



**Problem-Solving Courts Committee Meeting  
March 11, 2016  
Meeting Minutes**

**1. Call to Order**

Judge Brett Niemeier called the meeting to order at approximately 1:00 p.m.

Members present: Justice Steven David, Judge Brett Niemeier and Mr. Joseph Williams

Members participating by phone: Judge Jonathan Cleary, Judge John Feick, Magistrate John Kitch, Judge Jose Salinas, Judge Jeffrey Todd, Judge Salvador Vasquez and Judge Zach Winsett

Staff: Ms. Jamie Bergacs, Mr. Chris Biehn, Mr. Matt Guyer, Ms. Diane Haver, Ms. Angie Hensley, Ms. Mary Kay Hudson and Mr. Chad Long

**2. Approval of Meeting Minutes**

Members approved the December 18, 2015, meeting minutes.

**3. Education Subcommittee Report**

Ms. Angie Hensley reported that the Education Subcommittee met this morning. The subcommittee is currently in the process of identifying topics of breakout and plenary sessions for the 2016 Court Services Conference, which will be held August 18-19, 2016, at the Indiana Convention Center. A block of rooms will be available at the Crowne Plaza. A save the date is currently on the IJC website. Information regarding hotel rooms will be made available as soon as the link from the hotel is received.

Ms. Hensley reported that PSC judicial education workgroup met and determined the NADCP Adult Drug Court Best Practice Standards will serve as a guide to drive the topics to be presented during the new PSC judge orientation training. IJC has reached out to NADCP for faculty. At this point, planning is on hold until a response is received on the faculty NADCP can provide. Once this information is received, the workgroup will begin exploring local faculty. Dates for this training will be dependent on NADCP faculty availability.

Ms. Hensley reported a workgroup was convened to review the NADCP Adult Drug Court Best Practice Standards. The workgroup met this morning and reviewed half of the standards. IJC has been asked to put the standards into proposed rules and bring back to the workgroup at the next meeting schedule for June 24, 2016. Following this process, recommendations will be made to the full committee. Judge Niemeier strongly encouraged committee members to get involved with this process and provide as much input as possible as this process will result in new PSC Rules.

**4. Certification Update**

Ms. Diane Haver reported that since the December meeting, IJC has completed 11 certifications reviews, five of which are new courts operating under a provisional certification. Ms. Haver reported six courts were recertified including: Gary City Drug Court, Marion County Reentry Court, Marion County Veterans Court, Perry County Drug Court, Spencer County Drug Court and Vanderburgh County Problem-Solving Court which includes the drug court, forensic diversion court, veterans court

and reentry court. Courts which were awarded a provisional certificate include: Bartholomew County Veterans Court, Huntington County Drug Court, Jackson County Drug Court, Marion County Mental Health Court and Rush County Drug Court.

#### **5. Veterans Court Grants**

Ms. Mary Kay Hudson reported that the veterans court grant applications were due in December and IJC received 18 applications for over \$1.4 million in requests. Several of the applicants also requested funding from DOC under the 1006 applications. Ms. Hudson reported that the Chief Justice has approved the grant recommendations made by IJC and that all 18 applications will receive some assistance from IJC or DOC. Ms. Hudson indicated that courts that received funding for new staff will receive continued funding in the second year of the biennium.

Ms. Hudson reported that the Veteran's Treatment Court Planning Initiative is scheduled for April 20-22, 2016, in West Lafayette. Justice for Vets/NDCI will serve as faculty for the event and IJC will be the hosting agency. This training will focus on eight planning stages or newly established veterans courts. IJC hopes to host a training later in the year for operational veterans courts.

#### **6. National Family Drug Court Strategic Plan**

Ms. Hudson reported that the Office of Juvenile Justice and Delinquency Prevention, the Administration of Children and Families and NADCP are collaborating in a national effort to increase access and capacity of family dependency drug courts.

Ms. Hudson reported that she and Jane Seigel met with Mary Beth Bonventura, Executive Director for the Department of Child Services, to inform her of the national initiative and to engage DCS in outreach efforts to establish new family dependency drug courts in Indiana. Director Bonventura expressed her support for expanding these courts in Indiana. Mary Kay Hudson reported that she will be presenting on problem-solving courts at the May 2016 Governor's Drug Task Force and will include a recommendation to expand family dependency treatment courts. There are currently six certified family dependency drug courts in the state.

#### **7. Case Transfers**

At the request of State Court Administration, this agenda item was postponed until the next committee meeting.

#### **8. PSC Fees**

Judge Jose Salinas requested guidance from the committee regarding assessing a problem-solving court user fees to parolees assigned to reentry court. It was noted that the requirement of parolees to pay such a fee may violate their due process rights. After some discussion, a request was made for an IJC staff attorney to research the constitutionality of a certified reentry court charging a problem-solving court user fee to a parolee ordered to participant in the reentry court.

#### **9. IJC Updates**

- **EBDM Project**

Ms. Hudson reported that state team is moving through phase V and working on the state level change targets. A decision will need to be made soon if an application will be made to take part in phase VI. If so, an application to participate in phase VI will be due in June or July. If accepted, the next phase will commence in September of 2016.

