TASK FORCE ON

MILITARY SERVICE MEMBERS, VETERANS, AND THE COURTS

Findings and Recommendations

December 1, 2013

DOUGLAS J. J. PETERS
23rd Legislative District
Prince George's County

Budget and Taxation Committee
Vice Chair, Capital Budget Subcommittee
Health and Human Services Subcommittee

Joint Committee on
Base Realignment and Closure

The Senate of Maryland
ANNAPOLIS, MARYLAND 21401

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December 1, 2013

The Honorable Martin J. O'Malley
Governor of Maryland
State House
100 State Circle
Annapolis, Maryland 21401

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
100 State Circle
Annapolis, Maryland 21401

The Honorable Michael E. Busch
Speaker of the House
State House
100 State Circle
Annapolis, Maryland 21401

The Honorable Mary Ellen Barbera
Chief Judge, Maryland Court of Appeals
Robert C. Murphy Courts of Appeal Building
361 Rowe Boulevard
Annapolis, Maryland 21401

Dear Governor O'Malley, President Miller, Speaker Busch, and Chief Judge Barbera:

The Task Force on Military Service Members, Veterans, and the Courts was established by House Bill 252 in the 2012 Session of the General Assembly. I respectfully submit the task force's final report.

The task force was charged with three objectives: (1) study military service-related mental health issues of veterans and military service members that may appear in civil, family, and criminal cases; (2) study ways the courts may address certain crimes committed by veterans and military service members; and (3) make recommendations regarding the establishment of a special court for eligible veterans and military service

members who suffer from mental illness, substance abuse, or post-traumatic stress syndrome.

The work of the task force over the past year has produced background information about veterans treatment courts around the country, as well as recommendations on what we should do here in Maryland.

I would like to express my appreciation to the members who served on the task force. We are grateful for their willingness to serve the public by contributing their expertise to this very important issue.

On behalf of the task force, I would like to thank you for considering the recommendations in this report. We look forward to working with you to continue to evaluate, and perhaps implement, Veterans Treatment Courts in the state of Maryland.

Sincerely,

Senator Douglas J.J. Peters
Chair
Task Force on Military Service Members, Veterans, and the Courts

Task Force on

Military Service Members, Veterans, and the Courts

Participating Members

Senator Douglas J.J. Peters, Chair

Delegate Michael D. Smigiel, Sr.

Delegate Geraldine Valentino-Smith

Judge Nancy L. Davis-Loomis

Judge Neil E. Axel

Secretary Edward Chow, Jr., Maryland Department of Veterans Affairs

Secretary Gary D. Maynard, Maryland Department of Public Safety and Correctional Services

Peter Killough – Attorney General's Office

Darren McGregor – Designee for Dr. Joshua Sharfstein, Secretary of the Maryland Department of Health and Mental Hygiene

Gray Barton – Office of Problem Solving Courts

Clifford Boan – Governor's appointee to the task force

Gerard Devlin – Governor's appointee to the task force

Thomas V. Kimball, Jr. – Governor's appointee to the task force

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EXECUTIVE SUMMARY

The Task Force on Military Service Members, Veterans, and the Courts met on five occasions: December 10, 2012; April 22, 2013; June 10, 2013; September 9, 2013; and October 30, 2013. The task force consists of a well-rounded group of individuals representing the judicial system, the veteran community, the legislature, and key state agencies.

Here is a brief summary of what took place at the meetings of the task force:

December 10, 2012

- Overview of Veterans Treatment Courts in the U.S. Briefing by Ken Gardner, Director of the Veterans Treatment Court Planning Initiative, Justice for Vets, National Association of Drug Court Professionals.
- Overview of Prince George's County's effort to set up a Veterans Treatment Court. Briefing by Julisa Robinson, Director of the Prince George's County Drug Court Division.

April 22, 2013

- Overview of the U.S. Department of Veterans Affairs Veterans Justice Outreach Program, and how they would interact with Veterans Treatment Courts in Maryland. Briefing by James Haskell, Incarcerated Veteran Re-Entry Specialist with the VA Maryland Health Care System.
- Remarks on the concept of Veterans Treatment Courts from the Maryland State Bar Association, Veterans Affairs and Military Law Committee. Remarks presented by Michael Comeau, Committee Chair.

June 10, 2013

- Videoconference with Judge William Withan, Superior Court of Delaware, to hear about his experience setting up a Veterans Treatment Court in Delaware.
- Presentation about national support available to assist states in setting up Veterans Treatment Courts. Briefing by Matt Stiner, Director of Justice for Vets Program, National Association of Drug Court Professionals.
- Received presentation from task force member Gray Barton about the process to apply for a specialty court in Maryland. Mr. Barton stated that specialty courts have been found to be fiscally responsible, since treatment programs are less costly than incarceration. **See Appendix 1, Application & Plan for Proposed Problem-Solving Court Program)**

September 9, 2013 and October 30, 2013

- Task force discussion about final recommendations

According to the latest estimates from the U.S. Department of Veterans Affairs, there are approximately 28,000 Marylanders who have fought in the wars in Iraq/Afghanistan, and 20% of them have symptoms of a mental disorder or substance

abuse. These numbers increase significantly when you include Maryland veterans from other conflicts such as the Gulf War and the Vietnam War.

"The U.S. Department of Veterans Affairs is committed to the principle that when veterans' non-violent offenses are products of mental illness, veterans and their communities are often better served by mental health treatment than incarceration."
Quote from the VA Medical Center Handbook

Many states around the country have found that, by having a special court to deal strictly with military veterans (a Veterans Treatment Court), the veteran can get enrolled in treatment programs, and thus avoid incarceration. Most treatment programs for veterans are administered through the U.S. VA Health Care system. Studies have shown that veterans who are rehabilitated through the Veterans Treatment Courts have a much better chance of successfully reintegrating back into society. These courts use the Drug Court model to serve veterans struggling with addiction and serious mental illness. They promote sobriety, recovery and stability through a coordinated response that involves traditional partners found in Drug Courts, with the addition of the U.S. Department of Veterans Affairs health care networks and other veterans support organizations. There is a program at the U.S. Department of Veterans Affairs called the Veterans Justice Outreach Initiative, and the Maryland program specialists from this initiative would be available to work with the court system as necessary.

When considering the creation of a new Veterans Treatment Court, two of the many issues to be addressed involve the target population and what type of offenses would be allowed.

It is important for any Veterans Treatment Court to clarify the types of veterans/military personnel who would be eligible for treatment in these courts. Is the veteran ineligible if he/she has an "Other Than Honorable Discharge?" If there is a soldier who is serving in the National Guard or Reserves, and has never been on active duty other than for training (and therefore does not fit the normal definition of a veteran), should they be considered eligible for these courts? There are different ways to handle this, and each Veteran Treatment Court needs to address this.

In addition, each Veterans Treatment Court must identify what types of offenses will be allowed in Veterans Treatment Courts. Some will only allow non-violent offenses, partly because they had grant money that stipulated this restriction. Some allow violent offenses such as domestic abuse, but not murders/sexual offenses. This too must be addressed and each jurisdiction will have its own requirements.

There are 168 jurisdictions in 35 states throughout the country that have established Veterans Treatment Courts (**see list in Appendix 2**). In Maryland there is no legislation required to create a Veterans Treatment Court, and a Veterans Treatment Court can be established at either the circuit or district level. In most cases around

the country, the local district/circuit court judge took the initiative to start the court. If any funds were required, they would be provided by the court's budget.

In 2010, the American Bar Association's House of Delegates adopted recommendations to support the establishment of Veterans Treatment Courts – **see American Bar Association document in Appendix 3**.The task force agrees with the American Bar Association Report and Recommendations in that successful Veterans Treatment Courts can result in the following outcomes:

- Prevention of veteran homelessness
- Recovery and sobriety achieved by following treatment programs
- Connection to all VA benefits
- Improved communication and reunification with family
- Reentry into the workforce
- Economic savings to the courts, criminal justice and public health systems, and the community

This task force concludes that the judiciary and various State agencies can more effectively address the needs of veterans who either enter the court system or are otherwise in need of community services. Veterans Treatment Courts could be one effective option for the courts to use in dealing with veteran/military service member offenders – to promote treatment and rehabilitation rather than incarceration. Other State agencies should take steps to further study the needs of veterans, determine the availability of veteran-specific programs within the community, and inform its agency employees of the availability of services so to be better able to make appropriate referrals. Where needed, all branches and levels of government should adequately fund initiatives and programs to enhance the delivery of services to veterans.

Background Information on Veterans Treatment Courts in the U.S.

The following information was obtained from Justice for Vets, the National Clearinghouse for Veterans Treatment Courts at the National Association of Drug Court Professionals.

The Problem

- 1 in 5 Iraq/Afghanistan war veterans have a mental health condition
- Some veterans turn to drugs/alcohol as a result of their service
- Traditional community treatment does not meet the needs of veterans
- As a result of the aforementioned items, some veterans are ending up in the criminal justice system because of their military service

History of Drug Courts

- 1989 Miami-Dade site of first Drug Court
- Drug Courts bring together all stakeholders; judge, prosecutor, defense attorney, probation, and treatment
- Work together to use the leverage of the court to keep people in treatment long enough to permanently change
- Currently there are over 2,500 Drug Courts in all fifty states
- Veterans Treatment Courts utilize a model similar to the Drug Courts

Highlights of Veterans Treatment Courts

- First Veterans Treatment Court was started in January, 2008, in Buffalo, NY
- It is a Hybrid Drug and Mental Health Court
- Provides veterans with intensive treatment and other services while holding them accountable to the court, society, their families and themselves
- Requires frequent court appearances and random drug tests
- Provides rewards for positive behavior and sanctions for negative behavior
- In 2013, there are 168 jurisdictions in 35 states that have Veterans Treatment Courts

Stakeholders Involved with a Veterans Treatment Court

- U.S. Veterans Health Administration (VHA)
- U.S. Veterans Benefit Administration (VBA)
- Veterans Service Organizations (American Legion, VFW, etc.)
- Vet Centers (U.S. Dept. of Veterans Affairs' Re-Adjustment Counseling Services)
- Volunteer Veteran Mentors
- State Department of Veterans Affairs
- State Department of Labor Veteran Employment Representatives
- State/County Bar Associations
- Congressional Offices
- Community Agencies

Beyond the Structure – Aspects of the Veterans Treatment Courts

- One Stop Shop to treat the veterans
- Tap into the military culture, which the veterans are comfortable with
- Judge becomes, in effect, the "Commanding Officer" within the military unit (the court)
- Veteran Mentors become "fire team leaders"
- Changing the way the criminal justice system approaches veterans
- Positive impact on society by reducing suicides, homelessness, unemployment, families, and costs of incarcerations

