exist before this can be successful”. Eventually, the team developed a solid interlocal agreement and memorandum of understanding. Each county will fund the drug court program. According to the plan developed, each county will contribute a portion of the program’s budget based on the number of participants in the program from that county.

Counties and Municipalities: Municipal Funding

Rutherford County, Tennessee

The Rutherford County Adult Drug Court† has sought funds from the municipalities it serves. Annually, these cities accept requests for funding from local organizations, and the drug court requests funding from each city within the court's jurisdiction. To date, the court has received \$27,500 through this effort. The funds have been used to pay for the drug court's operating costs.

Counties and Municipalities: Marriage License and Filing Fees

Charleston County, South Carolina

In 2002, when federal grant streams were coming to an end, the Charleston County Adult Drug Court† looked for new funding sources to support the operations of the drug court. The court has three paid employees and 10 volunteers on the staffs of the solicitor (prosecutor) and public defender, but there was a question as to how to fund treatment. With continued funding in doubt, the court stopped admitting new participants for a period of 10 months. The court decided to approach the Charleston County Council to seek the funding necessary to keep it functioning. Because a previous request for funding had been denied, the team decided to organize a unique presentation for the nine-member county council. The presentation was given by drug court graduates and participants. One individual recounted his experience with homelessness and his sense of hopelessness before the drug court program gave him the tools to turn his life around. Other participants recounted similar successes. A graduate who went on to earn an MBA presented the summation, which highlighted the cost-effectiveness of the drug court. The county council agreed to support the program if a source of funding could be identified.

The probate court recommended doubling the \$35 marriage license fees charged by the county and increasing the fees charged to participants to \$45 for assessment and \$25 per week for participation in the drug court. The marriage license fee had been identified as a possible means to secure additional funding, as adjacent jurisdictions were already charging higher marriage fees. Additional funding will come from a state mandated \$30 increase to file an action in the estate division of the probate court.

Counties and Municipalities: Criminal Court Fines and Fees

Jacksonville, Florida

The Fourth Judicial Circuit in Jacksonville, Florida receives funding for its adult† and juvenile† drug courts from the Court Innovations Fund in the City of Jacksonville budget. The Court Innovations Fund is financed by a \$65 Criminal Court Fine. Each program receives 25% of this \$65 fine, which is used for treatment and by the juvenile drug court for a case manager position.

The juvenile drug court receives funding from the ordinance outlined by the Florida State Statute for Teen Courts, which indicates that teen courts will receive 25% of a \$64 fine that is collected for traffic citations, DUI convictions, and other related criminal infractions. The Jacksonville Juvenile Drug Court is an alternative to incarceration, and offers drug treatment, drug awareness, and drug education programming. Therefore, the juvenile drug court meets the requirements for

funding outlined in the statute. Thus, the Jacksonville Juvenile Drug Court has made an agreement with the local government in order to receive some of the funding provided for by the statute.

The funding and management for the dependency drug court is provided through the State of Florida Children and Family Services. This funding provides for treatment, transportation, housing, parenting classes, and case management services. The court provides three case managers for the dependency drug court to monitor cases.

According to the drug court administrator in Jacksonville, Florida, conserving judicial resources is a good way to ensure drug court sustainability. The dependency drug court is presided over by two magistrates, which frees up more time for a circuit judge to preside over family court issues. The chief judge presides over the adult drug court and a circuit judge presides over the juvenile drug court. When a need arises in any of the drug courts, a senior judge is used to fill in.

Counties and Municipalities: Anti-Drug Sales Tax Jackson County, Missouri

The family drug court and juvenile drug court in Jackson County, Kansas City, Missouri says that during the family drug court federal grant period, their court laid the groundwork to incorporate program salaries and ancillary services covered by those grants into the regular court budget. Penny Clodfelter, the family drug court and juvenile drug court program manager, says “there was no magical thinking other than the grants will be ending and the money had to come from somewhere”. Jackson County has many prevention and treatment programs that are supplemented by a quarter-cent sales tax in Jackson County, known as COMBAT (Community Backed Anti-Drug Tax). The family drug court and juvenile drug court program receive some of that funding and some of the staff salaries are paid through that fund. State funding is utilized for client-centered services such as urinalysis testing, short-term transitional living, and assistance with housing deposits or bus passes. Treatment is funneled through the Missouri Department of Mental Health, where the Children's Division provides dedicated case managers for most of the cases in family drug court. Local law firms provide pro bono attorneys for families in the family drug court program. The court also partners with an established network of service agencies to provide a complete range of services. Penny Clodfelter says “there is the old adage, if you pay now, it is less [later] ... we have tried to adhere to that premise”.

Counties and Municipalities: Drug Paraphernalia Licensing Fees Shawnee County, Kansas

A recent initiative to sustain the Third Judicial District Drug Court Program†, in Shawnee County, Kansas, developed after drug court staff observed local stores selling and marketing drug paraphernalia as “tobacco paraphernalia.” Drug court staff were unable to understand how stores were openly selling items used to consume illegal drugs. Drug court coordinator Jared Harsin began to notice a distinct marketing and advertising scheme associated with these items. Stores were placing “FOR TOBACCO USE ONLY” signs next to the items, thus avoiding prosecution for selling drug paraphernalia.

Mr. Harsin decided to draft a resolution and ordinance to regulate the sale of drug paraphernalia items. The ordinance included penalty provisions for sale to minors (which did not previously exist). Mr. Harsin worked with the local sheriff to develop a plan that would benefit both agencies. In addition, Mr. Harsin initiated contact with the district attorney and city prosecutor. Both liked the idea of holding the owners of these retail stores accountable for the sale of these items through a licensing process as proposed in the ordinance. Licensing fees were to be used to support drug court operations. All parties continued to fine-tune the draft of the proposed resolution with the help of judges, assistant district attorneys, and local law enforcement. It became clear that this initiative held great promise and the licensing fees were projected to impact over 200 retail stores in the county. This potentially could generate over \$100,000 of revenue for the drug court program. Ultimately, both the city council and county commission passed the resolution/ordinance, which will provide for regulation of tobacco paraphernalia in Shawnee County as well as much needed revenue for the drug court program.

CLIENT FEE SYSTEMS

In many drug courts, offender user fees have been utilized to support treatment, testing, supervision, and assessment of drug court participants. Research has demonstrated the value of client fees for drug court participants in that paying fees for treatment teaches offenders accountability and responsibility in the treatment process (Goldkamp, White, & Robinson, 2002). These fees may be imposed on a sliding scale, or clients may be given until the end of the program or the end of a probationary period to pay for their participation. Fees may also be reduced for clients who participate in extra treatment or support meetings, or reduced for performing additional community service. There may also be monetary sanctions for missed groups that can be given to nonprofit providers to support incentive systems. Participants who cannot pay for services or supervision can be put through educational and vocational rehabilitation programs before being found by the court to be truly indigent. In some courts, if an individual is unable to pay, indigent status is verified by the court and the client is assessed to determine what other positive contribution the client can make to the program, the court, or the community.

Offender **user fees** can be utilized to support treatment, testing, supervision, and assessment of participants.

Requiring each participant to pay a fee to help offset part of the cost of the program is not only positive for participants. It also helps convince stakeholders, funding sources, and the community of the program's value. Restitution and court cost obligations that are met at a higher rate may impact program acceptability by victims groups and court administration.

**Client Fees: Entry and Participation Fee
Ogden, Utah**

The Weber Adult Felony Drug Court in Ogden, Utah utilizes an entry fee of \$250 for attorney's fees and a participation fee of \$30 per week. This drug court also uses a testing fee of \$5 per test. There are also monetary sanctions for missed groups which are given to a nonprofit provider for the development of incentive systems. Weber Adult Felony Drug Court's coordinator reports that tobacco settlement funds have also been accessed to support drug court operations.

**Client Fees: Fees Combined with Community Service
St. Charles, Missouri**

The drug court of the St. Charles Circuit Court of St. Charles, Missouri reports the use of program participation fees of \$50 per month at the beginning of the program. The fees eventually increase to \$100 per month. It is projected that the fees will cover 70% of treatment costs. Clients are also required to complete up to 20 hours of community service per week in order to justify the remaining costs, which are paid through state funds.

**Client Fees: Self Pay for Treatment
Klamath County, Oregon**

The Klamath County Drug Court[†] in Klamath County, Oregon has been in operation since 1996. In the beginning, most of the treatment costs were covered by the Oregon Health Plan, but those treatment dollars were substantially reduced. When the Klamath County Drug Court federal grant ended, the court seriously doubted its ability to sustain the drug court. To ensure survival of the court, the program started requiring participants to pay for their own treatment costs. The applicants are advised prior to agreeing to participate in the drug court that they will be charged four different fees: an evaluation fee of \$120, an attorney fee of \$150, a probation fee of \$50 per month, and treatment costs on a sliding scale based on income level.

According to Linda DeLap, the drug court coordinator, the staff fully expected fewer defendants to choose to enter drug court, but that has not happened. If anything, the number of participants has grown. The chance to have their charges dismissed appears to make it worthwhile for clients to enter the court. Ms. DeLap says, "from a treatment perspective, it appears that clients who pay part of their cost of treatment seem to value it more than those who receive it for free".

**Client Fees: Supervision and Incentives
Coconino County, Arizona**

In Coconino County, Arizona, the drug court charges participants \$55 per month, \$50 of which goes to the probation department for supervision, and of which \$5 goes to a drug court fund that is used for a variety of things including incentives, physical examinations required to enter residential treatment, client transportation, graduation ceremonies, and food.

Client Fees: Supplement to Federal Funding San Bernardino, California

The San Bernardino Central Drug Court charges a participation fee of \$15 per week to supplement funds accessed through Housing and Urban Development funds, law enforcement grants, and Center for Substance Abuse Prevention grants.

Client Fees: Positive Tests and Missed Groups Marin County, California

Marin County, California*, has increased program fees from 7% of treatment costs or \$448 (when the program was funded by a local foundation grant) to \$12,000 per participant (total county costs i.e., cost of contracting out group, individual, and family counseling; a psychiatrist's time; drug testing; and county personnel costs) which can be reduced to \$1,040 based on a participant's eligibility to pay. Each participant must also pay any ordered fines, probation supervision fees, and restitution as well as keeping current on any family support obligations. As sanctions, participants may also pay the cost of any positive drug tests, any confirmations of positive drug tests (usually \$45), the hourly charge to the county for a participant missing a 1-hour individual or family counseling session (\$50 and \$75, respectively), and the 3-hour charge to the county for a participant missing a group counseling session (\$68.02). In addition, participants who fail to bring to court their proof of attending self-help meetings must complete 8 hours of community service, a time that increases with each failure.

Client Fees: Reduction as an Incentive Mantorville, Minnesota

In Mantorville, Minnesota the Dodge County Juvenile† and Adult*† Drug Court approaches fees from an incentive point of view. The Dodge County Drug Court uses several incentives to assure participants' compliance; however, monetary incentives have shown the most success. Every 3 months, Dodge County charges the participants \$250 to take part in the drug court program. If a participant remains the full 2 years of the program the fees can total \$2,000. However, participants have the ability to reduce this fee by 50% if they have continuous compliance with the court. During Phase I, they can earn \$5 off weekly for every week they have met all drug court criteria and an extra \$75 off when they complete primary treatment. In Phase II, participants come to court 3 weeks out of 4 and can earn \$10 off for each appearance. In Phase III, participants come to court every 2 weeks and can earn \$20 off for each appearance. In Phase IV participants come once a month and can earn \$50 off for each appearance.

Each participant receives a voucher directly from the judge in the amount of fee reduction earned for that appearance. The participant can either give the voucher to the case manager at the next visit, or wait until to acquire several vouchers and turn them all in at once. A participant must have all fees paid in full to advance to the next phase and to graduate from the program. Having the voucher gives the client something tangible earned through program compliance. This program of incentives not only assists the participant in being compliant, but also helps sustain the program.

Client Fees: Impact on Recovery of Court Costs Eaton County, Michigan

According to the DUI/ Drug Treatment Court (DUI DTC) team in Eaton County, Michigan†, one of the best decisions they made was to initiate participant fees to help offset program cost. According to Judge Harvey Hoffman, this has helped the DUI DTC in a number of ways. He says, “not only has it taken care of part of the cost of operation, but it has helped us win over our county commission by making them feel that they are not having to meet all of the costs”. Judge Hoffman notes that it has also been a positive change for the participants, as it gives them greater ownership of their program. The fact that DUI DTC participants have actually paid over 90% of the normal fines and costs assessed in their cases has also improved the perception of the program by the County Commissioners. The average percentage recovered from fines and costs outside of drug court is in the high 60% range. “Our commissioners love that” says Judge Hoffman.

Client Fees: A Patchwork of Funding Hall County, Nebraska

The Central Nebraska Drug Court’s* funding strategy is to use client fees and a patchwork of funding. The group applied for and received a planning grant through the Department of Justice. While elated at receiving a planning grant, Nebraska’s drug court remained aware that this money would soon run out. They felt it was necessary to look at other avenues and applied through the State Crime Commission for funds from the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The Bureau of Justice Assistance (BJA) awards grants to states for use by states and units of local government to improve the functioning of the criminal justice system and enforce state and local laws that establish offenses similar to those in the federal Controlled Substances Act. Grants may be used to provide personnel, equipment, training, technical assistance, and information systems for more widespread apprehension, prosecution, adjudication, detention, and rehabilitation of offenders who violate such state and local laws. The Central Nebraska Drug Court received \$21,000 from JAG to help pay a portion of the drug court coordinator’s salary. Other federal funding came through appropriated funds from Congress, specifically the Meth Hot Spots money, for which the group qualified. In fiscal year 2004 the court received \$42,000 from this program to help pay for treatment costs and support services for the court. The court was recently notified that they will receive another \$20,000 from the Meth Hot Spots funding.

Nevertheless, the team realized that they needed to make the program as self-sufficient as possible. Thus, when they set up the program, they agreed that participant fees needed to be substantial, and decided to charge each participant \$25 per week while they were in the program. The group soon came to realize that not all participants could pay these fees, especially when first starting the program. The team made it a requirement that before clients are allowed to graduate, all of their fees must be paid in full. Usually family and friends come forward to help participants pay their fees after they start to see positive results. Past executive director Sheriff Jerry Watson says, “We have stuck to our guns and last year, with around 100 participants in the program, we collected almost \$80,000”. After a few months the team also realized they needed to set a maximum fee that could be charged to participants. The team decided to set the

maximum at \$2,300 per participant. The drug court collects from \$80,000 to \$100,000 in client fees. The drug court's overall annual expenses run just a little over \$200,000, so client fees contribute significantly to the budget.

The drug court also had to locate additional treatment dollars for the program. The team discussed their treatment needs with the state Health and Human Services agency. As a result of that conversation, \$123,000 was made available annually from the Tobacco Settlement funds and specifically earmarked for drug court treatment. On the local level, the drug court has pursued keno funds (county funds obtained from the legalization of keno, a gambling game) and now receives \$5,000 annually from one county. The drug court also receives STOP funding from each county in the amount of \$5,000 per county. The STOP program is a diversion program for traffic offenses. The offending motorist can opt to take a class and pay a set fee for the program, and in return their ticket is set aside by the county attorney. In addition, the drug court received money from a local foundation in one of the counties for \$2,500.

LOCAL INTERAGENCY PARTNERSHIPS

Drug courts are only effective when developed and operated by multidisciplinary teams. The contribution of these local agencies and organizations creates a sustainable environment for the drug court. Justice agencies often provide staff, financial resources, or in-kind services to drug courts because of their belief in the successfulness of the drug court model. These agencies and organizations are often serving these individuals already, and although drug court requires a greater intensity of services than is regularly provided, it is understood that this will improve outcomes.

Justice agencies often provide staff, financial resources or in-kind services to drug courts because of their belief in the drug court model.

The relationship with probation and law enforcement agencies is critical to public safety as well as credibility of a drug court program. Beyond political support, including probation and law enforcement on the drug court team can provide comprehensive client supervision through home visits, drug and alcohol testing, and street intelligence. Potential program applicants and their family members can be made aware of the drug court program during the arrest process. Some officers even hand out cards to arrestees describing the program. Law enforcement and supervision officers from probation or parole can enter a drug court participant's information into state and federal criminal information systems, which will alert officers running routine record checks of active drug court supervision. A good working relationship between the court clerk's office, supervision officers, and law enforcement officers can speed the process of serving warrants for program noncompliance. This may be critical to catch offenders before they fall too far or before they commit new crimes that may make them ineligible to continue their participation in drug court.

Prosecutors' offices have also provided assistance by designating offender contributions, by redirecting deferred funds, or by dedicating staff to drug courts. Public defenders act as advocates not only for their clients but also for the drug court by stressing the long-term best interests of their clients. Other state agencies have been engaged during the planning process

because the drug court client is often served by many agencies, and interagency cooperation can be effective in lowering costs and improving outcomes.

Local Interagency Partnerships: Zero-Budget Approach Broward County, Florida

The Broward County Drug Court†, in Fort Lauderdale, Florida, has a unique zero-budget funding approach. As such, only the drug court manager position is actually funded through the court budget. All other staff and services for this drug court, which services an annual population of 2,400 clients on average, are in-kind commitments from community and agency partners.

The Broward County Drug Court works in conjunction with the 17th Judicial Circuit drug court judge; the State Attorney's Office; the Public Defender's Office; the Pre-Trial Services Division of the Broward Sheriff's Office; the clerk of courts, court administration; and the State of Florida, Department of Corrections Pretrial Division to provide treatment and supervision for drug court participants.

The Broward Sheriff's Office (BSO) Drug Court Treatment Program acts as the Broward County Drug Court's main treatment provider, with a staff of 44 counselors who provide outpatient substance abuse treatment services. A benefit of this unique approach to drug court treatment is that treatment services for the Broward County Drug Court are funded by the Broward Sheriff's Office. Thus, the drug court is less dependent on outside resources for financial survival and stability.

In addition, as a result of the treatment provider accreditation process, other divisions of the Broward Sheriff's Office became more familiar with the treatment process and the advantages treatment can have for the community at large. The accreditation process has also resulted in enhanced buy-in from law enforcement and has provided advanced education to allow law enforcement to better understand effective treatment. Finally, the BSO Drug Court Treatment Program's accreditation status enables the program to be in a better position during bidding processes for funding resources. The combination of the BSO Drug Court Treatment Program's accreditation status and its affiliation with Broward Sheriff's Office have served to greatly improve the quality of service provided to the clients and the community at large.

Additionally, the county government and the Florida Department of Children and Families contribute to supporting the drug court by providing additional outpatient and residential treatment services for drug court clients. By working with the Florida Department of Corrections to conduct supervision and monitoring, the drug court has been able to access the Department of Correction's residential treatment beds. Additionally, the Florida Department of Children and Families has supported drug court clients with co-occurring disorders by providing a mental health caseworker to the drug court to do evaluation and placement activities for clients.

