

DRUG COURT ROLES AND RESPONSIBILITIES

<u>Adult</u>	<u>Juvenile</u>	<u>Family</u>	<u>DWI</u>
Drug Court Coordinator	Drug Court Coordinator	Drug Court Coordinator	Drug Court Coordinator
Judge	Judge	Judge	Judge
Prosecutor	Prosecutor	Agency Attorney/Prosecutor	Prosecutor
Defense Counsel	Defense Counsel	Parent Attorney	Defense Counsel/Advocate
Treatment Representative	Treatment Representative	Treatment Representative	Treatment Representative
Law Enforcement	Law Enforcement	Child Welfare Representative	Law Enforcement
Probation Representative	Community Supervision	Guardian Ad Litem/Court Appointed Special Advocate	Probation
Evaluator/Researcher	Evaluator/Researcher School/Education	Evaluator/Researcher	Evaluator/Researcher

DRUG COURT JUDGE: The judge presides over the court proceedings and monitors appropriate application of disciplines, sanctions and incentives while maintaining the integrity of the court. The judge regularly reviews case status reports detailing each participant’s compliance with the treatment mandate, drug test results, cooperation with the treatment provider, and progress towards abstinence and law-abiding behavior. During regular court appearances (the frequency can be once a week two once every two months), the judge administers a system of graduated sanctions and rewards to increase each participant’s accountability and to enhance the likelihood of recovery.

As a result of their frequent interactions during court appearances, participants develop a strong rapport with the judge. The judge speaks directly to them, asking about their progress, exhorting them to try harder, and applauding their accomplishments, while also reminding them of the obligation to remain drug-free. The judge imposes any sanctions, including time in jail, for ongoing drug use or other behavior that is inappropriate or impedes progress in the program. The judge typically inquires about specific issues or difficulties, such as school attendance, attempts to gain employment, and efforts to reunite with their children and other family members. Finally, the Judge decides the ultimate program outcome of graduation or incarceration.

DRUG COURT COORDINATOR: The coordinator is typically responsible for overseeing the drug court budget and resources, grant writing, maintaining individual files on participants, compiling statistical data and guiding or participating in program evaluation, contract management, preparation and management of Drug Court dockets, and soliciting community support through education and other linkages in an effort to enhance services available to the participant. Other miscellaneous responsibilities can include such things as fund raising, organizing and/or chairing local multidisciplinary teams, and in situations where time and skills allow, may also provide some case management services.

PROSECUTOR/COUNTY ATTORNEY: The prosecutor will review all potential participants for eligibility, actively participate in staffing of cases, and interact with the staffing team to address revocations, pleas and application of sanctions and incentives as they apply to the participant. The role of the prosecutor in a drug court is quite different from a “typical” criminal proceeding where the roles of prosecutor and defense attorney are adversarial. In drug court, all parties, including the prosecutor and defense attorney, share a common goal of successful treatment completion.

The prosecutor reviews new cases, determines which are drug court appropriate, and recommends the incarceration alternative should the defendant fail to comply with the treatment mandate. As part of a collaborative team with the judge, defense attorney, case manager, and treatment staff, the prosecutor monitors participant progress and can make recommendations regarding sanctions and ultimate treatment outcomes. Also, if a participant is re-arrested, the prosecutor investigates the new case and assesses the appropriateness of continued participation.

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PUBLIC DEFENDER: The public defender will actively participate as defense counsel by advocating for the participant during staffing and court proceedings in a non-adversarial manner, assisting with the negotiation of plea agreements, and completing necessary documents to facilitate the treatment process for the participant. The defense attorney represents and counsels the defendant in all court proceedings. The defense attorney is interested in promoting not only the legal rights but also the health and well being of the defendant. At the same time, the defense attorney always makes the defendant's constitutional rights the primary concern.

TREATMENT ASSESSORS AND PROVIDERS: Designated chemical health staff (such as a county-provided Rule 25 assessor and/or a local program provider) will participate in weekly staffing, make treatment recommendations to the Court, and as appropriate, will identify and/or provide a continuum of care for participants while advocating on behalf of the client and for the integrity of the Court. Treatment services could include hospital-based detoxification, short-term (30-day) residential treatment, long-term residential treatment, outpatient treatment, and intensive outpatient treatment. Staff refer participants to specific programs based on their clinical suitability, the program's ability to comply with reporting requirements, and the program's capacity to meet any special needs that may exist (e.g., mental or physical health, or language barriers). Also, in the case of outpatient services, staff will attempt to refer participants to a provider located nearby that participant's community of residence.

CASE MANAGER: The case manager is typically a Corrections/Probation Officer employed by the county or the state, and is responsible for direct supervision of the drug court participant's compliance with the program, including implementation of the appropriate supervision level based on established measures, providing community linkages and referrals to appropriate agencies, and monitoring the day-to-day activities and home environment of the participant.

LAW ENFORCEMENT: The role of the police officer or deputy sheriff varies; they may be responsible for assisting with background investigations of potential participants, providing inter-county transports to treatment facilities, follow-up on warrants issued through the Court, and/or monitoring sanctions and compliance of participants via unannounced house visits and curfew checks. The law enforcement officer will act as a liaison between the program and their respective department and be responsible for dissemination of information to officers that come in contact with Drug Court participants to assure reasonable and appropriate measures are used when checking the participants for compliance.

EVALUATOR/RESEARCHER: The evaluator is responsible for developing reliable and valid methodologies to study the effectiveness of the drug court. It is necessary for all drug courts to regularly evaluate their effectiveness. This is done through primarily three evaluations: process, outcome, and cost-benefit. The evaluator is an essential component of every drug court, though this is not necessarily a position/FTE employed by every court; i.e., the role can be filled/provided at the state, regional or local level. The evaluator, while generally considered a part of the drug court team, does not participate in drug court team reviews as it compromises the objectivity of the evaluator and the integrity of the evaluation process.

COURT SUPPORT STAFF

Court support staff includes courtroom clerk, the court reporter, and court security.

Courtroom Clerk:

- Prepare files for status hearings
- Process orders of the court
- Log orders of the court and court dates on front of participants' files
- Hand participants "next court appearance" cards

Court Reporter:

- Record court proceeding at first appearance, expulsion, and/or graduation.