

## Meeting the Challenges of Rural Problem-Solving Courts

- ▶ Hon. Mark Shaner
- ▶ Hon. Jo Beth Weber
- ▶ James Lane, JD
- ▶ Kory Dunn, BS
- ▶ Kelli Storckman, JD
- ▶ Kim Cooper, BS, CADC
- ▶ Fred Chinn
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## Learning Objectives:

- ▶ Examine challenges that are unique to, or accelerated in, rural problem-solving courts
- ▶ Examine Problem-Solving Court Standards and Best Practices in the context of operating in under-resourced areas
- ▶ Through shared experiences of panel members and audience members, learn of potential solutions to challenges in meeting Standards and Best Practices in rural problem-solving courts

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## Standards and Best Practices

- ▶ Illinois Supreme Court Problem-Solving Courts Standards
- ▶ NADCP Best Practice Standards, Volumes I and II

<http://www.illinoiscourts.gov/>

<https://www.nadcp.org/standards/adult-drug-court-best-practice-standards/>

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## Drug Testing Case Study

Mayberry County Drug Court uses a color system for testing its drug court participants. The testing is done by urine samples and is administered by the probation office, which consists of a full-time probation officer and an administrative assistant, both of who are female. Male participants are observed if a court security officer happens to be available.

Drug court participants are placed on a color system, in which they are required to call in each weekday between 8:00-10:00am and report before 4:00pm if their color is testing on that day. The drug court has 5 phases. Participants in Phases 1 and 2 are tested 2 times/week, and participants in Phases 3 and 4 are tested 1 time/week. Participants in the final phase are not tested.

**Does this testing protocol meet Standards and Best Practices? How could it be more effective?**

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## Drug Testing

Kory Dunn, BS

Richland County  
Drug Court  
Probation Officer

Supreme Court PSC Standards, Sect. 4.5, 8.0 and 8.2(d)

- ✓ Random, observed urinalysis
- ✓ Approved drug testing methodology
- ✓ Sufficient frequency to meet current researched-based recommendations

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## Drug Testing

NADCP Best Practices Standards, Vol. II, and Commentary:

- ▶ Frequently enough to ensure substance use is detected quickly and reliably
- ▶ At least 3 times/week until last phase
- ▶ Should be observed
- ▶ Provide rapid results (within 48 hours)
- ▶ Specimens provided within 8 hours of notification

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**Drug Testing**

Commentary:

- ▶ Used to apply incentives or sanctions, adjust treatment and supervision, confirm clinicians diagnostic impressions, and provide feedback
- ▶ More frequent testing = better outcomes
- ▶ The most effective courts test at least 2 times/week
- ▶ Most effective if performed randomly
- ▶ "Random" means that the odds of being tested are the same on any day of the week, including weekends and holidays

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**Challenge:**

**How do we establish a testing protocol that meets the standards and best practices?**

Example: Richland County testing protocol

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**Other Rural Solutions**

- ▶ Testing at the jail
- ▶ Sweat patches
- ▶ Saliva tests
- ▶ Random weekend testing

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**Does this testing protocol meet Standards and Best Practices? How could it be more effective?**

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## Community Support

Judge Jo Beth Weber

Jefferson County Resident Circuit Judge

Judge of Jefferson County Drug Court

Supreme Court Standards, 4.7 Program Sustainability

- ▶ Each PSC shall develop a plan for long-term sustainability. Resources for operations, including staffing and treatment shall be identified. A budget shall be developed and regularly reviewed and modified

Drug Court Ten Key Components, Component 10

- ▶ Forging partnerships among drug courts, public agencies, and community based organizations (to) generate local support and enhance drug court program effectiveness

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## Challenge:

**How do we get community support, financial and otherwise?**

Examples: Jefferson County support organization  
Crawford County support organization  
Lawrence County support organization

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### Other ideas:

- ▶ Presentations to civic groups
- ▶ Fundraisers
- ▶ Work Days
- ▶ Publicity for commencement ceremonies
- ▶ Reach out to businesses, community colleges, universities
- ▶ Other ideas?

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### Law Enforcement Support

Fred Chinn

Chief of Corrections -  
Crawford County  
Sheriff's Department  
&  
Member, Crawford  
County Drug Court  
Team

- ▶ Supreme Court Standards 6.1 Members: The PSC team shall include, but not be limited to, the judge, a prosecutor, a public defender/defense counsel, probation officer(s), licensed treatment provider(s), and the local PSC coordinator. PSC teams may include additional team members
- ▶ NADCP 8P: A. TEAM COMPOSITION: The Drug Court team comprises representatives from all partner agencies involved in the creation of the program, including but not limited to...law enforcement officer.
- ▶ Drug courts are allowed, but not required to have a law enforcement rep. on the team. Studies show that having a law enforcement representative on the team produces better outcomes.

