



Problem-Solving Courts Committee Meeting

March 15, 2013
Meeting Minutes

1. Call to Order

Judge Surbeck called the meeting to order at 1:00 pm.

Members present were Magistrate Bobay, Mr. Cunningham, Ms. Hudson, Judge Jent, Justice Rush, Judge Salinas, and Judge Surbeck. Members participating via telephone were Mr. Travis and Judge Vasquez. Ms. Tammy O'Neill also attended. Staff present was Jamie Bergacs, Angie Hensley, Mary Kay Hudson, Diane Mains, Justin Miller, Travis Robinson and Jennifer Weber.

2. Approval of Meeting Minutes

Members approved the minutes from the meeting held on December 14, 2012.

3. Education Subcommittee Report

Angie Hensley reported that IJC hosted new coordinator orientation training on February 5, 2013, for six coordinators. She also reported that the Subcommittee intends to distribute the training survey by the end of this month.

Ms. Hensley reported the IJC has scheduled the following problem-solving court staff trainings:

March 19-20, 2013	Staff Orientation (currently 23 attendees are registered)
August 6, 2013	New Coordinator Orientation
September 25-26, 2013	Staff Orientation
November 5-6, 2013	PSC workshop

4. Certification Update

Jamie Bergacs reported that IJC certified six problem-solving courts (five adult drug courts and one veterans treatment court) since the December Committee meeting and currently have three problem-solving courts scheduled for review through June 2013.

Mary Kay Hudson reported that IJC certification practices have been revised to streamline the certification process, including extending a court's current certification until all items under review are in compliance with the applicable laws and standards.

5. 2013 Legislation Update

Diane Mains reported that HB 1016 on problem-solving courts has been passed by the House of Representatives and heard by the Senate Judiciary Committee on March 14th. The Senate Judiciary Committee removed the funding provisions for a veteran's court in Lake County and referred the issue of funding veterans' courts to the Commission on Courts for study this summer. The bill will return to the House of Representatives for concurrence on these changes and then be sent to the Governor for signature.

6. Proposed PSC Rule Amendments
Diane Mains reported that minor changes have been made to the proposed rule amendments previously discussed by the Committee based on comments received following distribution to all spec judges and coordinators. The Committee approved a proposed substantive amendment to Section 14(b) by striking the first sentence and keeping the second sentence advising courts that participants may not, at any time, be compelled to waive or prohibited from exercising the right to counsel. The proposed rule amendments will be presented to the Judicial Conference Board of Directors on March 22, 2013 for final adoption.
7. Interstate Compact Rule Amendment Re: VA Treatment Services
Diane Mains reported that the Rules Committee of ICAOS will recommended passage of a mandatory rule for the transfer of offenders who are veterans, eligible to receive VA benefits and are referred for VA services in another state to the full ICAOS Commission. This proposed adoption of this rule will be further monitored, and Diane will report the outcome of the discussion at the ICAOS Commission meeting in August 2013 to this Committee.
8. PSC Intrastate Transfer Policies
Staff inquired whether Committee members believe there is a need for further legal authority to effectuate intrastate transfers of problem-solving court participants. The Committee determined at this time that Section 26 of the Problem-Solving Court Rules provides sufficient authority for intrastate transfers.
9. Probation Incentives and Sanctions Project Update
Mary Kay Hudson reported that the initial meeting on this project was held last Friday. University of Cincinnati representatives made a presentation to a large stakeholder group representative of the judiciary, probation, community corrections, prosecutors, public defenders, and the Department of Correction. The work of the Task Force is expected to last one year during which time the Task Force will meet on a monthly basis.
10. FY 2013 BJA Drug Court Discretionary Grant Update
Mary Kay Hudson reported that IJC, JTAC and IUPUI-SPEA submitted a joint application for grant dollars to fund the development of a database for the collection problem-solving court statistics and to conduct process and outcome evaluations on problem-solving courts in Indiana. If Indiana is awarded a grant, the grant term will begin on October 1, 2013, and last for 36 months.
11. Complex Business Litigation PSC Proposal
The Supreme Court referred the business litigation proposal submitted by Judge Daniel Heath to this Committee for consideration and response. The Committee established a subcommittee chaired by Magistrate Bobay to seek input from other judicial officers presiding over civil court documents and bar association members to thoroughly review this proposal. Judge Surbeck also agreed to participate in this subcommittee. Julie MacDonald, IJC attorney, will serve as the liaison for this subcommittee.

