



# ADMINISTRATIVE OFFICE OF THE COURTS

MARYLAND JUDICIAL CENTER  
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ANNAPOLIS, MARYLAND 21401

**Pamela Harris**  
State Court Administrator  
410-260-1295

November 1, 2019

Honorable Thomas V. "Mike" Miller, Jr.  
President of the Senate  
State House, H-107  
100 State Circle  
Annapolis, MD 21401-1991

Honorable Nancy J. King  
Chair, Senate Budget &  
Taxation Committee  
3 West, Miller Senate Office Building  
Annapolis, Maryland 21401

Honorable Adrienne A. Jones  
Speaker of the House  
State House, H-101  
100 State Circle  
Annapolis, MD 21401-1991

Honorable Maggie McIntosh  
Chair, House Appropriations Committee  
121 House Office Building  
Annapolis, MD 21401

Re: Annual Report on Problem Solving Courts  
CJ § 3-8C-12; 2007\_p16\_JUD\_Annual Report  
On Problem Solving Courts (and truancy)

Dear President, Speaker and Chairpersons:

Pursuant to Courts and Judicial Proceedings, § 3-8C-12, and the 2007 Joint Chairmen's Report page 16, please find enclosed the Annual Report on Problem Solving Courts (and truancy) for Fiscal Year 2019. As you will see, these court programs seek to address the behavioral manifestations associated with drug and alcohol addiction, mental health problems, and habitual truancy.

If you have any questions, please contact Richard Barton at (410) 260-3617, or via email at [richard.barton@mdcourts.gov](mailto:richard.barton@mdcourts.gov).

Sincerely yours,

Pamela Harris  
State Court Administrator

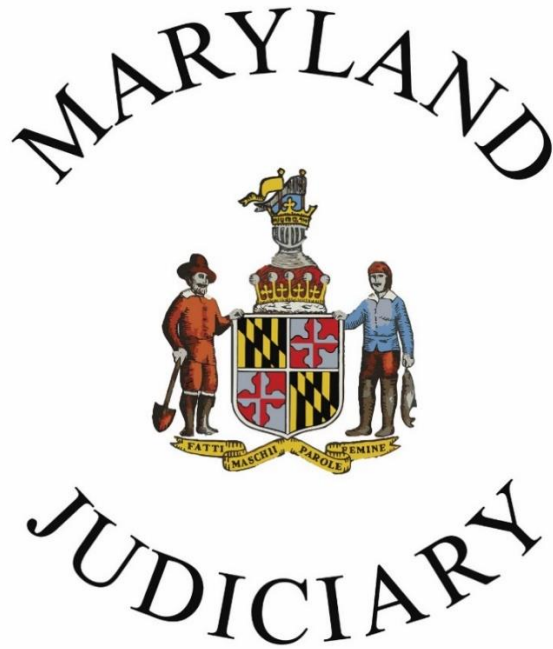
Enc.

Hon. Thomas V. "Mike" Miller, Jr.  
Hon. Adrienne A. Jones  
Hon. Nancy J. King  
Hon. Maggie McIntosh  
November 1, 2019  
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cc: Honorable Mary Ellen Barbera, Chief Judge, Court of Appeals  
Honorable Laura S. Ripken, Chair, Conference of Circuit Judges  
Honorable John P. Morrissey, Chief Judge, District Court  
Honorable Nicholas E. Rattal, Chair, Specialty Courts and Dockets Committee  
Honorable Douglas J.J. Peters, Chair, Public Safety, Transportation, and Environment  
Subcommittee  
Honorable Keith E. Haynes, Chair, Public Safety and Administration Subcommittee  
Faye Gaskin, Deputy State Court Administrator  
Roberta Warnken, Chief Clerk, District Court  
Kelley O'Connor, Assistant State Court Administrator, Government Relations and Public  
Affairs  
Matthew Bennett, Policy Analyst  
Matthew Jackson, Policy Analyst  
Kenneth Weaver, Budget Analyst  
Sarah Albert, Mandated Reports Specialist

**Fiscal Year 2019**

**Problem-Solving Courts  
Annual Report**



Administrative Office of the Courts

November 2019

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## Executive Summary

Problem-solving courts are central to the Maryland Judiciary's mission to provide fair, efficient, and effective justice for all. Problem-solving court programs are innovative, accessible, and collaborative.

At the end of fiscal year 2019, there were 59 problem-solving courts in Maryland: 35 drug courts, eight truancy reduction courts, seven veterans' courts, six mental health courts, two re-entry courts, and one Back-On-Track program.

Problem-solving courts vary considerably by jurisdiction and case type. However, all focus on collaborating with the service communities in their jurisdictions and stress a multidisciplinary, problem-solving approach to address the underlying issues of individuals appearing in court.

