



California Association of Drug Court Professionals NEWSLETTER

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Message From The President

We start this New Year with very promising news for Drug Court. In his budget, released on January 9, 2004, Governor Schwarzenegger included full funding for our California Drug Courts under the Partnership and DCDI, including the \$2.3 million increase approved last fiscal year. This marks the first time in our history of State funding for Drug Courts that we have been budgeted for full funding by the Governor! However, we must always be mindful that this will be a very difficult budget year.

California continues to lead the way towards the National Goal of the NADCP to bring drug courts to scale in every state.

As we see the approach of the end of the mandated funding for Proposition 36, and the potential loss of that funding, there is even more reason to look at a system for sentencing and treatment in which drug courts lead the reform movement and the drug court model becomes the basis to design the future.

In the most recent evaluation of the implementation of Proposition 36, the independent findings of UCLA noted that those counties that utilized a “drug court model” for the implementation of Proposition 36 were most likely to engage clients in treatment.

At two recent training conferences for Proposition 36, the emphasis was placed on the team concept of drug courts, and Kathy Jett, the Director of Alcohol and Drug Programs, acknowledged the leadership of drug courts as the strongest influence in developing a statewide model that works.

At the same time that criminal drug courts continue to demonstrate leadership, we are seeing a growing recognition in Dependency Court, Delinquency Court, Family Law, Mental Health and other collaborative courts, that utilizing the principles of the drug court model leads to the same fiscal savings and much more favorable outcomes for clients, than under the traditional system.

If we continue to expand caseloads and be open to innovation and creative solutions, where all partners recognize that even in the face of diminished funding every year at the local and State level, we can find solutions that are more effective, the Legislature and Governor should continue to support our efforts.

Last year, at the time of the budget hearings, we were given the challenge to convert our CDCI criminal Drug Courts to serve felons with prison exposure starting on July 1 of this year, based on a report to the Legislature that the cost savings in prison bed days would more than justify an increase in funding. Through the efforts of drug courts throughout California we are, in fact, meeting that challenge.

The Legislature also looked favorably on the findings in a mandated report relating to Delinquency Drug Courts, and will again examine the potential for State savings in Delinquency Drug Court systems similar to the SARMS model that demonstrate the ability of the Courts to meet Federally mandated dispositions of reunification or permanency within the prescribed time frames.

In sum, it is through your commitment and efforts that we continue to demonstrate the effectiveness of drug courts. We must always be mindful of our responsibility to continue to grow and be open to new challenges and ideas.

We are hoping to take advantage of this opportunity in April 2004, when we will host an education and training conference for the members of CADCP and a general meeting of the Association in Sacramento, including the election of officers and members of the Board.

We hope that this will be a memorable event in the critical days when the Legislature will be considering the budget. We also hope that this conference will give us an opportunity to renew our commitment to advocacy for drug courts and recognize the major growth of our organization into new areas of collaborative justice.

Very Truly Yours,

Hon. Stephen V. Manley
President, CADCP

AOC's Collaborative Justice Courts Unit New Training and Educational Outreach Program

The planning and implementation of California collaborative justice courts has occurred at an increasing pace over the last decade. This rapid growth rate can be attributed to a number of factors, notably the leadership of the California Judicial Council, in addition to the commitment of the Federal government and the AOC's strong relationship with the Department of Alcohol and Drug Program – both of whom provide training and financial stability.

However, a primary issue remains as we enter into the second decade of collaborative justice courts. Have our courts developed the enduring financial and programmatic stability to ensure the institutionalization of their current operating systems? Do they receive a variety of trainings each year to address changing court staff, shifting target populations or other policy-related concerns such as long term funding and innovative practice models?

The Collaborative Justice staff and the Collaborative Courts Advisory Committee proposes a series of trainings in the upcoming year designed to assist in collaborative court operations and to support newer courts in their implementation efforts. To meet this challenge, training classes will be provided by partnering with state and national leaders and key stake holders, as well as CJER staff and the Collaborative Courts Education Committee. Presenters may include judges, academics, AOC and court staff.

