1. Call to Order
The meeting was called to order by Judge Jonathan Cleary at approximately 1:02 p.m.

Members present: Mr. Joseph Williams, Judge John Feick, and Judge Jose Salinas

Members participating by phone: Judge Gail Bardach, Judge Lisa Bowen-Slaven, Ms. Nedra Brock-Fleetwood, Judge Jonathan Cleary, Magistrate John Kitch, Ms. Tara Paiano, Judge Julie Cantrell, Magistrate Joni Grayson, Judge Greta Friedman, and Judge Zach Winsett

Guests: Ms. Sarah Kidwell

Staff: Ms. Mary Kay Hudson, Ms. Jamie Bergacs, Ms. Lora Moeller, Mr. Christopher Biehn, Ms. Michelle Henkle, Ms. Diane Mains, and Ms. Caitlin Rice

2. Approval of Meeting Minutes
Members approved the December 14, 2018, minutes.

3. 100th Problem-Solving Court Media Campaign
Ms. Sarah Kidwell presented the draft media campaign outlining the 100th Problem-Solving Court press release. She explained that the campaign will be promoted statewide and that programs will be given guidance on how to support the campaign at the local level.

The timeline of the campaign will depend on when the 100th problem-solving court is certified.

4. Problem-Solving Court Evaluation
Ms. Mary Kay Hudson reported that NPC Research is proposing to do a statewide assessment of best practices in Indiana’s problem-solving courts.

NPC will select counties for prospective outcome analysis if they are using SRS. It was explained that level of adherence to Best Practice Standards will be the main consideration for participation. NPC will track participants from admission to a period of time after the end of problem-solving court participation. Participation will be voluntary. The exact details will be refined based on discussions with NPC. The timeline has not yet been set.

5. Problem-Solving Court Case Type Update
Ms. Diane Mains revisited the issue of creating a new case type for problem-solving court cases with the committee. She recommended that if the committee does not feel strongly about including a new case type for problem-solving court cases, a new type should not be pursued. She counseled that this issue can be revisited at any time in the future.

The committee voted to table this issue at this time.
6. **Education Subcommittee Report**
Ms. Tara Paiano reported on the proposals received for the 2019 Justice Services Conference. Many session slots are currently filled, including several by NADCP representatives. Suggestions are still being accepted.

The 2020 Justice Services Conference will be in late April resulting in a short turnaround between conferences. The new timeline is due to scheduling conflicts at the Convention Center.

7. **Problem-Solving Court Orientation**
Ms. Michelle Henkle reported on the online curriculum for staff orientation. The online modules include; Ethics, Confidentiality, and IOCS Overview. These modules should be rolled out next week with the intention that attendees will complete the modules before the in-person staff orientation.

Consequently, staff orientation has been condensed into a one-day on-site training. The new orientation agenda includes; consent forms, drug testing, best practice standards, and case planning.

8. **Certification Report**
Seven recertification visits have been completed since the committee’s last meeting including; Howard County Mental Health Court, Howard County Veterans Treatment Court, Porter County Juvenile Drug Court, Grant County Drug Court, Grant County Veterans Treatment Court, Allen County Mental Health Court, and Lawrence County Problem-Solving Court. Two provisional certifications were issued to the Allen County Family Recovery Court and Bartholomew County Drug Court. There are currently four courts working toward provisional certification and there are 14 courts in various other planning stages.

It was reported that DUI courts do not exist as specific designation of problem-solving courts. Staff explained that there is already a catch-all in the statute allowing the certification of DUI problem-solving courts.

The committee expressed support for adding a DUI track to the performance measures reporting form and staff was directed to make this change.

9. **Family Recovery Court State Workgroup**
Mr. Christopher Biehn reported that the workgroup meets again on April 30, 2019, to discuss training for family case managers and DCS attorneys. He reported that the workgroup hopes to host an implementation training in early June for six teams. Ten teams have been contacted with three teams responding positively to the training invitation. He also reported that grant applications have been sent out.

10. **Referral Agreement Survey Results**
Ms. Jamie Bergacs reported that 42 counties representing 59 programs responded to the written referral agreement survey.