12. Other Business

Mary Kay Hudson reported that she has been appointed to the NADCAP Board of Directors. Ms. Hudson began her term of service on February 12, 2013.

Diane Mains reported that the Indiana Judicial Center has been invited by the Division of Mental Health and Addiction to participate in a technical assistance grant from SAMSHA to develop a strategic plan for a statewide veteran's behavioral health care system. She will provide updates to the Committee as information becomes available.

Next meeting dates:

June 14, 2013 at IJC

September 13, 2013 **via conference call**

December 13, 2013 at IJC

All meetings are scheduled from 1:00 pm – 3:00 pm

13. Adjournment

Judge Surbeck adjourned the meeting at 2:35 pm.



Problem-Solving Courts Committee Meeting
March 28, 2014
Meeting Minutes

1. Call to Order and Introductions

Judge Trockman called the meeting to order at 1:00 pm.

Members present: Judge Trockman, Chair, Judge Harper, Mr. Ivory, and Judge Niemeier

Members participating via conference call: Mr. Cunningham and Judge Salinas

Guest: Ms. Tammy O'Neill, Porter County

Staff present: Jamie Bergacs, Angie Hensley, Mary Kay Hudson, Chad Long, Diane Mains, and Justin Miller

Introductions were made and Ms. Hudson formally introduced Chad Long to the Committee as the newest staff addition to the Court Services Division of the Judicial Center.

2. Approval of Meeting Minutes

Members unanimously approved the December 13, 2013 meeting minutes.

3. Education Subcommittee Report

Ms. Angie Hensley reported that the Education Subcommittee met yesterday and reviewed the results of the survey sent to coordinators to ascertain their advice on future training topics. The Subcommittee is considering modifying the survey for use by other team members.

Ms. Hensley reported that new Coordinator Orientation was held on February 17, 2014, and attended by six individuals. A combined problem-solving courts and court alcohol and drug program new Staff Orientation program will be held April 22-23, 2014. There are currently 14 people registered for this training event. New Coordinator Orientation and new Staff Orientation will be held again in September 2014.

The 2014 Problem-Solving Court Workshop will be held on October 7-8, 2014 at the Hilton North Hotel, Indianapolis. The Workshop will commence at 10:30 am on October 7th and lunch will be provided on the first day only.

4. Certification Update

Ms. Jamie Bergacs reported that IJC recertified six problem-solving courts since the December committee meeting: Madison County drug court, Gibson County drug court, Vigo County drug court, LaPorte County reentry court, Howard County reentry court and St. Joseph County problem-solving court (comprised of the drug and veterans courts). Ms. Bergacs also reported that two courts were provisionally certified during this time period: Allen County veterans' court and LaPorte County veterans' court.

5. **NADCP Best Practice Standards and IJC Certification**
<http://www.nadcp.org/sites/default/files/nadcp/AdultDrugCourtBestPracticeStandards.pdf>

Ms. Mary Kay Hudson advised the Committee that Volume II of the Best Practice Standards is anticipated to be released at the national conference this year to include three new standards on drug testing, team membership and ancillary services.

The Committee considered how the Best Practice Standards will impact the current certification process. The Committee assigned to the Education Subcommittee the task of reviewing the five standards in Volume I to identify priority issues and consistency with NIC's eight principles of effective interventions. The Education Subcommittee will report back to the Committee at the June meeting as to its progress and projected timeline for completing this project. Judge Trockman volunteered to work with the members of the Education Subcommittee on this project.