Local Interagency Partnerships: Law Enforcement Funding San Miguel County, Colorado

According to Doug Hanshaw of the San Miguel County Alternative DUI/Drug Court in Colorado, the key to sustainability is to secure the support of as many players as possible. When the DUI/Drug court was started, it received demonstrated support from the public defender and the district attorney. Even though the District Attorney's Office has had several transitions, the new district attorney assigned to the court has always actively referred enough candidates to sustain the program. According to Hanshaw, drug courts also benefit from having recognized community leaders on staff. He says, "having the support of a respected social services director is also helpful".

Of course, according to Hanshaw, the county commissioners ultimately control the county's budget. The county commissioners in this rural community give \$15,000 each year from the sheriff's budget to the Center for Mental Health, a nonprofit community mental health organization, to provide services for clients in the San Miguel County Alternative Court. Because this is a modestly sized court, the Center for Mental Health evaluates and monitors the court's participants, reports at weekly court appearances, and conducts random urinalysis paid for by clients. Clients also pay for their own treatment with one of two agencies that work with the court on a sliding fee scale. The local sheriff, who has also worked closely with the court since its inception, has dedicated staff time to enforcing curfews by conducting weekly curfew checks in the field and to conducting blood alcohol level checks on participants in their homes. As a part of this collaboration between the Center for Mental Health and the sheriff's office, the Center for Mental Health places a counselor at the sheriff's disposal for 3 hours per week to provide counseling in the jail.

The drug court staff approaches local business to contribute incentives for participants. The drug court has also received some private donations, which help pay for some testing and graduation gifts. Hanshaw says, "the judge bakes them whatever cake they want for graduation...there is a lot of hustle and a lot of teamwork involved."

Local Interagency Partnerships: State Patrol Donations Hall County, Nebraska

The Central Nebraska Drug Court* has been creative in building partnerships with local partners. Past executive director Sheriff Jerry Watson recognized that the court was finding it difficult to secure adequate transportation to service a four-county area. Sheriff Watson contacted the colonel of the Nebraska State Patrol to ask if there was any possibility of obtaining seized vehicles for use by the drug court. The state patrol apprehends the seized vehicles after arresting the occupants for hauling substantial quantities of illicit drugs or drug tainted money on state roadways. The colonel advised he would be happy to help and provided the court, at no charge, with three vehicles which the staff uses daily. Sheriff Watson also talked to officials from law enforcement agencies in each area who already had large fleets and convinced them to increase the size of their fleets by one. The drug court transferred the titles of the donated vehicles to the law enforcement agencies so they could cover insurance costs. The drug court pays for fuel and repair and other expenses. Sheriff Watson says, "As you can see, we have felt that diversification

is the key to sustainability of any program. There are many resources out there, new resources that I'm sure we will continue to discover. There will undoubtedly be a time when our court will need support from the counties we are serving. When this happens, it will be a minimal amount because we will continue to seek other sources of funding and we can spread it over four counties”.

Local Interagency Partnerships: Department of Probation and Parole 23rd Judicial District, Tennessee

The 23rd Judicial District Drug Court Program of Tennessee*† operates with no federal funding beyond the BJA planning grant initially awarded. The program has been sustained by strictly local and state sources. Serving a five-county rural district with a total population base of approximately 135,000 persons, the drug court program is designed as a postplea diversionary program for adults with a track for multiple DUI offenders and a separate track for felony drug offenders.

The drug court has identified and developed several resources to provide for participant supervision services. Initially, all participants in the drug court program were placed in the Community Corrections Program, an intensively supervised non-custodial alternative to incarceration managed by a not-for-profit corporation, which is contracted through the Tennessee Department of Probation and Parole. Eventually, the Tennessee Department of Probation and Parole recognized the efficacy of drug courts and designated one seasoned caseworker to serve as an intensive state probation officer, dedicated solely to the monitoring of the drug court offenders. The nonprofit agency transferred their drug court caseload to that officer who has supervised the felony track participants for the past two years.

Local Interagency Partnerships: A Multifaceted Approach Hennepin County, Minnesota

The Hennepin County Drug Court's*† success is the result of aggressive, expanding community partnerships, state support for treatment, and, most importantly, the commitment of the drug court partner agencies. Like all drug courts, Hennepin County's is a collaboration between many different entities. The Fourth Judicial District, the Hennepin County Board of Commissioners, the county attorney, local law enforcement agencies, and many other government and nongovernmental organizations work together as partners in the drug court. Each of these contributes resources that are vital to the court's success.

Hennepin County Drug Court began with the help of a Department of Justice (DOJ) planning grant in 1996. The next year, their drug court received an implementation grant from DOJ to carry the program through its first two years. The state also supported the founding of their drug court. The Minnesota Legislature made a specific appropriation to the Minnesota Department of Corrections in 1997 to pass through to the Hennepin County Drug Court. These planning and implementation funds got things rolling, but when they ran out, the partners stepped in. The participating departments and agencies decided to fund the drug court themselves. All of the partners—the bench, the county board, law enforcement, probation, prosecution, and public

defense—have been willing to provide funding above and beyond what they were spending on these cases before drug court. This is because they recognize the effectiveness of drug court.

Another key aspect of the program's success has been its ability to secure funding for treatment. The state provides all public money for drug treatment in Minnesota. All Minnesotans, including drug court clients, who may need treatment, are screened to determine their clinical need and financial eligibility for drug treatment. All who meet the screening criteria qualify for state-paid treatment. Thus, the partners operating drug court have not had to find new money to pay for treatment. Although more of the defendants convicted of drug crimes are receiving treatment than before, most increased treatment cost is borne directly by the state.

Local Interagency Partnerships: An Agency Coalition Cochise County, Arizona

Cochise County Juvenile Court Services (CCJCS) operates a juvenile drug court† program with sites in communities across Cochise County. The juvenile drug court program is a collaborative effort between CCJCS, the county attorney's office, the public defender's office, the county legal defender's office, Southeastern Arizona Behavioral Health Services, the Benson Police Department, the Sierra Vista Police Department, the Douglas Police Department, the county juvenile detention center, court security, and the Cochise County Public Schools. The program was initially implemented in 2000 as a pilot program funded for the first three years through the Arizona Parents Commission, with oversight by the Governor's Office of Community Drug Policy. In order to sustain the pilot program, the court received a Bureau of Justice Assistance grant in October 2003 for a period of two years. This funding initially allowed the juvenile drug court to operate in two of the three regions in Cochise County.

In September 2003, Cochise County Juvenile Court Services was awarded additional funding through the Drug Free Communities Coalition. The Drug Free Communities Coalition includes CCJCS, the Eastern Santa Cruz County Youth and Family Services Coalition, Willcox Against Substance Abuse (WASA), and Southeastern Arizona Behavioral Health Services (SEABHS)/New Turf. The Drug Free Communities proposal was awarded a grant by the Office of National Drug Control Policy and the Office of Juvenile Justice and Delinquency Prevention for Drug Free Communities Support Program. The funding disbursed to CCJCS provides for part of the salary for a drug court coordinator in the third region of the county, and initially included some fringe benefits as well (a laptop, supplies, printing, postage, and training). This additional funding allows the juvenile drug court program to operate in all three regions of the county.

The Cochise County Juvenile Drug Court program is now funded through the state Administrative Offices of the Courts, the Cochise County Board of Supervisors, and the Drug-Free Communities Coalition. The collaborating agencies across the county continue to provide funding for their participating staff, travel, and supplies. CCJCS supports the juvenile drug court by providing in-kind services such as an educational learning lab, GED testing, incentive trips and activities, residential treatment placement, school resource officers, detention services, and programs. CCJCS also assists the juvenile drug court program by covering office supplies, employee insurance, vehicle insurance and maintenance, management information systems,

financial oversight, office space, work tools, and supplies for community projects. Other agencies participating in the juvenile drug court program provide additional services such as support and therapeutic services for family members, in-home education and crisis intervention, vehicle repairs, transportation costs, program incentives, and case management. Service providers also facilitate life skills classes, retreats, and mentorship training. Lastly, law enforcement agencies from the three communities provide mediation, resource contacts, information, and public assistance to the program team and participants.

Local Interagency Partnerships: Social Service Institutions Mecklenburg County, North Carolina

Even though North Carolina has a state-funded court system, the state budget has not kept pace with the growth of drug treatment courts across the state. The Mecklenburg County Drug Treatment Court† program has faced recurring budget deficits and budget cuts for the past 5 years. As a result, the program has worked hard to expand their partnerships with state and local agencies. Janeanne Tourtellott, the program administrator of the Mecklenburg County Drug Treatment Court Programs in Charlotte, North Carolina, says, "We used to say 'You live by grants, and you die by grants.' Now, it is the strength of our partnerships that dictates whether we live or die."

The drug court team continues to work with elected officials at all levels to raise awareness about the efficacy of drug treatment courts, using the slogan, "Drug Treatment Courts Save Money, Increase Public Safety, and Rebuild Lives." The team is working with the North Carolina Department for Health and Human Services and the North Carolina Administrative Office of the Courts in order to obtain resources to fund treatment at the level and for the length of time needed by drug court participants.

In addition, the drug court team has partnered with local government agencies to receive funding from city and county resources. The team's partnership with the offices of the Mecklenburg County Area Mental Health/Developmental Disabilities/Substance Abuse Services has been successful in identifying county funds dedicated to substance abuse treatment services. These funds are currently used to supplement state funding for drug court treatment programs. The drug court team is taking a hard look at how to stretch the state and county treatment dollars to fund treatment for each drug court program.

The county sheriff's department has provided the drug court in Charlotte with some of their law enforcement grant funds. The program has used these funds to purchase instant drug screens and to create training films on the drug court process. Additionally, the Charlotte-Mecklenburg Police Department utilizes their drug forfeiture funds to assist the drug treatment court program in providing program incentives to participants.

Awareness has grown in Charlotte about the need to provide alternatives to incarceration for substance-abusing offenders. Recently, county partners formed the Justice and Mental Health Collaborative to examine this issue and present alternatives to local and state officials. Charlotte drug courts continue to work with other partner agencies to identify creative options for sustaining the drug treatment court program. The school district provides substance abuse

counselors in the middle and high schools who work with youth participating in the program. The school counselors provide biweekly reports on attendance, grades, and behavior to a member of the drug court team. The drug court team is also working to obtain access to all school records in order to have a more comprehensive picture of participating youth at the onset of the child and family team meetings.

The local community college has vocational training classes that hold a few spaces each semester specifically for the drug court participants. Courses include HVAC, electrical, computer training, and word processing. Private industry is also being approached to see how they may assist with the need for additional funds to provide adequate treatment and supportive housing to drug court participants.

COMMUNITY PARTNERSHIPS

In addition to the public agency partnerships that must exist to sustain drug courts, community partnerships provide necessary resources and create the network of community and political support needed to maintain the drug court effort in the long term. Community partners may link with drug courts because they have an overlapping mission and see the drug court partnership as a means to enhance their results.

Drug courts, working closely with community-based treatment providers, create the leverage that is one of the foundations of the success of the drug court movement. Community-based treatment providers can often enable drug court participants to access Medicaid or other state financed treatment dollars for the client's treatment and mental health services. Community-based treatment agencies may also be better positioned to access treatment funding that is not available to the courts or supervision agencies. As drug courts and drug court systems engage larger numbers of participants, they become major treatment referral sources. This may allow community-based treatment programs to increase their economic viability and improve their capacity to provide effective treatment. Community-based treatment providers may also be able to apply for grants to meet the needs of drug court clients and to build program enhancements to serve unique populations within the drug court.

Community support for drug courts requires an intensive educational effort. Drug courts often engage the community to serve on court advisory boards, to volunteer in the program, and to provide resources or opportunities for program participants. This involvement may be prompted by invitations to planning sessions, courtroom hearings, and graduation ceremonies or alumni activities. Drug court team members can also join community coalitions with shared goals and purposes.

Drug courts, working closely with community-based treatment providers, create the leverage that is one of the foundations of the success of the drug court movement.

Supportive communities have designated Drug Free Community Funds to assist with drug court funding. Community halfway homes may provide housing for drug court participants. Existing community drug education programs and DUI driving schools can assist the court by providing necessary services. By fostering relationships with employment agencies, courts can better assist program participants in finding secure employment. Drug courts may also develop relationships

with local colleges and universities to provide enhanced student services to drug court participants and to offer internship opportunities to college students to support staffing in the court. Community service organizations have been instrumental in donating funds to drug courts and providing assistance in fundraising. Corporations like the Wal-Mart organization regularly contribute to programs by providing matching funds for fundraisers or by donating gift cards as incentives to recognize client and community achievements.

Community Partnerships: Housing and Evaluation Hennepin County, Minnesota

The Hennepin County Drug Court*† is always looking for new resources to address the complex problems presented by drug court clients. These resources come from many places: the federal government, private foundations, and community organizations. The Minneapolis-St. Paul Family Housing Fund, which is a nonprofit organization, provided a 2-year grant to allow the drug court to focus on securing safe, stable, and sober housing for drug court clients. The Minnesota Citizen's Council on Crime and Justice was asked to complete a comprehensive evaluation of the Hennepin County Drug Court. The council supported its work by applying for and obtaining grants from the Johnston and Fairview Institutes.

Community Partnerships: Local Charitable Organizations Yavapai County, Arizona

Yavapai County's Adult Drug Court in Arizona has built a close working relationship with several local organizations that are able to provide program participants with assistance that reaches beyond the scope of probation. A local community organization provides program participants with job training, financial assistance, job search training and individual career counseling. In addition, Catholic Social Services and St. Vincent de Paul, two local charitable organizations, provide participants with assistance in locating low-cost housing, rent deposits, utility payments as well as food baskets and grocery assistance. Both of these agencies are willing to meet directly with drug court probation officers and program participants with little or no advance notice.

The Yavapai County Drug Court has also developed an informational meeting between counseling providers, halfway house managers, and probation employees. This meeting has enhanced the quality of treatment that program participants receive because providers are communicating with each other, which helps to hold participants *and providers* accountable. Another unique feature about Yavapai County's resources is that they have quality halfway houses that support a commitment to a drug-free lifestyle and encourage a safe environment for their drug court participants in early recovery. In addition, Yavapai County has over 100 different types of 12-step meetings each week. This is extraordinary given the rural nature of their community. Yavapai County has a reputation for being friendly to recovery and treatment, which likely has an impact on funding and availability of services.

The family drug court program in Yavapai County, Arizona† is provided with a majority of its funding by the county. The Yavapai Court Appointed Special Advocate (CASA) for Kids has also proven to be a funding source. The funding received from this agency supported a spring

event for family drug court clients and their children. Yavapai County Family Drug Court is also in partnership with various agencies like adult probation and Child Protective Services, and various community organizations like AzPac (Catholic Social Services case management), the local guidance clinic which provides substance abuse treatment, and various halfway houses in the area.

The Yavapai County Juvenile Drug Court† in Arizona uses a community advisory board (CAB) which works to obtain grants to supplement incentives for the participants when they complete phases. Members of the advisory board also come to represent the community at graduations and give out plaques to program graduates. CAB grants are received from the Arizona Supreme Court via the State of Arizona Juvenile Crime Reduction Fund.

Community Partnerships: Advisory Board Expands Services New Bedford, Massachusetts

The New Bedford 2nd Chance Drug Court† has been in operation since December 2003. Initially, a volunteer retired military professional provided case management services for the program. After 4 months, the drug court was able to secure funding to pay for part of the case manager's salary. The court's first funding came from the Community Foundation of Southeastern Massachusetts. Eventually, the drug court secured funding from the Bristol County Sheriff's Office to pay for part of a case manager's salary. The sheriff's office now funds a part-time case manager, a part-time administrative assistant, and a full-time coordinator. The court has also received funding for 1 year from the district attorney's drug forfeiture funds. Additionally, the 2nd Chance Drug Court applied for and received a grant from the Executive Office of Public Safety for Massachusetts State to cover wraparound services for drug court families. The drug court was able to obtain these funds with the assistance of the trial court's grant writer and through the development of community support.

The New Bedford 2nd Chance Drug Court has secured treatment for its juvenile participants through the utilization of existing resources. Court clinicians conduct intakes, develop individualized treatment plans, and provide group counseling. The court has developed a relationship with two community treatment providers. The community treatment providers are paid through each client's insurance. All juveniles in Massachusetts are insured. The drug court is working with the Massachusetts Partnership for Healthy Communities, funded by the Massachusetts Department of Public Health, to secure independent clinical supervision and evaluation. Finally, the Massachusetts Department of Public Health and the Massachusetts Department of Mental Health have agreed to provide training for the court clinicians.

The court has also secured funding by developing collaborative relationships with the community. The court has a "TEAM" advisory organization of about 10 to 15 people who represent all aspects of the community and work as a staffing and a policy team. The TEAM includes the Massachusetts Department of Social Services, probation, the district attorney, the court clinic, the drug court judge, the defense attorney, the police department, the mayor's office, the school, the juvenile resource center, the case managers, a juvenile, and a parent. The TEAM organization meets weekly for an hour to discuss the drug court participants and the drug court's future needs. As a result of this outreach, the drug court has secured additional services for its

participants. Recently, the local hospital offered a 12-week course on fatherhood, pregnancy, and motherhood for drug court participants.

In addition, through community outreach, the drug court received an offer from a local minister to fund a program for drug court participants called “Changing Lives Through Literature.” Previously, volunteers and donations had supported the program. The University of Massachusetts had provided free space for the program. A university professor had volunteered her time to facilitate the program and a probation officer had volunteered her time to supervise the program and provided refreshments for the sessions. Local supporters of the court provided funding for bus fares to transport the participants to the program. The court coordinator personally contributed the books. After hearing about the program and attending a drug court graduation ceremony, the minister offered to fully fund “Changing Lives Through Literature,” including refreshments, books, and compensation for the facilitator.

The TEAM organization members have found that just by talking to friends they have been able to gain contributions to the program. These contributions are all funneled through the church, university, or a local nonprofit agency. The program coordinator says, “The court does not want any money coming to it, it just wants services for the drug court clients. All of our programs are piggy-backed on existing programs for youth. Our area is blessed to have a lot to offer kids. There are groups about hip-hop music, self-realization, and substance-abuse and gender-specific groups offered by organizations like Treatment on Demand, Artworks!, the University of Massachusetts, churches, and nonprofit agencies.”

According to Drug Court Judge Bettina Borders, the Bedford 2nd Chance Drug Court has survived and expanded without federal grant funding as a result of the resources and generosity of the community. She says, “We do a lot by relying on the already existing resources in the community and coordinating them. All of this takes judicial leadership. I meet every few months with the leadership of the state Department of Social Services, Department of Public Health, Department of Mental Health, and the Massachusetts Partnership for Healthy Communities, and I have another quarterly meeting with the superintendent of schools, the mayor, the president of the hospital group, the chancellor of the university, sheriff, district attorney, chief of police, and the leadership of youth directed projects.”

Community Partnerships: Flexibility Through Local Resources Fulton County, New York

The Honorable Richard C. Giardino, presiding judge of the Fulton County Drug Court†, says, “DWI and drug courts will have the best chance of long term sustainability and success as long as each locality is free to operate their court based on local resources, customs and practice”. In accord with this philosophy, the drug court has been able to reap the benefit of a local sheriff’s investigator whose position is funded through a law enforcement grant. The sheriff’s investigator conducts random drug and alcohol tests at participants’ homes on evenings and weekends.

