

# 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 the defendant, the victim, and society. 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 (IOCS) 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 IOCS, 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. I.C. § 33-23-16-4
- Drug courts focus on 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. I.C. § 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. I.C. § 33-23-16-6

- Mental health courts focus on 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. I.C. § 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. I.C. § 33-23-16-9
- Safe baby courts focus on the needs of families who have a child in need of services three years of age or younger by surrounding the family with support services to (1) reduce time to permanency, incidents of maltreatment, address trauma, (2) promote public safety and the effective use of resources, and (3) increase family accountability. I.C. § 33-23-16-9.5
- Veterans' courts focus on 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. I.C. § 33-23-16-10

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

- IOCS: 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
- All Rise: 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