6. **IJC Forensic Diversion Grant Application**

Ms. Hudson reported that the Judicial Center was awarded two million dollars to support forensic diversion (mental health and substance abuse treatment services) at the local level. The grant application is currently under development and anticipated to be released within the next couple of weeks. The Judicial Center will consider applications from adult probation departments, problem-solving courts and court alcohol and drug programs that enhance existing operations or increase the current operating capacity to serve moderate and high risk offenders who are at risk of being sent to the Department of Correction. The grant dollars will be available to grant recipients on July 1, 2014.

7. **Revisions to Probation Standards**

Ms. Hudson reported that the final draft standards were adopted by the Judicial Conference Board of Directors on March 7, 2014, with an effective date of July 1, 2014. Training and technical assistance on the new standards will be offered to all probation departments.

8. **Business Court Proposal Update**

Ms. Hudson reported on behalf of Judge Bobay and the Subcommittee that the business court proposal for complex business litigation is currently under development. An update on this project will be provided to the Committee at the June meeting.

9. **Probation Incentives and Sanctions Project Update**

Ms. Hudson reported that the Judicial Center has contracted with the University of Cincinnati to assist with the development of a contingency management system (CMS) for behavioral modification in community supervision. The CMS will be a framework within which each jurisdiction will have the discretion to appropriately respond to its clientele. The project is currently being piloted in Allen, Lawrence and Pulaski counties. The initial pilot phase began in January and is expected to last for at least three months. Following the initial pilot phase, training will occur followed by a second pilot phase projected to occur in late 2014.

10. **Adjournment**

Judge Trockman adjourned the meeting at 2:01 pm.

Remaining 2014 meeting dates:

June 20, 2014

September 19, 2014

December 19, 2014

All meetings are scheduled from 1:00 pm – 3:00 pm



Problem-Solving Courts Committee Meeting
September 13, 2013
Meeting Minutes

1. Call to Order

Judge Surbeck called the meeting to order at 1:02 pm.

Members present: Justice Rush, Judge Bobay, Mr. Chris Cunningham, Judge Harper, Ms. Sheila Hudson, Judge Jent, Judge Surbeck, Judge Todd and Judge Trockman.

Staff present: Jamie Bergacs, Angie Hensley, Mary Kay Hudson, Justin Miller, Travis Robinson and Jennifer Weber

2. Approval of Meeting Minutes

Members approved the minutes from the meeting held on June 14, 2013.

3. Education Subcommittee Report

Ms. Angie Hensley reported that Problem-Solving Court Staff Orientation will take place September 25-26, 2013. There are currently 20 people registered. Registration will close September 17, 2013.

Ms. Hensley reported that registration went out this week for the annual Problem-Solving Court Workshop to be held November 5-6, 2013, at the Sheraton North. There are currently 73 people registered. Lunch will be provided the first day and will be "on your own" the second day. Plenary speakers include John McShane from Peace Learning Center, Dr. Tracy Gunter from IU School of Medicine, Department of Psychiatry, and Kimberly G. Sperber from Talbert House.

The final training of 2013 will be Substance Abuse Characteristics training, which is required for Court A&D programs but will be open to problem-solving court staff. The online portion will be held on November 19, 2013, and the on-site portion held at IJC will take place December 3-4, 2013.

4. Certification Update

Ms. Jamie Bergacs reported that IJC certified four problem-solving courts (two adult drug courts, one adult reentry court, and one veterans court provisionally) since the June committee meeting and seven reviews have been scheduled by staff for the remainder of 2013.

5. Potential 2014 Legislative Issues

Ms. Mary Kay Hudson reported that IJC staff members are not aware of any potential legislative issues for 2014 that will impact problem-solving courts. Committee members were asked of legislative suggestions for the upcoming session as all legislative issues must be brought before the Indiana Judicial Conference Board of Directors which meets next week. There were no legislative suggestions from the committee members at this time.