Another way the local community contributes to the drug court is through the donations of local nonprofit agencies. Because New York State’s Rules of Court prohibit judges and state

employees, such as drug court coordinators, from soliciting rewards or donations, the court must rely on outside nonprofit agencies to assist in acquiring rewards. For example, the local bakery always supplies a dozen cookies for participants who reach 6 months or 1 year sobriety goals and provides a cake for graduation. Movie theatres donate tickets, and local diners and pizzerias donate incentives. The local McDonald's has also participated in providing incentives. In the summer months, "gold tee time" tickets are donated from area fairways. In the winter, ski lift tickets and bowling alley gift certificates were very popular donations. The local YMCA has donated day passes to their facilities.

Community Partnerships: Industry Council Job Program Yuma, Arizona

The Yuma Juvenile Drug Court in Arizona[†] approached their county board of supervisors for funding and has also partnered with the Yuma Police Department. A detective is now part of the team. The Yuma Juvenile Drug Court has also partnered with the Yuma Private Industry Council, Inc. in order to provide vocational education for drug court participants. The partnership has resulted in the development of an on the job training program.

Community Partnerships: Fostering a Relationship by Giving Back Las Cruces, New Mexico

The drug court in Las Cruces[†] is giving back to the community. On May 5, 2004, the adult drug court program donated money, raised by the members of the adult drug court team, to the Las Cruces Police Department to purchase a canine for their canine unit. Virginia Acosta, coordinator of the court says, "To my knowledge, we are the first drug court program that has ever done such an endeavor. We did receive local radio and TV coverage about our donation, which we timed during the first week of National Drug Court Month. We raised money from raffles primarily and a nonprofit entity held the money for us until the time of the donation when the money was given to the police department".

The Las Cruces Drug Court has received a small amount of funding through the police department from law enforcement grants. Ms. Acosta used those funds, disbursed through a law enforcement block grant, to send the team representative from the police department to two national drug court trainings as well as the New Mexico state conference. Unfortunately, the block grant was changed and the drug court is no longer able to use that money; however, a representative from the local police department remains a part of the team.

The drug court has also shown their gratitude to the court's law enforcement team members by inviting the officers to a luncheon and giving them donated gift certificates. The team has also sent letters of appreciation to the chiefs of the local law enforcement agencies.

Adult drug court participants also participate in the "Make a Difference Day" national campaign. After the donation to the police department to purchase a canine, participants in the "Make a Difference Day" project donated canned food to a local food bank. For past "Make a Difference Day" projects, program participants have donated children's books to the local homeless shelter. This project promotes children's literacy and provides the homeless shelter with reading

materials for children. “I think our project also touched many drug court participants, too. Our book donations demonstrate that our program needs to be involved in our local community” Virginia Acosta says.

Community Partnerships: Community Treatment Providers Pima County, Arizona

At the Pima County Family Drug Court†, a unique relationship has been formed with the county public health department to conduct a health class covering birth control, anatomy, sexuality, and sexually transmitted diseases. The four-session course is held at the court specifically for family drug court clients. Preliminary results seem to indicate that the clients who complete this class are less likely to get pregnant and are empowered in their relationships, which should contribute to their successful completion of treatment and reunification with their children. A previously contractual relationship with a residential treatment provider for pregnant and postpartum women has developed into an ongoing informal relationship to expedite intakes. As a result, the program therapist continues to attend drug court staffings. This treatment provider supports the court because family drug court clients do better in treatment and are more likely to complete treatment with the court’s support.

The Pima County Juvenile Drug Court*† has successfully collaborated with partner agencies and community organizations to provide the treatment component of drug court. By participating in local substance abuse community boards, Pima Juvenile Drug Court has been able to make community connections, find out about funding sources, and brainstorm with community agencies to support the drug court. Juvenile drug court participants who have private insurance first use their insurance to cover treatment services. Juveniles who qualify for Medicaid receive publicly funded treatment. In Pima County, publicly funded mental health and substance abuse treatment services are coordinated by the Community Partnership of Southern Arizona (CPSA), by way of a provider network. CPSA and the local treatment providers in the network have court liaisons that support the drug court. The drug court team is coordinating with these liaisons to monitor the treatment of juvenile drug court participants. Underinsured juveniles who do not qualify for Medicaid receive treatment services through a grant from a community treatment center. Finally, the court has funds set aside for juvenile clients who are not able to receive treatment through any of these avenues.

Additionally, the Pima Prevention Partnership Agency, a nonprofit organization, is providing grant-funded parenting classes at the court immediately following the participant’s weekly court reviews. The drug court is also setting up AA/NA teen meetings at the court. A local school administrator’s office is so supportive of partnering with the juvenile drug court that they intend to apply for a grant to assist with transportation to drug court and drug testing for their students in rural areas. This ongoing effort on the part of the school illustrates its considerable support of the program. The drug court team is currently looking at ways to fund incentives for the participants and the drug court public defender and prosecutor are actively sending letters to local organizations to seek out these incentives.

Community Partnerships: Local Service Organizations Rutherford County, Tennessee

The Rutherford County Adult Drug Court† has received financial support from local service organizations. The Rotary Club has donated funds to the court during the past four Christmas holidays. An organization called the Charity Circle assisted the court in providing rent for a drug court participant, as have churches in their area. The local literacy council has granted several scholarships for GED test fees. The Wal-Mart organization contributes to the program annually by giving the court gift cards to recognize client and community achievements. Numerous restaurants and grocery stores have donated food to their annual picnic. The drug court has also strategically forged a relationship with the Community Anti-Drug Coalition of Murfreesboro to access additional funding for the drug court program.

Community Partnerships: A Multifaceted Approach Hardin County, Kentucky

The Hardin County Drug Court† team realized that they needed to explore local as well as state options for securing funding. By placing defendants into drug court instead of jail, the drug court saved the local county jail (which is funded by the local government) a significant amount of money. The drug court team discussed the court's incarceration savings and successes and decided to approach the Hardin County Fiscal Court (local government) and ask for some of the savings. The Hardin County Fiscal Court granted the request and gave the drug court \$50,000. Hardin County Drug Court used the money for an additional staff person. Upon hiring additional staff, the drug court was able to open the felony component of the program and increase the program capacity. The drug court has been fortunate to receive the \$50,000 on an ongoing basis.

The Hardin County Drug Court has also developed relationships with community agencies to provide treatment services to the drug court participants. Communicare and Stepworks are local mental health and substance abuse agencies that provide both inpatient and outpatient substance abuse treatment and psychiatric services. They also provide case management services for pregnant substance abusing women and a halfway house for drug court clients. The Kentucky Driving School assists the court by providing required DUI classes. The Hardin County Drug Court also works closely with the local food banks to provide opportunities for participants to fulfill their required community service hours.

NONPROFIT ORGANIZATIONS

Drug courts have established non-profit organizations under IRS tax code 501(c)(3) to seek funding and to promote public awareness of drug courts.

Drug courts have established nonprofit organizations under IRS tax code 501(c)(3) to seek funding and to promote public awareness of drug courts. Forming a nonprofit corporation to conduct fundraising activities may be worthwhile for several reasons. Members of the public and corporations may be more aware of and more willing to donate to nonprofit corporations. Nonprofit corporations also enjoy certain legal and tax preferences. In addition, nonprofit corporations may be eligible to receive some gifts that the courts themselves might not. Forming a nonprofit corporation to conduct fundraising permits judges and attorneys to distance themselves from fundraising activities and thereby reduces the risk of a real or perceived conflict of interest. Some drug courts have established 501(c)(3) nonprofits in order to write grants for funding from foundations and other nonprofit organizations. Drug court established nonprofits can apply to become United Way member agencies, which may open many doors for the program and help build credibility as well.

If drug courts do not desire to create a new nonprofit corporation, they may partner effectively with existing nonprofit corporations that can set up an account for funds to be distributed to the drug court. United Way organizations target areas of community concern or problems that they wish to use their donations to alleviate. Local United Way organizations conduct a needs assessment by convening representatives of human service providers, clients and community leaders to participate in meetings to evaluate the needs of the community. Drug court teams can address these meetings to seek funding. Religious institutions also make gifts, through various mechanisms, to other nonprofit organizations.

The existence of a drug court foundation and or a nonprofit partnership can boost a court's ability to demonstrate their sustainability to other funding agencies. Drug court foundations and nonprofit partners can also assist drug court practitioners to develop sustainability strategies, to demonstrate broad based support, and to reach out to new funding sources.

Nonprofit Organizations: Donation of Legal Services Redlands, California

The Redlands Drug Court† team seeks to bring funds into the program both to augment grant funding, and also to develop goodwill throughout the community, which leads to jobs, housing, medical treatment, and other services for drug court clients. The Redlands Drug Court receives numerous cash donations through their 501(c)(3) corporation, East Valley 2nd Chance, Inc. The 501(c)(3) was formed strictly through donated services by a law firm and there are now 10 board members from the community, including the CEO of a local hospital, a medical treatment facility, the local university, and other high profile community leaders.

**Nonprofit Organization: Becoming a United Way Agency
Jeffersonville, Indiana**

The Clark County Superior II Drug Court Program*† in Jeffersonville, Indiana started a 501(c)3 nonprofit organization in order to write grants for funding from foundations and other organizations. In addition, Clark County Superior II Drug Court Program became a United Way member agency. Coordinator Anne Keeney says, "this has opened many doors for us, and has helped build our credibility as a social service agency, and not just another government program."

**Nonprofit Organizations: Pass-Through Accounts
Pima County, Arizona**

Pima Family Drug Court in Arizona† has an affiliation with a nonprofit agency, Aviva, to provide support and resources for children in their care. They solicit monetary and material donations, which drug court personnel would otherwise not have access to. Aviva has opened a special bank account for family drug court donations to cover extraordinary needs for program participants like glasses, work uniforms and other necessary items for clients in recovery. Aviva also supplies the family drug court with incentive items that have been donated such as cosmetics, clothing, photo albums, and cameras.

**Nonprofit Organizations: Coordinating Treatment Funding
Nashville, Tennessee**

The Nashville residential treatment program is the only self-operated and judicially-managed long-term residential drug court program in the country. The program receives operational funds from law enforcement grants, as a result of a partnership with the Metro-Police Department. Money from fines and forfeitures is collected by the office of the criminal court clerk and directed toward treatment programs. The Drug Court Treatment Act of 2003, which was originated to establish and fund drug courts in the state of Tennessee, is an additional source of revenue.

In 1996 the Nashville Drug Court Support Foundation (NDCSF) was incorporated as a 501(c)(3) to assist the drug court in providing the necessary treatment for drug court clients by soliciting support for their residential treatment program. The foundation is overseen by a seven-member board of directors that meets quarterly. Support includes raising the financial means needed for general operating costs, requesting in-kind donations of equipment, furnishings, clothing, and any other items needed to operate the facility. The foundation also helps increase public awareness of the link between crime and substance abuse.

**Nonprofit Organizations: Coordinating Donated Treatment Beds
Orange County, California**

In Orange County, California the drug court has partnered with a local nonprofit organization to provide ancillary services and other program benefits. The nonprofit has been crucial in coordinating donated treatment beds and sober living homes from community treatment

providers. The beds are donated through the nonprofit for the use of drug court clients. This partnership has helped the court to deal with the shortage of treatment beds and treatment funding in the county. The nonprofit entity also coordinates recreational activities for participants, such as museum visits and ballet performances. The nonprofit has also been able to get a community development block grant funded by several cities to help fund client needs such as medical and dental care and bus passes. The nonprofit coordinates other programs such as the "gift of sight" program through Lens Crafters and assists the drug court in making connections for resources through the community colleges. Finally, this nonprofit group assists with the drug court alumni groups at each of the five drug court locations in Orange County†.

Nonprofit Organizations: Housing Loans for Homeless Drug Court Participants Miami, Florida

The Miami Drug Court† recognizes the connection between substance abuse and homelessness. In July of 2003, the Miami Drug Court judge and a local recovering attorney formed Friends Of Drug Court, Inc. (FODC), a Florida nonprofit corporation, as an entity to provide a source of funding for housing. Qualified recovering addicts and alcoholics who have successfully completed at least 6 months of the drug court program can receive a housing loan through the Friends of the Drug Court Housing Project. As a 501(c)(3) nonprofit corporation, all contributions to FODC are tax deductible.

The mission of the Friends of the Drug Court Housing Project is to provide loans to recovering addicts and alcoholics who have successfully completed the Miami Dade Drug Court. These loans are available only to applicants who have shown a genuine desire to maintain their recovery through attendance and involvement in AA or NA and who have secured gainful employment. Applicants are screened by the housing project staff and once screened, the applicants must be approved by the governing board. The loans typically do not exceed \$2,400, are interest free and have to be repaid during 2 years on a payment program that is within the applicant's budget, at a maximum of \$100 per month.

The Friends of the Drug Court Housing Project strongly feels that providing financial assistance for housing for addicts and alcoholics will dramatically increase their ability to stabilize their recovery and permanently rejoin the work force. As such, it is the mission of the Friends of the Drug Court Housing Project to establish and maintain a self-perpetuating fund to assist those in need on an ongoing and revolving basis. As funds are made available from the repaid loans and other private or government sources these funds will again be made available to qualified applicants on a continuing basis. Friends of Drug Court, Inc., received a grant from the Miami Coalition for the Homeless. This grant provided seed money to begin funding the Friends of the Drug Court Housing Project.

Another initiative of the Friends of Drug Court, Inc., is the FODC Educational Grant Program that provides tuition and funds for earning a GED and attending community college. For those applicants that have established their commitment to recovery and responsibility, the Educational Grant Program provides funds for tuition, books and other costs associated with high school equivalency testing and certification, adult education and, in some cases, college.

Nonprofit Organizations: Writing Proposals Rutherford County, Tennessee

Team members of the Rutherford County Drug Court† set up the Rutherford/Cannon County Drug Court Support Foundation, Inc. The Foundation has a 501(c)(3) status, which has expanded the court's ability to write proposals for funds that a county department may not otherwise have access to. This also allows the court to hold fundraisers, with all donations being tax deductible. Since the development of the Foundation, the court has received funding from Customers Care, Inc., which is the foundation group of the local electric company and The Gannett Foundation, the local newspaper's foundation group. Wal-Mart donates to the foundation by matching funds up to \$1,000 on any fundraiser the foundation conducts. The foundation also raised money by selling the *SHARE: Songs of Hope, Awareness and Recovery for Everyone* CD that was distributed by the Hazelden organization. The foundation is now seeking relationships with numerous other foundations in Tennessee that will contribute to programs like the Rutherford Drug Court and is in the process of developing a 3-year fundraising plan. The foundation has also received several donations from individuals in the community as well as its board members. Plans are ongoing for the foundation to sponsor a walk-a-thon, called "Recovery Walks!"

Nonprofit Organizations: Assistance in Soliciting Donations Harvey, Louisiana

The Jefferson Parish Juvenile Drug Court† in Harvey, Louisiana has gained support from the local community through the creation of I CAN Help, Inc., a local nonprofit that fundraises and raises awareness for the Jefferson Parish drug courts. Another local Jefferson Parish nonprofit, The Extra Mile, Inc., assists the drug court in soliciting donations for incentives and conducts community rallies that support the drug court.

Nonprofit Organizations: Facilitating Work With Private Enterprise Maricopa County, Arizona

The Maricopa Family Drug Court in Arizona*† has a 501(c)(3), called the Friends of the Court, Inc., which assists them in fulfilling their unmet client needs. Their goal is to support the efforts of specialty/problem solving courts of the Superior Court in Arizona in Maricopa County by providing rewards, gifts, or property to be used as incentives to motivate participant behavior. The Friends of the Court also helps to facilitate the involvement of private enterprise in the support and sponsorship of individual and family recovery during drug court involvement. The goal is to support, maintain, and enhance the equipment and facilities of drug courts within the Superior Court of Arizona in Maricopa County. The Friends of the Court also makes contributions, grants, awards, and funding available to drug courts within Maricopa County to improve drug court administration, service delivery, and program functioning. Importantly, this organization also provides gifts and rewards for children in the legal custody of Child Protective Services.

Nonprofit Organizations: Foundation Improves Competitiveness Chesterfield, Virginia

In 2002, the Chesterfield/Colonial Heights Drug Court Foundation was formed as a 501(c)(3) organization to promote public awareness regarding effective substance abuse interventions within the criminal justice system and to provide adequate resources for the drug court to meet its mission. The drug court foundation was developed to help sustain the local adult drug court*† and assist in the development of the juvenile drug court†. The original board members that serve on the foundation were recruited primarily for their ability to fundraise. The 15 board members include representatives from banks, school districts, technology corporations, the local chamber of commerce, and the local housing authority.

Since its inception, the foundation has raised over \$100,000 through private sector donations and through grants available only to 501(c)(3) organizations. Many of the initial donations are renewed annually. Additional non-monetary donations have also been made. Through the foundation, the adult and juvenile drug courts were able to obtain free YMCA memberships for drug court participants and their families. The local public broadcasting station also produced a free segment on drug courts that aired around the state on public television. This free publicity helped educate the community and has been used as a drug court marketing tool during formal solicitations.

Tara Kunkel, the program coordinator, noted that the benefits of developing a partnership with the private sector are threefold. First, by tapping into nontraditional areas of support, new funding streams are developed. Second, many non-monetary donations have come as a result of new partnerships that have been formed through the foundation. Finally, by demonstrating support from a variety of private sector businesses, the drug court has become more competitive in traditional funding streams. Kunkel says, “grant agencies are always looking for new and innovative partnerships and the ability to sustain the program after grants. The existence of the foundation and the success the court has had in the last two years has boosted the court’s ability to demonstrate sustainability to funding agencies”. The drug court benefits greatly from the support of the foundation according to Michael C. Allen, the current drug court judge. “It’s a win-win arrangement. The court benefits from the active involvement of our civic leaders, and the community benefits from the return of nonviolent offenders to productive lives,” he says.

FUNDRAISING

Individual drug courts have carried out fundraising to provide for operating costs, treatment, and behavioral incentives. To make fundraising a viable and significant part of a financial support strategy, courts may need to formalize and develop an infrastructure for fundraising. Drug courts may need to provide financial support to get a campaign started. Fund drives are labor intensive and may require staffing and only see annual financial success if the efforts and commitment of volunteers are maintained. Insufficient upfront funding can lead to failure of what otherwise might be a successful campaign. Experienced consultants can be hired initially to ensure that a solid fundraising plan is established. This resource may be obtained pro bono from community partners who wish to support the drug court.

Talking with key community leaders can assist in determining the feasibility of a campaign. These conversations can provide information about strengths and weaknesses of the plan. A fundraising committee who understands resource development should be created. Fund drives can range from campaigns that make individual contacts and personally solicit, to those that involve no more than sending an annual letter. A publication by the American Bar Association, titled *Innovative Fundraising Ideas for Legal Services* (McBurney, 2004), about fundraising by legal professionals, indicates that the fundamental rule in fundraising is to ask those who are most closely related to the organization to give first, working under the assumption that those who know the cause best understand its importance and are most likely to contribute to its continued success. This publication suggests that targeted solicitations are most effective if done on a peer-to-peer personal basis with letters being used only for follow-up. In building a successful strategy, important potential donors should be targeted and committee members should be assigned to targeted entities to provide education, program materials, and proof of need. Potential donors may also want to know what the community is doing to support services financially before they are willing to make a commitment.