   The questions asked were as follows:
   - To how many providers do you refer?
• How many providers has the court referred or plans to refer 10 or more participants in a year?
• On a scale of 1-10, with 1 being not difficult and 10 being extremely difficult, please rate how difficult is it to execute written referral agreements with the treatment providers?
• On a scale of 1-10, with 1 being not valuable and 10 being extremely valuable, please rate how valuable written referral agreements are to your program?

There was not a notable difference between number of providers and number of providers with agreements according to the survey. The average number of referral agreements per program was two. Thirty-five programs reported that it was not difficult to complete a referral agreement. Two programs reported that it was extremely difficult to complete. Ten programs reported that referral agreements were not valuable. Twenty-two programs reported that they were extremely valuable.

During the discussion, the committee asked how missing a referral agreement would affect the programs’ certifications and recertifications. Staff explained that the lack of a referral agreement would not preclude a program’s certification, but it would result in a formal recommendation.

There was committee discussion on how this requirement is a barrier for some programs and how it could be changed to fit those programs’ needs. Judge Cleary expressed concern over making specific waivers for different counties.

The committee decided to table this agenda item.

11. Problem-Solving Court Public Defender Project
Ms. Diane Mains introduced a project to the committee that has the goal of creating standard operating procedures for caseload credit for public defenders on problem-solving court teams. Surveys regarding public defender’s work on problem-solving court teams will be sent out soon.

12. Other business
• Ms. Mary Kay Hudson updated the committee on the new family recovery court funding from the state. Courts in the planning stages are eligible for funding. Requests are due April 15, 2019.
• Staff changes:
  o Lora Moeller is a new PSC Program Coordinator from Jackson County. She has probation and DCS experience.
  o Brandon Pettijohn resigned from his position to move with his family. His position was posted and closed this week.

13. Future 2019 Meeting Dates (1:00 p.m. – 3:00 p.m.)
• June 28, 2019
• September 27, 2019
• December 6, 2019

14. Adjourn
The meeting was adjourned by Judge Cleary at approximately 2:12 p.m.
1. **Call to Order**
The meeting was called to order by Judge Jonathan Cleary at approximately 1:00 p.m.

**Members present:** Justice Christopher Goff, Judge John Feick and Judge Jose Salinas

**Members participating by phone:** Judge Gail Bardach, Judge Lisa Bowen-Slaven, Ms. Nedra Brock-Fleetwood, Judge David Certo, Judge Jonathan Cleary, Judge Kit Crane, Magistrate Joni Grayson, Ms. Tara Paiano and Mr. Joseph Williams

**Staff:** Ms. Jamie Bergacs, Mr. Christopher Biehn, Ms. Lindsay Carter, Ms. Rachael McKee and Ms. Diane Mains

2. **Approval of Meeting Minutes**
Members approved the March 22, 2019, minutes.

3. **Introduction of New Members**
Judge Cleary introduced and welcomed two new Committee members, Judge Kit Crane and Judge David Certo. Judge Crane is from Henry County and presides over a drug court and veterans court. Judge David Certo is from Marion County and currently presides over a veterans court.

4. **Education Subcommittee Report**
Ms. Tara Paiano reported the 2020 training calendar will be released soon. The next training will be new judge’s orientation in November.

The 2020 Justice Services Conference will be in late April. At this time, the subcommittee is discussing the option of having tracks to assist attendees in determining the most appropriate day to attend, if unable to attend the entire conference.

5. **Certification Report**
Mr. Chris Biehn reported that since the last meeting IOCS has conducted 14 recertification visits and issued provisional certificates of approval in Pulaski County Veterans Court, Vigo County Family Recovery Court, Howard County Family Recovery Court and Gibson County Adult Drug Court.

6. **Request for Broadcasting**
Grant County submitted a request for broadcast coverage of trial court proceeding to the Supreme Court, including the airing of proceedings on Facebook, which the Committee vetted. Committee members are in favor of allowing cameras in the courtroom to record graduation ceremonies and other “positive” problem-solving court (PSC) activities. While IOCS staff does not have concerns with Federal Confidentiality Regulations (42 CFR Part 2) violations, if
appropriate releases are signed, many of the Committee members voiced concerns regarding unintended consequences to participants, such as treatment and urine drug screen results being accessed and used in divorce/child custody hearings. Additionally, once a PSC session is aired it remains available. Committee members are also concerned that the request at hand is not a one-time showing, but would be occurring in weekly Facebook episodes.

