

# Special Processes & Procedures

## Problem-Solving Courts

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Problem-solving courts began in the 1990s to accommodate defendants with specific needs and problems that were not or could not be addressed in traditional courts. Problem-solving courts seek to promote outcomes that will benefit not only the defendant, but the victim and society as well. Thus, problem-solving courts were developed as an innovative response to deal with defendants' problems, including drug abuse, mental illness, and domestic violence.

The Problem-Solving Courts Committee was created as a committee of the Judicial Conference of Indiana to assist the Indiana Office of Court Services in certifying, training, and supporting problem-solving courts in Indiana.

Ind. Code 33-23-16 authorizes the establishment of a variety of problem-solving courts which may be certified by the Indiana Office of Court Services, including:

- Domestic violence courts focus on the safety of the victim and the defendant's accountability by: (1) bringing together criminal justice professionals, local social programs, and intensive judicial monitoring; (2) linking victims to programs and services; and (3) linking eligible defendants and juveniles to programs and services. IC 33-23-16-4
- Drug courts focus on addressing the substance abuse issues of defendants or juveniles in the justice system by: (1) bringing together substance abuse rehabilitation professionals, local social programs, and intensive judicial monitoring; and (2) linking eligible defendants or juveniles to individually tailored programs or services. IC 33-23-16-5
- Family recovery courts focus on supporting families that include a child who has been adjudicated a child in need of services and a parent, guardian, or other household member who has substance abuse problems by: (1) bringing together substance abuse rehabilitation professionals, local social programs, and intensive judicial monitoring; and (2) linking eligible parents, guardians, other household members, and juveniles to individually tailored programs or services. IC 33-23-16-6
- Mental health courts focus on addressing the mental health needs of individuals in the court system by: (1) bringing together mental health professionals, local social programs,

and intensive judicial monitoring; and (2) linking eligible individuals to individually tailored programs or services. IC 33-23-16-7

- Reentry courts focus on the needs of individuals who reenter the community after a period of incarceration and provide a range of necessary reintegration services for eligible individuals, including the following: (1) supervision, (2) offender assessment, (3) judicial involvement, (4) case management and services, (5) program evaluation, (6) counseling and (7) rehabilitative care. IC 33-23-16-9
- Veterans' courts focus on addressing the needs of veterans in the justice system by: (1) bringing together substance abuse rehabilitation professionals, mental health professionals, local social programs, and intensive judicial monitoring; and (2) linking eligible veterans to individually tailored programs or services. IC 33-23-16-10

A certified problem-solving court may collect user fees from eligible participants in accordance with IC 33-23-16-23 and Section 16 of the Problem-Solving Court Rules. Additional reference material:

- Indiana Office of Court Services: Certified Indiana Problem-Solving Courts Directory
- Judicial Conference of Indiana: Problem-Solving Court Rules
- 42 CFR Part 2: federal rules concerning the confidentiality of alcohol and drug abuse patient records
- The National Association of Drug Court Professionals: Adult Drug Court Best Practice Standards (Vol. 1 and 2)
- The Center for Children and Family Futures and National Association of Drug Court Professionals: Family Treatment Court Best Practices
- Center for Court Innovation: Common Problem-Solving Court Principles