MORE THAN ONE WAY TO SOLVE A PROBLEM SOLVING COURT

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Definition:

“Problem Solving Court”

Does not necessarily equal therapeutic. We are not treating “problem solving court” and “therapeutic jurisprudence” as interchangeable terms. Our approach is that a problem-solving court is any non-traditional court process developed to address a specific problem.
Therapeutic Courts

Drug Courts:
- Adult
- Juvenile
- Family

Domestic Violence Court
- Not quite as therapeutic as Drug Court.
- High accountability involved.

Mental Health Court
- Different models vary considerably.
- Pre-disposition Diversion.
- Post-disposition Compliance.
Therapeutic Courts

Veteran’s Court
Court with lots of outside supports.

Homeless Court
Relatively new undertaking.

Courts created in response to identified problems:

Probation Revocation Court
Response to cases that are resource draining due to high volume.

Early Disposition Court
Cost saving measure due to high volume, low level offenses that are easily and swiftly resolved.
Both Therapeutic and Identified Problem

Integrated Family Court

A Court designed for judicial economy in dealing with a small number of cases with multi-system involvement having extremely high complexity.

Therapeutic Courts

Therapeutic Courts vary:

- Court to Court.
- Makings of the team.
- Judge.
- Location to location.
- Over time.
Therapeutic Courts

Grow and evolve over time in response to issues which develop in the community.
Differences across locations at a given time.
Differences across time at a given location.

How are these Courts created?

I. Problem identified
   A. Data analysis
   B. Dramatic Case
   C. "Grassroots" consensus

II. Key personnel identified
   A. "Champion(s)"
   B. Facilitator
   C. Task Force/Workgroup

III. Plan developed
   A. Identify regular meeting date/time
   B. Define problem and all terms within the definition
   C. Define ideal situation/goals
   D. What is needed to get from here to there?
   E. Who else should be at the table?
   F. Subcommittees or tasks by entire group
   G. Tasks/person(s) responsible/target dates

IV. Prior to implementation
   A. Procedures manual
   B. Approval
   C. Outcome measures (logic model)
      1. What will be measured by whom
      2. Where will information be stored
      3. To whom will it be reported and how
   D. Press release(s)

V. Post implementation
   A. Continue regular meetings till there is nothing on the agenda, then switch to ad hoc
   B. Regular press releases
   C. Track outcome measures
Challenges

- Sustainability.
- Personality dependent.
- Finding the personnel/time resources.
- Being willing versus having the political will to make it happen.
- Lack of quality data at the start.

Challenges

- Lack of community based resources for services
- Grant requirements
- Philosophical roadblocks, including judicial, defense, and prosecutorial
- Lack of Flexibility
Solutions/Alternatives

- Define your goals clearly and distinctly.
- Start with existing resources and/or incorporate into existing practices.
- Get everyone to the table and be willing to hear the hard stuff.
- Redistribute WORKLOAD.

Solutions/Alternatives

- Find someone to champion the effort who has both clout AND authority.
- Track the dramatic cases.
- Approach the sell from “what’s in it for me?”.
- Start collecting data NOW.
- If you build it (problem solving court) they will come (providers).
Solutions/Alternatives

- Timing is everything.
- Get lots of training/education.
- Avoid “chasing” grant dollars.
- Remain solution-focused.
- Do your research; network; reach out.

Incremental Implementation

- Communication/coordination
- Review hearings
- Case assignment
- Intermediate sanctions/incentives
- Training
- Small “test case”, small caseload, or pilot project
- Continued meetings to review progress/barriers
Resources

- National Center for State Courts, “Problem Solving Justice Toolkit”
  [http://www.ncsconline.org/d_research/Documents/ProbSolvJustTool.pdf](http://www.ncsconline.org/d_research/Documents/ProbSolvJustTool.pdf)
- American University – drug court info
  [http://www1.spa.american.edu/justice/project.php?ID=1](http://www1.spa.american.edu/justice/project.php?ID=1)
- AZ Supreme Court
- Center for Court Innovation
- Newsletter information