To make fundraising viable, courts may need to **formalize and develop an infrastructure** for fundraising.

Fundraising: Feasibility Review Charlotte, North Carolina

In order to best strategize for fundraising, Mecklenburg† court officials set up a nonprofit organization, Justice Initiatives, Inc. Having received \$25,000 from The Foundation for the Carolinas, Justice Initiatives, Inc. will begin fundraising with a feasibility study. A consultant will study whether corporations, foundations, and law firms are willing to donate money for the local court system. If community support is there, court officials intend to begin a fundraising drive to raise at least \$1 million each year. If enough is raised, they intend to establish an endowment that will keep innovative programs like drug courts operating for years. Todd Nuccio says, “if the fundraising proves successful, court officials hope to develop one or two new programs or services every year. We’re going to focus on problem-solving courts—the ones that deal with saving lives, the ones that make a difference by stopping the cycle of crime and dysfunction in families”.

Fundraising: Community Foundation Support Marin County, California

The strategy of drug courts in Marin County, California, is to seek private funding. For the last two years, the drug court has received a \$226,000 grant from the Marin Community Foundation to cover treatment related expenses of participants in the adult drug court*†. The Marin Community Foundation also approved a grant application for more than \$200,000 for the new Marin County Mental Health Court. Several drug court team members and program participants make program presentations to various civic and other groups to obtain private donations. After local news coverage revealed that several major institutions were improperly handling donations, the drug court began accepting donations directly.

Fundraising: Letter Writing Campaign Coconino County, Arizona

In Coconino County, Arizona, the drug court† has used a direct approach to community resource acquisition. The court sent a letter to the community asking local agencies to donate food items, gift certificates, clothes, and other items for incentives. The letter explains the mission of the court and the many requirements the drug court participants must meet. As a result of this letter writing campaign, Coconino County Drug Court was able to find housing for drug court clients. For a period of time, a local apartment complex dedicated a pod of four rooms that had a common living room and kitchen for drug court clients. The housing was very affordable, and the complex cut move-in costs in half and did not require background checks. Due to the difficulty of keeping the pods full, the apartment complex now accepts program participants in studios, and one and two bedroom apartments with somewhat higher rates. To secure further housing for clients, Coconino County has partnered with a local halfway house to accept drug court participants who may move in once they have reached Phase 3 of the program.

Fundraising: Local Events McDonald and Cape Girardeau Counties, Missouri

Many of the drug court programs in Missouri have become 501(c)(3) organizations in order to apply for foundation funding, conduct fund raising activities, and accept donations. One program was approved as a United Way agency, and another program established a drug court foundation.

Local fund raising events include Easter egg hunts, trivia nights, and golf tournaments. Rural drug courts in Missouri have found some creative ways to raise funds for drug court operations. McDonald County Drug Court*† in southwest Missouri holds an annual soup luncheon. The luncheon raised \$800 in one day, which will be used for transportation assistance (mileage reimbursement), incentives, or graduation celebrations. On the opposite side of the state, Cape Girardeau County Drug Court*† hosts music concerts and sells tickets to the community. This has been so popular it is now an annual event.

Fundraising: Golf Tournament and Community Service Redlands, California

The Redlands Drug Court† hosts an annual golf tournament as a major funding and visibility strategy. In its 6th year, the golf tournament has become a sold-out success. Golf tournaments are an ideal setting for almost anyone to learn about drug court in an informal setting. Additionally, the drug court participants are volunteers at the event and a foursome of drug court clients plays the course.

To further improve the visibility of the program and encourage interest in the tournament, the clients of the Redlands Drug Court donate approximately 400 hours in meaningful community service per month. Participants wear distinctive volunteer shirts and participate in activities ranging from set up and clean up for the local weekly market night, to assisting local service clubs with park clean ups, to working with the chief of police and his wife at local elementary

and middle schools on large scale gardening and landscape projects. Susanne Pastuschek, program coordinator of the Redlands Drug Court says “these activities have received great community support and attention, which has led to donations of bikes, offers of housing and jobs for our clients—in many ways more invaluable than money.” This visible giving back to the community has also motivated another counseling center to step forward and put their treatment dollars into a drug court program for an additional 60 participants. A private clinic hosts the drug court graduation three times per year. This event includes a sit-down dinner, which allows the community and law enforcement to see the successes of the participants firsthand.

PART THREE

**BEYOND MONETARY CONSIDERATIONS:
STRATEGIES FOR LONG-TERM SUSTAINABILITY**

STRATEGIES FOR LONG-TERM SUSTAINABILITY

Ensuring long-term sustainability of a drug court requires more than securing lasting funding sources. To truly ensure the longevity of a drug court program, teams must work to build program capacity, evaluate program effectiveness, and engage in long-term anticipatory planning. Drug court programs must also undertake community outreach and education efforts. Finally, drug court programs must nurture the continued commitment and expertise of drug court team members and must provide for staff transition and renewal.

Ensuring long-term sustainability of a drug court requires more than securing lasting funding sources.

Building capacity and identifying new target populations are keys to sustainability. When drug court programs regularly build capacity and target new clients, they become indispensable in the management of court populations and take one step closer to institutionalization. The community should become so dependent on the drug court as a

sentencing option for substance abusing defendants that life without the drug court becomes unimaginable. The only way to accomplish this goal is to build capacity and identify new populations to serve. This section explores three methods a court can use to build capacity and identify new target populations: pilot programs, comprehensive screening systems, and unified problem solving models.

Regular evaluation and long-term planning should also be a part of every sustainability strategy. Every drug court program must evaluate the program's impact on the community, client recidivism, results of the drug court program on initial target population, and success of the drug court in reaching its goals and objectives. After evaluating these areas, programs must implement improvements in order to ensure long-term viability. Through evaluation, programs may identify new target populations. In addition, if programs can provide evidence for their positive impact on the community, they will be more likely to obtain long-term funding. As Hank Pirowski, project director of the Buffalo City Court says, "data equals dollars." Courts must also engage in long-range planning to ensure sustainability. This section explores a critical element of long-term planning—anticipatory planning, or planning for the unexpected.

A sustainability plan should also include community outreach and education efforts. Educating the community about reductions in recidivism and system-wide cost savings can set the stage for long-term community commitment and sustainable funding. This section explores a variety of innovative community outreach and education efforts. Finally, to ensure longevity, drug courts must nurture the continued commitment of drug court team members. Drug court programs should provide regular training for drug court staff members. Drug court programs should also develop methods to accommodate staff transition and renewal. This section explores several methods employed by drug court programs to foster team member commitment and expertise.

PILOTING NEW TARGET POPULATIONS

In the historical development of drug courts, pilot programs were often used to allow time to amass resources and refine policies and procedures. Pilot programs allowed a jurisdiction to pull all the players together and gain initial experience and training before working with larger populations. Pilot programs offered a learning environment to expose community service providers to the inner workings of a drug court and to provide court staff with an understanding of the processes and limitations of a drug court environment.

Once a drug court program has been established, the pilot program approach can again be utilized to start new program components or to work with new target populations. Changes in target populations may be necessitated by the availability of funding. Drug courts have had to change their legal or clinical eligibility or match their target population to the funding available. Additions of new target populations do create operational and clinical challenges, but these changes may also expand the possible resources available to serve new groups with unique challenges.

New target populations create operational and clinical challenges, but may also **expand the resources** available to serve new groups with unique challenges.

Choosing to work with a smaller number of participants when beginning a new service component can reduce barriers to developing new relationships by giving partners an opportunity to experience success before committing to provide new services to larger numbers of participants. By establishing expectations and working through operational issues with a smaller group, community service providers and court staff may establish a functional relationship that can then be expanded.

Piloting New Target Populations: Young Persons Track St. Louis, Missouri

The St. Louis Adult Felony Drug Court*† noted during the early years of the drug court that the most difficult individuals to serve in the program were the most youthful adult offenders. Many of these individuals used marijuana and alcohol solely, but were arrested for possession and distribution of cocaine or heroin (which they sold but did not use). While all age groups contained individuals who left the program before graduating, the proportion of early terminators was significantly higher for the youngest participants—those 17 to 20 years of age. These individuals tended to stay in the program the longest but with less success. Drug court personnel and administrators noticed that traditional treatment, which focused predominately on dependence on cocaine, crack, heroin or methamphetamines, was ineffective. A new pilot program was developed to address the young adult population and more effectively serve their needs.

Beginning in December 2000 the St. Louis Adult Felony Drug Court instituted a new program called the “Young Persons Track” (YPT). Individuals ages 17 to 22 at the time of admission to drug court could be considered for the new pilot program. The solution did not appear to be more intense drug treatment. The youngest drug court participants were in need of other approaches: providing them with life skills, completion and extension of education, preparation

for employment, and work experience. A twofold approach was contemplated: 1) education, training, work and drug education, with drug treatment only if needed; and 2) lengthening the time in drug court to provide a deterrent during the years when individuals were most likely to engage in drug-related criminal activities.

The YPT pilot program differs from other drug court treatment programs in that it is tailored to meet the specific needs of young adults and is largely focused on education. Participants are taught life skills and helped to become drug free in a supportive environment. The main components of the YPT pilot program are alcohol and drug education, counseling and auricular or acupuncture therapy treatment, parenting classes, and employment training and placement. Counselors follow a manualized curriculum that includes specific lesson plans and cognitive behavioral therapy activities. They also utilize other resources such as inviting speakers and using recently published articles or current event items in their treatment sessions.

Cognitive restructuring is also provided for all participants and occurs during weekly group therapy sessions. Occasional outings range from trips to museums, libraries, and historical landmarks. Proper etiquette is also taught at outings to local restaurants. Some trips, such as a tour of the state prison, are mandatory for all participants. In addition, all YPT participants are required to attend two self-help meetings a week, such as Alcoholics Anonymous or Narcotics Anonymous.

After recognizing that a significant number of participants are unmarried fathers with child support obligations, the team added a parenting education dimension to the YPT pilot program. The YPT pilot program partnered with a local initiative funded by Catholic Family Counseling and the United Way to expose participants to responsible fatherhood. As a further benefit to the community, each participant is required to make child support payments, which are often in arrears at the time they enter the YPT pilot program. In order to assure the continued ability to pay child support, participants are encouraged to obtain stable employment and are taught job placement and retention skills.

Evaluation of this model has confirmed that retention in drug court significantly increased overall. This analysis showed that graduation rates improved and rates of early termination from drug court were significantly reduced. Keeping individuals in the program longer and reducing early termination rates can be viewed as a benefit of moving away from traditional substance abuse treatment approaches for this group and avoiding new court activity arising from renewed criminal (particularly drug-related) activities.

COMPREHENSIVE SCREENING SYSTEMS

In order to make the greatest impact, drug courts eventually need to expand their reach to serve a significant percentage of the alcohol- and drug-dependant population. Increasing capacity is crucial if courts are to be seen as indispensable in the management of court populations. Systemic approaches to screening allow the drug court to address many levels of drug and alcohol offenses and provide a continuum of responses to match the severity of the offense and the addiction. A comprehensive screening system may overcome barriers to program entry through universal screening, standardized eligibility criteria and uniform program requirements.

Systemic approaches to screening allow the drug court to address many levels of drug and alcohol offenses and provide a continuum of responses to match the severity of the offense and the addiction.

Comprehensive screening systems have been implemented to ensure that all appropriate cases reach a trained drug court team for legal and clinical evaluation and assessment.

In addition to ensuring sustainability, universal systems can also produce a greater impact and allow for increased efficiency. Through economies of scale, drug courts that increase capacity may be able to meet the goals of the [Ten Key Components](#) (NADCP, 1997) more efficiently. For example, court outcome measures, such as time to disposition, may be positively impacted by systems approaches. Finally, drug courts that reach capacity

may allow the regular court system to operate more efficiently and effectively.

Comprehensive Screening Systems: Comprehensive Screening Project Pilot Brooklyn, New York

The Comprehensive Screening Project is a pilot program, started in Brooklyn, intended to be used as a model for the rest of New York State. The Comprehensive Screening Project was recommended by the Fiske Commission, which was charged by the New York State chief justice with making recommendations on how the New York State courts could better handle the large population of drug offenders it sees every year. Among its findings, the Fiske Commission recommended the expansion of drug courts throughout all of the counties in New York State and a system of ensuring that all defendants eligible for a drug court program were given the opportunity to participate. In this one county alone, the Comprehensive Screening Project has undertaken the task of screening over 80,000 criminal defendants each year for eligibility in court-monitored substance abuse treatment over the course of the last 2 years. The screening is a two-step process completed within 48 hours of the arrest, which includes a review of each defendant's case by a court clerk at the stage before a defendant's initial court appearance, followed by a detailed clinical assessment and urine toxicology screen by a substance abuse treatment professional. Eligible defendants are given an opportunity to participate in one of Brooklyn's court-monitored substance abuse treatment programs.

The commission recognized that previous efforts to screen for drug courts suffered from two big problems: lack of coordination and lack of integration, resulting in dozens of treatment-eligible offenders "falling through the cracks" each year. In some cases, this meant that defendants were not referred to treatment as quickly or as efficiently as possible. In other cases, it meant that treatment-eligible offenders may not have received any treatment at all. Flaws in the previous system also resulted in many cases being sent to court that were ultimately deemed ineligible for the program. This created system inefficiency, wasted assessments, unnecessary court appearances, and multiple urine tests that made it difficult for the courts to expand their capacity or serve new clients.

The Comprehensive Screening Project was developed and now operates using established principles. The project is universal. Every defendant arrested in Brooklyn is screened for eligibility in court-monitored substance treatment. Speed in the screening process accomplishes the three primary goals of reaching an addicted offender at a moment of crisis; of allowing

clinical staff to use an objective tool, the urine toxicology screen, to assist in determination of addiction severity; and of allowing the court, prosecutor and defense lawyers to conserve valuable resources by directing eligible and interested offenders to drug court at the very beginning of the criminal filing. Conservation of resources requires that the screening be done with skill and accuracy that results in all eligible offenders being screened and ineligible offenders being excluded from subsequent and more intensive clinical screening at the earliest stage of the process. This screening process is now fully integrated in the regular court case processing system. Court-monitored substance abuse treatment is now concentrated in New York drug treatment courts, which have the expertise, experience, and clinical staff to successfully monitor continued treatment progress, leaving the regular court sections with the ability to handle their remaining cases with greater efficiency.

Comprehensive Screening Systems: A DUI Systems Approach Oklahoma

The State of Oklahoma's approach to DUI is an assessment-driven DUI systems approach that was initiated on a statewide basis after years of frustration with non-standardized education and treatment approaches. State of Oklahoma statutes were amended to require DUI offenders to be assessed and to follow all recommendations for treatment and education within a 90-day period. This assessment-based process institutionalized standards that created a de facto DUI model with all courts participating as Alcohol and Drug Substance Abuse Courts (ADSAC). This process is complimentary to the existing drug court models and serves the entire range of DUI offenders. Assessments are standardized and the certified state assessments agents are thoroughly trained by the State Department of Mental Health. DUI education and treatment approaches have been revised in a standard curriculum with extensive training of providers and facilitator guides to assure effective intervention. Assessments drive the continuum of care provided for a wide range of presented need. This standardized, system-wide approach of assessment and treatment is funded wholly through client program fees making this program a self-sustaining model. Additionally, training for assessors and system practitioners are funded by one dollar from every assessment fee paid, and one dollar from every program fee paid to create a sustainable system of continuing education that ensures the highest standards of service. As a result, assessors learn both about the assessment tools utilized and about the rationale behind the questions asked, which allows them to use the tools more effectively and to get more accurate results.

One unintended consequence of developing this assessment-driven, system-wide approach is that there has been an improvement in the treatment services given. By keeping less intensive offenders separate from more intensive offenders, there has been a reduction in contamination effects that can occur. Because the system is offender fee driven and there are a higher number of offenders receiving services, there has been an expansion of the availability of outpatient services in this essentially rural environment. The result of improved delivery of outpatient services for offenders is ultimately a reduction of prison populations. In addition, the community benefits as outpatient service providers become more viable and there is more availability of outpatient services for nonoffenders.

UNIFIED PROBLEM SOLVING MODELS

Jurisdictions can move beyond narrowly defined drug court models to fund justice models that apply the established [Ten Key Components](#) (NADCP, 1997) to a wide range of offenses. Hybrid drug courts already accept both drug cases and DUI/DWI cases or drug and low-level mental health cases. In jurisdictions where funding or arrest rates are low, a multifaceted problem solving model can be implemented that can address substance abuse, alcohol abuse, domestic violence, mental disorders, and child custody issues in one court room in different sessions or on different days of the week. Unified problem solving models incorporate different types of offenses, which are integrated for appropriate court monitoring and treatment based on the commonality of the offenders' addictions.

Unified problem solving models incorporate different types of offenses, which are **integrated** for appropriate court monitoring and treatment based on the **commonality** of the offenders' addictions.

Court administrators may be more receptive to moving all pretrial treatment and supervision cases to one courtroom with specialized staff, broad access to services, and the specialized information systems necessary to support intensive supervision. By including civil, criminal, and family cases and working with quality of life crimes, property crimes, drug motivated crimes, and drug induced crimes of violence, funding from a variety of sources can be utilized to support a unified problem solving model. This unified

approach can increase the chances of interagency cooperation among government entities because there is less duplication of negotiations. Community linkages benefit because community organizations are able to identify and interact with one unified agency.

Unified Problem Solving Models: Combination Model Emery County, Utah

The Seventh District Drug Court in Emery County, Utah, has operated as a “combination model” drug court since November 2000. The combination model was developed in order to address the unique needs of a rural area with limited resources. This combination drug court model includes an adult drug court, a juvenile drug court, and a dependency drug court for parents at risk of losing their children due to substance use. Emery County has not had any difficulty in merging these models together and the program uses a juvenile court judge to meet the needs of all these participants.

The Emery County Drug Court uses a three-phase model with intensive services, including tracking in all areas of the participant's life. Because Emery County is a small community and there are a small number of participants in the program, Emery County Drug Court is able to provide a high level of surveillance and immediate consequences for behaviors. The Emery County Drug Court has developed inventive treatment and supervision strategies to meet the needs of each type of participant. A dedicated sheriff's deputy from the Emery County Sheriff's Office provides client-tracking services. The dedication of this officer allows the court to detain and/or arrest a participant if they are found in violation of the drug court's rules. It is not uncommon for the drug court tracker and the therapist to go together to the home of a participant

who is struggling. By accessing the services of each partner in drug court, mental health, judicial, law enforcement, family services, and probation, Emery County has achieved a high level of integrated case management and support for the participants. This success is primarily due to the dedication of the judge and the drug court team who are committed to working together to see that all clients from each track are supervised and treated appropriately. The drug court has developed working relationships with different agencies, including detention centers for juvenile offenders and the jail system for adult offenders, in order to meet the unique needs of different program participants.