6. Criminal Law and Sentencing Policy Study Committee-IJC's Presentation

Ms. Mary Kay Hudson reported that Jane Seigel has been asked by Senator Young to do a presentation, in coordination with other state agencies, on recidivism. Ms. Hudson asked for

programs to share with IJC any data they may have on any community supervision programs within their county to assist with the presentation to the legislature. Allen County, Grant County, Porter County and Vanderburgh County offered to share information with IJC.

7. Draft Revisions to Probation Standards

Ms. Mary Kay Hudson advised members that the Probation Committee is currently working on the revisions to the standards and will post them for public comment in the coming weeks. The proposed changes to the standards will also be discussed at the regional probation meetings in November. Following the public comment period, the standards must go before the Indiana Judicial Conference Board of Direction for review and approval.

8. Parole Board, Parole Services and Reentry Meeting Update

Judge Surbeck reported that several reentry court judges and IJC staff met with members of Indiana Parole Services and the Indiana Parole Board (Chair Thor Miller, Virgil Madden, Charles Miller and Valerie Parker). The meeting was very positive and the new chair seems very supportive and reiterated that he wants to work in collaboration with the judges. Judge Surbeck reported that IJC is exploring the structure for future meetings to keep the conversations going. Judge Surbeck reported that he would like for the parole board to provide a training on parole sanctions so the reentry courts can dovetail with their sanctions.

Ms. Hudson reported she is working with Julie Lanham to coordinator visits to the reentry courts for the parole board members. Ms. Hudson encouraged the reentry court judges to view a parole hearing and if interested Ms. Hudson advised she will assist in the coordination of such visits.

9. Business Court Proposal Update

Judge Surbeck and Judge Bobay reported that the Complex Business Courts Subcommittee, consisting of Ms. Mary Kay Hudson and Ms. Julie McDonald of IJC and Judges Craig Bobay, John Surbeck and Heather Welch, recently held its first meeting via conference call. Ms. Hudson reported such courts are developing around the country. The Iowa Supreme Court is beginning a pilot court at the state level while other jurisdictions around the county are in the process of developing courts at the local level.

It was reported that Judges Welch and Bobay will be attending the Complex Business Court National Conference next month. Judge Surbeck will be talking to the state bar and will also ask judges from large civil jurisdictions from around the state to be a part of the subcommittee. IJC staff members will research if complex business litigation courts can be established through local court rule or if a statute is needed.

10. Veterans Treatment Coalition

This agenda items was tabled until the next meeting as Ms. Diane Mains was called away to another meeting.

11. Probation Incentives and Sanctions Project Update

Ms. Hudson reported that the project Task Force has identified three pilot counties: Allen, Lawrence and Pulaski. Phase I of the pilot, utilizing forms and decision trees, is anticipated to begin in October. Phase II will be opened up to four-five additional jurisdictions to pilot the process. Ms. Hudson reported that the sanctions and incentives utilized will be at the discretion of the local jurisdictions but must be evidence based practices.

12. Other Business

Ms. Hudson reported that the Indiana Judicial Center budget includes two million dollars for forensic diversion grants available on July 1, 2014. IJC staff will be meeting with Senator Tallian in the coming weeks for guidance on how the money should be distributed. Courts should look for grant applications to be distributed by January 1, 2014.

Next meeting dates:
December 13, 2013 at IJC

All meetings are scheduled from 1:00 pm – 3:00 pm

13. Adjournment

Judge Surbeck adjourned the meeting at 1:35 pm.



Problem-Solving Courts Committee Meeting
December 13, 2013
Meeting Minutes

1. Call to Order

Judge Salinas called the meeting to order at 1:00 pm.

Members present: Commissioner Alt, Judge Harper, Mr. Ivory, Justice Rush and Judge Salinas
Members participating via conference call: Judge Bobay, Judge Miller, Judge Todd and Judge Vasquez

Guest: Julie McDonald, IJC

Staff present: Jamie Bergacs, Angie Hensley, Mary Kay Hudson, Diane Mains, Justin Miller, Travis Robinson and Jennifer Weber

2. Approval of Meeting Minutes

Members approved the minutes from the meeting held on September 13, 2013.