Training on How to Start a Veterans Treatment Court

- Training is funded by a Department of Justice (DOJ) Grant, and through a grant from the Center for Substance Abuse Treatment at the Substance Abuse and Mental Health Services Administration (SAMSHA)
- 5-day training program
- *The Honorable Sheila R. Tillerson Adams, (Administrative Judge for the 7th Judicial Circuit of Maryland) Circuit Court for Prince George's County requested this training for county personnel in November of 2011. In April 2012, the following individuals/offices attended the Veterans Treatment Court Training in Buffalo: The Honorable Beverly J. Woodward, Julisa Robinson, Director, Drug Court Division, and the Office of the Public Defender, the office of the States Attorney, the Health Department, and the Office of Sheriff's. A committee was established in Prince George's County to study the possibility of a Veterans Treatment Court in Prince George's County; however, a lack of funding is creating an obstacle to move forward.*

National Organizations that Support Veterans Treatment Courts (source: www.justiceforvets.org)

- American Bar Association
- American Judges Association
- American Legion
- American Veterans (AMVETS)
- Blue Star Mothers
- Disabled American Veterans (DAV)
- Marine Corps League
- National Association of State Directors of Veterans Affairs (NASDVA)
- National District Attorneys Association
- National Sheriff's Association
- Veterans of Foreign Wars (VFW)

Outcomes of Veterans Treatment Courts

- Buffalo (NY) Veterans Treatment Court, launched in January of 2008; 83 graduates, zero re-arrests

- Tulsa (OK) Veterans Treatment Court, launched in December of 2008; 73 graduates, only 4 re-arrests
- Rochester (NY) Veterans Treatment Court, launched in January of 2009; 96 graduates, only 7 re-arrests

The following information was obtained from a report titled "VA Veterans Justice Programs," dated February 7, 2013, from the VA (written by Jim McGuire, PhD; Sean Clark, JD; Jessica Blue-Howells, LCSW; and Cedric Coe, MAFO)

- The Veterans Health Administration has a program called Veteran Justice Outreach (VJO). The program consists of VJO Specialists who assist veterans who are caught up in the judicial system.
- Around the U.S., the VJO Specialists have been actively involved in making the Veterans Treatment Courts a success. As the number of Veterans Treatment Courts grows, so do staffing pressures on the VJO Specialists.
- The rapid growth of the Veterans Treatment Courts in the U.S. is the work of the judges, prosecutors, public defenders, attorneys, court coordinators and officials, VJO Specialists, State and County Veterans Service Officers and Veteran Service Organizations, who have worked locally to make them happen.
- Volunteer Veteran Mentor programs have been an important part of the success for about half of the Veterans Treatment Courts; these programs function as a peer support resource for veterans who were arrested and are going through the Veterans Treatment Court program.
- Most Veterans Treatment Courts admit both felony and misdemeanor defendants.
- 69% of veterans that go through the Veterans Treatment Court program successfully complete the program; 31% do not, due to voluntary exits, illness, noncompliance, etc.
- The four critical components of the Veterans Treatment Courts are as follows:
    - The Veteran, who must ultimately decide to make use of the structure the court provides and the tools provided by healthcare providers to make a constructive community readjustment and to end their involvement in the justice system;
    - The Court, including the judge, the prosecutor, the public defender and/or private attorneys, but also critically the court coordinator and usually probation, that provides the structure and operates the court;
    - The Treatment Providers, both VA and non-VA community/county providers, who assist veterans in gaining access to tools that, if used, will result in success, and;
    - The Veteran Peer Supports, commonly called peer mentors, who provide help and encouragement in finding and using various available services, including navigating the complexity of VA services and benefits.

According to Jim Haskell, VJO Specialist for the VA Maryland Health Care System:

- 59% of incarcerated people from the state-run prisons in Maryland come back to Baltimore City to live. Therefore, his suggestion is that if Maryland was to have a

Veterans Treatment Court, it should be in Baltimore City –this is where the largest number of veterans are.

- 29% of incarcerated people from state-run prisons in Maryland come back to either Baltimore County or Prince George's County, and the final 12% are spread around the state.
- ***See attached map of Maryland Veteran Population, by County – Appendix 4****. 3 of the top 5 jurisdictions of veteran population; Prince George's County, Baltimore County and Baltimore City, are where 88% of formerly incarcerated people from state-run prisons return to.*

****According to Michael Comeau, Sr. Asst. County Attorney from Harford County***:

- The Maryland State Bar Association's Special Committee on Veterans Affairs and Military Law is supportive of the concept of establishing Veterans Treatment Courts in the state of Maryland.

****The following information was obtained from the task force's videoconference with Judge William Withan, Superior Court of Delaware, who shared his experience on setting up a Veterans Treatment Court in Delaware***:

- They decided to establish the Veterans Treatment Court as a type of specialty court, which made it more cost effective
- Judge Withan implemented the first Veterans Treatment Court in Delaware in February, 2011
- Delaware's second Veterans Treatment Court in New Castle County started in early 2013
- They have experienced an 84% success rate in their Veterans Treatment Courts – meaning that 84% of those who graduate do not recidivate within 12 months
- Any veteran with any discharge is eligible for the Veterans Treatment Court
- They allow violent crimes and domestic abuse cases in their Veterans Treatment Courts (other states do not – they only allow non-violent offenders to participate)
- They do not allow capital felonies – murders, rapes/all sexual offense charges, in Veterans Treatment Courts
- The Attorney General in Delaware approves all Veterans Treatment Court activities; the AG office also has to approve each referral of a veteran to a Veterans Treatment Court
- The Deputy AG in each county must review each veteran being considered for placement in a Veterans Treatment Court – the AG's office did not receive any funding for this, they handled it with existing resources
- It helps if the clerk of the court and probation officers are veterans themselves
- Each veteran is assigned a volunteer mentor
- Delaware received a grant of $3,000 from DOJ to train volunteer mentors
- Costs to operate the Veterans Treatment Courts: they utilized existing resources, plus the state contracted out treatment providers for shelter

- Administrative operation of the Veterans Treatment Court: they just absorbed this with existing resources
- A few judges in Delaware went to the Veterans Treatment Court training in Buffalo. Judge Withan executed a Memorandum of Understanding with the local U.S. VA office in Delaware, and the VA has been very supportive of their Veterans Treatment Courts

FINAL RECOMMENDATIONS

To address the various needs of veterans who suffer from mental health issues and substance abuse problems, access to treatment specific to the needs of veterans and access to mentors and other veteran services play a critical role. Generally, Veterans Treatment Courts represent one way to effectively address barriers to success for veterans who enter the criminal justice system. The Courts play an important role in addressing these issues, but it is also a responsibility that can be borne by a number of agencies and organizations. Accordingly, the task force makes the following recommendations:

1. Due to the overwhelming success of Veterans Treatment Courts throughout the U.S., the task force recommends that local jurisdictions strongly consider establishing Veterans Treatment Courts. Many have started by obtaining training paid for by federal grants, and then establishing the courts gradually with existing resources. Since Prince George's County has already received some training on this subject, we recommend that the pilot Veterans Treatment Court be established at the Prince George's County Circuit Court, and then follow up with the next Veterans Treatment Court in Baltimore City or Baltimore County.

   Local jurisdictions could utilize the same procedures used by other proposed problem solving court programs to identify community needs and resources in determining whether to implement a Veterans Treatment Court. These procedures include bringing together a group of essential stakeholders from the community, agreeing upon the scope and breath of the treatment court program, addressing personnel and funding issues, and obtaining training that is available both locally and on the national level. Procedurally, the judiciary already has in place a protocol to approve a local jurisdiction's application to add a Veterans Treatment Court to its complement of dockets, programs and services.

   It is important to note, however, that when planning and implementing a Veterans Treatment Court, in order to establish a successful program, it will be important to assess the availability and accessibility of veteran-specific services within the jurisdiction. The Veterans Treatment Courts established around the country have relied heavily upon not only traditional drug court team members and problem-solving court protocols but also the presence of "one-stop shop" treatment facilities, veteran mentors, and Veteran Justice Outreach (VJO) Specialists to work directly with veterans who participate in the Veterans Treatment Court.

2. The U.S. Department of Veterans Affairs' VA Health Care System (specifically VISN 5, which serves Maryland veterans), will need to provide additional staffing of Veterans Justice Outreach (VJO) Specialists to support the Veterans Treatment Courts in Maryland (first in Prince George's County, then in more locations going forward).

3. The U.S. Department of Veterans Affairs' VA Health Care System (VISN 5) and local private hospitals will need to provide priority bed placements for veterans who are under the control of the Veterans Treatment Courts.

4. The budget required to implement a Veteran Treatment Court will be determined by the local jurisdiction:
   - Start-up costs
   - Ongoing operational costs

See Appendix 5 for an estimate of the cost of operating a Veteran Treatment Court.
See Appendix 6 for announcement of Congressional funding for Veteran Treatment Courts.

5. The Maryland Department of Veteran Affairs should undertake a community mapping of available veteran treatment centers (including the scope of services available at each center). The mapping should include a survey of all veteran-specific treatment services, available veteran mentors, available Veteran Justice Outreach Specialists, and all other resources available to address veteran-specific issues. Upon completion of the community mapping, MDVA should disseminate the results of the community mapping, by jurisdiction, to all interested stakeholders including, but not limited to, the judiciary, the office of problem solving courts, bar associations, parole and probation, corrections, local jails and local health departments.

6. The Office of Problem Solving Courts should explore with the various existing drug and other problem solving court programs the incorporation of eligible veterans into existing problem solving court programs and network with community resources to deal with veteran-specific treatment issues.

7. .The members of the Maryland Judiciary should be encouraged to incorporate veteran services as conditions of probation, when appropriate.

8. .The Maryland Judiciary should provide continuing judicial education on legal issues faced by veterans and ways to more effectively deal with veteran-specific issues in our courts.

9. .The Department of Public Safety and Correctional Services should take steps to ensure that community supervision agents and others are informed of the particular needs of veterans and the various services available to veterans who may be in need of such services to successfully re-enter/remain in the community.

10. All branches and levels of government should take necessary steps to provide sufficient funding to support the development and implementation of veteran-specific initiatives to effectively deal with veterans who enter the criminal justice system.

11. The legal community should work to educate the members of the Bar regarding the needs of veterans and available resources within the community. If the Bench and Bar were more aware of the needs of veterans, and the availability of veteran-specific programs, sentences that are imposed on veterans who enter the criminal justice system could incorporate treatment conditions that could reduce recidivism. Counsel for veterans who appear in court as criminal defendants could and should be in a position to recommend to the Court a sentence that could include particular treatment services for veterans in the community.

12. All local jurisdictions should ensure that, during their arrest and booking process, they take reasonable attempts to identify those who served in the military.

APPENDIX 1

MARYLAND JUDICIARY

JUDICIAL CONFERENCE COMMITTEE ON PROBLEM-SOLVING COURTS

Application & Plan for Proposed Problem-Solving Court Program

Informational Materials and Application

Office of Problem-Solving Courts

2011-D Commerce Park Drive

Annapolis, Maryland 21401

dtcc@mdcourts.gov

(410) 260-3615

Table of Contents

Section 1. Purpose

The purpose of this application is to provide a formal process for planning problem-solving courts to become operational and be recognized by the Court of Appeals as such. Applicants are expected to provide a completed application and any supporting materials that would provide the most accurate detail of the proposed problem-solving court. The contents of any Application to be submitted must comply with Maryland Rule 16-206 and Chief Judge Bell's Administrative order dated June 17, 2010.