The uniqueness of this type of combination model drug court is that the court has all the participants from the juvenile, adult, and family programs meet together for a combined appearance at drug court. This allows the juveniles to see the consequences of adults going to jail or prison and parents losing their children, and they are also able to witness the success of adults who are doing well. Emery County keeps treatment services for juveniles and adults separate and age appropriate. Court procedures must also be different because consequences or sanctions are different for each type of participant. Adult defendants can receive as much as 6 months in jail, dependency drug court participants are limited to 30 days in jail and are subject to termination of parental rights, and juveniles can receive a maximum of 30 days of detention, or be sent to a community placement outside of the home. Keeping these consequences separate has not been difficult to do or to explain to the participants. In fact, Emery County feels that this combined court experience has been beneficial for all participants. However, it has been challenging for the court to decide how to treat juvenile offenders who do not have felony level charges. The drug court is a felony level drug court and has few juveniles that have charges that warrant the structure and success that the felony drug court could bring.

Unified Problem Solving Models: Collaborative Justice Model Santa Clara, California

In Santa Clara, California the drug court† refers to their united problem solving approach as a “collaborative justice” model that supervises a wide range of issues and offenders. In this approach, the collaborative drug court works in cooperation with other courts that are ordering supervision for domestic violence offenders, offenders with sales charges, offenders charged with gang involvement, and offenders with mental health issues. As a result, if offenders are assessed to have low lethality, then they may be ordered to participate in the collaborative court’s supervision model. Judge Manley, presiding judge, describes this collaborative approach as “one that seizes the opportunity to expand the impact of a drug court supervision model”.

Unified problem solving courts do face the unique challenge of tailoring their programs to suit the needs of each type of offender entering the united system. According to Judge Manley, the Ten Key Components (NADCP, 2007) may need to be altered to serve unique populations or to manage a large number of participants. For example, mental health offenders may not respond to sanctions in the same way as drug offenders. As a result, courts may incorporate more strengths-based approaches with mental health clients. Additionally, client status conferences using a team approach may not be possible when serving hundreds of clients, so court and program staff may have to meet separately from the court to conserve judicial resources, or utilize information systems to improve communication.

ANTICIPATORY PLANNING

Effective courts anticipate change and take advantage of new developments to extend their reputation and their reach. Anticipatory planning, or planning for the unexpected, is a crucial element of sustainability. This often means building through collaboration, not competition. Building relationships with partners and the media to endure crisis is part of the essential collaboration between a drug court and the community it serves. Courts are increasingly focusing on collaborative solutions to common problems shared with agencies such as corrections and social services. Often community partners are in a position to seek funding that is not traditionally available to the court. These partnerships not only expand resources but also provide committed allies in times of need.

Effective courts anticipate change and take advantage of new developments to extend their reputation and their reach.

Practitioners and administrators must continually seek to identify opportunities for strengthening and expanding political support. Public policy events such as special referendums and ballot initiatives may create opportunities to further educate the community about the drug court model. New federal funding opportunities may become available to support drug courts in unconventional ways. Federal transportation funding or special treatment funding such as the recent “Access to Recovery” treatment voucher program may expand resources for drug courts.

Anticipatory Planning: Identifying Potential For Growth Santa Clara, California

According to Judge Manley of Santa Clara, California, seizing opportunity is the key to drug court sustainability. In 2000, the State of California passed Proposition 36. This referendum offers offenders the opportunity for substance abuse treatment instead of incarceration, without providing funding for drug testing or mandating judicial supervision for these offenders. This proposition threatened California’s drug courts because large amounts of funding were made available to Proposition 36, a non-drug court model. Some drug courts positioned themselves to accept all the failures from this approach. Recent research from the University of California, Los Angeles (UCLA) has now shown that this approach has been ineffective in engaging drug dependant offenders (Longshore et al., 2005). As a result, the funding from this referendum is in jeopardy.

Judge Manley sees potential opportunity in this report to continue to provide treatment for a broad segment of the population. “The drug courts in California have shown a long history of reduced recidivism and reduced drug usage in criminal offenders by utilizing an effective mix of judicial supervision, testing, treatment, and provision of social services. As a result, the drug court models are positioned to provide a model that could utilize the funding in an effective manner,” said Manley. In California, federal discretionary money has been made available for drug testing, so drug court supporters are sitting down with court, law enforcement, and treatment proponents to discuss using funding from the Proposition 36 initiative combined with

other state and federal funding in order to target a significant population of drug offenders for treatment and supervision.

For Judge Manley, anticipatory planning means building partnerships, not antagonism among agency partners. Instead of diverting funds from other agencies and ultimately creating a competitive environment where agencies are constantly vying for state or federal dollars, the collaborative justice courts are now focusing on mutual interests and seeking to address problems in other agencies like corrections and social services. By asking these agencies what the collaborative justice court can do to resolve issues, like reducing incarceration rates and foster care placements, this system builds the type of cooperation and interdependency that has been lacking in state governments. By building a relationship with other agencies, all partners can be put in a better position to be eligible for federal dollars. Communal objectives also better serve the population, as a disjointed service system may fail to meet their needs. In essence, community problems need a community approach to be resolved in a manner that is satisfactory to all.

COMMUNITY EDUCATION EFFORTS

Communication with the community necessarily involves outreach to the media. Practitioners must build a media strategy, including a crisis response plan, to ensure the court is presenting a positive image of the program's goals and achievements. If a court has fostered media support, when a critical incident occurs the media will have an accurate knowledge base from which to report.

Team members can build community understanding by inviting the court staff, law enforcement, community leaders, and the media to planning sessions, courtroom hearings, graduations, and alumni events. Graduation ceremonies, in particular, are positive events that allow members of the community to see the results of a problem-solving court. When a program graduate describes their experience, they are able to powerfully personalize the message of drug court. Influential community members, including law enforcement, probation and parole officials, prosecutors, legislators, and city and county officials should routinely be invited to attend graduation ceremonies and interact with program graduates. Publicity from these graduations can make it clear that a problem-solving court is a valuable asset to the community.

A successful team effort can provide the community with the **factual basis** for sustained funding.

Judges have a unique ability to effectively communicate with the public, graduates, providers, legislators, and the media and play a powerful role in reaching the community if they clearly describe the benefits of problem-solving courts and are given the necessary informational tools to support their delivery. Effective judicial leadership can overcome bureaucracy and skepticism through both positional authority and personal relationships. Team members can also act as leaders for their agencies and speak to the community about how drug courts achieve many agency missions and goals. A successful team effort can provide the community with the factual

basis for sustained funding. Presentations on reductions in recidivism and system-wide cost savings can set the stage for long-term community commitment and sustainable funding.

Community Education Efforts: Judicial Education Missouri

Judge Patricia Joyce, who worked to found juvenile†, adult† and family*† drug courts in Jefferson City, Missouri, suggests that finding the seed money to start drug court programs is only the start of the process needed to develop sustainable funding for drug court models. According to Judge Joyce, drug court practitioners and judges may need to educate themselves about resource acquisition. Judge Joyce says many judges “do not have an understanding of the state funding systems” or the “intricacies of the budgets in the state government”. However, judges do know which agencies are most likely to commit resources and funding to build pilots. According to Judge Joyce, judges who want to develop drug courts should “not be intimidated” and should “do an analysis of where the pockets of money are for a particular type of drug court.”

According to Judge Joyce, judges should develop a “comprehensive view of the budgeting process and how [they] can sell the program.” Courts need to demonstrate success and develop a good reputation in order to build community support. It is also important for teams to remain ready to “defend the program if there is any threat or opposition to the court”. Consistent educational efforts have contributed to the spread of drug courts in Missouri, which has made it easier for other drug courts to start. When judges express excitement about the effectiveness of their drug courts, barriers to the development of new models are substantially reduced.

Community Education Efforts: Leveraging Partnerships Philadelphia, Pennsylvania

In the spring of 2003, when Pennsylvania's budget called for the elimination of \$104 million in funding for drug and alcohol treatment, Louis J. Presenza, president judge and treatment court judge of the Philadelphia Municipal Court*†, took a leadership role in advocating for the restoration of funding. "The loss of these funds would have had a devastating effect on the availability and accessibility to drug and alcohol treatment for uninsured and underinsured clients, including Philadelphia Treatment Court clients" said Judge Presenza. He sparked a letter writing campaign to the governor and state legislators. Quoting another Philadelphian, Benjamin Franklin, he called the budget cuts "Penny wise and pound foolish."

Judge Presenza enlisted the enthusiastic support of Lynne Abraham, the Philadelphia district attorney, in this cause and focused on the impact the loss of funding for drug and alcohol treatment would have on treatment courts statewide. Their joint appearance, along with Sylvester Johnson, Philadelphia's police commissioner and other notable elected officials at a rally drawing thousands in front of Philadelphia's historic city hall evidenced the broad public support for funding restoration. Working with other advocacy groups, they were able to achieve restoration of \$100 million in state funding for drug and alcohol treatment.

When another funding crisis arose in the spring of 2004, Judge Presenza and Lynne Abraham were once again united in seeking to block funding cuts for their offices proposed by the mayor. If the budget had been cut, the drug court would not have been able to maintain its staffing of treatment court and take advantage of a grant from the Pennsylvania Commission on Crime and Delinquency to increase the number of treatment court clients. Thanks to the documented success of Philadelphia Treatment Court, both the mayor and city council have since become strong supporters of the drug court.

Community Education Efforts: Judges in the Community San Bernardino, California

Judge Tara Reilly, superior court judge in the County of San Bernardino, California suggests, “at every opportunity, judges need to get out of their courtrooms and into their communities! They should speak to every possible civic, charitable, educational, and interested group that is in the community. They should make an appointment to meet with chiefs of police and ask for their assistance in monitoring clients in the community and ask for one officer to be assigned to the program full time.” According to Judge Reilly, judges should become integrally involved with the treatment community, including mental health providers, sober living homes, family service agencies, and religious based organizations. She believes that judges should “participate in Red Ribbon Week festivities, march with your clients in local parades; in other words be visible and always be ready to share the latest statistics, research, and benefits of treatment courts. Take the initiative and call local elected officials to invite them to visit your courts, write letters of commendation to your graduates, or help with legislation that may fund these worthwhile programs. Be proactive and visible to your community.”

Community Education Efforts: Educating Decision Makers Oregon

Judge Dennis Graves was president of the Oregon Association of Drug Court Professionals (OADCP) from 2003 to 2006. During that time, the OADCP worked hard to ensure the sustainability of Oregon's drug courts by obtaining state funding. Judge Graves says, “the Oregon Judicial Department had been essentially standing on the sideline during the 2003 and 2005 legislative sessions in regard to obtaining state funding for drug courts”. New legislation was necessary, but the department focused on obtaining its base budget before seeking any specific drug court funding. Because of that posture, Oregon's drug courts were dependent on federal grants for funding.

Judge Graves and the Oregon Association of Drug Court Professionals developed a legislative strategy to obtain state funding for Oregon's drug courts. Judge Graves arranged during the legislative session to hold a weekly drug court session at the State Capitol Building. Judge Graves says, "I garnered a few key legislative leaders' support and then facilitated cooperation between the sheriff's office (which provides courtroom security) and the Oregon State Police which provides security in the Capitol". Drug court participants who were serving custody sanctions were transported to the Capitol by county deputies in cooperation with the state police. Judge Graves says, "with the cooperation of a lot of people, we carried it off without a hitch!" Two individuals graduated from drug court that day and one person was taken into custody. One

participant had been evicted from her apartment the previous week and three other participants, including the client taken into custody that day, received certificates for moving her furniture to a storage unit donated by a faith-based member of the team. Drug court teams from across the state attended the event and made contact with their local legislators. The court session was videostreamed throughout the Capitol so legislators who did not attend in person could still see a drug court in action.

As a result, the 2005 Oregon legislature passed a first time funding package for Oregon drug courts. Judge Graves is convinced this "Take Drug Court to the Capitol" event played a critical role in ensuring the sustainability of the states' drug courts.

Community Educational Efforts: Community Message Boards Fort Washakie, Wyoming

The Wind River Shoshone and Arapaho Tribal Substance Abuse Court in Fort Washakie, Wyoming† primarily serves Northern Arapaho and Eastern Shoshone tribal members in an area that is shared by the Bureau of Indian Affairs, the Joint Business Chambers for both tribes, and the Indian Health Services. Marsha Taggart, of the Indian Health Services, contacted the drug court to offer the team use of a community billboard located within the reservation's borders. Ms. Taggart and Dawn Bitz, the tribal drug court coordinator, entered into an agreement on behalf of the Indian Health Services and the drug court that allowed the drug court to post messages on the billboard as long as the messages include an educational piece about tobacco. As a result, the drug court has been able to provide information about drug court, alcohol abuse, and a drug-free lifestyle (including an antismoking message). The bottom of the billboard indicates that the message is "sponsored by the Tribal Substance Abuse Court and the I.H.S." and will be changed quarterly. The message selection is a shared process drawing on input from drug court clients and tribal elders in the community. This educational effort is modeled on the Anti-Meth Campaign in Montana and the Prevention of Underage Drinking Campaign in Wyoming. The drug court team is also considering posting messages on private property along major highways and airing testimonials on local radio stations.

TEAM DEVELOPMENT AND LEADERSHIP

One of the most critical components of problem-solving court stability and sustainability is nurturing and maintaining the ongoing commitment of the members of the court's multidisciplinary team. Team members must find participation in the drug court a meaningful experience. Teams need regular training and technical assistance. In addition, team members need encouragement to carry out regular evaluations of program practices and outcomes to justify funding. It is important to build mechanisms for staff transition and renewal to attain a sustainable drug court program.

**Teams need regular training
and technical assistance.**

Nurturing and maintaining the ongoing commitment of the drug court judge in particular is of vital importance. Judicial leadership is universally acknowledged as a pivotal element of effective court operations, both short-term and long-term. Direct involvement of the judge

ensures long-term sustainability. Operational effectiveness hinges on judicial involvement in direct client supervision, ongoing planning, resource development, outcome tracking, and information dissemination.

Team Development and Leadership: Interdisciplinary Education Florida

In Florida, drug court professionals have made a unified effort to continue interdisciplinary training programs for drug court teams. In 2004, a loss of staffing and funding threatened to eliminate the statewide training conference. As a result, the Seventh Judicial Circuit Drug Court team decided to invite the rest of the state to join their circuit's training. Key people backed the idea and support grew for continuing training without grant funding. The Florida Association of Drug Court Professionals (FADCP) provided strong backing by hiring an extremely capable professional to write the curriculum and invite facilitators to participate. National organizations were contacted to provide speakers through technical assistance programs and the FADCP board members encouraged top-level officials to participate. The resulting Forum for Florida Drug Court Professionals, in St. Augustine, Florida, was a multiday event with numerous training sessions. The success of the forum convinced organizers that drug court professionals do not need to automatically cancel essential services due to a lack of financial support from traditional avenues. Training is sacrificed too often when the budget axe is swung. The Ten Key Components (NADCP, 1997) prudently emphasize the importance of continuing interdisciplinary education and decision makers in Florida understood this.

Team Development and Leadership: Regional Approaches New England

Chief Judge Jeremiah Jeremiah of Rhode Island founded the New England Association of Drug Court Professionals (NEADCP). The association is a regional association because the states of New England are small and share many of the same issues. A regional association allows the effort and cost of maintaining an association to be spread over all the states, so representatives from Massachusetts, Maine, New Hampshire, Vermont, Connecticut and Rhode Island agreed to meet to create the association and plan an annual conference. Under the leadership of Judge Jeremiah and Buddy Croft, of Rhode Island Family Court, the first three conferences were heavily supported by Rhode Island court staff and through partnerships that were developed with the Roger Williams University and local sponsors. These conferences were small, but comprehensive. According to the immediate past president of the NEADCP, Judge Robert Ziemian, "the conference organizing committee immediately understood the importance of gaining support to bring in nationally recognized drug court speakers". The organizing committee approached the National Association of Drug Court Professionals and the National Drug Court Institute. The committee also conducted outreach to the National Institute of Justice and the Bureau of Justice Assistance. The committee invited the director of the Office of National Drug Control Policy, and a deputy director has attended each conference in order to present certificates from the White House to drug court graduates.

After the first three years, the board of directors of the NEADCP decided to make efforts to share the responsibility of hosting the conference and turned over the leadership of NEADCP to rotating states. Massachusetts was the next state to host the conference, in partnership with Join Together, a national not-for-profit alcohol and drug policy, prevention, and treatment organization based at Boston University School of Public Health. Join Together became a major partner in this effort by donating staff time to assist in planning the conference. “At the time”, Roberta Leis, program director for Join Together, executive board member of NEADCP, and conference chair said, “there was some money in the bank from previous conferences, but it was immediately clear that additional partnerships would have to be formed to sustain the costs of running the conference.” After a board retreat facilitated by an outside organization, a strategy was developed to reach out to new partners to grow the association as well as to cosponsor the conference. New state partnerships were developed with the Massachusetts Governor’s Highway Safety Bureau, the Commonwealth of Massachusetts Department of Public Health and the ADCARE Educational Institute. NEADCP also decided to reach out to Advocates Inc., an organization for people with disabilities that also operates a drug court in Ayer, Massachusetts. Advocates Inc. offered to provide conference administration assistance because the effort fit their organizational mission. In addition to reaching out to state agencies and the treatment community, NEADCP has reached out to the recovery community, particularly Faces and Voices of Recovery (FAVOR) and its New England counterparts, the New England Alliance for Addiction Recovery (NEAAR) and the Massachusetts Organization of Addiction Recovery (MOAR), to develop workshops and plenary sessions and to become an active participant in the association.

The National Highway Traffic Safety Administration (NHTSA) also became interested in partnering with NEADCP due to the recognized benefit this partnership would have for the development of DWI/OUI/DUI models in the New England states. NHTSA was able to assist in the planning of a plenary session and a workshop. These sessions were extremely well attended and were highly scored on conference evaluations. NHTSA also agreed to pay for 150 scholarships for anyone from the Massachusetts criminal justice system to attend the conference, including prosecutors, judges, and police. This not only allowed for a significant increase in attendance for the conference, but also promoted the association’s effort to have more criminal justice and legal professionals exposed to drug court related issues. NEADCP has made a concerted effort to reach out to the law enforcement community, and a local police chief who is publicly in recovery attends the conference every year to show his support for drug courts. The post conference feedback received by the local NHTSA agency representative encouraged NHTSA to increase the number of scholarships offered to the association. The result of this successful partnership with NHTSA in Massachusetts has encouraged other New England drug court professionals to approach their local agency representatives to build alliances.

The National Institute of Drug Abuse (NIDA) has also joined in supporting the NEADCP conference by sponsoring presentations by Doug Marlow and Tom McClellan, of the Treatment Research Institute. NIDA Director Dr. Nora Volkow gave the keynote speech at the annual conference last year, lending significant credibility to the event.