3. Education Subcommittee Report

Ms. Angie Hensley advised that the Problem-Solving Court Workshop was held on November 5-6, 2013, at the Sheraton North Hotel with record attendance.

Ms. Hensley reported that New Coordinator Orientation will be held on February 17, 2014, and Staff Orientation will be held April 22-23, 2014. The Subcommittee is currently discussing the structure of the 2014 Problem-Solving Court Workshop tentatively scheduled to be held on October 8-9.

4. Certification Update

Ms. Jamie Bergacs reported that IJC recertified two problem-solving courts, the Allen County and Noble County drug courts, since the September committee meeting. Ms. Bergacs also reported that four courts were provisionally certified during this time period: the St. Joseph County veterans' court, the Dearborn County veterans' court, the Wabash County family dependency treatment court and the Montgomery County veterans' court.

5. Weighted Caseload Credit for Problem-Solving Court Cases

Ms. Mary Kay Hudson reported that Judge Trockman is interested in revisiting the caseload credit assigned to problem-solving court cases to more accurately reflect the judicial time spent on these cases. Judge Bobay raised concerns that adjusting the caseload credit for problem-solving courts may negatively impact other courts within the same jurisdiction and that the Committee should proceed cautiously as there are other courts that do not statutorily qualify as a problem-solving court that require significant judicial time. After further discussion, the Committee approved submitting a proposal to the Judicial Administration Committee to increase the caseload credit for problem-solving cases.

6. Redefining Problem-Solving Courts

Ms. Mary Kay Hudson asked members to determine whether there is a need to redefine problem-solving courts as a result of inquiries from courts interested in establishing a problem-solving court that do not fit within the current statutory and rule guidelines for problem-solving courts (e.g. mortgage foreclosure, educational neglect, complex business litigation, and truancy). The Committee discussed at length the need for expanding the current problem-solving court requirements to fit the needs of these interested parties. Further discussion was tabled until the next meeting and possible formation of a small work group to study this issue.

7. Business Court Proposal Update

Judge Bobay reported that four Indiana judges attended a national conference in October on complex business litigation. As a result of this conference, the Complex Business Courts Subcommittee would like to establish a pilot project in Indiana for complex business litigation and sought direction from the Committee as to the protocol for obtaining the Supreme Court's authorization for this project.

The Committee discussed at the length the protocol for establishing a pilot project and asked the Subcommittee to develop a detailed proposal for the project to submit to the Committee for review and approval. The Committee recommended that the Subcommittee engage members of the state and local bar in the development of the project proposal. If the pilot project proposal is approved by the Committee, it will be submitted to the Supreme Court for approval.

8. Draft Revisions to Probation Standards

Ms. Mary Kay Hudson advised members that the draft revisions to the probation standards incorporating evidence-based practices were posted for public comment and discussed at the three regional probation meetings held in November. Judge Mark Smith made a brief introduction to the draft revisions to the Judicial Conference Board of Directors at the December meeting. The final draft standards will be presented to the Board of Direction for review and a vote at the March 2014 meeting. Training and technical assistance will be offered to all probation departments following the adoption of the new standards.

9. Probation Incentives and Sanctions Project Update

Ms. Hudson reported that the project Task Force has chosen the three pilot counties: Allen, Lawrence and Pulaski. Pilot counties will begin training in January then pilot the use of the forms for a three-month period.

10. Other Business

Ms. Hudson reported that the Indiana Judicial Center is launching a probation training initiative next year to utilizing two million dollars in forensic diversion grant dollars. The initiative will likely include 18-20 regional events on comprehensive case planning, case management and the use of evidence-based practices during case management appointments with clients. Courts should look for grant applications to be distributed by January 1, 2014.

2014 meeting dates:

March 28, 2014

June 20, 2014

September 19, 2014

December 19, 2014

All meetings are scheduled from 1:00 pm – 3:00 pm

11. Adjournment

Judge Harper adjourned the meeting at 2:25 pm.