The approval of this application by the Court of Appeals does not imply any financial support for the operational problem-solving court. Requests for funding or other resources should not be included in this application.

Section 2. Background

Maryland's drug treatment court movement started in the early 1990's as a response to the surge of drug-related cases, which overwhelmed dockets and caused enormous trial delays. Maryland's first drug treatment court began in March 1994, in the District Court for Baltimore City.

The Drug Treatment Court Commission of Maryland became active in 2002, pursuant to an order of Chief Judge Robert M. Bell. The Commission was recognized as the lead agency in the State's effort to operate and maintain drug treatment court programs for the State of Maryland. Commission members included: Circuit Court and District Court Judges, Legislators, representatives from the Department of Health and Mental Hygiene, the Department of Juvenile Services, the Department of Public Safety and Correctional Services, State's Attorney's Offices, the Office of the Public Defender, the Governor's Office of Crime Control and Prevention, providers of addition treatment services, and community leaders.

In December of 2006, Chief Judge Robert M. Bell issued an administrative order establishing the Standing Committee on Problem-Solving Courts. These courts, such as drug treatment and mental health courts have grown as public and other branches of state government look to the courts to help solve the problem of crime through non–traditional methods.

On June 17, 2010, Chief Judge Bell issued an administrative order proscribing the procedure to be followed for the approval of new Problem-Solving Court Programs in the Circuit and District Courts, and setting forth the requirements for any application for a proposed problem-solving court program.

Section 3. Application and Submission Information

Application Specifications

The application must be submitted utilizing either Microsoft Word or WordPerfect, Times New Roman font set at 12, or by using the online application available through the Office of Problem Solving Courts website. Do not use staples or bind the signed applications. Do not modify the application format in any way. The application submission must have proper signatures to be considered.

All or select portions of the application may be requested to be resubmitted if the application is not complete, clear, and concise. Fully explain and describe all acronyms or terms used.

Signed applications and all attachments should be forwarded to the State Court Administrator at the following address:

State Court Administrator
Administrative Office of the Courts

580 Taylor Avenue

Annapolis, Md. 21401

Copies of the application and all attachments should be forwarded to:

Honorable Robert M. Bell
Chief Judge, Maryland Court of Appeals
361 Rowe Boulevard

Annapolis, Md. 21401

Judicial Conference Standing Committee on Problem-Solving Courts
c/o Gray Barton, Executive Director
Office of Problem-Solving Courts
2011-D Commerce Park Drive
Annapolis, Maryland 21401

Technical Assistance

For additional technical assistance in relation to this application, please contact the Office of Problem-Solving Courts at:

Office of Problem-Solving Courts
2011-D Commerce Park Drive

Annapolis, Maryland 21401
(410) 260-3615
dtcc@mdcourts.gov

Section 4. Review and Approval of Application

Initial Review of Application

Chief Judge Bell's Administrative Order requires that prior to submitting an Application & Plan for a Proposed Problem-Solving Court Program, the applicant should confer with the Office of Problem Solving Courts and each State, local, or federal agency or official whose participation in the program will be required under the plan.

Additionally, the Judicial Conference Committee for Problem-Solving Courts will review the application to determine whether the program is comprehensible; identify potential program weaknesses or areas of concern, and whether the application has adequate facilities, staff, and management capacity. The Chair of the Judicial Conference Committee may appoint a representative(s) to conduct an on-site visit to determine whether all requirements for approval have been met. The Committee may request clarification and offer recommendations or corrections as necessary.

Approval Process

Once submitted to the State Court Administrator, the Judicial Conference Committee for Problem-Solving Courts shall review the plan and forward its recommendations regarding the prospective problem-solving court application to the State Court Administrator.

Upon receipt of the recommendations from the Judicial Conference Standing Committee on Problem-Solving Courts, the State Court Administrator shall review the Application & Plan to assure compliance with Maryland Rule 16-206, make such investigations and acquire such additional information as the Administrator deems appropriate, consult with the submitting judge and the Judicial Conference Standing Committee on Problem-Solving Courts. Within four (4) months after submission of the Plan, unless extended by the Chief Judge of the Court of Appeals, the State Court Administrator will file with the Court of Appeals a Report containing the Application & Plan, amendments to the Plan, if any, and any written comments and recommendations from the State Court Administrator and the Judicial Conference Standing Committee.

Upon receipt of the State Court Administrator's Report, the Court of Appeals will schedule a review of the Plan for approval.

Section 5. Application Requirements

Chief Judge Bell's Administrative Order requires that the Application & Plan contain the following:

I. Explicit statements regarding the nature and purpose of the program, including
   a. the target population to be served by the program;
   b. the estimated number of persons in that target population expected to participate in the program on an annual basis; and
   c. the services to be provided by the program and which agencies or officials will be responsible for providing those services;

II. A clear statement of the proposed structure of the program, including: the duties and functions of judges, other judicial personnel, and non-judicial personnel or agencies expected to participate in the program;

III. Whether a judge or master proposing to preside over a program has completed the following educational courses:
   a. Introduction and Orientation to Drug Court/Mental Health Court/Truancy Court (as appropriate); and
   b. Judicial Roles Training;

IV. Specific protocols and requirements regarding referrals and entry of participants into the program, including:
   a. eligibility criteria for participation in the program, and the methods by which eligibility will be determined and participants will be approved for the program;
   b. whether self-represented participants will be accepted and, if so, how any right to the assistance of counsel will be protected;
   c. the form and content of any written agreement a proposed participant will be expected to sign and a clear statement of how such an agreement will be presented and explained to the participant and a finding made that the participant understands the agreement and enters into it knowingly and voluntarily;

V. A clear description of how the program will operate, including:
   a. the expected role of counsel in the program;
   b. the criteria by which a participant's success will be measured;
   c. the kinds of requirements and restrictions that will be imposed on participants;
   d. the methods and procedures for measuring a participant's satisfaction of those requirements, restrictions, and criteria;
   e. the nature of any rewards and sanctions to which a participant may be subject and the procedures for implementing rewards and imposing sanctions; and

f. criteria for both satisfactory and unsatisfactory termination of a participant's participation in the program and the procedures for determining and implementing such terminations;

VI. An estimated budget for the program approved by the submitting judge and a description of the expected funding sources; and

VII. Such other provisions required by Rule 16-206 or as reasonably directed by the Office of Problem-Solving Courts or the State Court Administrator.

Application & Plan for Proposed Problem-Solving Court Program

Section I – Court Information

Court Jurisdiction _____

Address_____

City _____ State _____ Zip Code _____

Phone Number _____ Email _____

Administrative Judge _____

Problem-Solving Court Judge (if different) _____

Program Contact Name and Information_____

Address_____

City _____ State _____ Zip Code _____

Phone Number _____ Email _____

Section II – Problem Solving Court Description

Type of Problem Solving Court

□ Adult Drug Court □ DUI/Drug Court □ Family Recovery Court

□ Juvenile Drug Court □ Mental Health Court □ Re-Entry Court

□ Truancy Court □ Other _____

Program Summary:
The Program Summary should provide a concise summary of the proposal and briefly describe the components of the proposed Problem-Solving Court, including the type of cases that can be accepted, the treatment strategies and modalities that will be used.

What is the proposed length of the Program? _____

Estimated projected program capacity: _____

Projected number of participants to be admitted to the program,
During the first fiscal year: _____
During the second fiscal year: _____

Who is allowed to participate in the problem-solving court program? (Check all that apply):

- ❑ Adults Males
- ❑ Adult Females
- ❑ Repeat Offenders
- ❑ Probation Violators
- ❑ Offenders with a Substance Addiction (Controlled or Otherwise)
- ❑ Offenders with a Mental Illness or disability
- ❑ Juveniles
- ❑ Non-Violent Offenders
- ❑ First-Time Offenders
- ❑ Parole Violators
- ❑ Other

If Other, please explain:

Please describe any criteria for eligibility or ineligibility for a prospective participant, including whether self-represented participants will be accepted and if so, how any right to the assistance of counsel will be protected:

Please explain how participants are identified and referred to the problem-solving court program.

Will a prospective participant be expected to sign a written agreement upon entry into the program?

□ No □ Yes (attach a copy of the written agreement)
If yes, describe how the agreement will be presented and explained to the participant and steps to be taken by the Court to determine whether the participant understands the agreement, and enters into it knowingly and voluntarily:

Please explain how participants are assessed and referred to the appropriate level of treatment and/or other essential services. Identify any screening and assessment tools that will be used and why.

Provide a description of your target population and what local data is being used to support that decision.

Does the problem-solving court have phases? □ No □ Yes (describe below)

Phase	**How Long?**	**Phase**	**How Long?**
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Describe the frequency and nature of judicial involvement and interaction with the participants:

Describe the methods of supervision and monitoring that will be utilized:

Please explain how program participants may exit the problem-solving court program, including criteria for graduation.

Section III - Available Services

What services are available to problem-solving court participants? (Check all that apply):

- ❑ AA/NA/CA
- ❑ Academic/GED/Vocational
- ❑ Assisted Living
- ❑ Case Management
- ❑ Childcare
- ❑ Cognitive Behavioral/Restructuring
- ❑ Co-occurring Treatment
- ❑ Day Reporting
- ❑ Day Treatment
- ❑ Detoxification
- ❑ Developmental Disabilities Support Services
- ❑ Early Recovery
- ❑ Family Therapy
- ❑ Group Counseling
- ❑ Half-way House
- ❑ Housing
- ❑ Individual Counseling
- ❑ In-patient Treatment (up to 28 days)
- ❑ Intensive Outpatient
- ❑ Job Training
- ❑ Life Skills
- ❑ Mental Health
- ❑ Methadone Treatment (Medically Supervised)
- ❑ Other Support Groups
- ❑ Outpatient Treatment
- ❑ Parenting Class
- ❑ Primary Health/Dental Care
- ❑ Probation Residential Services
- ❑ Relapse Prevention
- ❑ Substance Abuse Residential
- ❑ Three-quarter House
- ❑ Other (List)

_____
_____
_____
_____
_____
_____

Please list all TREATMENT or SERVICE Providers associated with your problem-solving court program:

Company/Agency	**Type of Treatment**	**Point of Contact**	**Phone**

Provide information on what partnerships are being established. Please attach documents and Memorandums of Understanding as appropriate.

Section IV – Funding

Describe the total amount of funding the program has received, or anticipates receiving this fiscal year. (**Fill ALL that apply, explain as needed and enter the total annual funding amount):**

Funding Source	**Funding Amount**
A. Federal Government	
_____	**$**_____
_____	**$**_____
_____	**$**_____
_____	**$**_____
B. State Government	
_____	**$**_____
_____	**$**_____
_____	**$**_____
_____	**$**_____
C. Local Government	
_____	**$**_____
_____	**$**_____
_____	**$**_____
_____	**$**_____
D. Private Sources (i.e. Grants, donations from businesses or foundations, and other charitable organizations)	
_____	**$**_____
_____	**$**_____
_____	**$**_____

_____ **$**_____

E. Other

_____ **$**_____
_____ **$**_____
_____ **$**_____
_____ **$**_____
_____ **$**_____
_____ **$**_____

Describe your plan and/or goals to financially sustain the program as a valuable and cost effective service to the community:

Section V - Statistical Data and Evaluation

How is data to be collected and compiled?