Importantly, each member of the NEADCP board has been able to build partnerships for the association because they had already established working relationships with the sponsoring

organizations. The conference planning committee and the NEADCP board of directors develops conference content in partnership with experts and drug court practitioners that reflects the association's mission. These linkages and the accomplishments of NEADCP have helped to build a reputation of competency that now draws experienced speakers, numerous attendees, and additional sponsors to support the efforts of the association.

**Team Development and Leadership: Judicial Commitment
Mason, Michigan**

Judge Tom Brennan, Jr. of the 55th District Court in Mason, Michigan† says “clearly what makes drug court sustainable over time is the willing involvement of the judge. The face-to-face encouragement/confrontation is a ‘roll up your sleeves and get your hands dirty’ approach to criminal justice that many judges simply cannot warm up to. But when they do, they find that it is the single most effective method of bringing about true lasting reform of a defendant's future conduct.”

PART FOUR
COMPREHENSIVE STRATEGIES

Some jurisdictions have incorporated a number of different and complimentary funding strategies that have created a firm foundation for long-term sustainability and public awareness. By creating a diverse approach to funding and an inclusive approach to community integration and interagency cooperation, these drug courts have built diverse portfolios of sustainable funding sources that reduce risk and improve the stability of program operations. This approach ensures the effective provision of services for a vulnerable population that needs durability and constancy of programming and supervision to promote recovery. The following case studies illustrate the merger of several sustainability methods working in concert to assure the permanency and growth of their drug courts.

CASE STUDY: KALAMAZOO, MICHIGAN

Kalamazoo Women’s Program†

The Kalamazoo Drug Treatment Court began in 1992 as a demonstration project targeting women offenders. The women’s program was administered through the Kalamazoo County Office of Community Corrections. It was funded by a Byrne Memorial Formula Grant through the Office of Drug Control Policy, with matching dollars from the State Office of Community Corrections. In August of 1997, Kalamazoo County assumed fiscal responsibility for the women’s program. The county funded the program through the Circuit Court/General Fund until 2005.

Kalamazoo Men’s Program

In January 1997 the drug treatment courts received an 18-month grant from the U.S. Department of Justice to begin a program for male offenders. At the end of 1999, the program began receiving funds from the state, administered through the State Court Administrative Office. In 2001, the program received Byrne Memorial Formula Grant Funds from the Office of Drug Control Policy. The men’s program has also received funding from a tax on alcohol and from the county, through the Circuit Court/General Funds.

Kalamazoo Juvenile Program†

The juvenile drug treatment court program was established in 1998 for youth 14 to 17 years of age. The program offers a holistic approach to the recovery of youthful offenders, focusing on the needs and circumstances of each individual. The juvenile drug treatment court program emphasizes addressing family problems, particularly those that are viewed as potential contributing factors in the juvenile’s use of drugs. The juvenile program is funded by the State/County Child Care Fund. Currently, all of the Kalamazoo drug treatment courts are administered by the Ninth Circuit Court.

Kalamazoo Drug Treatment Court Foundation

In 1998, the Kalamazoo team began meeting formally in order to ensure a financially stable future for the drug treatment court programs in Kalamazoo. At the time, the drug treatment court programs were funded irregularly and insufficiently through a variety of state and federal grants

and subsidies. The uncertainty of yearly funding made proper administration of the programs highly unstable and threatened to break the treatment continuum. Federal funding for Kalamazoo drug treatment courts would expire by 2007. In addition, by 2004, Kalamazoo County was experiencing a significant income shortfall and began cutting funding for non-mandated court programs. The women's program lost county funding on January 1, 2005.

By that time, however, the team had already put in place a plan to secure stable funding for the Kalamazoo drug treatment courts. At the end of 2004, the team established the Drug Treatment Court Foundation, a 501c(3) organization, to solicit funding for the treatment court programs. The Drug Treatment Court Foundation has undertaken a two-tiered approach to ensuring drug court sustainability.

First, the Drug Treatment Court Foundation established a fund raising campaign entitled New Day Recovery Opportunities. The goal of the New Day Recovery Opportunities campaign is to raise \$6.1 million to ensure continued operation of the drug treatment court programs from 2005-2010. The New Day Recovery Opportunities campaign was able to fund the women's program in 2005, 2006 and to date in 2007, after county funding ended. Funding for the campaign has come from a variety of sources such as area corporations and businesses; local and national foundations; individual gifts; and the legal, health, governmental and educational communities of greater Kalamazoo. For example, the Kalamazoo County Bar Association has presented gifts totaling more than \$10,800 to the New Day Recovery Opportunities campaign, which were raised through their 2005 and 2006 annual golf outings and silent auctions. As of March 31, 2007, the campaign had raised over \$4.02 million for the drug treatment court programs.

As the second tier of their sustainability strategy, the Drug Treatment Court Foundation has begun building an endowment fund. The Foundation has an endowment fund at the Kalamazoo Community Foundation and another endowment fund which is administered by Greenleaf Trust. The purpose of the endowment is to build a corpus of \$25 million. After 2011, a 5% annual return from the endowment combined with funds raised through annual campaigns will provide \$1.25 million annually to fund all Kalamazoo drug treatment court costs not borne by the county or the state. As of March 31, 2007, the Drug Treatment Court Foundation has raised over \$2.22 million for endowment.

CASE STUDY: THE STATE OF ALASKA

Alaska's problem solving courts have received funding and support from a variety of sources, including federal and state government agencies, state legislative appropriations, and community and corporate donations.

In Alaska the first two felony DUI Courts were funded by the legislature in response to safety concerns. DUI conviction and incarceration were not keeping drinking drivers from repeat offenses, with predictable injury rates and casualties. In 2001, legislation created pilot courts in Anchorage† and Bethel with special authority to suspend fines and sentences. The following year further enactments provided incentives for participants in other addiction-based therapeutic courts. This legislative act granted judges the authority to suspend up to 75% of the mandatory minimum sentences imposed and up to 50% of the minimum fines for those convicted of a DUI

who completed a therapeutic court program. Later bills extended the sunset dates of the felony DUI pilot programs and enabled all governmental agencies involved with therapeutic courts to work collaboratively to ensure the success and expansion of those courts.

Dire statistics on Alaska's persistent problem with alcohol abuse allowed the Anchorage problem solving courts to garner the support of the National Highway Traffic Safety Administration (NHTSA). According to the Advisory Board on Alcoholism and Drug Abuse, Department of Health and Social Services, Alaska's arrest rate for DUI and Alaska's rate of alcohol-related vehicle fatalities are among the highest in the nation. The prevalence of alcohol dependence and alcohol abuse in Alaska is the highest in the nation and is about twice the national average; the national rate is 7% and the Alaskan rate is 14%. Because of these statistics, NHTSA became committed to making the highways safer for Alaskans.

In order to lessen the devastating impact drinking drivers have had on Alaska's highways, NHTSA has provided valuable support in the development of Alaska's therapeutic courts. With NHTSA's support, the reputation of the Anchorage courts soon spread to other Alaskan communities who decide to develop their own courts. The Alaska Highway Safety Office (AHSO), which works very closely with NHTSA, approved funding for additional DUI courts in Alaska. As a result of this encouragement and pilot funding, in 2005 DUI courts were opened in Juneau and Ketchikan.

In addition to the DUI therapeutic courts in Bethel, Juneau†, and Ketchikan, and the Anchorage Felony DUI Therapeutic Court, Felony Drug Court†, and Wellness Courts, Alaska has initiated two mental health courts and one Family CARE Court. The Anchorage Coordinated Resources Project (ACRP) (mental health court) for persons with mental health disorders or co-occurring mental health and substance abuse disorders opened in 1998. In contrast to the addiction courts where the goal is to turn out graduates who are sober and productive members of the community, the expected outcome for ACRP graduates is a reduction in criminal justice contacts through increased mental stability and improvement in their overall living situation. Originally, funding for the court came from the Alaska Mental Health Trust Authority (AMHTA), a public entity that funds programs for beneficiaries, which include people with a mental illness, developmental disabilities, head injuries, and chronic alcoholics with psychosis. The ACRP has been evaluated and the benefits of the program confirmed. Reduction in incarceration rates of court participants has piqued the interest of legislators. A second mental health court was funded in a different community because a legislator saw the benefits first hand and wanted the same type of court in her district.

Each therapeutic court works to inform the public about their role and function. The statewide therapeutic courts program coordinator, Robyn Johnson, states that the most effective way to sell a therapeutic court is to have interested people visit the therapeutic courts. She says, "it's always very powerful to hear the testimonials directly from the participants. This is much more effective than program people trying to explain the program's benefits. As in most things in life, direct personal observations and testimonials are the most effective". The therapeutic courts have invited legislators, administrative branch decision makers, and community leaders to observe the courts. The courts send follow-up emails and notes to visitors to acknowledge and thank them for taking time out of their busy schedules to visit.

Program personnel also give frequent presentations to civic organizations. Typically, graduates have participated in these speaking engagements. Information delivered to community members is always kept clear and concise. As a result of this outreach, supporters of the court include Mothers Against Drunk Drivers (MADD), local consumer groups, and nongovernmental organizations who have seen firsthand the improvement the therapeutic courts have had on their clients. Ms. Johnson says, “When the support is there, the funds often follow”. All the therapeutic courts receive specific-purpose funds from community groups such as Rotary International. Local businesses have provided support including gifts and gift certificates to be given to participants as incentives. In 1999, Partners for Progress, a 501(c)(3) nonprofit organization, assisted Judge James Wanamaker in starting the Anchorage Municipal Wellness Court as a pilot project. Partners for Progress, in coordination with the Anchorage Wellness Court, also conducts outreach to the community.

Ongoing evaluation to support claims of success has also been critical to gaining continued support. Annually, the Justice Center of the University of Alaska prepares a factual summary of the Anchorage Wellness Court participants and graduates. The Justice Center summary of the criminal history of participants provides a snapshot that reflects long-term involvement of the addicted population with the criminal justice system and the “revolving door” process that therapeutic courts are intended to end. This data has been an effective means of demonstrating program value and encouraging governmental partners to assume the program as a cost efficient part of the ongoing operational budget.

CASE STUDY: BUFFALO, NEW YORK

The Buffalo Drug Treatment Court (BDTC)*† accepted its first participant in December 1995. It accepts misdemeanors and felonies, and is both a preplea and postplea program. The BDTC operates 5 days per week, currently has 625 participants and reports a 73.6% retention rate. According to Hank Pirowski, project director, since 1995 the BDTC has provided services to over 3,000 participants. Over 235 children have been returned to, or permitted to remain with, their biological parents because of the parents’ participation and compliance with the court’s direction. Over 86 healthy babies have been born to mothers addicted to crack at the time of their admission to the program. A recent study performed by the Erie County, New York Department of Medicaid and the Buffalo Drug Treatment Court has shown that the county would avoid, or has avoided, over \$17 million dollars in costs as result of the court’s activities. This included welfare savings, parents regaining jobs, child foster care savings, and other social service benefits. The Buffalo Drug Treatment Court system, which includes the Buffalo Drug Treatment Court, the Buffalo Mental Health Court, the Jail-Based Reentry Court, and the diversionary drug treatment program offered through the Court Outreach Unit: Referral and Treatment Services (C.O.U.R.T.S.) Program, has over 1,800 people in treatment at any given time.

The Buffalo Drug Treatment Court survival strategies include planning for the future from day one; identifying roadblocks to success; developing an action plan; balancing community and political concerns; identifying existing community resources; community mapping; striving to become grant supported, not grant dependent; collecting as much data as possible, as data equals dollars; public relations; aggressive marketing; focusing on key stakeholders; practicing within a

policy of inclusion (involving all members of the community and service delivery system in planning and program development); developing an oversight committee and/or an advisory committee; developing a strategic plan supported by a mission statement that the community and stakeholders will buy into; and partnering with managed care organizations.

Generating Community Support

Obtaining the support of a wide range of community stakeholders and building consensus around the creation of a drug court was the first step in establishing a supportive community coalition. The BDTC steering committee's first step was a community-mapping project. This initial activity identified the stakeholders within the community who would be positively or negatively affected by the implementation of the drug court, including treatment providers, members of the criminal justice system, and other members of the community including faith-based organizations. The BDTC steering committee analyzed the availability of services provided by the mapping exercise and identified the needs and gaps that needed to be addressed.

To reach a consensus and build support the BDTC steering committee contacted each stakeholder individually, which gave everyone the opportunity to express concerns privately. This group included chief executive officers of service organizations as well as direct service staff. Summaries of the meetings were prepared and a strategy developed to address concerns, which were generally founded on territories, boundaries, and limitations of respective agencies.

The BDTC steering committee followed the individual contacts with several community meetings to foster discussions, educate stakeholders, and develop support. These working forums generated the founding of the BDTC Treatment Consortium that consists of over 100 members that represent a cross section of the community and includes members of the judiciary, law enforcement, legal aid, probation, alcohol and drug treatment and mental health service providers, educators, and members of the faith-based community.

Systems Integration

Early in the planning stage, the BDTC steering committee had a clear understanding that no singular system could support nor pay for the wide array of services the drug court would need to break the cycle of relapse, drugs, crime, repeated arrest, and incarceration. The four primary systems that would be affected by the development of the drug court were the criminal justice system, the social service system, the treatment system, and the managed care system. Success depended on having access to the needed range of services. The committee recognized that resources could be in the form of actual dollars or in the form of in-kind services such as staff time, office space, and the use of third-party pay systems such as insurance and deficit funded programs. It was anticipated that the participants of the drug court would have many diverse needs and require multiple services. Because the committee understood that no single local funding source could pay for all the service requirements, an effective response required a shift in mindset. To operate effectively, the BDTC recognized the need for a shift in mindset from a paradigm of "your dollars vs. my dollars," "my client vs. your client," and "your program" vs. "my program" to a collective appreciation, understanding and acceptance of "our dollars", "our clients", "our program" and "our drug court".

The Buffalo Drug Court opened in December 1995 through the mobilization of local resources, and federal funding was obtained in 1996. The drug court judge and the coordinator marketed the program and its goals to four different local systems as well as the City of Buffalo. As a result all four systems and the city dedicated resources to the development of the drug court.

The Buffalo City Drug Court is housed in a city-owned and operated building. The city donated office space, furniture, and utilities, including telephones for staff offices. In addition it provided two full-time staff members from the City of Buffalo's Division of Substance Abuse and one counselor from the Division for Youth. From 1996 to date, the city has annually included the BDTC in its law enforcement grants and over the years has granted in excess of \$450,000 to the court.

The New York State Unified Court System (NYS UCS) has committed to funding institutionalized drug courts. The BDTC is a full time court that operates 5 days a week. The court has a full time judge, coordinator, three case managers, two clerks and a security officer all provided by the New York State Unified Court System. The NYS UCS also provides funds for urine testing and office supplies.

The Legal Aid Bureau also provides a full time attorney to the drug court and the Erie County District Attorney's Office provides a full time assistant district attorney. The Buffalo Police Department has dedicated an officer to the drug court who assists with warrants. The Erie County Probation Department assists the BDTC with a Release Under Supervision Program and by partnering with a county treatment agency day reporting program.

The director of Medicaid for the Department of Social Services is part of the BDTC team and has assisted in the development of expedited social service enrollments. He is the direct link to all county agencies and county contracted managed care providers. Through partnering with the Department of Social Services (DSS) a Medicaid specialist (caseworker) is assigned directly to the court to assist BDTC participants in obtaining benefits.

Treatment is provided through a consortium that consists of 47 licensed substance abuse agencies located within Buffalo and the County of Erie. Treatment partners/providers represent detoxification programs, outpatient programs (both intensive and nonintensive), residential short-term rehabilitation centers and long-term residential treatment programs (therapeutic communities) with stays between 18 and 24 months. Treatment schedules are determined at the agency level with drug testing at least twice a week. Faith-based programs, Alcohol Anonymous and Narcotic Anonymous, as well as secular support systems, augment treatment. In regards to treatment costs, of the 3,000 cases that entered the BDTC over 95% fell within the 200% federal poverty guidelines. Through partnering, no participant has ever been denied services because of their inability to pay, nor were excessive fees imposed that could have interfered with the participant's rehabilitation. The BDTC, through creative and collaborative efforts, has made four options available to cover treatment costs: (1) third-party pay through insurance companies (HMOs), (2) referral to indigent or deficit funded programs that are supported by dollars from the New York State Office of Alcohol and Substance Abuse (OASAS), (3) sliding fee scales, and (4) Medicaid. Fifty-three percent of BDTC participants have Medicaid in place upon entering

the program and all who are eligible for Medicaid are provided assistance in obtaining benefits. In addition to the provision of services, 10 treatment partners have assigned in-kind staff in support of the drug courts screening and placement program known as the COURTS Program (Court Outreach Unit: Referral and Treatment Service). These individuals are assigned to the court and are responsible for the information flow to and from the court.

To link with the managed care system, managed care partners are members of the Buffalo Drug Court Advisory Board. Working directly with these programs as partners has proven an effective means in the provision of services. One managed care company has provided an on site staff member to provide guidance and assistance in enrollment.

The Buffalo Drug Treatment Court has also initiated some innovative and effective strategies and practices to stabilize clients in their recovery. The Vocational Life Enhancement Accomplishment Program (VLEAP) otherwise known as Education “2” Recovery (E2R) is an academic/vocational learning community for addicted offender clients. VLEAP assists BDTC participants in their transition to vocational engagement and employment in the Buffalo, New York community. These individuals often have low levels of education, learning disabilities, chronic unemployment, remedial learning deficits, and cognitive retention problems, coupled with their alcohol, drug, and mental health problems. Limitations in basic reading, writing, and language skills make entry-level employment, or any employment opportunities, difficult to obtain because of the lack of basic skills. The pre-VLEAP outcomes for this client population had been dismal, with few becoming and retaining competitive employment, many dropping out of remedial education, and many stuck in a chronic system of poverty/subsidy/homeless, when support systems are becoming less available. Recognizing these issues, the Buffalo City Drug Court in partnership with Erie Community College, the New York State Department of Labor and the State University of New York (SUNY) created a learning community to address the needs of this offender population. Operationally, VLEAP provides hope and encouragement to individuals often lost to the world of employment.

Locally, Erie Community College is recognized as the Workforce Development Leader in Western New York. The Buffalo Drug Court (BDTC) and Erie Community College’s (E.C.C.) Education “2” Recovery (E2R) program stands in the forefront of innovative justice and educational partnerships geared towards the attainment of high levels of service access, retention, and advancement. Most importantly, E2R has established a coordinated, comprehensive approach that involves the entire college community. E2R has broken significant new ground in recruiting and providing necessary services to over eight hundred BDTC participants. Having been awarded funding from a variety of funding sources, E2R offers a comprehensive, coordinated compendium of academic and support services needed by this growing target group.

The Erie Community College is approved by the New York State Office of Alcoholism & Substance Abuse Services as a training institute for addictions counselors. In addition the Buffalo Drug Treatment Court was designated a mentor court by the U.S. Department of Justice and the National Drug Court Institute and is a national training site. Through the collaborative effort of the Buffalo Drug Treatment Court and ECC’s Mental Health Department, 15 professional multidisciplinary cross-trainings and workshops have been sponsored. Over 2,000 training attendees have been awarded continued education hours that are requirements for

licensure and credentialing. The department also provided CASAC clock hours for the first six years of the New York State Drug Court Professionals Conference in New York State.

