



NADCP

**National Association of
Drug Court Professionals**

Tribal Healing to Wellness Court Planning Process Checklist

I. Laying the Foundation

1. Identify the Drug Court Steering Committee
 - Chief Judge
 - Elected Prosecutor
 - Chief Public Defender
 - Chief Court Administrator/Court Clerk
 - Chief of Police
 - Elected Sheriff
 - Chief Probation Officer
 - Director of Treatment Services
 - County Commissioner(s)
 - City Council Member(s)

2. Identify the Drug Court Planning Team Members
 - a. Judicial
 - Judge
 - Magistrate
 - b. Prosecution
 - District Attorney
 - c. Defense
 - Public Defender
 - Private Defense Attorney
 - Local Bar Association
 - d. Coordination
 - Court Administrator
 - Clerk
 - Other: _____
 - e. Community Supervision
 - Pre-trial
 - Probation
 - Parole
 - Community Corrections
 - Law Enforcement
 - Police
 - Sheriff
 - Highway Patrol

- f. Treatment
 - Private Provider
 - County/State Provider
 - Health Department
 - Mental Health
 - g. Evaluator
 - Local College/University Professor
 - Research/Evaluation Company
3. Secure Team Commitment
- a. During planning process
 - Agreement from all department heads
 - Develop inter-agency agreements
 - Identify resistance to the program
 - b. Identify impacts on each agencies
 - Political
 - Time
 - Cost
 - c. Collaboration
 - Team participation in developing the program
 - Establish on-going planning meetings
4. Identify Other Key Stakeholders
- Media/Community Groups
 - Substance Abuse Treatment Providers/Agencies
 - Mental Health Treatment Providers/Agencies
 - Other State Agencies- Children & Families, Education etc.
 - Vocational & Educational Communities
 - Job Skills -Training & Placement Agencies
 - Chamber of Commerce
 - Welfare to Work Programs
 - Victim Groups (MADD, etc)
 - Anticrime and anti-drug coalitions
 - Ex-offender / ex-addict groups
 - Police or Sheriffs Association
 - Department of Corrections
5. Identify the Problem
- a. Jail overcrowding
 - Identify type of cases
 - b. Prison overcrowding
 - Identify type of cases
 - c. Crowded criminal court dockets
 - Identify type of cases
 - Identify sentencing practices

- d. Crime and drug trends
 - Increase in crime to include types
 - Increase in drug use to include types
 - Other social impacts (i.e. emergency room episodes, overdoses, property damage, etc.)

- 6. Assessing the Drug Court Planning Team for Key Knowledge
 - a. All Planning Team Must Develop Competencies in the Following Areas:
 - The Promise of Drug Courts
 - The Ten Key Components of Drug Court
 - Differing Drug Court Models
 - The Science of Addiction and Psychopharmacology
 - Cultural Competency and Proficiency
 - Deciding on the Target Population(s)
 - Assessing for Criminogenic Risk and Needs
 - Clinical Screening and Assessment
 - The Science of Substance Abuse Treatment: What Works
 - Addressing Co-Occurring Mental Health and Health Disorders
 - Addressing Relapse
 - Best Practices in Effective Community Supervision
 - Best Practices in Effective Drug Testing
 - Sharing Client Information: Confidentiality and Ethics
 - Preparing for a Drug Court Status Hearing
 - The Drug Court Courtroom
 - Addressing Client Behavior: Incentives and Sanctions
 - Measuring Performance
 - Research and Evaluation
 - Management Information Systems
 - Developing a Sustainable Court Program

II. How to Design An Adult Drug Court Program

- 1. Develop the Mission Statement
 - Purpose of the drug court (developed by team)
 - Address the goals
 - Articulate the motivation of team and stakeholders

- 2. Define the Goals and Objectives
 - a. Goals
 - Focus on public safety and personal responsibility
 - Improved utilization of community resources
 - Cost effect on criminal justice system
 - High rates of retention and completion
 - Improved functioning of individuals
 - Address access and fairness issues

- b. Objectives
 - Clearly stated, realistic end results
 - Quantifiable with measurable outcomes
 - Respond to participant, stakeholder and community needs
 - Attainable given program design and resources available
- 3. Identify the Target Population
 - a. Review problem data
 - Determine which offenses and/or type of offenders to include
 - Focus should be placed on High Risk/High Need offenders
- 4. Design Eligibility and Disqualification Criteria
 - Level of Crime: Felony/Misdemeanor
 - Type of Crime: Possession/Drug Motivated/Drug Sales
 - Drug Use and Abuse History/Drug Dependency
 - Criminal Background
 - Residency
 - Mental Health and Health Issues
 - Current Legal status
 - Probation/Parole Status/Revocation
- 5. Determine Court Model
 - Pre Plea Diversion
 - Post Plea
 - Deferred Sentencing
 - Probation
 - Probation Revocation
 - Reentry
- 6. Design Entry Process
 - a. Risk and Need Assessment
 - Determines who is most suited for Drug Court
 - Identify tool(s) to be used
 - Identify who will administer risk and needs assessment
 - b. Identify who will conduct legal screening
 - Prosecutor
 - Defense Attorney
 - Coordinator
 - Entire Team
 - c. Determine Points of Entry
 - At Arrest
 - Bail
 - Pre-trial Review
 - Initial Court Appearance
 - Pre-sentence Hearings
 - Probation Revocation Hearing