- **Pretrial Release Project**

Ms. Hudson provided an update on the status of the Committee to Study Evidence-Based Pretrial Release. Ten counties have expressed an interest in taking part in a pilot project. Six individuals are currently attending a training in Colorado hosted by NIC. Once they return a recommendation to the Supreme Court regarding moving forward with the pilot project will be made. Indiana University School of Public and Environmental Affairs (IU SPEA) will evaluate the project.

- **Governor's Task Force on Drug Enforcement, Treatment and Prevention**

Established by Executive Order, the Governor's Task Force on Drug Enforcement, Treatment, and Prevention includes a panel of experts from a variety of disciplines to evaluate the growing drug crisis in Indiana. Ms. Hudson reported IJC provides staff assistance to the Task Force. Monthly meetings have unfolded since September 2015 to examine existing treatment resources and programs, identify system gaps, and consider state and local level strategies to combat the epidemic. IJC is scheduled to make a presentation to the Task Force in May on problem-solving courts, including family dependency courts.

**10. 2016 Revised Meeting Dates (1:00 p.m. - 3:00 p.m.)**

- July 8, 2016
- September – during the Judicial Conference (Sept. 14- 16) time and date to be determined
- December 16, 2016

**11. Adjourn**

Judge Niemeier adjourned the meeting.

**Problem-Solving Courts Committee Meeting**  
**July 8, 2016**  
**Meeting Minutes**

**1. Call to Order**

The meeting was called to order at approximately 1:05 p.m.

Members participating by phone: Ms. Nedra Brock-Fleetwood, Judge Jonathan Cleary, Mr. Chris Cunningham, Judge Mary Harper, Judge Julia Jent, Magistrate John Kitch, Judge Brett Niemeier, Judge Jose Salinas, Judge Jeffrey Todd, Mr. Joseph Williams and Judge Zach Winsett

Staff: Ms. Jamie Bergacs, Mr. Matt Guyer, Ms. Diane Haver, Ms. Angie Hensley, Mr. Chad Long, Ms. Diane Mains, and Mr. Justin Miller

**2. Approval of Meeting Minutes**

Members approved the March 11, 2016, meeting minutes.

**3. Education Subcommittee Report**

Ms. Angie Hensley reported that the Education Subcommittee is currently in the process of planning the 2016 Court Services Conference, which will be held August 18-19, 2016, at the Indiana Convention Center. Ms. Hensley reported that the plenaries will consist of Dr. Tim Kelly presenting on MAT best practices and Ms. Sarah Cozad presenting on the topic of overdoses. It was reported that an agenda at a glance should be sent out later today.

Ms. Hensley reported that New Coordinator orientation will take place on August 2, 2016, and Staff Orientation will take place at the end of August.

Ms. Hensley reported to the committee that beginning in 2018 IJC is looking at combining the Court Services Conference with the annual Probation Workshop. Doing so will extend the number of days of the conference and allow for intensive training sessions.

**4. Certification Update**

Ms. Diane Haver reported that since the March meeting, IJC has completed 7 certifications reviews. Ms. Haver reported four courts were recertified including: Fountain/Warren Bi-County Drug Court, Allen County Reentry Court, Dubois County Drug Court and Noble County Veterans Court. Courts which were awarded a provisional certificate include: Vigo County Veterans Court, Wabash County Reentry Court and Henry County Veterans Court.

**5. PSC Fees**

At the March meeting Judge Jose Salinas requested guidance from the committee regarding assessing a problem-solving court user fees to parolees assigned to reentry court. Per the request of the committee, Staff Attorney, Ms. Diane Mains researched the constitutionality of a certified reentry court charging a problem-solving court user fee to a parolee ordered to participant in the reentry court. Ms. Mains reported that state law authorizes a reentry court to charge parolees problem-solving court user fees. A reentry court may charge problem-solving court user fees to a parolee if the Indiana Parole Board has made reentry court a written condition of the parolee's parole.

## **6. IJC Updates**

- **EBDM Project**

Ms. Jamie Bergacs reported that a decision has been made to submit an application to be considered for Phase VI of the EBDM project. The application is due at the end of the month. It was reported that the Phase VI application is lengthy and requires a logic model for the State. The next EBDM meeting will be held in September at which time it will be known whether or not Indiana is awarded Phase VI participation in the EBDM Project.

- **Pretrial Release Project**

Ms. Mains reported nine counties will be taking part in the pretrial release pilot project. The pilot will officially be launching in September and will be combining with the EBDM Phase VI Project. The Supreme Court has a proposed Rule of Evidence under consideration, which will allow statements made in the course of a pre-trial risk assessment to be confidential.

## **7. Other Business**

Judge Niemeier reported a workgroup has been convened to determine how the Adult Drug Court Best Practice Standards, Volume I and II, should or should not impact the Problem-Solving Court Rules. Judge Niemeier strongly encouraged committee members to get involved with this process as the workgroup will be making rule change proposals. The next workgroup meeting will be held on August 12, 2016 from 9:00 a.m. – 12:00 p.m. at the IJC office.

## **8. 2016 Revised Meeting Dates:**

- Sept. 16, 2016 - 7:30 a.m. - Judicial Conference Breakfast
- Dec. 16, 2016

## **9. Adjourn**

The meeting was adjourned at approximately 1:30 p.m.