□ Automated □ Manually □ Both

Describe the method in which the problem-solving court plans to collect and then use the data and statistics to effectively determine whether the program is meeting its goals and objectives.

Section VI - Problem-Solving Court Personnel

Please list all personnel associated with your problem-solving court program (i.e. judge, coordinator, prosecutor, defense counsel, probation, etc.)

Name	**Role**	**Phone**	**E-Mail Address**

Has this problem-solving court judge received formal training in establishing a problem-solving court? If the answer is Yes, please list who provided the training and when it was provided.

□ No □ Yes By Whom & When _____
By Whom & When _____
By Whom & When _____

Signing Authority

This Application & Plan for Proposed Problem-Solving Court Program has been authorized for submission by:

_____ _____

Signature of Administrative Judge **Date**

_____ _____

Signature of Problem-Solving Court Judge (If Different) **Date**

APPENDIX 2

VJO Specialist	VISN	Judge	Court	State
Yolanda Peay	1	Judge Mary Sullivan	Norfolk County Veterans Treatment Court	MA
Ann Smith-Howles	2	Judge Stephen Forrest	Elmira City Veterans Court	NY
Courtney Slade	2	Judge Herrick	Albany County Veterans Treatment Court	NY
Courtney Slade	2	Judge Keefe	Albany Regional Veterans Treatment Court Albany NY 12202	NY
Courtney Slade	2	Judge Maier	Vet Track - Rennselaer	NY
John LaHood	2	Judge Robert T. Russell	Buffalo Veterans Treatment Court	NY
Vince Schillaci	2	Judge John Schwartz	Rochester Veterans Court	NY
Denise Lukowski/Siobhan Morris	3	Judge Michael Brennan	Brooklyn Treatment Court Veterans Track	NY
Denise Lukowski/Siobhan Morris	3	Judge Marsha Hirsch	Queens Veterans Court	NY
Eric Bruno	3	Judge John Toomey	Suffolk County Veterans Court	NY
Eric Bruno	3	Judge Terrence Murphy	Nassau County Veterans Court	NY
Bonnie Clark	4	Five judges	Centre County Magisterial District Justice Veterans Court	PA
Brad Schaffer	4	Judge Timothy McCune	Butler Veterans Court	PA
Cecilia Gonzalez	4	Judge Witham	Delaware Veterans Treatment Court	DE
Diana Zinnie	4	Judge Thomas Gavin	Chester County Veterans Treatment Court	PA
Diana Zinnie	4	Judge Frank Hazel	Delaware County Veterans Treatment Court	PA
Julie Bergstresser	4	Judge Peter Schmehl	Berks County Veterans Treatment Court	PA
Julie Bergstresser	4	Judge Bruce Bratton	Dauphin County Veterans Treatment Court	PA
Julie Bergstresser	4	Judge Jeffrey Wright	Lancaster County Veterans Treatment Court	PA
Julie Bergstresser	4	Judge Criag Trevilcock	York County Veterans Treatment Court	PA
Keather Likins	4	Judge John A. Zottola	Veterans Treatment Court of Allegheny County	PA
Keather Likins	4	Judge Debbie O'Dell Seneca	Veterans Treatment Court of Washington County	PA
Keather Likins	4	Judge Conrad B. Capuzzi	Northern Panhandle Mental Health and Veterans Treatment Court	WV
Keather Likins	4	Judge Conrad B. Capuzzi	Veterans Treatment Court of Fayette County	PA
Kim Sapolis-Lacey	4	Judge Michael Barrese	Lackawanna County VTC Scranton	PA
Kim Sapolis-Lacey	4	Judge Charles Saylor	Northumberland County VTC	PA
Kimberly Sapolis-Lacey	4	Judge Bill Amesbury	Luzerne County MH Treatment Court	DE
Rebecca Hicks	4	Judge Patrick Dugan/Joseph Waters	Philadelphia Veterans Court	PA
Rhonda Sanford	4	Judge Furber	Montgomery County Veterans Treatment Court	PA
Kim Cheney-James	6	Judge Tommy Miller	Veterans Diversion Initiative - Eastern District Fede	VA
Kristin Pugh	6	Judge Ballou	U.S. District Court for the Western District of Virginia - Veterans Treatment Court	VA
Kristin Pugh	6	Judge Jackie Talevi	Roanoke Co. District Court Therapeutic Docket - Veterans Track	VA
Ahmad Brewer	7	Judge Andra Sparks	Birmingham Municipal Treatment Court	AL
Marguerita High	7	Judge Tracy McCooey/Pamela Higgins/Jimmy Poole	Montgomery County Veterans Treatment Court	AL
Marguerita High	7	Judge Allen	Muscogee County Veterans Court	GA
Marguerita High	7	Judge Bernard Smithhart	Barber County Veterans Treatment Court	AL
Marguerita High	7	Judges Aubrey Ford/Paul Heibel/Tiffany Johnson	Macon County Veterans Treatment Court	AL
Marguerita High	7	Judge Luis C. Colley	Autauga County Veterans Treatment Court	AL
Meredith Miller	7	Judge Penny Frieseman	Chatham County Veterans court	GA
Shirley Furtick	7	Judge Todd	Richland County Veterans Treatment Court	SC
Susan Schuster-Roat	7	Judge James Blanchard	Augusta Judicial Circuit VTC	GA
Brian Kurz	8	Judge John Murphy	Brevard County VTC	FL
Brian Kurz	8	Judge John Woodard	Seminole County VTC	FL
Carla-Paula DaSilva	8	Judge Ted Booras	West Palm Beach 15th Judicial Circuit Court	FL
Charlotte Matthews	8	Judge John Sampson	Jacksonville Drug Court	FL
Charlotte Matthews	8	Judge Jim McCune	Marion County Florida Veterans Treatment Court	FL
Giovanna Delgado	8	Judge Deborah White Labora	Miami-Dade County Veterans Court Miami, Florida 33125	FL
Giovanna Delgado	8	Judge Edward Merrigan	Broward Veterans Treatment Court	FL

Patrick Diggs	8	Judge Deanna Farnell	Pinellas County 6th Judicial Circuit Veterans Treatment Court	FL
Patrick Diggs	8	Judge Andrew Owens	12th. Judicial Circuit Court	FL
Patrick Diggs	8	Judge Janeice Martin	20th. Judicial Court	FL
Patricia Hines	9	Judge Bill Anderson	Shelby County Veteran Supportive Court	TN
Sonny Hatfield	9	Judge Maria Granger	Floyd County Veterans Treatment Court	IN
Sonny Hatfield	9	Judge David Holton	Jefferson County VeteransTreatment Court	KY
Ron Michaelson	10	Judge Melissa Powers	Hamilton County Municipal Veterans Treatment Court	OH
Sally Hammitt	10	Judge Ethna M. Cooper	Hamilton County Veterans Treatment Court	OH
Teresa Sichman	10	Judge Mark Wall	Middletown Municipal Veterans Court	OH
Toni Johnson/Dwayne Williams	10	Judges Ardis and Ault	Mansfield Municipal	OH
Tracey Walker-Askew	10	Judge Charles Patton	Cleveland Municipal Veterans Docket	OH
Tracy Walker-Askew	10	Judge Robert Milich	Youngstown Municpal Veterans Treatment Court	OH
Brad Watkins	11	Judge Bryan Mackenzie	52-1 Novi Veterans Treatment Court	MI
Danielle Tichy	11	Judge Michael Haley	86th District Court - Grand Traverse/Leelanau/Antrim Counties	MI
Eric Dungan	11	Judge Mark Spitzer	Grant County Veterans Treatment Court	IN
Eric Dungan	11	Judge John Feick	Delaware County Veterans Treatment Court	IN
Eric Dungan	11	Judge Diane Bennington	Muncie County Veterns Treatment Court	IN
Eric Dungan	11	Judge Thomas Clem	Madison County Veterans Treatment Court	IN
Karen Hinderliter	11	Judge Raymond Voet	Ionia County Veterans Treatment Court Ionia MI 48846	MI
Karen Hinderliter	11	Judge Jordon	Ingham County Veterans Treatment Court	MI
Mark Mayhew	11	Judge Barbara Collins	Marion County superior Court 8	IN
Mark Mayhew	11	Judge Matthew Hanson	Morgan County Superior VTC ("HAV")	IN
Mark Mayhew	11	Judge Louis Gregory	Greenwood City Veterans Court	IN
Melody Powers	11	Judge Easthope	No. 52-1 15th. Distric Veterans Treatment Court	MN
Nanette Colling	11	Judge Karen Appel	45-B District Court	MI
Nanette Colling	11	Judge Karen Khalil	17th District Court	MI
Nanette Colling	11	Judge Nancy Grant	Oakland County Circuit Court	MI
Nanette Colling/Tracy Golliday	11	Judge lloyd	36th District Court	MI
Nanette Colling/Tracy Golliday	11	Judge Switalski	Macomb county circuit court	MI
Nanette Colling/Tracy Golliday	11	Judge Fuca	41-B District Court	MI
Rebecca Sanders	11	Judge Jim Kelley	10th. Judicial Circuit VTC	IL
Terry Troxell	11	Judge Joshua M. Farrell	80th. District Court of Clare and Gladwin County	MI
Ed Zapala	12	Judge James Daley	Rock Co Regional Veterans's Treatment Court	WI
Ed Zapala	12	Judge Steven Bauer	Dodge County Combat Vet's Court	WI
Ed Zapala	12	Judge Janet Holmgren	Winnebago Co	IL
Garry Hebel	12	Judge Todd Bjerke	LaCrosse Area Veterans court	WI
James Seminaroti	12	Judge Joan O'Brien	Cook County Veterans Treatment Court Bridgeview	IL
James Seminaroti	12	Judge Margarite Kulys-Hoffman	Cook County Veterans Treatment Court Rolling Meadows	IL
James Seminaroti	12	Judge Jane Mitton	Dupage County Veterans Treatment Track	IL
James Seminaroti	12	Judge Carla Alessio Policandriotes	Will County Veterans Treatment Court	IL
Jessica Pinder	12	Judge Larry Axelrood	Skokie Veterans Court	IL
Jessica Pinder	12	Judge John T. Philips/Mark L. Levitt	Lake County Treatment and Assistance Court	IL
Jessica Pinder	12	Judge Charles P. Weech/Michael Feetterer	McHenry County MH court	IL
Lauran Olson	12	Judge Darron Bowden	South Surburban Vet Treat Court	IL
Lauran Olson	12	Judge Julia Jent	Veterans Treat Co of Porter County	IN
Patricia Moore	12	Judge Lawrence Edward Flood	Cook County Veterans Treatment Court	IL
Gary Helle	15	Commisioner Phillip Blitt	Southeast Mo.Veterans Treatment Court	MO
Gary Helle	15	Judge Steven Limbaugh	U.S. Veterans Court	MO