Overall, the Committee recommends starting small with things such as graduations, proceeding with caution, and ensuring safeguards are in place. The Committee further recommends such requests continue to be made by each court and reviewed on a case by case basis by the Supreme Court.

7. **Supervision of Federal Offenders in VTC**
   Ms. Bergacs reported there has been recent interest expressed in the state courts partnering with the federal courts in supervising federal offenders in state veterans treatment courts. This model is currently being used in Montana. Ms. Bergacs will be attending the Problem-Solving Court Summit next week and will connect with Montana and report back to the Committee.

8. **Problem-Solving Court Rule Workgroup Review**
   Ms. Mains asked the Committee for permission to form a workgroup to review the current PSC Rules and propose appropriate changes to encompass the family recovery court model. The Committee approved request.

9. **Right to Another Judicial Officer**
   Ms. Mains reported to the Committee new advice from Ms. Adrienne Meiring that participants must be advised of their right to another judicial officer at termination. Previous advice had been if requested, another judicial officer should be granted. Committee members expressed concern with the new advice and its impact on PSC operations. Ms. Mains will discuss more with Ms. Meiring and get additional information for the December meeting.

10. **Legislative Update- HEA 1299**
    Ms. Bergacs reported that in response to HEA 1299, Trial Court Technology (TCT) and IOCS are working with the Department of Veterans Affairs (VA) to share information on new criminal cases filed in Odyssey. The VA will confirm that a defendant has a military record so an indicator (case flag) can be placed on the case in Odyssey. Veterans courts should work closely with their VJO to assist in determining justice involved veterans that may be eligible for veterans courts. Ms. Bergacs noted that case flags are not added to cases created before May 25, 2019.

11. **Other business**
    - IOCS Certification Team Expansion
      Ms. Bergacs reported to better support the growing number of problem-solving courts, IOCS certification team has been expanded to include three additional staff members, Ms. Lindsay Carter, Ms. Janelle Johnson and Ms. Rachael McKee. Ms. Carter has a background in social work. Ms. Johnson and Ms. McKee have backgrounds in criminal justice, both previously serving as certified probation officers.
    - IDACS Warrants
Ms. Mains advised the Committee that there are issues with warrants being entered into IDACS on transfer cases. Ms. Mains will continue to have additional conversations with the appropriate parties and report back to the Committee at the December meeting.

- **Additional Discussion**
  Judge Salinas expressed to the Committee that he would like to explore the option of fast-tracking expungement for PSC graduates. While some Committee members were in favor, others expressed concern of losing prosecutorial and law enforcement support. At this time, this item was tabled.

12. **Future Meeting Date**
   The final meeting of 2019 will take place on December 6, 2019, from 1:00 p.m.- 3:00 p.m. at IOCS.

13. **Adjourn**
   The meeting was adjourned by Judge Cleary at approximately 2:30 p.m.
1. **Call to Order**
The meeting was called to order by Judge Jonathan Cleary at approximately 1:05 p.m.

**Members present:** Justice Christopher Goff and Mr. Joseph Williams

**Members participating by phone:** Judge Gail Bardach, Judge Julie Cantrell, Judge David Certo, Judge Jonathan Cleary, Judge Kit Crane, Judge MaryEllen Diekhoff, Magistrate Joni Grayson, Magistrate John Kitch and Judge Zach Winsett

**Staff:** Ms. Jamie Bergacs, Mr. Christopher Biehn, Ms. Lindsay Carter, Ms. Diane Haver, Ms. Rachael McKee, Ms. Lora Moeller and Ms. Diane Mains

**Guests:** Mr. Jay Chaudhary, Ms. Donna Edgar, Ms. Mary Kay Hudson and Ms. Adrienne Meiring

2. **Approval of Meeting Minutes**
Members approved the September 27, 2019, minutes.

3. **Division of Mental Health and Addiction Collaboration**
Mr. Jay Chaudhary, Director of the Division of Mental Health and Addiction (DMHA), was introduced to the Committee. Mr. Chaudhary outlined his goals for a partnership between the Court and DMHA, including meaningfully connecting people to treatment resources, addressing barriers and surveying stakeholders. Several Committee members offered suggestions on the development of surveys to obtain perspectives from service providers as well as the court. Mr. Chaudhary was praised for his willingness to learn and embrace the partnership with the courts.