The trainings will serve several purposes: to develop methods for improving program practices; to improve collaboration of court team members; to acquire resources and to develop long-term funding strategies. Your court will receive notices throughout the year about training options, which will likely to be organized through the AOC's northern, central and southern regional offices.

In addition to periodic trainings, the unit also provides technical assistance to collaborative court coordinators to guide staff in developing strategies for strengthening programs for long-term sustainable operations. Technical assistance is based on staff availability and is free of charge to the courts.

The range of technical assistance topic areas could include: Community Resource Mapping; Team Building; Team Leadership; Developing Mission, Goals and Objectives; Designing a S.C.O.T. Analysis; Managing Coalitions and Partners; and Action Planning.

For additional information contact Nancy Taylor, Collaborative Justice Unit. She can be reached at (415) 865-7607 or by e-mail at nancy.taylor@jud.ca.gov.

HON. JAMES R. MILLIKEN RETIRES

Submitted by Marilyn K. James and
San Diego Superior Court



The Honorable James R. Milliken has been a judicial officer of the San Diego Superior Court since 1988, and a member of the National Association of Drug Court Professionals since 1997. He served as the San Diego Superior Court's Presiding Judge from 1994 to 1995, and as Presiding Judge of the Juvenile Division from 1996 until he retired in November 2003.

Early into his governance role with Juvenile Court, he became determined to address the issues of substance abuse addiction among the youth and adults that appeared before him in both the juvenile delinquency and dependency

systems. He saw that the justice system did too little too late to enforce court sanctions and help youth and families out of their cycles of poverty and substance abuse.

Judge Milliken was the key inspiration and visionary behind many innovative programs and initiatives throughout the San Diego region that address the root causes, and not just the symptoms, of juvenile delinquency and family dysfunction. Many of these initiatives have become 'best practices' and have been replicated throughout the nation. In the substance abuse and drug court areas, Judge Milliken has been best known for creating and supporting:

- A countywide substance abuse assessment, testing and continuum of services model for all juveniles involved in the delinquency system
- Juvenile Delinquency Drug Courts
- The Dependency Court Recovery Project for parents involved in the juvenile dependency system, including Dependency Drug Courts
- Teen Recovery Centers for substance abuse

In addition, he brought other significant changes to the way San Diego County addresses the problems of juvenile delinquency and dependency. For example, Judge Milliken was instrumental in:

- Eliminating banked probation caseloads for juvenile offenders
- Bringing Project 8% to San Diego (a program that targets juvenile delinquents who are most likely to be repeat offenders, who have other siblings, and provides wrap-around services for the entire family)
- Creating San Pasqual Academy for older teens in long-term foster care

- Creating S.A.F.E. (Sober and Friendly Environment) housing for parents reunifying with their children

Judge Milliken's contributions have had positive impact both within his sphere of local influence (San Diego region), as well as throughout the nation. He has devoted considerable personal time and energy to serving as a 'drug court' ambassador to local, state, national and international organizations and to individuals who seek to learn about drug court, including both philosophical and operational aspects.

The interest that Judge Milliken generated among others for drug court comes as a direct result of the success he achieved with his own drug courts and substance abuse-related innovations. For example, his vision for the Dependency Recovery Project (and its drug court component) has significantly impacted the lives of thousands of San Diego County residents. The first dependency drug court opened in September 1998, and has now expanded to three drug courts. More than 2,200 parents have participated in the Dependency Recovery Project since its inception, with over half of the families being reunified. Prior to the program, the average time to resolve a dependency case was 34 months; in the new program, it is under 17 months.

In recognition of Judge Milliken's commitment to the drug court principles and ability to "make things happen" he was appointed to chair a new courtwide judicial committee on substance abuse issues. In his capacity of chair of the Court's Substance Abuse Policy Advisory Committee, he provided guidance and leadership to all of the San Diego County's drug courts (including the four adult courts.)

The dependency drug court, established by Judge Milliken was one of the first to be

implemented, and has been designated as a model drug court by NDCI's Drug Court Planning Initiative to host family drug court site visits. Visitors have come from around the state, nation, and world to San Diego to meet with Judge Milliken and to see, first-hand, the juvenile dependency and delinquency drug courts in action.