Kelly Winship	15	Judge Ardie Bland	Kansas City Municipal Veterans Treatment Court	MO
Kelly Winship	15	Commissioner Fry	Jackson County Veterans Court	MO
Matthew Miller	15	Judge Charles Romani	Madison County Veterans Treatment Court	IL
Matthew Miller	15	Commisioner James Sullivan	Saint Louis Veterans Treatment Court	MO
Matthew Miller	15	Judge Zina Cruze	St. Claire Veterans Treatment Court	IL
Kathy Monson	16	Judge T. Patt Maney	Okaloosa County Vet Treatment Court	FL
Lilia Valdez-Lindsley	16	Judge Arther Hunter	Orleans Parish Criminal District Court	LA
Lori Coonan	16	Judge Marc Carter	Harris County Veterans Court	TX
Paula Willcox	16	Judge Parrish	Creek County Veterans Treatment Court	OK
Paula Willcox	16	Judge Bishop	Tulsa County Municipal Veterans Court	OK
Paula Willcox/Devan Brotherton	16	Judge Nightingale	Tulsa County Veterans Treatment Court	OK
Toby Lambert	16	Judge Sandy Huckaby	23rd. Judicial VTC	AR
Toby Lambert	16	Judge Mary Spencer-McGowen	Pulaski/Perry County 6th Judicial Court	AR
Chad (Edward) Henderson	17	Judge Greenwell	Nueces County Veterans Court	TX
Edward (Chad) Henderson	17	Judge Hernandez	Hidalgo County VTC	TX
Karen Janda	17	Judge Michael Denton	Travis County Veterans Court	TX
Latisha Gaten/Kathy Finch	17	Judge Brent Carr	Tarrant County Veterans Court	TX
Latisha Gaten/Kathy Finch	17	Judge Micheal Snipes	Dallas County Veterans Treatment Court	TX
Melissa Kale	17	Judge David Garcia	Denton County Veterans Court	TX
Treva Neiss/Desi Vasquez	17	Judge Wayne A. Christian	Bexar County Vet Treatment Court	TX
Treva Neiss/Desi Vasquez	17	Judge Linda Jones	Guadalupe County Vet Treatment Court	TX
Camila Lopez	18	Judge S. Whitaker & R. Sheppard	Bernalillo County 2nd Judicial Dist Court	NM
Penny Miller	18	Commissioner Michael Hintze	Maricopa County Veterans Court	AZ
Steve Wenzel	18	Judge Deborah Bernini	Pima County Superior Court Mental Health Court - Veteran Track	AZ
Steve Wenzel	18	Judge Gail Wight (just retired)	Green Valley Justice Court Veterans Treatment Court	AZ
Steve Wenzel and Amelia Hill	18	Judge Michael Pollard	Tucson and Regional Municipalities Veterans Treatment Court Tucson, AZ 85701	AZ
Steve Wenzel and Amelia Hill	18	Judge Maria Felix	Pima County Justice Court Veterans Treatment Court Tucson, AZ 85701	AZ
Amy Earle	19	Judge John Baxter	Slat Lake City Justice Court - Veterans Court	UT
Amy Earle	19	Judge Paul Warner	U.S. District Court Utah - Veterans Court	UT
Casey Scadden	19	Judge Conoroly	6th. District Bannock County Veterans Court	ID
Jeri Anderson	19	Judge Mary Jane Knisely	Yellowstone County Veteran's Treatment Court	MT
Jeri Anderson and Paul Harman	19	Judge Brenda Desmond	Missoula Veteran Treatment Court	MT
Laura Sales	19	Judge Ronald Crowder (1/13: Judge Shakes)	4th. Judicidal District Veteran Trauma Court - District Court	CO
Laura Sales	19	Judge Douglas Miles	4th. Judicial District Veterans Treatment Court - County Cour	CO
Steve Price	19	Judge Roberta Coates	Laramie County Veterans Treatment Court	WY
Janice Mahurin	20	Judge Vance Peterson	Spokane County Veterans Enhanced Therapeutic Court	WA
Jeremiah Newbold	20	Judge David Wallace	Anchorage Veterans Court	AK
Josh Bode	20	Judge Timothy Hansen	Ada County Veterans Court	ID
Josh Bode	20	Judge Southworth	Canyon Vet Co court	ID
Kevin Devine	20	Judge Karen Donahue/Steve Rosin	Seattle Municipal VTC	WA
Kevin Devine	20	Judge Gregory Canova	King County Addult Drug Diversion Court Veterans Docket	WA
Kevin Devine	20	Judge Michael Finkle	King County Regional Veterans Court	WA
Paul Skinner	20	Judge Marci Adkisson	13th. Judicial District Klamath County VTC	OR
Randy Turner	20	Judge Brett Buckley	Thurston County VTC	WA
Randy Turner	20	Judge Larkin	Pierce County Veteran Treatment Docket	WA
Susan Harrison	20	Judge Cynthia Carlson/Suzanne Chante	Lane County VTC	OR
Kristi Woodard	21	Judge Stephen Manley	Santa Clara County Superior Veterans Treatment Court	CA

Mary Ann Moss	21	Judges Breen,Blake,Rose	Nevada Dist 2nd Veterans Court	NV
Rachael Guerra	21	Judge Jack Grandsaert	San Mateo County court	CA
Sue Cooper	21	Judge Stephen Bailey	El Dorado County VTC	CA
Sue Cooper	21	Judge Frances Kearny	Placer County VTC	CA
Susan Basmajian	21	Judge Darryl Ferguson	Tulare Co Vet Court	CA
Amanda Smith	22	Judge Mark Johnson	Riverside Veterans Treatment Court	CA
Andrea Serafin	22	Judge Wendy Lindley	Combat Veterans Court	CA
Candace Andrews	22	Judge McCann	San Bernardino Veterans Treatment Court	CA
Greg Cain	22	Judge Colleen Toy-White	Ventura County Veterans Court	CA
Joy Villavicencio	22	Judge Roger Krauel	San Diego Veterans Treatment Review Calendar	CA
Peter Quigley	22	Judge Melody Tobiasson	Las Vegas Justice Court Veterans Docket	NV
Peter Quigley	22	Judge Mark Stevens	Henderson Municipal VTC	NV
Peter Quigley	22	Judge Martin Hastings	Las Vegas Municipal Court Veterans Docket	NV
Peter Quigley	22	Judge Linda Bell	8th. Judicial Circuit VTC	NV
Sergio Antoniuk	22	Judge Tynan	Los Angeles Veterans Court	CA
Suzanne Dolan	22	Judge George Eskins	Santa Barabara Veterans Treatment Court	CA
Suzanne Dolan	22	Judge Rogelio Flores	Santa Maria Veterans Treatment Court	CA
David Holewinski	23	Judge Charles Porter	Hennepin Veterans Treatment Court	MN
David Holewinski	23	Judge William Gabler	Chippewa Valley Veterans Treatment Court	WI
David Holewinski	23	Judge Joseph Boles	Pierce County Veterans Treatment Court	WI
David Holewinski	23	Judge Glasser	Washington County Veterans Treatment Court	MN
David Holewinski	23	Judge Bradley C. Walker	Blue Earth County Veterans Treatment Court	MN
David Holewinski	23	Judges Tammi Frederickson/Jenny Walker-Jasper	Anoka County Veterans Treatment Court	MN

APPENDIX 3

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AMERICAN BAR ASSOCIATION

ADOPTED BY THE HOUSE OF DELEGATES

FEBRUARY 8-9, 2010

RECOMMENDATION

RESOLVED, That the American Bar Association supports the development of comprehensive, systemic approaches to address the special needs of veterans within civil and criminal court contexts, including but not limited to proceedings involving veterans service-related injuries, disorders, mental health and substance abuse needs, through programs that connect veterans to appropriate housing, treatment and services through partnerships with the local Veterans Affairs Medical Centers, community-based services and housing providers.

FURTHER RESOLVED, That the American Bar Association urges state, local, and territorial courts to facilitate the development of Veterans Treatment Courts, including but not limited to, specialized court calendars or the expansion of available resources within existing civil and criminal court models focused on treatment-oriented proceedings.

FURTHER RESOLVED, That the American Bar Association adopts the following principles for Veterans Treatment Courts to the extent appropriate and feasible for each jurisdiction:

1) Participation is voluntary and the constitutional rights of participants are retained.

2) Veterans Treatment Courts or the resources devoted to veterans within existing civil and criminal court models will utilize the participation of a caseworker and legal representative with coordination from federal Veterans Affairs employees, veteran service agencies, community-based service providers, and local agencies to assess the needs of and provide veterans with appropriate housing, treatment, services, job training, and benefits.

3) Veterans Treatment Courts or the resources devoted to veterans within existing civil and criminal court models include mentoring sessions with other veterans.

4) In the criminal court context, participants in the program have all qualifying charges reduced or dismissed, or traditional sanctions waived, including where appropriate and feasible, more serious charges, commensurate with completion of appropriate treatment and services. Where charges are dismissed, public access to the record is limited, where appropriate and feasible as provided by state or local law, including through expungement.

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5) The Veterans Treatment Courts shall address those criminal matters that involve serious violent felonies only at the discretion of local courts.

6) The success of Veterans Treatment Courts or additional resources devoted to veterans within existing civil and criminal court models is measured through the following outcomes:

a) prevention and reduction of homelessness among veterans;

b) reduction of recidivism;

c) recovery achieved through compliance with the individual treatment plan of the veteran;

d) improved communication and reunification with family members, when appropriate;

e) successful elimination of legal barriers to self-sufficiency;

f) reentry to the workforce, enhanced job opportunities, and reintegration with the community;

g) economic savings to the courts, criminal justice and public health systems, and the community;

h) connection to VA benefits, long term supportive housing, and other benefits for participants whose service related disabilities are so severe as to prevent their return to the workforce.

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REPORT

Introduction

In February 2003, the ABA House of Delegates adopted a policy urging state, local and territorial courts to adopt Homeless Court Programs as treatment-oriented diversionary proceedings as a means to foster the movement of people experiencing homelessness from the streets through a shelter program to self-sufficiency (see Report No. 116). This policy (plus a subsequent policy approved in August 2006) and the vigorous work of the ABA Commission on Homelessness & Poverty providing technical support to jurisdictions across the country in building Homeless Courts has helped dramatically expand the number of such court programs. Since then, Veterans Courts have emerged as a particularly important and distinctive outgrowth of the therapeutic justice model upon which Homeless Court programs are founded.

Veterans Courts offer structured intervention, treatment and integrated services for veterans in the criminal justice system who struggle with the effects of trauma from their service and suffer from Post Traumatic Stress Disorder (PTSD), traumatic brain injury (TBI), mental illness and/or addictions. Veterans Courts are based on successful therapeutic and collaborative justice models such as drug and mental health courts, which feature a court-based regimen of assessments, treatment, review hearings, and graduated sanctions (when appropriate) with the avoidance of incarceration. Creating a veteran-specific treatment court is based, in part, on the opinion of psychiatrists and law enforcement officials that the traumas of combat result in PTSD that can lead to addiction and erratic behavior that result in criminal charges. Recognizing the important role such courts can play in preventing veterans from ending up incarcerated and facilitating their connection with community- based treatment alternatives, the U.S. Department of Veterans Affairs recently authorized 153 social workers to be part of a "Veterans Justice Outreach" initiative ("VJO") to work with each of the V.A. Medical Centers throughout the country and act as a resource to enable the judicial system to divert veterans to V.A. residential recovery programs and therapeutic services.