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### Challenge:

**How do we obtain, and keep, the support of law enforcement?**

Example: Crawford County

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**Other suggestions?**

- Make clear the purpose up front
- Keep expectations realistic
- In-jail programs
- Invite law enforcement to Commencement Ceremonies



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**Defense Bar and Prosecutor Support**

Kelli Storckman, JD  
Wabash County States Attorney  
&  
Jim Lane, JD  
Richland County Public Defender

Supreme Court Standards:

- ▶ Consistent attendance by all team members at team staffings linked to better outcomes for PSC participants
- ▶ Imperative that team members have a designated back-up person available to represent that team member, office or agency at staffings when the regular representative is unavailable (vacation, conflicting duty requirements, etc...)
- ▶ With few exceptions, being a member of a PSC team includes the duty to make every reasonable effort to attend staffings in person (with the permission of the PSC judge, other methods can be considered)
- ▶ Team member responsibilities include attendance at staffings and designating a backup who is familiar with the team member's PSC role

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**Challenge:**

**How do we obtain and keep the support of the prosecutor and local defense bar and meet Supreme Court Standards?**

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Other ideas?

- ▶ SA-PD communication should occur as soon as possible via in person, cell, text = "Do it now"
- ▶ Both SA and PD suggest participants even if they are not working the case
- ▶ Both SA and PD suggest Drug Court model to private counsel
- ▶ Both SA and PD work with pretrial services for referrals. (Pretrial can refer clients)

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SUD Treatment Case Study

Green Acres County Drug Court has determined that they get the best results from participants who complete a residential program, so they require all drug court participants to complete a residential treatment program and a halfway house program before returning to the community. When they return, the treatment provider puts everyone into a weekly group session and sees them individually one time per week until a participant reaches Stage 3 (of a 5 Stage drug court program), at which time treatment goes to bi-weekly. If a participant is doing well, they may have their treatment frequency reduced as an incentive.

**Is Green Acres following Standards and Best Practices for their treatment program? How could they be more effective?**

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SUD Treatment

Kim Cooper, BS, CADAC  
Second Circuit Treatment Provider

PCS Standards:

- ▶ Section 8: Participants shall have...receive...treatment to address the individualized clinical needs that are identified by the results of a participant's initial screening and assessment and ongoing reassessments evidence-based, individualized quality treatment
- ▶ Treatment plan may be modified based on the results of reassessment
- ▶ Modifications to treatment shall not be utilized as an incentive or a sanction
- ▶ Participants and the PSC team shall be provided with a copy of all clinical treatment plans and participants shall have their treatment plans explained to them

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SUD Treatment

Best Practices, Vol. 1: Section V:

- ▶ Treatment based on a standardized assessment
- ▶ One or two treatment agencies
- ▶ Sufficient dosage and duration
- ▶ Ordinarily, 6-10 hours of counseling per week during the initial phase
- ▶ Approximately 200 hours of counseling over 9-12 months
- ▶ At least one individual session per week during the first phase of the program

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SUD Treatment

Best Practices, Commentary:

- ▶ Group counseling...but only with evidence-based practices pre-screening
- ▶ Manualized, documented behavioral or cognitive-behavioral treatments
- ▶ Examples: Include Moral Reconciliation Therapy (MRT), Reasoning and Rehabilitation (R & R), Thinking for a Change (T4C), relapse prevention therapy (RPT), and the Matrix Model

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Challenge:

**How do we meet these standards with the limited resources that are often available to rural courts?**

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**Treatment Suggestions and Solutions**

- ▶ Probation-Led MRT
- ▶ Virtual Treatment
- ▶ Grants
- ▶ Community Support Group

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**SUD Treatment Case Study**

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**Peer Recovery Groups**

**Kim Cooper, BS, CADC**  
Second Circuit Treatment Provider  
&  
**Kory Dunn, BS**  
Richland County Drug Court Probation Officer

NADCP Best Practices Standards:  
V. SUBSTANCE USE DISORDER TREATMENT  
I. Peer Support Groups

Participants regularly attend self-help or peer support groups in addition to professional counseling. The peer support groups follow a structured model or curriculum such as the 12-step or Smart Recovery models. Before participants enter the peer support groups, treatment providers use an evidence-based preparatory intervention, such as 12-step facilitation therapy, to prepare the participants for what to expect in the groups and assist them to gain the most benefits from the groups.

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Challenge:

How do participants attend support meetings in rural areas where there are very few meetings and transportation options may be limited?

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Other ideas?