In recognition of his dedication and compassion to the children and families that have come into contact with the delinquency and dependency court systems, Judge Milliken has received numerous awards and accolades from a diverse group of organizations:

- KLEPS Award for the San Diego Dependency Recovery Project – Judicial Council of California
- Judge of the Year by the County Alcohol and Drug Program Administrators Association of California, the National Court-Appointed Special Advocate's Association and the chief Probation Officers of California Association.
- Judge of the Year (three times) by the Consumer Attorneys of America
- San Diego Crime Commission Blue Knight Award
- National Public Defenders Association Award
- Attorney of the Year – San Diego Defense Attorneys' Association\
- National Drug court Professionals Association's New Pioneers Award
- San Diego channel 10 Leadership Award
- Recognition Award – Southern California Juvenile Officers' Association and Women Peace Officers' Association
- Mental Health Professional of the Year – Mental Health Association of San Diego
- The Judicial Achievement Award from the California Parole and Probation Officers' Association
- Legal Professional of the Year – San Diego County Bar Association
- Golden Oaks Services Award – California Congress of Parents, Teachers and Students
- Warren Williams Award – California Psychiatric Association and American Psychiatric Association
- Spirit of Tolerance Award – Escondido Youth Encounter

Judge Milliken's ultimate goal in his career was to make a lasting difference. In an article in the San Diego Union-Tribune, issued on May 10, 1999, Judge Milliken was quoted: "I'm going to stay here until what we're doing is institutionalized, and they don't put the chairs back when I leave." According to San Diego Superior Court, the chairs are now **nailed** to the floor.

WATCH FOR DETAILS!

The California Association of Drug Court Professionals Will Host a One-Day Training Conference and General Meeting of the Association in:

April, 2004
in Sacramento

The conference will feature drug court education, updates on changes and new opportunities for the future of Drug Courts

More information will follow.

Funding SOLUTIONS

By Dianne Marshall, Therapeutic Courts Administrator
Ukiah, California

Approximately twelve years ago, Janet Reno and Judge Stanley Goldstein decided that the judiciary had a different role to play in the lives of drug-addicted defendants who were before the courts for substance abuse and addiction-driven crimes. Their decision gave rise to what is now known as the practice of therapeutic jurisprudence. This practice establishes a commitment to treatment services integrated with justice system case processing which is shared by the courts, treatment providers (including culturally appropriate practitioners, Alcohol and Other Drugs Programs and the Mental Health Department,) Law Enforcement (including the District Attorney and the County Sheriff, the Public Defender, Probation, Office of Education) and Social Services. Popularly known as “drug courts,” today there are more than 900 operating throughout the country, with more planned.

The drug court model allows offenders to be sentenced to treatment rather than to jail or state prison. Most of these programs utilize a multiple-phase approach with frequencies of treatment sessions, court appearances and chemical testing being reduced as an individual progresses through the program. Successful completion is honored with a graduation ceremony shared with friends and family, while unsuccessful termination may result in incarceration.

The drug court model has been adapted to serve juveniles, parents whose children have been taken from them by Child Protective Services and mentally ill offenders. Jails are now the most frequent provider of mental health services in many jurisdictions throughout California. According to the state Department of Mental Health, the number of local jail inmates receiving mental health treatment has more than doubled in the last ten years.

The Mentally Ill Crime Reduction Grant (MIOCRG) Program administered by the California Board of Corrections, provides funding for the purpose of implementing and researching the effectiveness of several Mental Health Courts throughout the state. The Mendocino County Mental Health Court, known formally as *SOLUTIONS, the Mentally Ill Offender Court Program*, has been in operation since July 1, 2001. Since that date, 49 individuals have participated in the treatment program.