With vast numbers of veterans returning from the wars in Iraq and Afghanistan manifesting PTSD and brain trauma at unprecedented levels---and readily available V.A. funded treatment and services, there has never been a more critical need for supporting the efforts of our judiciary in preventing these brave men and women who have put their lives on the line in service of our country from becoming homeless. Some of the unique aspects of the Veterans Court models within the criminal context, such as the provision of support services including case management, legal representation, and coordination with the U.S. Department of Veterans Affairs should be applied to civil court frameworks. Basic life necessities, such as the maintenance of rental housing, foreclosure prevention, maintenance of employment and public benefits are all critical to prevent homelessness among our veterans. The provision of intensive services to veterans within existing civil courts, such as housing or eviction courts and other civil dockets will aid in ensuring an end to veteran homelessness.

In light of the interest in promoting Veterans Courts nationally and the unprecedented opportunity to link these courts with V.A. social worker resources that will invigorate their

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effectiveness, we have developed proposed policy recommendations to provide jurisdictions guidance in promoting best practices, achieving common goals of such programs, and allow flexibility for jurisdictions to innovate based on their unique challenges.

The development and implementation of Veterans Court Programs varies in form and practice. While all share common goals and principles, some strive to make do with limited resources. The Veterans Court principles in the proposed recommendation strives to link all these programs, promote awareness of the emerging VJO resources, and set forth guiding principles and basic tenets to clarify any confusion of implementation and practice.

Context

Veterans make up about 10% of the U.S. adult general population, but perhaps as much as one-third of the adult homeless population. Veterans are twice as likely as the general population to become chronically homeless. Moreover, the National Alliance to End Homelessness estimates anywhere from 90,000 to a half a million additional veterans are at risk for homelessness. See National Coalition for Homeless Veterans – Homeless Veterans Fact Sheet. Moreover, a 2002 U.S. Department of Justice report indicated that:

- veterans comprise 9.3% of all persons incarcerated;
- 70% are in jail for non-violent offenses;
- 82% of veterans in jail are eligible for V.A. services;
    - 65% honorably discharged
    - 17% general discharge with honorable conditions
    - 18% of jailed veterans were homeless

These troublesome figures are expected to rise as the 1.7 million troops deployed to Iraq and Afghanistan return and begin to seek services. Indeed, many of those Iraq and Afghanistan veterans will suffer from multiple physical and psychological wounds resulting from their service.

Psychiatric issues and substance abuse are widely regarded as the primary risk factors for homelessness and incarceration among veterans. Indeed, the VA estimates that 45% of homeless veterans suffer from mental illness, and slightly more than 70% suffer from alcohol or other drug abuse problems. The Rand Corporation has found that one-third of Iraq and Afghanistan veterans suffer from PTSD, Traumatic Brain Injury (TBI), or major depression, attributed to long deployments and a high rate of exposure to combat.

In spite of the increase in media attention, communities by and large remain under-educated and misinformed about PTSD and TBI, their causes, symptoms, and how to help those suffering from these medical conditions. A basic understanding of PTSD and TBI is essential in order for the criminal justice system to respond to the behaviors and challenges triggered by these medical conditions.

The DSM-IV2 describes PTSD, in pertinent part, as "the development of characteristic symptoms following exposure to an extreme traumatic stressor involving direct personal experience of an event that involves actual or threatened death or serious injury, or other threat to one's physical integrity; or witnessing an event that involves death, injury, or a threat to the physical integrity of another person...." In the simplest terms, PTSD is the brain's inability to let go of difficult or painful past experiences.

For veterans, PTSD typically manifests itself by forcing the individual to repeatedly relive traumatic combat situations, or to remain in a hyper-vigilant, ready-for-battle state of mind. Their military training and skills, once necessary and honorable when in the service of our country overseas, are troubling upon their return stateside. These behaviors combined with the uncertainty of deployment, repeated and extended tours of duty, and the constant peril of facing an unknown enemy start to explain the difficulties veterans face when the uniform comes off and the normal rigors of civilian life resume.

The trauma from TBI is most pronounced in Iraq and Afghanistan veterans who have survived roadside bomb blasts and the successive shock waves. These explosions literally rattle the service member's brain. Common symptoms of TBI include difficulty remembering, concentrating or making decisions; slowness in thinking, speaking, acting or reading; getting lost or easily confused; feeling tired all the time, having no energy or motivation; mood changes (feeling sad or angry for no reason); headaches or neck pain that do not go away; blurred vision; light-headedness, dizziness or loss of balance; nausea; changes in sleep patterns; loss of sense of smell or taste; and ringing in the ears.3 Veterans suffering from PTSD and TBI return from their military tours changed, sometimes temporarily, other times permanently. Sadly, many veterans prefer the diagnosis of TBI over PTSD due to the social stigma and discrimination that can accompany a diagnosis of PTSD, especially in the military milieu.

The Rand Corporation reports, as of 2008, 31% of the 1.8 million Americans who have served in Iraq and Afghanistan have a service-related mental health condition or a Traumatic Brain Injury (TBI).[1] U.S. Army, itself, recently concluded that the likelihood of combat-induced psychological trauma increases with each deployment.[2] The RAND study found a continuing stigma surrounding mental health issues that prevented more than half of psychologically-injured veterans from reporting their problems or seeking help.

Like anyone, veterans are at a higher risk of homelessness or criminalization when faced with mental illness, physical disabilities, weak social structures, and poverty. Veterans, however, seem to experience several of those risk factors at a higher rate than the general public. Some of those issues, like physical disabilities or psychological problems, may have resulted directly from the veteran's military service. Others, like weak social networks and poverty, could have existed before enlistment, or could have been created or compounded by military service and a difficult transition back to civilian life.

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[1] *Invisible Wounds of War: Summary and Recommendations for Addressing Psychological and Cognitive Injuries,* Tranielian T, Jaycox LH, Schell TL, Marshall GN, Burnam MA, Eibner C, Karney BR, Meredith LS, Ringel JS, Vaiana ME, and the Invisible Wounds Study Team, Santa Monica, California, RAND Corporation, MG-720/1-CCF, 2008, 64 pp.

[2] Mental Health Advisory Team (MHAT) V, Operation Iraqi Freedom 06-08: Iraq; Operation Enduring Freedom 8: Afghanistan; 14 February 2008, United States Army Medical Command.

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The time has never been more critical to provide a safety net for veterans who have put themselves in harm's way to protect our liberty in avoiding the predictable poor outcomes that these risk factors pose and we need to develop innovative strategies to help their transition back to the community to be successful. Veterans Court Programs have emerged as having singular success in helping the most vulnerable veterans achieve these goals.

Veterans Court and Beyond

As indicated, veterans returning from the wars are manifesting unprecedented levels of PTSD and traumatic brain injury, creating behaviors that, if left untreated, can cause loss of home, employment, and trigger involvement with the criminal justice system. Jail, however, merely exacerbates their underlying trauma as prison systems are ill-equipped to provide drug and mental health treatment. In addition, studies show that veterans typically treat their trauma with alcohol or drug abuse. These addictions further exacerbate their predicament.

Within the criminal court context, the therapeutic justice and collaborative court model upon which Veterans Courts are based has emerged as having unique force and effect to break this cycle to homelessness by extricating veterans from jail and diverting them to appropriate community or V.A. based treatment alternatives where their underlying mental disabilities and trauma are addressed with intensive treatment and peer support.

The Veterans Court Program within the criminal court model is a collaboration of all the traditional criminal justice practitioners enriched with a team of community based treatment providers who work together to devise the best plan for recovery and positive outcomes for each participant. This team-based decision making model strives to holistically provide the full continuum of services necessary to help the veteran achieve full recovery and normalcy and eliminate the risk of recidivism. The team must agree on the parameters of which cases will be heard and how they will be resolved. The overriding goal of the Veterans Court Program is to provide the participants a fresh start and help remove obstacles that would interfere with this. This fresh start reconciles each participant's successful completion of program activities against their outstanding cases.

The Veterans Court Program removes major obstacles posed by potential criminal convictions and their consequences that can otherwise confound the individual's efforts to reclaim normalcy and return to their families and communities as healthful contributing members. Concomitantly, by facilitating recovery and wellness, these courts provide the community with greater assurance public safety and order will be better served and recidivism is not as likely to recur.

To counteract the effect of criminal cases that push veterans further outside society, this court combines a progressive plea bargain system, an alternative sentencing structure, and proof of community-based shelter program activities to address a range of offenses (as determined by each jurisdiction). These courts expand access to justice, reduce court costs, and help veterans reintegrate into society and lead productive lives upon successful completion of treatment.

Different versions of Veterans Courts are emerging – some utilizing a "veterans' docket" as part of a regular criminal court, others integrating Veterans Court docket into a full blown Community Court, in which the court is set up in a community services center and connects participants with the array of social services, mental health and substance abuse treatment, employment supports, and other counseling services that share space right down the hall. Judge Wendy Lindley, who runs the Santa Ana Veterans Court, was the architect of such a full service Community Court, which holds her Veterans Court session there every Tuesday, and our Commission commends her model as embodying both best practices and an optimal environment conducive to full recovery.

All models apply principles of therapeutic, collaborative and restorative justice in which community based treatment options are exhausted as the most likely vehicle to achieve the goals of true rehabilitation, recovery and reintegration to the community.

It should be noted that Veterans Courts are successfully partnering with appropriate agencies and providers to address civil legal issues as well. The rising numbers of veterans facing homelessness as a result of loss of employment, benefits, and housing, require the application of the services continuum provided within the criminal context of Veterans Court Program to civil courts. The provision of case management, legal representation, collaboration with U.S. Department of Veterans Affairs and other agencies, are critical tools to aid veterans in obtaining and maintaining housing. In particular, linkages that can be made for veterans to the Veterans Affairs Supportive Housing Program (VASH), operated in collaboration with the U.S. Department of Housing and Urban Development and the U.S. Department of Veterans Affairs, which provides affordable housing with supportive services is a critical resource in eliminating veteran homelessness. The utilization of the services within housing or eviction courts, family courts, and other courts within civil dockets can be critical in preventing eviction and providing supports to aid veterans with severe mental and physical disabilities.