4. **University of Pittsburgh Project**
Ms. Hudson provided the Committee background information regarding the University of Pittsburgh applying for and being awarded a three year, 1.8 million-dollar grant from the Center for Disease Control and Prevention (CDC). The original grant proposal was to evaluate all of Indiana’s problem-solving courts (PSC) as a public health intervention to prevent opioid overdose. Due to questions and concerns surrounding this project, a meeting was held in November between members of the research team, the Indiana Office of Court Services (IOCS) and the Indiana Management Performance Hub (MPH). During this meeting the University of Pittsburgh indicated willingness to modify their proposal, with the approval of the CDC, to make the project better address the needs of Indiana PSC. The Committee discussed the original proposal as well as notes provided from the November meeting. Judge Cleary, Judge Cantrell and Mr. Williams volunteered to engage in further conversations with University of Pittsburgh regarding this project.
5. **Closed Problem-Solving Court Hearings**
Ms. Bergacs reported that IOCS was contacted by a certified PSC questioning if PSC hearings are open or closed to the public, urging that due to the nature of the cases heard in the PSC, the hearings should be closed. The Committee discussed and concluded that criminal PSC hearings are open; however, statute allows for Family Recovery Courts to decide if the hearings will be open or closed (as a part of a CHINS case) and hearings for ceremonial purposes may allow media coverage.

6. **Transfers**
Ms. Mains and Ms. Edgar advised counties are processing inter-county transfers differently. Counties are either opening an MC case number with no charges or alternatively, opening an MC case number with charges. Currently, any warrants issued can only be local if a receiving county opens an MC with no applicable charges, because due to IDACS policies, it will not be entered into their system. However, if charges are entered on the MC case number, that charge becomes a part of that defendant’s criminal history, which adds an additional entry in their case history. However, the warrant will go into IDACS. Several Committee members were unaware that not all warrants were being entered into IDACS. Following Committee discussion, it was recommended that courts add criminal charges to the MC case number allowing any warrants issued to be entered into IDACS. This recommendation will go to the Probation Committee for additional input.

7. **Right to Another Judicial Officer at Termination**
Ms. Meiring was present to further reinforce her position that participants should be advised of their right to have another judicial officer preside over the PSC termination hearing. While Committee members expressed concerns with the new advice and its impact on PSC operations, they discussed potential ways to comply with the new advice. It was discussed that waivers need to be included in the participation agreement or participants should be advised of rights at the time of termination. IOCS staff to include this in the Rule amendment discussion.

8. **Education Subcommittee Report**
Mr. Williams reported that the 2020 training calendar is set, including the 2020 Justice Services Conference which will take place April 27-29, 2020. All plenary sessions for the conference have been confirmed and breakout sessions are still under development. NADCP will be providing a number of speakers. Mr. Williams also reported that the subcommittee has proposed having experienced coordinators facilitate new coordinator orientation.

9. **Certification Report**
Mr. Biehn reported that since the last meeting, IOCS has conducted 12 full certification reviews, two initial site visits and granted nine certifications. Currently, Indiana has 107 certified PSC and 14 additional courts in the planning stages.

10. **Other business**
    - **Problem-Solving Court Rule Workgroup Update**
      The workgroup is scheduled to meet on December 17, 2019, to review the current PSC Rules and propose appropriate changes to encompass the family recovery court model.
• **CR 26**
The Committee was advised that the Pretrial Rules will be going before the Board of Director on December 12, 2019. Assuming the Rules are approved, certification will be available beginning January 1, 2020. As the certification process begins, the Pretrial workgroup may need to consult with this Committee for guidance.

• **State of the Judiciary**
The Committee was advised that Chief Justice Rush would like to invite seven to eight graduates to the State of the Judiciary, January 15, 2020. At this time, it is still undetermined if it will be Vet Court graduates or graduates from all PSC models. An e-mail from the Office of Communication, Education, and Outreach will be going out to PSC judges shortly.

11. **2020 Proposed Meeting Dates (1:00 p.m. - 3:00 p.m.)**
Members approved the 2020 meeting dates of March 20, June 12, September 25 and December 11, 2020.

12. **Adjourn**
The meeting was adjourned by Judge Cleary at approximately 3:05 p.m.