MIOCRG funding makes it possible for *SOLUTIONS* to employ a Mental Health Forensic clinician, a Forensic case manager, two probation officers, a substance abuse therapist, and a research evaluator. Working closely with a judge, this team assists those individuals diagnosed with a mental illness who have committed non-violent crimes. *SOLUTIONS* is a 3-phase program. Participants advance from Phase I to Phase II to Phase III and then into aftercare. Advancing means less intensive treatment services and an increased emphasis on independent living skills, including living on one’s own, more free time, fewer court appearances and becoming employed.

Services provided include mental health and substance abuse counseling, medications management, obtaining benefits such as Medi-Cal and Supplemental Security Income, vocational rehabilitation, assistance in securing housing, food, clothing, nutrition, leisure activities and assistance with outstanding matters before the court. The team approach makes it possible for the mentally ill person to become stabilized on medications, find shelter, employment and therapy for addressing the underlying issues that led to substance abuse and/or a mental illness diagnosis.

In Mendocino County, SOLUTIONS participants appear on Friday. Recently, one Friday was an anxious day for the team. Once again, twenty-one year old W was hearing voices. He insisted that the

FBI has a microphone implanted in his ear and was speaking to him through the voice of a juvenile probation officer. W insists that the jail is responsible for his mental illness. Though his mental illness precedes his contact with the criminal justice system, jail is a tremendously negative experience for him. The voices of the FBI agent and the probation officer he hears all manifest within W in ways you and I can only imagine. Continued placement in jail would not help W cope with his mental illness, as he experiences paranoia, which jail only reinforces. That is why we all worked so hard on that Friday to be sure W did not have to be placed there.

W came to us with a pre-occupation with guns; having told his family that they might end up like a family killed by their own son eight years earlier. He hates his medications because of the side effects he must endure before the medications can generate any sense of wellbeing. W's parents were awash with mixed feelings. They knew W needed to be stabilized and they knew their lives could be at stake. Yet, their desire to prevent their son's going to jail was greater than their desire for personal safety.

The SOLUTIONS team was faced with a need to help W understand that he had to take his medication to assure his safety, his family's safety, and to avoid using the jail as a facility to provide W's care.

We did it!!! The Forensic Clinician wrote a report that detailed for the psychiatrist why a particular medication was needed via injection. The psychiatrist was located in the women's section of the County jail and agreed to help W despite a schedule that was crowded with other urgent needs. The Clinician, the Public Defender, the Probation Case Manager, W's father and the Judge met with W. He was able to trust the people speaking with him as he was treated with respect and not herded through the system that reacts only negatively to undesirable behaviors. W agreed to taking the injection and to continue cooperation with SOLUTIONS. By the end of the day W had received his injection and a medication to combat the side effects. He was able to go home safely with his family.

Let there be no doubt in anyone's mind, without SOLUTIONS, W would have had an involuntary and unsuccessful commitment to jail for three days. Three days is hardly long enough to get him on a medication that he would have likely quit taking upon release, either "feeling better" or seeking to prevent hated side effects. The time in jail would have reinforced his paranoia and the voices that reminded him of the neighbor family that had been killed. Neither W nor his family would have been any safer the day after his release from jail.

The cost of the SOLUTIONS program for W is \$66.74 per day. The cost of going to the state hospital is \$301.36 per day. The county bears the cost of the state hospitalization unless W commits a felony.

What happens next for W and the others receiving services through grant-funded mental health courts? W does not know this program is grant funded. Neither do the other participants. Funding for the program is expected to run out June 30, 2004. Since it takes 18 months for a participant to progress through the program, no more participants will be admitted, as the court will not be able to provide them with the minimum level of services and treatment. Even with funding, an eighteen-month treatment program may not resolve a lifetime of mental illness. Success means going without the support, medications management and therapeutic intervention that being in the program provides.

If it takes a village to raise a child, it most certainly takes concerted, orchestrated, compassionate cooperation among many key players to address the needs of the mentally ill. Those of us who work in the SOLUTIONS program continue to seek out any possible funds to continue this work. We ask that additional funding be made available to assure not only that the core services provided by SOLUTIONS and other mental health courts be continued, but also that comprehensive case management be available

for these individuals for the rest of their lives. Our participants must be able to look forward to success knowing they will not be abandoned, rather than fearing it.