- ▶ Groups that meet via Zoom/Facetime
- ▶ Drug court alumni group

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Team Chemistry Issues

Judge Jo Beth Weber

Jefferson County Resident Circuit Judge & Judge of Jefferson County Drug Court

Judge Mark Shaner

Second Circuit Associate Judge & Judge of Lawrence, Richard, Edwards, & Wabash County Drug Courts

Best Practices Standards, Commentary  
D. Team Communication and Decision Making

In Drug Courts, the multidisciplinary team serves essentially as a panel of "expert witnesses" providing legal and scientific expertise for the judge. Team members have an obligation to contribute relevant observations and insights and to offer suitable recommendations based on their professional knowledge, experience, and training. A team member who remains silent in staffings or defers habitually to group consensus is violating his or her professional obligations to participants and to the administration of justice. The judge may ultimately overrule a team member's assertions, but this fact does not absolve the team member from articulating and justifying an informed opinion.

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Challenge:

**How do we handle team chemistry issues to ensure communication and cooperation among team members when asking for another individual from probation, the S/A's office, the treatment agency, etc.... is not an option?**

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Team Chemistry

- ▶ Who addresses the issue?
- ▶ Best Practices, Vol. II, Commentary:
  - Non adversarial, not non advocacy
  - Effective communication strategies

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Ground Rules

- ▶ Be on time.
- ▶ Be prepared.
- ▶ Be ready to participate.
- ▶ Be engaged throughout the session.
- ▶ Be mindful of your lane.
- ▶ Be respectful of other team members and of participants.
- ▶ Be thorough but succinct.
- ▶ Be professional.
- ▶ Be available.

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**Community Supervision**

**Kory Dunn, BS**  
Richland County  
Drug Court  
Probation Officer

Supreme Court Standards:  
 ▶ 8.2 SUPERVISION OF PARTICIPANT PERFORMANCE (a) The PSC team and judge shall monitor each participant's performance and progress by regular team staffings and status review hearings.

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**Community Supervision**

Best Practices, Vol. II, Sect. VIII:  
 ▶ MULTIDISCIPLINARY TEAM  
 ▶ Commentary: Duties of the community supervision:  
 ✓ performing drug and alcohol testing  
 ✓ conducting home or employment visits  
 ✓ enforcing curfews and travel restrictions  
 ✓ delivering cognitive-behavioral interventions

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**Challenge:**

**How do we adequately supervise participants with under-staffed probation offices?**

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Other Ideas?

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Complementary Services

Liesl Wingert, BS, MHA  
Rural Health Project Coordinator – East Region  
~  
SIU School of Medicine-Center for Rural Health and Social Service Development

Best Practices, Vol. II, Section VI:

- ▶ Complementary treatment and social services
- ▶ For co-occurring conditions likely to interfere with their compliance in drug court
- ▶ More effective and cost-effective with complementary treatment and social services

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Complementary Services

- ▶ Housing assistance
- ▶ Mental health treatment  
\*virtual options
- ▶ Family or interpersonal counseling  
\*are children involved?
- ▶ Community Colleges  
\*learning disability  
\*Ability to read  
\*Specific programs designed to meet workforce development needs
- ▶ Medical/dental/vision treatment
- ▶ Medication-Assisted Recovery (MAR)

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Challenge:

**How do we help participants meet their basic needs in a rural area with limited resources?**

Examples: SIUSOM/IDHS Leadership grant  
Certified Peer Recovery Specialists  
Workforce Development

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Other ideas?

- ▶ Look for creative complementary services (ex: sober living home women's/mother's discussion group)
- ▶ Interagency groups and drug coalitions

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Advantages of Rural Drug Courts

- ▶ Small town = everyone knows everyone
- ▶ Prior relationships with the participants are common
- ▶ Increased personal relationships with team members
- ▶ Employers know us and trust us
- ▶ Shared transportation to meetings and court appointments
- ▶ Smaller groups make it easier to hold each other accountable

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### General resources

- ▶ National Drug Court Resource Center <https://ndcrrc.org/>
- ▶ <https://nrlife.org> (formerly the National Association of Drug Court Professionals)
- ▶ Illinois Association of Problem-Solving Courts <https://www.iaspc.org/problem-solving-courts/resources/>
- ▶ Illinois Probation <https://www.probaton.illinoiscourts.gov/psc>
- ▶ Narcotics Anonymous <https://na.org>
- ▶ National Drug Court Institute <https://www.ndci.org/>
- ▶ Alcoholics Anonymous <https://aa.org/>
- ▶ Life Ring <https://lifering.org/>
- ▶ Women for Sobriety <https://womenforsobriety.org/>
- ▶ Smart Recovery <https://smartrecovery.org/>
- ▶ Rural Drug Court Listserv  
RURALDRUGCOURT: @LISTSERV.AMERICAN.EDU

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### Questions?