Recommendations

The proposed recommendation supports the development of comprehensive, systemic approaches to address the special needs of veterans through diversionary programs that connect them to appropriate housing, treatment and services through partnerships with the local Veterans Administration Medical Centers, community-based services and housing providers. The recommendation sets forth key principles for Veterans Court Programs, recognizing that administration of the programs will differ depending on the particular needs, goals and challenges of a jurisdiction. Each jurisdiction varies in the level of court and V.A. or other community-based services available to implement a viable Veterans Court Program. Some jurisdictions utilize district attorney's to prosecute cases while others depend on city attorneys. Some utilize public defenders while others depend on contract or private attorneys. The social service and mental health agencies in any given community vary in quality and accessibility across the country. By bringing attention to the opportunity to utilize the VJO social workers the V.A. is making available to courts nationally and providing technical support based upon these model Policy recommendations, the ABA can play an instrumental role in helping shape viable Veterans Courts throughout the country.

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We emphasize that the recommendation highlights best practices from existing Veterans Courts and does not seek to impart mandates that would stifle innovation. The intent of the recommendation is to promote a framework within which courts have the flexibility to develop constructive models that work best for them locally to achieve positive outcomes.

The majority of cases handled by existing Veterans Courts predictably fall within the scope of public disturbance offenses, public intoxication or drug possession – charges that reflect the individual's unstable mental health condition and PTSD. There is controversy regarding whether Veterans Courts (or any treatment courts) should handle felony cases involving physical harm to others. Veterans Courts in San Jose, CA and Orange County, CA have taken these types of cases and are showing early success. The drafters of the policy recommendation intentionally did not specify the types of offenses that should or should not be included in Veterans Courts based on the belief that each jurisdiction should have autonomy in determining the range and gravity of offenses they wish to deem eligible for the program.

Key Principles:

Participation is voluntary and the constitutional rights of participants are retained.

The Veterans Court Program does not require defendants to waive any protections afforded by due process of law. Legal counsel must be available to meet with veterans in advance of the hearing to review his/her case(s) and options. During the counseling session, legal counsel explains the Veteran Court Program or the resource available to the veteran, the process and benefits of its assistance, and its voluntary nature, but also assures each veteran of his/her due process rights to challenge their case, whether pursuing a motion or trial by jury.

Prosecutors and defense counsel, working with the court, agree on which offenses, in general, may be disposed of in the Veteran Court Program, recognizing that defendant participation shall be voluntary. The participants typically are referred to the Veterans Court Program by defense attorneys, prosecutors or other judges once they perceive that the veteran has served in combat and manifests symptoms of PTSD. Some jurisdictions, such as California, have enacted statutes making it incumbent upon courts to consider alternative sentencing and community based treatment options for veterans with such a profile. See California Penal Code Section 1170.9. IN a number of major cities, V.A. Social Workers also conduct outreach to jails to facilitate connection with Veterans Courts.

Unlike a traditional court, the judge communicates more often with the veteran participant than with the defense attorney or prosecutor. The model Veterans Court operates upon team decision making that is centered on doing whatever it takes to help the participant achieve recovery, wellness, and healthful return to his/her family by utilizing appropriate treatment and services.

The judge asks the defendant about what brought him/her to the court, his/her participation in programs, counseling, or classes. The judge consults the team about the recommended regimen the veteran should accept that is most likely to result in his/her full recovery and healthful

transition back to the community. The goal is to dismiss the charges, warrants, and penalties upon successful completion of the treatment plan to ensure that the defendant's record is clean and will not therefore hinder his/her efforts to secure employment.

> ***Veterans Courts coordinate with federal Veterans Administration employees, veteran service agencies, community-based service providers, and local agencies to assess the needs of and provide veterans with appropriate housing, treatment, services, job training, and benefits.***

The court works with the V.A. and other community-based service providers to establish criteria for individual participation and receipt of services, and individuals are screened pursuant to these criteria. Each service agency performs assessments to determine the individual's social history and needs, their abilities and motivation. Working together, the service agency representatives and the veteran build a relationship of trust, mutual respect and common commitment to positive outcomes, which if achieved typically result in the criminal charges being dismissed or reduced.

The court recognizes that each provider has its own requirements and guidelines to promote the participant's recovery. Some may require a resident to complete an assessment, an initial phase of the program or attend specified meetings. These agencies report the veteran's progress to the court.

When participants work willingly with agency representatives to identify and overcome the causes of their behavioral problems, they are in a stronger position to successfully comply with court orders. The quality, not the quantity, of the participant's time spent in furtherance of the program is of paramount importance for a successful experience. Thus the court encourages each participant to participate in a program that will best meet his/her needs.

> ***Veterans Courts include mentoring sessions with other veterans.***

Existing Veterans Courts use "peer mentoring" to facilitate recovery and completion with the court program. Thus veterans who have succeeded in graduating from their Veterans Court Program will be asked to mentor incoming participants. This helps create an environment and support system most likely to ensure that the participant will engage with the court program willingly and with a positive frame of mind.

> ***Participants have all qualifying charges reduced or dismissed, including where appropriate and feasible, more serious charges, commensurate with completion of appropriate treatment and services. Where charges are dismissed, public access to the record is limited, where appropriate and feasible as provided by state or local law, including through expungement.***

The range and gravity of offenses that Veterans Courts across the country have been willing to consider vary dramatically. While all such courts we have studied adjudicate misdemeanor offenses that typically do not include a victim, some jurisdictions have also taken felony cases that do involve a victim and these courts feel strongly that this court model works extremely well

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for such cases because it provides effective treatment in a peer environment to veterans who lash out while suffering from PTSD or TBI and facilitates recovery and also restitution to the victim (or 'restorative justice' principles). Other jurisdictions do not take on felonies involving victims for various reasons including political ones or because of a lack of resources to structure meaningful alternative sentencing with appropriate intensive supports. California's statute - which their Veterans Courts have been built to enforce - leaves it to the court's discretion - and that is how our Commission feels this issue should be handled - jurisdiction by jurisdiction, case by case, as resources and local wisdom best dictate.

Utilizing the problem solving approach typical of other courts that apply therapeutic justice principles such as mental health and drug courts, most veterans courts reduce or dismiss or expunge lower level victimless offenses upon full completion of the program the veteran was required to complete - which often requires a greater personal sacrifice and more work and extends well beyond any jail time they may have been facing. The court feels that justice has been served at this point and the veteran deserves a fresh crack at rejoining the workforce and society without any lingering stigma of the offense. Some courts will even clear felonies in the interest of justice - while others are not allowed to by statute or by political or other constraints. The Commission again felt that this is an area where courts are encouraged to consider best practices but ultimately decide locally what the viable parameters should be.

Veterans Courts should Track Outcomes: The success of Veterans Courts is measured by outcomes.

After studying the Veterans Courts programs in different parts of the country, the Commission concluded that they are alike in measuring their success through the following outcomes:

a) prevention and reduction of homelessness among veterans;
b) reduction of recidivism;
c) recovery achieved through compliance with the individual treatment plan of the veteran;
d) improved communication and reunification with family members, when appropriate;
e) successful elimination of legal barriers to self-sufficiency;
f) reentry to the workforce, enhanced job opportunities, and reintegration with the community;
g) economic savings to the courts, criminal justice and public health systems, and the community;
h) connection to VA benefits, long term supportive housing, and other benefits for participants whose service related disabilities are so severe as to prevent their return to the workforce.

Tracking and achieving these outcomes helps demonstrate both the efficacy of this model and the long term cost savings associated with enabling individuals to achieve recovery and return to the workforce as opposed to ending up cycling in and out of jail and on and off the streets with untreated disorders and maladies at enormous cost to taxpayers. For example, Judge Stephen

Manley who oversees the Veterans Court in San Jose, CA recently released a report detailing how his application of the therapeutic and restorative justice principles resulted in more than $7 million in savings to the state of California by reducing time spent in jail and emergency services otherwise caused by relapse and recidivism.

The outcome measurements listed above also reinforce the core mission of Veteran Court Programs, which is to end veteran homelessness and aid the veteran in accomplishing his or her road to recovery and self-sufficiency, as well as long term societal benefits that such recovery yields.

ABA Policy

The ABA has a history of supporting initiatives and legislation concerning vulnerable individuals and access to justice, including policy in support of an increase in the availability of affordable transitional and permanent housing (*housing and community economic* development, 1999 Annual Meeting; *affordability and availability of housing*, 1995 Annual Meeting; and *funding for public housing*, 1992 Annual Meeting), as well as policy in support of access to justice and legal aid for indigent people (*legal representation for indigent defendants,* 1998 Annual Meeting; *access to justice*, 1995 Midyear Meeting; *free legal representation to those at risk of becoming homeless*, 1994 Annual Meeting; *indigent defense services,* 1991 Midyear Meeting; *equal access to justice*, 1990 Annual Meeting).

The ABA has also adopted policy resolutions in support of specialized treatment courts – including policy in support of homeless courts, drug courts, and unified children and family courts.[3] The proposed recommendation enhances the Association's existing policy by establishing key principles and due process protections for Veterans Courts.

Conclusion

The Veterans Court Program is an innovative and effective means for veterans afflicted with PTSD and TBI and/or addiction to obtain and treatment and services they need to secure and maintain housing, resolve outstanding criminal offenses, and stabilize their lives. This model is showing great promise as a crucial vehicle to help our servicemen and women transition back to their communities and families in a healthful and productive manner.

The American Bar Association has a long history of promoting access to justice through policy based advocacy on behalf of veterans; homeless and/or impoverished people; through urging for increased funding for legal services organizations; through educating members of the bar as to the plight of homeless and impoverished people and encouraging the legal community to make a commitment to providing pro bono legal services; and through supporting innovative court programs designed to address the underlying problems that are the root cause of criminal conduct, such as homeless court programs and drug courts. Support of the proposed policy

[3] The ABA has adopted policy resolutions in support of specialized drug courts (1994 Midyear Meeting), unified children and family courts (1994 Annual Meeting), and homeless courts (2003 Midyear Meeting; 2006 Annual Meeting).

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resolution will supplement the Association's current policy on treatment courts and reaffirm its commitment to fostering the replication of innovative court programs across the country.

Respectfully submitted,
Josephine McNeil, Chair
Commission on Homelessness & Poverty
February 2010

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GENERAL INFORMATION FORM

Submitting Entity: Commission on Homelessness & Poverty

Submitted By: Josephine McNeil, Chair

1. Summary of Recommendation(s).
The recommendation supports the development of comprehensive, systemic approaches to address the special needs of veterans through diversionary programs that connect them to appropriate housing, treatment and services through partnerships with the local Veterans Administration Medical Centers, community-based services and housing providers. The recommendation sets forth key principles for Veterans Court Programs, recognizing that administration of the programs will differ depending on the particular needs, goals and challenges of a jurisdiction.

2. Approval by Submitting Entity.
Approved by the Commission on Homelessness and Poverty on November 17, 2009.

3. Has this or a similar recommendation been submitted to the House or Board previously?
No.

4. What existing Association policies are relevant to this recommendation and how would they be affected by its adoption?
The ABA has adopted policy resolutions in support of specialized courts – including policy in support of Homeless Courts (2003 Midyear; 2006 Annual), Drug Courts (1994 Midyear), and Unified Children and Family Courts (1994 Annual). The proposed recommendation enhances the Association's current policy related to specialized treatment courts by establishing common goals and due process protections for Veterans Court Programs.