The innovative education and justice partnership E2R at ECC has effectively countered the prevailing, counterproductive belief that recovering addicts and mental health patients are too incapacitated to benefit from placement in an institution of higher education. By following this innovative path, education becomes an integral part of the recovery process. Community colleges across the nation may be able to successfully assist this growing high-risk group of recovering individuals to become productive citizens, thereby reaching previously unattainable levels of achievement.

In 2001, the BDTC received a \$473,330 2-year grant from the New York State Department of Labor for education, training, and placement of nonviolent, recovering drug offenders in productive employment. This first of its kind partnership program between education and criminal justice has become a model for the state. This program exceeded initial enrollment projections by over 200% and received \$572,000 in continued funding from July 1, 2003 through June 30, 2005. In addition, a FAWLS (Family Workplace Literacy Solutions) grant of \$281,325 was awarded to assist 200 needy families receiving welfare benefits with academic, vocational, and life skills training services.

CASE STUDY: BUTTE COUNTY, CALIFORNIA

Butte County Adult Criminal Drug Court† began in 1995. The program has employed a variety of strategies over the past 9 years to secure adequate funding to sustain program services. A great deal of financial support for the program has been the result of a comprehensive community outreach and education effort, supported by ongoing demonstration of program effectiveness. The core program is funded through the reallocation of existing department budgets; however, additional funding has been secured over the years to expand program capacity and enhance client services. These additional funding sources include local, state, and federal sources; community based organizations; private foundations; private sector; local businesses; and local residents. The following is a list of the blended funding streams utilized to support direct client services and program infrastructure:

- Federal, state, and local grants: BJA planning grant and enhancement grant, state drug court grants (California Department of Alcohol & Drug Programs, Administrative Office of the Courts), local law enforcement block grants.
- Funds totaling \$20,000 from the county Board of Supervisors for drug testing. This request was initially made by the Chief Probation Officer and was renewed each year to partially fund urinalysis.
- At the program's inception, probation officers provided group life-skills training for participants until treatment resources were acquired.
- The superior court, probation, and the behavioral health agency reallocated existing resources within their departments. Personnel were reassigned to provide specific drug court services. In some cases, salary savings were used to pay for overtime for field services and hiring extra employees to support drug court services.
- Client fees pay for a portion of drug testing costs.

- Service club donations: varying amounts from the Chico Rotary, Soroptimists, Omega Nu (an adult service sorority), and others.
- Use of college interns in social sciences to add service support, both paid and unpaid by the superior court and the probation department.
- Use of local and state training funds to support specialized drug court education. The probation department utilized training funds to send officers to annual drug court training.
- Community donations, including cash and in-kind services such as tattoo removal from a local dermatologist to enhance employability, graduation plaques from a local trophy business, and numerous other incentive items such as gift certificates to local businesses for food, clothing, and entertainment.
- Hospital foundation donating \$10,000 as a cash match for a federal grant. This was the result of a request that identified a common goal of both the hospital foundation and the drug court—improved public health through reduced substance abuse.

Butte County Drug Court partners with the Chico Chamber of Commerce Community Corporation, a nonprofit corporation with 501(c)(3) status. The community corporation administers a drug court trust fund to accept tax-deductible donations to the adult and juvenile drug court programs. Donations are used as cash matches for grants, to fund special projects, and provide incentives for drug court participants such as coffee mugs with the drug court logo given to participants as they enter the continuing care phase prior to graduation. The drug court trust fund is split into three accounts: one for donations to the adult drug court, one for donations to the juvenile drug court, and one for donations where adult or juvenile was not specified. When funds are needed, the judge contacts the trust fund administrator, who will usually issue a check the same day. Receipts for purchases are returned to the community corporation for auditing purposes. This was arranged to encourage donations to the drug court programs, as contributions to the community corporation are tax deductible.

While many drug courts elect to establish their own nonprofit status for the same fiscal purpose, Butte County recognized the ability of the Chico Chamber of Commerce Community Corporation to serve this function. Acting as fiscal agent, this community corporation assists the drug court programs with accounting responsibilities and furthers the goal of integrating these programs into the community.

Butte County Drug Court has a unique arrangement with the Butte Creek Foundation, a small, local foundation that wanted to help indigent drug court participants get their General Education Diplomas (GED). The Foundation set aside a special fund from community donations, to pay the GED testing fees for drug court participants. Participants that need assistance paying the testing fee apply for financial aid by filling out a financial information form, which is reviewed by the drug court coordinator to verify hardship. If the coordinator determines that payment of the fee will create a hardship for the participant, and the judge approves, the coordinator writes a letter to the director of the testing center confirming that payment of the fee has been authorized. The participant presents the letter to the testing center staff when he or she registers for the test. Once the test has been taken, the testing center sends an invoice to the coordinator, who in turn, forwards it to the Butte Creek Foundation for payment. The Butte Creek Foundation also facilitates the achievement of other educational goals by paying for textbooks, computers, and

other education related items on a case-by-case basis. This partnership began as a collaboration between a local businesswoman and the estate planning attorney who administers her late father's trust. With the goal of furthering educational opportunities, the family and attorney identified Butte County Drug Court participants as ideal recipients of this special funding.

Six employees of Loafer Creek Land Management, an environmental mitigation firm in Butte County, California, have donated their Christmas bonuses to the Butte County Drug Court. The workers said they had all been on the receiving end of charitable donations at some time in their lives, whether for overcoming depression, conquering a personal drug addiction, or assisting a relative with a drug problem. Each worker received a \$1,500 bonus, and Loafer Creek Land Management firm matched the amount for a total of \$18,000. The judge who oversees the drug court dispersed the funds through the Salvation Army and a women's shelter for recovering drug addicts in Chico. The money will also be used to buy toys, pizzas, supermarket gift certificates, appointment books for drug court clients, and other gifts and materials. According to the drug court judge, "It means a great deal because it shows that people in the community do care about people who are trying to better themselves. These are people who have lived lives of addiction that have led them to financial ruin, who have been excluded from the community. For them to now be able to have a Christmas dinner, and small things like a pizza night out with their children, it makes them feel included. Self-esteem is a very important thing in the recovery process, and especially at Christmastime.'

CASE STUDY: THE 22ND JUDICIAL DISTRICT COURT DRUG COURT, LOUISIANA

The 22nd Judicial District Court Drug Court started in January 1998 with funding from the Louisiana Department of Health and Hospitals, Office for Addictive Disorders (OAD). At that time, the Office for Addictive Disorders had funded equal amounts to twelve regions throughout the state of Louisiana. The 22nd Judicial District Drug Court was able to secure donations and developed a partnership to share resources with the OAD office. In return, OAD provided access to treatment programs at no cost. Several drug court judges met at a regularly-scheduled statewide judges meeting and formed a drug court judges association. The purpose of this group was to ask the Supreme Court to oversee drug court and act as a liaison to the legislature. The Louisiana Drug Court Judges Association approached the legislature to place state funds under the administration of the Louisiana Supreme Court Office. The 22nd Judicial District Court has implemented the following programs to ensure the sustainability of its drug court program.

Non-economic Sustainability Strategies: Volunteer Judges

The 22nd Judicial District Court† is comprised of two parishes where judges volunteer their time and handle a normal caseload in addition to drug court. The drug court is primarily a post-conviction model and on occasion an arrestee is placed in drug court as a condition of bond. All of the members of the bench and not just the active drug court judges are thus invested in the process which helps to ensure its institutionalization.

Non-economic Sustainability Strategies: Development of a Volunteer Pool from Local Bar Association

As participants in drug court progress through sobriety they face many legal issues that they previously ignored such as child custody, child support, suspension of driving privileges, insurance issues, social security issues, etc. The court has developed a volunteer group of attorneys who will field calls to provide advice on civil legal issues. Involvement of the bar at this level helps to support the clients and sustain the drug court model.

Non-economic Sustainability Strategies: Oversight Committee

The 22nd Judicial District Court Drug Court Oversight Committee is a partnership among organizations—public, private, and community-based—that are dedicated to a coordinated and cooperative approach to the substance abusing offender. The main goals of this committee are to generate local support and enhance drug court program effectiveness by drawing on the perspectives and expertise of all members of the drug court team. This committee consists of drug court judges, local treatment provider representatives, probation/parole department representatives, other law enforcement representatives, social services representatives, and the drug court case management team. The purpose of this committee is to provide support for program implementation by determining the services that will need to be provided and to develop written policy and procedures.

Non-economic Sustainability Strategies: Avoid Judge Turnover

The 22nd Judicial District Court Drug Court is sustained by providing support for the drug court judges. The staff works hard to minimize interagency conflict. The 22nd Judicial District Court Drug Court has clearly defined the roles of each agency in writing, which prevents many conflicts. However, the team members also try to keep the judges informed about any sensitive issues that may be on the horizon. As a result, judges are not surprised by unexpected problems and the drug court experience is a more pleasant one for the volunteer judges.

Economic Sustainability Strategies: Drug Screen Fees for Drug Court Clients

The clients of the 22nd Judicial District Court Drug Court Program are assessed a \$10 fee for each drug screen that they take. They are assigned a “drug screen color” when they enter the program. Each day they have to call an automated 1-800 number to see if their color has been selected for that day. When their color is called, they have to report to the drug court office with a \$10 money order before the close of business that day. The program ends up making money on the drug screening process by not testing for every substance every test. By switching panels every test, the clients never know what they are being tested for, and the program can test for more substances than if the program was locked into one panel every time.

Economic Sustainability Strategies: Drug Screens for Non-Drug Court Clients

The 22nd Judicial District Court Drug Court also provides drug screening services for the Misdemeanor Probation Office, the District Attorney’s Diversion Program and, when requested,

the Adult Felony Probation Office. The price of these screens varies from \$10 to \$25, depending on which panel is requested.

Economic Sustainability Strategies: Drug Screening as a Condition of Bond

The 22nd Judicial District Court Drug Court has found another innovative way to supplement its funding, through the Commissioner's Bond Hearing program. Louisiana Code of Criminal Procedure Article 336 requires that every person arrested for a violation of the Uniform Controlled Dangerous Substance Law or a crime of violence shall be required to submit to a pretrial drug test. If they test positive they are required to participate in a pretrial drug-testing program as a condition of bail. The statute makes its provisions contingent on receipt of adequate funding to cover the costs of testing.

The 22nd Judicial District Court Drug Court has the authority to appoint magistrates to perform limited judicial functions, so magistrates preside over bond-condition hearings to ensure compliance with any conditions of bail. The drug court has entered into an agreement with the sheriff to conduct drug screening at the jail. As a result, 80% of all arrestees tested positive for the five-panel screen that the drug court was using. The result of a positive screen or a refusal was a mandatory appearance at a bond condition hearing and subsequent drug testing. The benefits of this program are threefold. First, the subsequent drug testing between bail and first court appearance as monitored by the magistrate encourages many individuals to remain drug free while on bond. Second, the drug court is able to intervene with treatment referrals and counseling for individuals who are not able to remain drug free while on bond. Third, a revenue stream has been created by charging for the screens at the jail and the subsequent screens as the arrestee progresses toward an arraignment date in an amount above the cost of the screens to the drug court. Between January and September 2004 over \$20,000 was generated by bond hearing court and over \$6,000 by the drug screening in the jail.

Economic Sustainability Strategies: DWI Program

The 22nd Judicial District Court Drug Court has generated funds through a local DWI/Driver's Improvement Program. As a statutory condition of probation for misdemeanor DWI, a defendant is required to participate in a court-approved substance abuse program and participate in a court-approved driver improvement program. Rather than contracting out the entire program to an outside agency (allowing them to charge \$50 to \$80 per client), the court collects the fee and pays contractors to perform the educational groups in the court's facilities. Paying the contractors per group, rather than per client, has provided a healthy income for the drug court program. First offenders are required to attend four 150-minute sessions. Repeat offenders or offenders that had excessively high blood alcohol content at the time of arrest attend an additional three sessions and some 12-step meetings. When indicated, treatment referrals are also made.

Economic Sustainability Strategies: Drug Court Program Exit Fees

Each drug court client is assessed an exit fee during the third phase of the program. This fee is equal to one month's take-home pay, with a minimum of \$200 and a maximum of \$500. The fee is due prior to the completion of Phase 4.

New Initiatives: Work Initiative Network/Louisiana Rehabilitation Services

The drug court has teamed up with the Work Initiative Network of St. Tammany Parish (The WIN Program) to help improve the clients' employability. All clients are required to take the Wide Range Achievement Test at the end of the first phase. This helps the court to understand the client's abilities. The WIN Program offers soft skills programs, referrals to vocational training, and follow-up on GED training. They have a network of employers that partner with them to place clients in appropriate work environments.

The drug court team is currently applying for a grant to further improve their vocational training and placement component. If successful, they will be able to bring on additional staff to help in job skills training and placement. The Vocational Rehabilitation Department of the Louisiana Rehabilitation Services (LRS) would participate in this project.

CASE STUDY: TULARE COUNTY, CALIFORNIA

The Tulare County Adult Drug Court in Tulare County, California was created without grant funds and continues its operation without government grant funding by using existing resources and requiring that participants pay the cost of treatment. Although this seemed implausible at the outset, experience has demonstrated that addicted people can and will pay the cost of their own treatment and graduate successfully from a drug court program.

It was the perspective of the court that no additional judicial resources would be required, since the defendants would either be involved in the drug court or proceeding through the normal criminal justice process. If only a few defendants opted for drug court by pleading guilty without proceeding to jury trials, a great deal of court time would be saved. A probation officer was assigned to each division of the court, and these probation officers were willing to take on the additional burden of administering the drug court.

The major obstacle was funding treatment. Although the Tulare County Alcohol and Other Drug Program administrators expressed support for the concept, they indicated that they had no funds to contribute to the provision of treatment. The owner of the local program for DUI offenders was involved in the drug court planning sessions and proposed that participants be sent to this program, with some modifications made, and pay the cost of their treatment. At first this seemed unrealistic, as many people in the county with untreated addiction are destitute. With no other resources to draw upon, the court was faced with the harsh reality of either starting the program by requiring participants to pay for their own treatment or not having a drug court at all. Given those options, it seemed preferable to at least experiment with self-funded treatment rather than abandon the concept entirely.

The court encourages success with rewards and imposes penalties only as necessary. Rewards are either donated by private individuals or groups or purchased at very little cost. Centralized drug testing that is paid for by the participants has been implemented for uniformity and for consistent application to the entire population. Modifications were made to increase the efficacy of the program without additional cost to taxpayers.

Because participants pay their own treatment costs, each additional participant only slightly increases the burden on the system, principally in time needed to review their cases. Larger populations actually improve the efficiency of the program because of economies of scale. For example, larger numbers help keep the cost of drug testing low, as fixed costs for the testing agency are spread among more clients. The treatment providers are able to add more counselors as needed to accommodate greater client bases. It has worked so well that currently more than 500 people participate in the Tulare County Adult Drug Court.

As the success of the drug court has become apparent, other donations have been received and used as rewards. A nonprofit foundation was created with a board of local community leaders who support the concept of recovery rather than incarceration. Although donations are not actively solicited, the foundation has a balance of about \$5,000. A business owner who employs a participant in a key position has donated \$500 to purchase key rings with a drug court logo and the message "Recovery is a process that lasts a lifetime." These are awarded to participants moving into Phase 2 of the program. The testing agency has donated mugs with a special drug court logo that are presented to participants moving into Phase 3. Rotary Clubs have donated T-shirts with a logo to those graduating from the program. Some graduates donate to the foundation, giving \$5 to \$100 for each year of sobriety. As a further reward to the graduates, an annual graduation ceremony has been held. Prominent figures in recovery have been keynote speakers. More than 1,600 people attend the annual graduations, which are emotional events for participants, family members, and interested members of the community. Dignitaries, including law enforcement officials, prosecutors, legislators, city council members, and mayors, routinely attend and shake the hands of the graduates. An annual drug court graduation ceremony celebrates the productive return to society of those who have graduated during the past year. At the ceremony, photographs of the participants at arrest are displayed next to current photographs, visually and powerfully showing the changes made by participation in the drug court. As related by policymakers to the judge, publicity from these graduations has made it clear that the drug court is a valuable asset to the county's criminal justice programs.

The public in Tulare County is highly supportive of the self-funded approach. The drug court does not squeeze more taxpayer dollars from already strapped budgets. The drug court judge and other team members can proudly speak about the efficacy of the program, all without additional cost to taxpayers. Service clubs and other civic groups are very supportive after speeches in which the judge relates that those who violated the law in the first place are paying for their own treatment. Treatment is necessarily no-frills and basic, kept as inexpensive as possible. All counselors are state-certified and supervised by licensed professionals, but they also need ongoing training. Inexpensive education and training can be found at local community colleges that offer human services degrees with an emphasis on addiction treatment and through involvement in state continuing education programs. The counseling provided to participants in

the Tulare County Adult Drug Court is worth far more than the minimal costs the participants pay.

Under the self-funded approach, economic downturns that result in government budget cuts will not affect the operation of the drug court. The judge and administrators know where the next dollars will come from. The self-funded drug court team is free to operate its court based on local needs and circumstances. The court can adapt quickly to local changes, trends, and resources. There are no reports and forms that must be submitted to grant providers or those whose political agenda does not include drug courts. The most significant, overriding advantage of the self-funded approach is that it allows any jurisdiction, no matter how poorly funded, to have a drug court.

Many wraparound services, such as medical care, employment training, vocational and educational counseling, housing, parenting classes, and childcare can be provided from existing government programs. Alert team members can make arrangements with such programs to give special attention to drug court participants. For example, the adult school and adult literacy programs in Tulare County realized the drug court participants are highly motivated to succeed because, barring disability, completion of their education is a requirement of participation in the drug court. If they do not follow through on commitments to these programs, they face expulsion from the drug court and incarceration. With appropriate waivers, periodic reports can inform the judge of progress, and any necessary corrective measures can be applied to put the participants back on the right track.

Judge Glade Roper, who presides over the drug court notes, “whereas grants can be a useful tool in creating a drug court, it is shortsighted to create a project without planning for sustainability after the grant expires. To avoid having a successful project entombed by the expiration of grant funds, sustainability must be considered from the inception of drug court planning. Startup grants can provide much needed resources to get a drug court off the ground; planning for reliance on existing resources, rather than using grant funds to create new ones, will ensure ongoing operation of a drug court”.

CASE STUDY: ATHENS, GEORGIA

The DUI/Drug Court in Athens-Clarke County*† in the Western Judicial Circuit of Georgia conducted planning and started operations in February 2001 with a grant from the State of Georgia Criminal Justice Coordinating Council. Ongoing operations of the court are funded by a variety of sources, including the National Highway Traffic Safety Administration. Another source of funding for the court is the Drug and Alcohol Treatment and Evaluation (DATE) fund. This statutory mandated fund has been established based on surcharges on drug offenses and provides substance abuse treatment and education for citizens of the State of Georgia. As a result, the DUI/Drug Court has been able to access funding for treatment of DUI offenders.