Using its fiscal year 2019 appropriation, the Judiciary provided over \$6 million in grants to support problem-solving courts in circuit and District Court locations. These funds were used for staffing, treatment, drug testing, travel and training, and ancillary services that directly benefit court participants.

### **Problem-Solving Court Definition**

Problem-solving courts address matters that are under the court's jurisdiction through a multidisciplinary and integrated approach that incorporates collaboration among court, government, and community-based organizations.

Problem-solving courts continue to be the most intensive, community-based programs available to address aberrant behavior associated with substance use disorder and mental illnesses. During fiscal year 2019, 3,787 individuals participated in Maryland's problem-solving courts. Judges and magistrates met with those program participants more than 28,400 times in scheduled court hearings.

The Judiciary continues to provide direct assistance to both planned and operational programs to support continued positive outcomes and sustainability. Training and education for problem-solving court practitioners are integral parts of expanding the field. Over the years, hundreds of criminal justice and treatment professionals have had access to professional development courses on a wide range of topics. The Judiciary continues to set high expectations for monitoring and evaluating problem-solving courts to maintain best practices. As these programs continue to be successful in Maryland, the problem-solving approach will gradually become more integrated into the traditional adjudicatory system.

## History and Governance

In 1994, one of the first drug courts in the country was initiated in Baltimore City to address substance abuse issues for those involved in the seemingly endless cycle of the criminal justice system. In 2002, the Maryland Judiciary established the Drug Treatment Court Commission (Commission) to support the development of drug court programs throughout Maryland. The Commission led the Judiciary's effort to implement and maintain drug court programs in the state. Commission members included: circuit and district court judges, legislators, and representatives from the Maryland Department of Health's Behavioral Health Administration (BHA) formerly known as the Department of Health and Mental Hygiene, the Department of Juvenile Services (DJS), the Department of Public Safety and Correctional Services (DPSCS), state's attorney's offices, the Office of the Public Defender, and the Governor's Office of Crime Control and Prevention (GOCCP).

In December 2006, then-Chief Judge Robert M. Bell issued an administrative order to establish a Judicial Conference Committee on Problem-Solving Courts to institutionalize the work of the Commission and to expand its scope to include all problem-solving courts.

In 2015, Chief Judge Mary Ellen Barbera changed the Judiciary's governance by appointing a new Judicial Council and a new set of Judicial Council committees. The Judicial Council serves as the principal policy advisory body to the chief judge of the Court of Appeals. The Council's Specialty Courts and Dockets Committee was established to promote and oversee the development, implementation, and evaluation of specialty courts and dockets statewide. The committee advances best practices among specialty courts and dockets in areas such as substance abuse, mental health, alcoholism, and business and technology. The committee monitors and directs the evaluation of the delivery of evidence-based training, direct assistance, research, funding, and support for specialty courts and dockets. See [Appendix A](#) for more information on the Judicial Council, this committee, and its membership.

Maryland's problem-solving court judges met with participants **28,420** times in court hearings during FY 2019.

The above-mentioned committee has a problem-solving courts subcommittee to assist courts and provide a comprehensive and collaborative approach to dealing with the issues that arise for the participants in these courts. This subcommittee assists each program in employing best practices, including providing evidence-based training, direct assistance, research, and funding to support their courts.

In addition, the Mental Health, Alcoholism and Addiction Subcommittee explores trial court sentencing alternatives for the treatment and rehabilitation of individuals with mental health needs and those with substance use disorder not enrolled in specialty courts. This subcommittee works closely with the Maryland Department of Health (MDH) and other governmental agencies to monitor and provide information regarding community and residential-based treatment.

Finally, the Business and Technology Case Management Subcommittee addresses issues concerning the Business and Technology Specialty Docket. Its work includes (1) reviewing forms, (2) using Maryland Rule 16-205 to promote consistency within the state regarding the categorization of a case as a business and technology case, (3) providing training in this area to judges, and (4) formulating recommendations on the management of complicated discovery and scientific issues that arise in certain business and technology cases.

## Oversight

### *Administrative Office of the Court's (AOC) Problem-Solving Courts (PSC)*

AOC's Problem-Solving Courts program is responsible for assisting the problem-solving courts in development, maintenance, and advancement of a collaborative therapeutic system on behalf of the Maryland Judiciary. PSC has overseen the creation of problem-solving court programs in 22 of the 24 jurisdictions in Maryland and works with public and private stakeholders to develop and establish best practices in problem-solving courts.

PSC oversees the financial support for Maryland's problem-solving courts and is responsible for setting and enforcing programmatic guidelines, creating a statewide management information system, and targeting new and expanding populations for problem-solving courts. Working with justice partners, PSC continues to serve as the courts' liaison to sustain and advance problem-solving courts in Maryland.