- d. Clinical Screening
 - Identify and select a tool
 - Identify who will conduct the screening
 - Drug Court case managers
 - Pretrial Services
 - Probation
 - TASC
 - Treatment Provider
 - e. Purpose of Screening
 - Determine the presence and severity of substance abuse.
 - Weed out persons who do not have substance abuse problems.
 - Determine if the severity of substance abuse problem is appropriate to the level of available drug court services.
 - f. Clinical Assessment
 - Identify and select a tool
 - Address biological, psychological and sociological factors
 - Identify a clinically trained and qualified counselor, psychologist, psychiatrist, social worker, or nurse to administer tool.
 - g. Purpose of Assessment
 - Examine scope and nature of substance abuse problem
 - Identify full range of service needs, pursuant to treatment planning
 - Match participants to appropriate services
 - Determine where and when the legal and clinical screening will be administered
 - Determine where and when the clinical assessment will be delivered
7. Establish Drug Court Phase System
- a. Determine Length of Program
 - Legal Requirements
 - Treatment Needs
 - b. Determine Number and Length of Phases
 - Phase Advancement Requirements
 - c. Define Specific Court-Imposed Rules
 - Rules and regulations of treatment
 - 12 Step Meetings/Support Meetings
 - Community Service
 - Employment
 - Program Fees/Court Costs
 - Alumni/Continuing Care
 - Court Appearances
 - Drug Tests
 - Curfew
 - Ancillary Services
 - Case Management
 - Educational/Vocational Training/GED
 - Drug-Free/Pro-Social Activities

8. Develop Treatment Protocol
 - a. Assess Treatment Resources and “Levels of Care” in the Community
 - Detoxification
 - Intensive Outpatient
 - Outpatient
 - Day Treatment
 - Inpatient Residential
 - Halfway House
 - Sober Living
 - Medical Care
 - Mental Health Care
 - Medication Assisted Programs
 - Case Management Services
 - b. Assess Other Ancillary Resources Available in the Community
 - Community Mapping Tool
 - c. Choose the Treatment Program(s) to Serve the Drug Court
 - Duration of Treatment
 - Goals of Treatment
 - Frequency of Treatment in each Phase
 - Culturally Appropriate Services and Staff
 - Individualized Treatment Plans
 - Type of evidence-based treatment used by provider
 - Cognitive Behavioral Therapy
 - Motivational Enhancement Therapy
 - Community Reinforcement Approach
 - Medically Assisted Treatments
 - Relapse Prevention
 - Aftercare/Continuing Care
 - Determine Administrative Responsibilities for Providers
 - Types of reports to be generated
 - Information to be shared with team
9. Identify Community Resources
 - Complete Community Mapping
10. Develop Community Supervision Protocol
 - a. Determine Which Agency Supervises Clients
 - Probation
 - Parole
 - Police
 - Sheriff
 - Pre-trial Services
 - Marshalls
 - Community Supervision Officers
 - Case Managers
 - b. Develop Practices

- Determine Frequency of Contact by Phase
- On-going Assessment
- On-going Home Visits
- Search
- Surveillance
- Bar and Restricted Area Sweeps
- Office Visits

11. Develop Drug Testing Protocol

- a. Determine Which Agency Administers Drug Tests
 - Probation
 - Parole
 - Police
 - Sheriff
 - Pre-trial Services
 - Marshalls
 - Community Supervision Officers
 - Case Managers
 - Treatment Providers
- b. Determine Type(s) of Drug Test Methodology
 - Onsite/Laboratory
 - Urine
 - Hair
 - Saliva
 - Breath
 - Blood
 - Sweat
- c. Determine Frequency of Testing in Each Phase
 - Significant Testing Frequency in Early Phases and Titrate Frequency Down in Higher Phases
- d. Develop Process for Randomization
 - Color Code Phone Message
- e. Develop Process for Collection
 - Observed
 - Male and Female Collectors
 - Chain of Custody
 - Confirming Positive Tests
 - Timeframe of Reports
 - Reporting Results
- f. Chose Drugs to be Tested
 - Illicit Drugs
 - Prescription Drugs
 - Alcohol
 - Adulterants

12. Develop Court Responses Protocol

- Develop Court Responses Based on the NDCI *Ten Science-Based Principles to Changing Behavior*
- Develop Memorandum of Understanding with Sherriff for Brief Jail and Other Sanctions (i.e., washing police cars, trash pick-up, etc.)
- Develop Strategy to Secure and Receive Donations for Incentives (i.e., public transportation tokens, movie passes, restaurant and shopping vouchers, etc.)

13. Develop Communication Protocol

- Develop Authorization/Consent Forms
- Review Each Team Member Agency Ethics Regulations

14. Develop a Monitoring and Evaluation Protocol

- Select an Evaluator (public or private)
- Develop a logic model
- Develop a Process Evaluation Plan
- Identify Performance Measures
- Develop How Data Will Be Collected and Stored
- Consider Management Information Systems

15. Identify and Develop Waivers

- Develop Search Waiver
- Develop Offender Contract
- Develop Offender Consent Form

16. Develop Operational Practices

- a. Establish Staffing Meeting Practices
 - Determine When and Where Staffing Will Occur
 - Determine Who is Required to Attend Staffing
- b. Develop Progress Reports Practices
 - Determine What Information is Included in Progress Reports
 - Determine When Progress Reports are Due and to Whom

17. Creating a Sustainable Drug Court

- a. Identify Program Costs
 - Screening and Assessment Tools
 - Treatment Services
 - Drug Testing
 - Personnel
 - Training
 - Technology
 - Administration
 - Data Collection
 - Research
- b. Identify Available Resources
 - Existing Employees
 - Existing Community Resources (community mapping)

- Grants and Donations
- Fundraising Strategies
- 18. Manage Public Relations
 - Educate Agency Partners
 - Educate the Public
 - Develop a Media Plan
 - Engage the Media
 - Educate Local, State and National Leaders