Client fees are another major funding source for the court, providing some 50% of the annual budget of the court. The client fee system requires a \$200 a month fee for the first 48 weeks of treatment and an initial \$100 fee for screening, assessment, orientation, and a baseline drug test. After successfully completing the 48 weeks of treatment and supervision, clients move into the

maintenance phase of the program and fees decrease to \$50 per month until graduation. This approach, which collects in excess of \$120,000 per year, and the requirement that participants maintain employment unless physically disabled, are important aspects in teaching accountability and getting clients personally invested in the program. This approach has been found to be highly effective as the collection rates are as high as 70% to 75%. However, the court recognizes that some clients cannot pay fees due to disability and other situations which cause them to be indigent and in need of services. The fees outlined above are sufficient to provide for indigent slots for program participation. As a result, Judge Lawrence, who is the presiding judge of the DUI/Drug Court in Athens-Clarke County, turns no offender away for their inability to pay and “works with the clients over time to address their financial concerns so as to not set them up for failure”. The court also has a life skills program which offers a participant the opportunity to complete high school, attain a GED certificate, or attend vocational classes at a local vocational technical college.

One way that the court provides a financial incentive to accept the program is that the court meets all the standards of the Department of Public Safety and the Department of Motor Vehicles for drivers license reinstatement for multiple offenders. The statutory requirement for drivers charged with a second or subsequent offense within a 5-year period is to pay for a drug and alcohol assessment and treatment, which can run as high as \$1,375. Additionally, the minimum DUI fines and surcharges for a second conviction within a 5-year period is \$1,045 and the minimum fine is \$1,525 for a third conviction within a 5-year period. If a client completes the DUI/drug court successfully, judges have the statutory authority to reduce the amount of the fines by one-half based upon a financial hardship. In this regard, Judge Lawrence considers paying all of the fees associated with participation in the DUI/drug court to constitute a financial hardship warranting a reduction of up to a maximum of one-half of the total fine.

A unique approach to funding the court involves providing in-house probation and surveillance supervision. The State of Georgia allows private companies who employ civilians to supervise offenders for \$39 per month, with the state receiving 9 of those dollars and the private company receiving \$30. The DUI/drug court in Athens-Clarke County recently received a Bureau of Justice Assistance grant to create its own in-house county probation office supervision component, so the court would not have to contract supervision services out to a private company. This allows the DUI/drug court probation office to conduct home visits and to provide intensive supervision and surveillance by certified law enforcement officers. The funding derived from the redirection of supervision funds from private probation directly to county probation will provide sufficient funding to sustain this program once the federal grant has terminated. Additionally, the county probation office now supervises the Pretrial Intervention Program for offenders who commit a range of minor offenses. While program participant fees go to the general county fund, all pretrial intervention monthly probation supervision fees are applied to the DUI/drug court program.

The local prosecuting attorney has implemented a program that requires probation, alcohol and drug education and/or treatment, and a supervision fee for first offenders who commit misdemeanor drug and alcohol possession offenses. The supervision is provided by the DUI/drug court in-house county probation pretrial supervision coordinator and the supervision fees are made available to the DUI/drug court. In the same way that treatment programs may use

outpatient program fees to support residential treatment, the less intensive offenders provide support for treatment of the more intensive offenders in this system. As a result of supervision fees collected from the pretrial and first offender programs, the county probation office has generated sufficient funds to hire an additional employee.

A significant development for all drug courts in Georgia was the recent legislation passed by the state legislature that allowed for donations to be passed to nonprofit organizations that support DUI/drug courts. Judge Lawrence was instrumental in the initiation and development of this bill and feels that it is necessary to have legislation "on the books" to provide a legitimate basis for this activity. Specifically, Official Code of Georgia Annotated 15-1-15, sections (a)(1)(9), (b)(1)(f) and (b)(1)(g), provide that expenses for salaries, equipment, services, and supplies for drug court programs may be paid from state funds; funds of the county or political subdivision which implement such a drug court division; federal court funds; funds from private donations; or grants, donations, and other proceeds from outside sources for the purpose of supporting the drug court division. Any such grants, donations, or proceeds shall be retained by the drug court division for expenses.

The private treatment provider for the Athens-Clarke County DUI/Drug Court Program is a 501(c)(3) nonprofit corporation eligible for tax-deductible donations. Thus, all donations are directed to the treatment provider. All donations are exclusively funneled to offset the cost of counseling and treatment for program participants. The local chapter of the United Way has added the services provided by the court's treatment provider to their approved list for donations.

Many members of the local business community have provided donations to the drug court. According to Judge Lawrence, the corporate sponsors have been invited to court graduation sessions and are moved by what they have seen. "Our sponsors are passionate about supporting the program" Lawrence says. Corporate sponsors such as hotels not only make donations, but also provide job opportunities for DUI/drug court clients. These employment opportunities assist clients to pay their fines, program participant fees, and supervision fees, which allows the drug court to provide services for other offenders who have yet to obtain employment. One car dealership has even donated a car to the local county government to assist the DUI court in conducting home surveillance and employment checks as idleness has proven to be a circumstance resulting in relapse. The relationships formed by the court create a healthy and dynamic system which provides benefits for all involved and ultimately allows everyone to play a role in creating a safer and healthier community.

Judge Lawrence indicates that prior to building this DUI/drug court, he had "been on the bench for 16 years presiding over DUI offenders who were constantly returning to the court". Judge Lawrence realized that this approach was not working and reached out to Judge Michael Kavanaugh of Albuquerque, New Mexico who was presiding over a DUI/drug court. Judge Kavanaugh not only provided his advice, but also offered to send all of his policies and procedures and programmatic information for Judge Lawrence to borrow from. This type of judicial support, guidance, and friendship has helped build numerous DUI/drug courts throughout the country. After years of not seeing an impact, Judge Lawrence says he became committed to this approach because "I can see the change in people". Judge Lawrence has

continued the tradition of mentoring other jurisdictions by assisting other jurists in Georgia in their efforts to establish DUI courts.

In an effort to enhance the educational message of the court, Judge Lawrence and his team have created a training video which shows the entire program process from arrest to graduation, including assessment, placement in the treatment setting, and interaction with the judge. The video, which will be played on community television, will be used to build resources, to enhance public support and to improve visibility. This short and easily understandable form of communication is essential for allowing community members and policy makers to understand the court's approach and the program's value in protecting the community and creating productive citizens.

For DUI/drug courts building sustainability strategies, Judge Lawrence's advice is to "be creative in reviewing your community for resources and services and for legal structures that support treatment and supervision to provide the basis for building a sustainable DUI/drug court". Judge Lawrence also expresses the need to "be persistent to overcome obstacles that may impede the progress of building a strong DUI/drug court model".

CASE STUDY: SAN BERNARDINO, CALIFORNIA

San Bernardino County drug courts have been operational since 1994. Over the past ten years the county has steadily implemented new drug courts so now every jurisdiction in this county (the largest in the United States) has an adult drug court. Drug courts now serve the desert, mountain, rural, suburban, and urban communities. The funding streams are as various as the communities served. All of the San Bernardino drug courts are supported with full time probation officers. Additionally, every drug court participant is required to pay \$15 a week towards their treatment until graduation. These funds are collected at each treatment site and provide funding for incentives and other needs such as GED books, bus passes, food supplements, rent, and sober living fees. Medical, a state sponsored insurance program, is billed for every eligible participant, which helps offset the costs of treatment.

The Central Drug Court† for adult felons began planning in 1993 with a grant from the USDOJ Drug Court Program Office. In 1994, a local nonprofit agency, Children's Network, provided initial funds to hire a drug court coordinator. In 1996, the court was awarded a continuation grant for the Central Drug Court and began a pilot program in the Redlands jurisdiction. In 1998, the State of California Alcohol and Drug Programs Office, in collaboration with the Administrative Office of the Courts, implemented a four-year funding program called the Drug Court Partnership program. These grants fund the treatment court coordinator, funding for up to 170 participants, and support staff for the coordinator. These grants continue to fund California's drug courts. In 2002 research was conducted which led the California Department of Corrections to supplement this grant with \$8 million for treatment. The Central Drug Court was one of the first seven mentor courts in the nation and continues to thrive due to continued funding from the state and leadership from the bench. Additional funding and services for this court include support for a full time GED teacher in the clinic from adult education. Participant

fees help offset the costs of a full-time employment and vocational counselor and part-time education specialist.

Redlands Drug Court†, serving only felons, is also funded by the state Drug Court Partnership grant. The police chief of Redlands has provided a full-time officer to this mentor court as he immediately recognized the importance and efficacy of this program. This court has now founded a private nonprofit organization supported by community members that helps offset the costs of housing, education, food supplements, and sober living.

West Valley Adult Drug Court began with a local grant in 1997. After this grant expired, the local Office of Drug and Alcohol Programs funded this program and continues this funding today. This court is also supported by the community through generous donations solicited through softball games. All the profit from food bought at the concession stands is donated to the drug court. Additionally, there are several businesses that specifically employ the participants in drug court and participate in graduation ceremonies. The sheriff's department provides all the refreshments for the public graduations held quarterly at the civic center.

The Victorville Adult Drug Court† began in 1999 with an implementation grant from BJA. This court along with the rural Big Bear Mountain court is sustained through the local drug and alcohol programs office. Additionally, the Big Bear drug court rural community funds a luncheon for their graduations held quarterly.

Needles Adult Drug Court*† began in 2001 with an implementation grant from BJA. The local department of behavioral health now funds this rural court (population 5,000). In addition, the community has noticed that the crime rate was significantly reduced (by more than 30%) and has provided funding from the city and COPS money in excess of \$150,000 over the last 4 years for treatment.

Without the help of local, state and federal dollars these San Bernardino County drug courts would not be operational. The drug courts involved hold annual strategic planning meetings to present their case to the county Board of Supervisors, Department of Behavioral Health and the Office of Drug and Alcohol programs in order to remain funded. However, it is donations from the local communities themselves, including housing, health care, and food that keep the drug courts operational with the ability to provide holistic care to participants. San Bernardino County is not a county of financial wealth, but the support of the community as a whole is what has sustained the drug courts over the years. Deborah Cima, treatment court coordinator, says, “San Bernardino has never had to close a court since they began building the courts and we have even expanded services in these times of limited resources, downsizing, loss of funding, and economic hardship”.

CASE STUDY: VIGO COUNTY, INDIANA

The Vigo County Drug Court Program†, in Terre Haute, Indiana, is housed within the Vigo County Alcohol & Drug (A&D) Program. Expenses such as rent, utilities, supplies, database maintenance, and technical assistance for drug court staff are considered in-kind donations although current grant funds require a local cash match. A&D staff members are utilized for

accepting payments, initial paperwork and enrollment, reception, and some data entry. The county provides accounting and payroll assistance. The A&D program director assists with fiduciary oversight and programmatic and procedural issues. Both the A&D director and drug court coordinator work collaboratively to ensure the continuation of drug court services within the county. The Vigo County Drug Court program continues to work with various local, state, and national agencies in order to procure funding of the drug court.

The Indiana Supreme Court distributes an annual drug court grant to Vigo County of \$10,000. The Indiana Criminal Justice Institute has accessed money through the Byrne Memorial Grant to support drug court operations. The Local Coordinating Council for Drug-Free Indiana provides almost \$12,000 per year for the Vigo County operating budget. Since 1996, the program had received funds from the Drug-Free Community Fund to assist indigent clients. Recently, the court has utilized the Drug Free Community Fund to assist with funding a part-time drug screen technician position. The Vigo County Drug Court program has worked closely with the Vigo County Local Coordinating Council (LCC), which oversees the Drug Free Community Fund, since the inception of drug court in 1996. The A&D Director has served in a number of capacities with the LCC and has continued a long-standing relationship with the council. Vigo County has also worked with the Terre Haute City Police to access law enforcement grant funding on a yearly basis. The Vigo County Prosecutor's Office has provided assistance through some of its deferral funds.

The Wabash Valley Community Foundation has an indigent defense fund that provides some funding to the court. Monies to assist indigent clients have been awarded by this foundation as the result of a grant application by the court. These funds are to be used to assist indigent clients who are close to graduation but unable to complete the court mandate due to outstanding drug screen fees.

Vigo County Alcohol and Drug Programs also incorporate a user fee, which contributes about \$20,650 per year to drug court operations. Prior to July 1, 2002, the Vigo County Drug Court program was able to assess a fee since it was operated out of the Vigo Alcohol and Drug Program. Alcohol and Drug Programs, under state statute, had been able to assess and to collect a user fee for a number of years prior to drug courts. As of July 1, 2002, the state legislature passed IC 12-23-14.5, which allowed drug courts in the state of Indiana to assess and collect a user fee. Section 12(a) states that a court that has established a drug court under this chapter may require an eligible individual to pay a fee for drug court services. It also states that if a fee is required, the court shall adopt a schedule of fees to be assessed for drug court which may not exceed \$500 per referral to drug court. In Vigo County, this fee is utilized to offset the drug court costs incurred by the Alcohol and Drug Program such as supplies, support staff, and services.

CONCLUSION

Methods of sustaining drug courts are as diverse as drug courts themselves. Jurisdictions across the nation have come to realize that finding methods of assuring the longevity of their programs is limited only by imagination. Looking past the short-term funding of grants, drug courts are creating long-term sustainability plans that focus on both the needs and assets of the community. Capitalizing on the proven efficacy of drug court programs, practitioners are able to make persuasive arguments that promote the need for drug courts to grow to scale and become completely institutionalized.

As the drug court movement continues toward the direction of institutionalization, other innovative sustainability methods are continuing to be developed. This publication showcases examples from coast to coast, encompassing methods utilized by small courts and large alike. We hope that these examples inspire hundreds of additional wonderful ideas. By incorporating these ideas into long-term sustainability plans, we will guarantee drug courts remain a significant force in the justice system for many years to come.

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APPENDIX A

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APPENDIX B
DRUG COURT PLANNING INITIATIVE PARTICIPANTS

BJA’s Drug Court Planning Initiative (DCPI) provides training, technical assistance, and travel support to assist jurisdictions in planning a new drug court program. The jurisdictions indicated with an asterisk in the text and listed below are those highlighted in this publication that also received assistance through DCPI.

Communities interested in planning a drug court program are encouraged to register for DCPI. For more information, visit <http://dcp.ncjrs.gov/dcp/index.html>.

COURT	STATE
Pima County Juvenile Drug Court	AZ
Maricopa Family Drug Court	AZ
Marin County Drug Court	CA
Needles Adult Drug Court	CA
Athens/Clark County DUI/Drug Court	GA
Clark County Superior II Drug Court	IN
Dodge County Adult Drug Court	MN
Hennepin County Drug Court	MN
McDonald County Drug Court	MO
Cape Girardeau Drug Court	MO
St. Louis Adult Felony Drug Court	MO
Cole County Family Drug Court	MO
Central Nebraska Drug Court	NE
Buffalo Treatment Court	NY
Philadelphia Municipal Court	PA
23rd Judicial District Drug Court	TN
Chesterfield/Colonial Heights Adult Drug Court	VA

APPENDIX C

DRUG COURT DISCRETIONARY GRANT PROGRAM RECIPIENTS

BJA’s Drug Court Discretionary Grant Program provides financial and technical assistance to states, state courts, local courts, units of local government, and Indian tribal governments to develop and implement treatment drug courts that effectively integrate substance abuse treatment, mandatory drug testing, sanctions and incentives, and transitional services in a judicially supervised court setting with jurisdiction over nonviolent, substance-abusing offenders. Programs funded by Drug Court Discretionary Grant Program are required by law to target nonviolent offenders and must implement a drug court based on the Ten Key Components.

The drug courts listed below are those highlighted in this publication, indicated by a dagger (†), that also received funding through the Drug Court Discretionary Grant Program.

COURT	STATE	GRANT TYPE
Anchorage Felony DUI Therapeutic Court	AK	planning, implementation
Juneau DUI Therapeutic Court	AK	planning
Cochise County Juvenile Drug Court	AZ	planning
Yavapai County Family Drug Court	AZ	enhancement
Yavapai County Juvenile Drug Court	AZ	enhancement
Yuma Juvenile Drug Court	AZ	planning, implementation, enhancement
Pima County Family Drug Court	AZ	planning, implementation
Pima County Juvenile Drug Court	AZ	planning, implementation
Maricopa County Family Drug Court	AZ	planning, implementation
Cocinino County Drug Court	AZ	implementation, enhancement
San Bernadino Central Drug Court	CA	enhancement
Redlands Drug Court	CA	planning
Orange County Adult Drug Courts	CA	enhancement
Marin County Adult Drug Court	CA	planning, implementation
Santa Clara Drug Court	CA	enhancement
Butte County Adult Criminal Drug Court	CA	planning, enhancement
Central Drug Court	CA	planning
Victorville Adult Drug Court	CA	implementation
Needles Adult Drug Court	CA	planning
8th Judicial Circuit Adult Felony Drug Court	FL	enhancement
Fourth Judicial Circuit Adult Drug Court	FL	implemenation, enhancement
Fourth Judicial Circuit Juvenile Drug Court	FL	implemenation, enhancement
Broward County Drug Court	FL	implementation, enhancement
Miami Drug Court	FL	enhancement
Athens-Clarke County DUI/Drug Court	GA	enhancement

Clark County Superior II Drug Court	IN	planning, implementation
Vigo County Drug Court Program	IN	planning, implementation, continuation
Third Judicial District Drug Court Program	KS	planning
Hardin County Drug Court	KY	planning, enhancement
Jefferson Parish Juvenile Drug Court	LA	planning, implementation
22nd Judicial District Court Drug Court	LA	implementation
New Bedford 2nd Chance Drug Court	MA	planning
Eaton County DUI/Drug Treatment Court	MI	implementation
Kalamazoo Women's Program	MI	planning, continuation
Kalamazoo Juvenile Program	MI	planning
Dodge County Juvenile Drug Court	MN	planning
Dodge County Adult Drug Court	MN	planning
Hennepin County Drug Court	MN	planning, implementation, enhancement, continuation
McDonald County Drug Court	MO	planning
Cape Girardeau County Drug Court	MO	planning
St. Louis Adult Felony Drug Court	MO	planning, implementation, enhancement, continuation
Cole County Adult Drug Court	MO	planning
Cole County Juvenile Drug Court	MO	planning
Cole County Family Drug Court	MO	planning
Mecklenburg County Drug Treatment Court	NC	enhancement
Central Nebraska Drug Court	NE	planning, implementation
Las Cruces Drug Court	NM	enhancement
Buffalo Treatment Court	NY	planning, implementation, enhancement, continuation
Fulton County Drug Court	NY	implementation
Klamath County Drug Court	OR	enhancement
Philadelphia Municipal Court	PA	planning, implementation, continuation
Charleston County Adult Drug Court	SC	planning, implementation
Rutherford County Adult Drug Court	TN	Planning, implementation, enhancement
23rd Judicial District Drug Court Program	TN	planning
Chesterfield/Colonial Heights Adult Drug Court	VA	planning, implementation
Chesterfield/Colonial Heights Juvenile Drug Court	VA	planning, implementation
Wind River Shoshone and Arapaho Tribal Substance Abuse Court	WY	planning, implementation



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