   The approval of this recommendation would further enhance the ABA's commitment to access to justice by supporting the Commission on Homelessness and Poverty's efforts to foster the development of Veterans Court Programs across the country based on the Commission's successful track record of fostering replication of the Homeless Court Program.

5. What urgency exists which requires action at this meeting of the House?
The Obama Administration recently pledged to end homelessness among veterans in 5 years. And with the recent creation of a new office, the U.S. Department of Veteran's Affairs' National Center on Homelessness Among Veterans, the Administration is certainly moving in the right direction. The VA recognizes that criminal legal issues serve as barriers to housing and self-sufficiency and is looking for assistance with developing and implementing mechanisms to address the barriers. The proposed recommendation is intended to give jurisdictions guidance on the basic principles of

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successful Veterans Courts while allowing flexibility for jurisdictions to innovate based on their resources and unique challenges.

6. Status of Legislation. (If applicable.)
N/A

7. Cost to the Association. (Both direct and indirect costs.)
There is no direct or indirect cost to the Association.

8. Disclosure of Interest. (If applicable.)
N/A

9. Referrals.
The recommendation has been referred to the following ABA entities:
Judicial Division
National Conference of Specialized Court Judges
Criminal Justice Section
General Practice, Solo and Small Firm Division
Government and Public Sector Lawyers Division
Section on Individual Rights and Responsibilities
Section of Litigation
Section of Real Property, Trust and Estate Law
Commission on Domestic Violence
Commission on Mental and Physical Disability Law
Standing Committee on Armed Forces Law
Standing Committee on the Delivery of Legal Services
Standing Committee on Legal Aid and Indigent Defendants
Standing Committee on Legal Assistance to Military Personnel
Standing Committee on Pro Bono and Public Service
Standing Committee on Substance Abuse
Young Lawyers Division

10. Contact Person. (Prior to the meeting.)
Amy Horton-Newell, Staff Director
American Bar Association
Commission on Homelessness & Poverty
740 15th Street, NW
Washington, DC 20005
Tel: (202) 662-1693
Cell: (240) 460-9268
E-mail: hortona@staff.abanet.org

11. Contact Person. (Who will present the report to the House.)
Josephine McNeil, Chair
Commission on Homelessness & Poverty
Cell: (617) 543-8097
E-mail: jam_cando@msn.com

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EXECUTIVE SUMMARY

Summary of Recommendation:

The recommendation supports the development of comprehensive, systemic approaches to address the special needs of veterans through diversionary programs that connect them to appropriate housing, treatment and services through partnerships with the local Veterans Administration Medical Centers, community-based services and housing providers. The recommendation sets forth key principles for Veterans Court Programs, recognizing that administration of the programs will differ depending on the particular needs, goals and challenges of a jurisdiction.

Summary of the Issue Which the Recommendation Addresses:

The recommendation recognizes the emergence of Veteran Court Programs across the country and reflects the common goals and due process protections all Veteran Court Programs share. We emphasize that the recommendation highlights best practices from existing Veterans Courts and does not seek to impart mandates that would stifle innovation. The intent of the recommendation is to promote a framework within which courts have the flexibility to develop constructive models that work best for them locally to achieve positive outcomes.

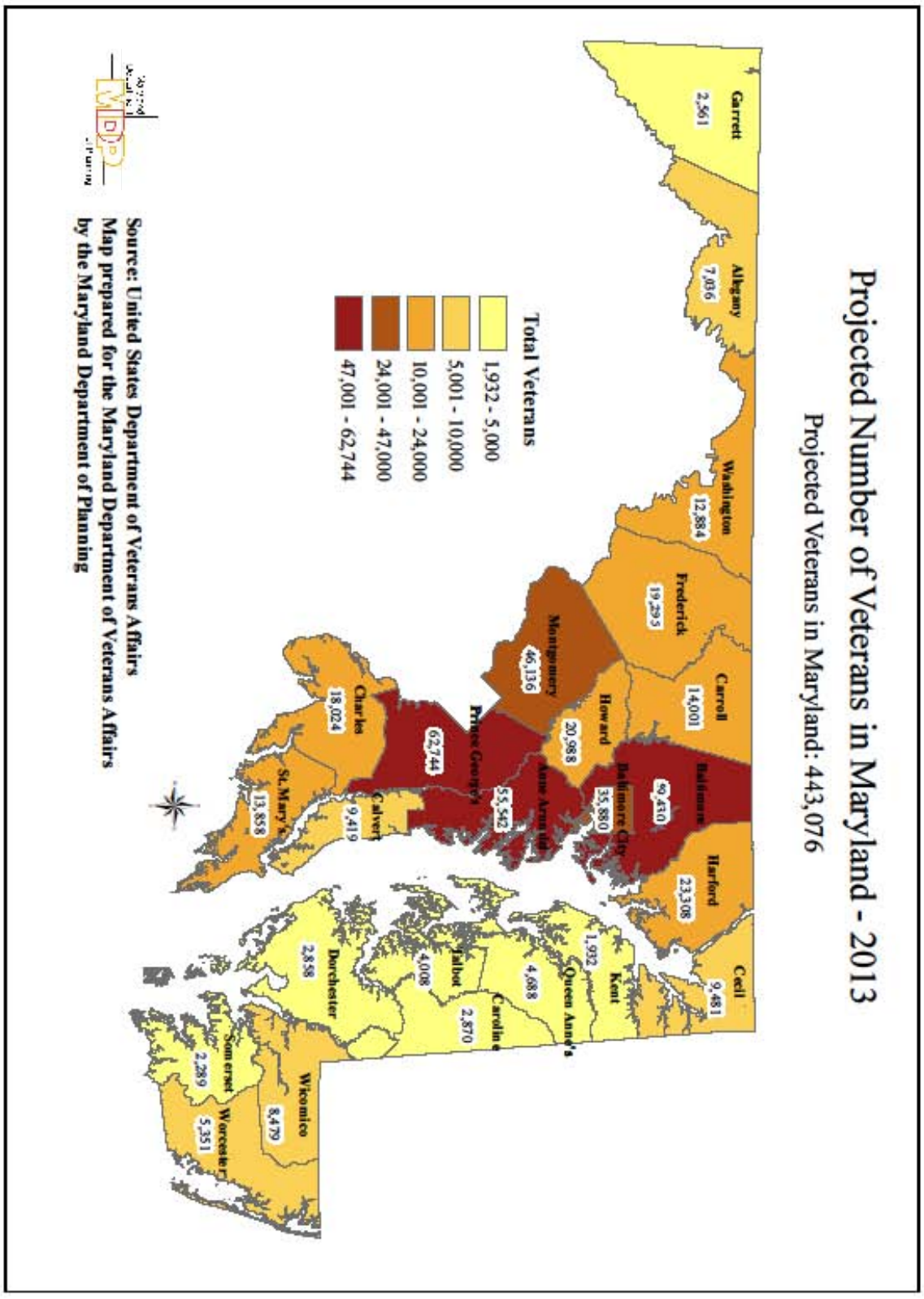
Explanation of How the Proposed Policy Position Will Address the Issue:

This recommendation would enhance the Association's efforts to foster the creation of specialized Veterans Court Programs by providing guiding principles for emerging programs.

Summary of Any Minority Views or Opposition Which Have Been Identified:

None to date.

APPENDIX 4


Projected Number of Veterans in Maryland - 2013
Projected Veterans in Maryland: 443,076
Garrett 2,561
Allegany 7,036
Washington 12,884
Frederick 19,293
Montgomery 46,136
Prince George's 62,744
Carroll 14,001
Howard 20,988
Anne Arundel 55,542
Baltimore 40,410
Baltimore City 35,880
Harford 23,308
Cecil 9,481
Kent 1,932
Queen Anne's 4,688
Talbot 4,008
Caroline 2,870
Dorchester 2,858
Somerset 2,289
Wicomico 8,479
Worcester 5,351
Charles 18,024
St. Mary's 13,858
Calvert 9,419
Total Veterans
1,932 - 5,000
5,001 - 10,000
10,001 - 24,000
24,001 - 47,000
47,001 - 62,744
Source: United States Department of Veterans Affairs
Map prepared for the Maryland Department of Veterans Affairs
by the Maryland Department of Planning

APPENDIX 5

Veteran's Court Financial Forecast Analysis

	2015	2016	2017	2018	Four Year Totals			
Grant								
Grant	250,000	365,445	365,445	365,445	**1,346,335**			
					0			
Total Grant (Grant totals can change based on Grant availability)	**250,000**	**365,445**	**365,445**	**365,445**	**1,346,335**			
Operating Expenses								
Salaries and wages					**0**			
Coordinator (Full-Time)	60,000	60,000	60,000	60,000	**240,000**	32.90%	19740	40,260
Case Manager (Full-Time)	45,000	45,000	45,000	45,000	**180,000**	32.90%	14805	30,195
Social Worker (Part-Time)	24,251	50,000	50,000	50,000	**174,251**	32.90%	7978.579	16,272
Psychologist (Part-Time)	25,000	50,000	50,000	50,000	**175,000**	32.90%	8225	16,775
Total Salaries and Wages	**154,251**	**205,000**	**205,000**	**205,000**	**769,251**			
Fringe benefits	50,749	67,445	67,445	67,445	**253,084**			
Total Salaries and Wages with Fringe Benefits	**205,000**	**272,445**	**272,445**	**272,445**	**1,022,335**			
Operating Expenses								
Drug Testing	9,000	18,000	18,000	18,000	**63,000**			
Housing	9,000	18,000	18,000	18,000	**63,000**			
GPS	6,000	13,000	13,000	13,000	**45,000**			
Transportation	12,000	23,000	23,000	23,000	**81,000**			
Travel	3,000	8,000	8,000	8,000	**27,000**			
Office supplies equipment	6,000	13,000	13,000	13,000	**45,000**			
Other	0	0	0	0	**0**			
Total Salaries, Fringe & Operating Expenses (Based on Grant availability)	**250,000**	**365,445**	**365,445**	**365,445**	**1,346,335**			
Operating Income	**0**	**0**	**0**	**0**	**0**			

Justification for Increase:
It would be anticipated that the number of clients would increase,
therefore, the need to make staff full time in the following year would be required.
Along with increasing all other services to service all clients in the program.

APPENDIX 6

JUSTICE FOR VETS

Congress Approves Historic Funding for Veterans Treatment Courts

Last week, Congress approved an appropriations bill that will fund the government until September 30, 2013. While programs across the board were cut, Congress saw fit to provide a $4 million appropriation for Veterans Treatment Courts at the Department of Justice. This is the first time that Congress has approved federal funding specific to Veterans Treatment Courts. Justice For Vets and the National Association of Drug Court Professionals worked closely with Members of Congress to ensure that this funding was included in the bill. The establishment of this appropriation is the foundation upon which we will build sustained support for Veterans Treatment Courts

"This funding is the critical first step towards ensuring veterans across the country have the opportunity for treatment and restoration in a Veterans Treatment Court," said Justice For Vets Director Matt Stiner. "This would not have been possible without the pioneers currently operating successful Veterans Treatment Court programs. Their dedication to service and commitment to aid those who served their country will leave an indelible mark on this nation."