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### Panel contact info:

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- ▶ Kory Dunn, BS: [kdunn@il2ndcircuit.org](mailto:kdunn@il2ndcircuit.org)
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- ▶ Liesl Wingert, BS, MHA: [lwingert68@siu-med.edu](mailto:lwingert68@siu-med.edu)

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## GROUND RULES FOR THE BEST TEAM CHEMISTRY

### **1. Show up on time, prepared and ready to participate.**

All staff members should have read the Report and other relevant material, *including Recaps from prior staffings*, have considered any problems and issues that need to be resolved, and be prepared to offer suggestions, solutions, and ideas for decisions that need to be made. For major issues, it is best to have shared your ideas and position before staffing.

### **2. Stay engaged during staffing and during Court Reviews.**

Drug court staffings are worthy of your undivided time and attention. *Anything less is disrespectful to the other team members and counterproductive to our goal of producing the best possible results for our participants.* Drug court reviews are important to the participants, and they should see by your actions that you are engaged with them in their recovery.

### **3. Weekly Reports should be distributed by noon the day before staffing.**

Receiving all relevant information the day before staffing allows everyone ample opportunity to read, digest, and form ideas and opinions. When everyone reads the Report, there is no need for the Report to be read aloud during staffing.

### **4. Except for last-minute events, there should be no new information disclosed at staffing.**

Any significant events occurring between the distribution of the Report and staffing should be shared as soon as possible but definitely before staffing.

### **5. Stay in your lane.**

Though all members of the staff have the same goal, each person has an area of expertise and focus, and that should be respected. However, that doesn't mean that members shouldn't form opinions and advocate for their point of view. Non-adversarial doesn't mean non-advocacy.

### **6. Stay on topic.**

Interesting side stories can be shared before or after drug court.

### **7. Avoid side conversations and distractions during staffing and reviews.**

(See #2 above)

### **8. Be thorough but succinct in your comments and in advocating for your position.**

### **9. Do not interrupt and don't take comments made by other staff members personally.**

Don't take poor choices made by participants personally, either. Whatever caused the participant to relapse, miss an appointment, provide a positive drug test, or make whatever bad decision, it probably wasn't done to spite the staff or make our lives more complicated.



**10. Remember there is a place for subjective information, but decisions are based on objective information. Objective information should be the main focus.**

**11. All members should stay for the court review after staffing unless there are special circumstances.**

**12. Since drug court is court, the judge should wear a robe and attendees should stand when the judge enters for Court Reviews.**

There is some informality in drug court, but it is still court and participants should remember that. *Drinks and food are fine for staffings but should be put out of sight for court.*

**13. When participants appear by Zoom, they should be given ground rules to follow. These rules could include:**

- a) Be at a location with stable internet service and manageable background noise.
- b) Mute yourself upon entry and do not unmute until the judge calls for you.
- c) Be dressed appropriately for court and act like you're in court. Don't eat, drink or smoke, don't have a radio or television on in the background, and don't be reclining.
- d) Be at a location or room with lighting that allows you to be seen.
- e) Do not leave the Zoom room until being advised by the judge to do so.
- f) Remember that appearing by Zoom, and not in person, is a privilege.

**14. After the Court Review, stick around to discuss anything that might have come up during the Review.**

If time allows, a recap of assignments/goals should be stated.

## GENERAL RESOURCES

National Drug Court Resource Center <https://ndcrc.org/>

<https://allrise.org> (formerly the National Association of Drug Court Professionals)

Illinois Association of Problem-Solving Courts <https://www.ilapsc.org/problem-solving-courts/resources/>

Illinois Probation <https://www.probation.illinoiscourts.gov/psc>

Narcotics Anonymous <https://na.org>

National Drug Court Institute <https://www.ndci.org/>

Alcoholics Anonymous <https://aa.org/>

Life Ring <https://lifering.org/>

Women for Sobriety <https://womenforsobriety.org/>

Smart Recovery <https://smartrecovery.org/>

Rural Drug Court Listserv: [RURALDRUGCOURT-L@LISTSERV.AMERICAN.EDU](mailto:RURALDRUGCOURT-L@LISTSERV.AMERICAN.EDU)

Illinois Helpline <https://helplineil.org>

IDHS - Division of Substance Use Prevention and Recovery  
<https://www.dhs.state.il.us/page.aspx?item=29759>

Substance Abuse and Mental Health Services Administration (SAMHSA)  
<https://www.samhsa.gov/>

SAMHSA online meeting registry  
<https://mail.google.com/mail/u/0?ui=2&ik=0c11458394&attid=0.1&permmmsgid=msg-f:1775506000959689006&th=18a3dd4d03c6d12e&view=att&disp=inline>