### *Direct Assistance*

PSC provides direct assistance, expertise, and guidance to court programs, helping them to improve operations, client services, and team communication. Teams may address protocol development, ancillary services, treatment service/types, funding opportunities, court proceedings, and role clarification through this assistance. Teams may also discuss and devise plans to institute new research and evidence-based practices into their current operations.

Direct assistance to Maryland's problem-solving courts includes guidance to improve drug testing policies, enhance sanction and incentive responses, rework and expand program entrance criteria, develop therapeutic responses to relapse, and understand the roles and responsibilities of each team member. The teams also review staffing processes and court proceedings to help their programs operate more efficiently, effectively, and consistently.

In fiscal year 2019, Judiciary staff had **241** face-to-face contacts with programs in the field ranging from attending events such as graduations, completing programmatic site visits, attending program staffing and court hearings, and completing financial (grant) visits.

### *Monitoring and Evaluation*

The Statewide Maryland Automated Record Tracking (SMART) system is a web-based data management system that allows the collection and standardization of data related to problem-solving court outcomes. SMART provides problem-solving court team members with direct access to information needed for making informed decisions about participants and the court. SMART is a multi-purpose tool used for identifying and prioritizing participant needs, developing knowledge about services available across agencies, and obtaining immediate access to information about participant status. In addition, individual problem-solving courts use SMART data to generate presentations for local community and oversight boards, to report mandated data to state or federal stakeholders, to provide outcome information and continuous quality improvement activities to accrediting bodies, and to evaluate program and service effectiveness.

Through an agreement with the University of Maryland’s Institute for Governmental Services and Research (IGSR), problem-solving court programs across Maryland are supported in maintaining their data. In addition to responding to thousands of technical assistance and training questions, IGSR’s project team developed a SMART Case Management training curriculum for all problem-solving court case managers. IGSR also modified several components of SMART to better capture data relating to the Adult Drug Court Performance Measures as well as participant employment and education.

## New Problem-Solving Courts

Maryland Rule 16-207 provides 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 planning problem-solving court should confer with the PSC and each state, local, or federal agency or official whose participation in the program will be required under the plan. Examples of officials to be consulted, depending on the nature of the proposed program, include, but are not limited to the Office of the State's Attorney, Office of the Public Defender; Department of Juvenile Services; health, addiction, and education agencies; the Department of Parole and Probation; and the Department of Human Services.



Additionally, the Judicial Council’s Specialty Courts and Dockets Committee 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 Committee may request clarification and offer recommendations or corrections as necessary.

In fiscal year 2019, the Court of Appeals, with the recommendation from the Judicial Council’s Specialty Courts and Dockets Committee and PSC, approved four new problem-solving courts under Maryland Rule 16-207:

- (1) Anne Arundel County District Veterans Court
- (2) Harford County Circuit Adult Drug Court
- (3) Somerset County Circuit Adult Drug Court
- (4) Washington County Circuit Adult Drug Court

**Figure 1 – Operational Problem-Solving Courts in Maryland**

MARYLAND PROBLEM SOLVING COURTS		Adult District Court Drug Court	Adult Circuit Court Drug Court	Juvenile Drug Court	Family/ Dependency Drug Court	DUI/ Drug Court	Circuit Court Mental Health Court	District Court Mental Health Court	Truancy Reduction Court	Re-Entry Court	Veterans Court	Back on Track
	Allegany County			•								
Anne Arundel County	•	•				•					•	
Baltimore City	•	•		•			•	•			•	
Baltimore County			•	•								
Calvert County			•									
Caroline County			•									
Carroll County			•									
Cecil County			•									
Charles County				•								
Dorchester County	•								•		•	
Frederick County			•									
Garrett County												
Harford County	•	•		•				•	•			
Howard County	•					•						
Kent County									•			
Montgomery County			•				•	•				
Prince George's County	•	•	•					•	•	•	•	•
Queen Anne's County												
St. Mary's County			•	•	•	•						
Somerset County			•						•		•	
Talbot County			•						•	•		
Washington County			•									
Wicomico County			•						•		•	
Worcester County	•	•							•		•	

6/30/19

## Funding

Over the past several years, the Judiciary has recognized and responded to state budget trends by accessing resources from federal, state, and local partners to sustain programs. State agencies with common missions often join together to fund and support problem-solving courts. The Judiciary continues to collaborate with state partners, such as BHA, DPSCS, Maryland Highway Safety Administration, and GOCCP to maximize access to existing resources.

### *Problem-Solving Court Grants and Budget Requests*

In fiscal year 2019, the Judiciary solicited grant applications from circuit courts and budget requests from District Court programs to support and maintain the capacity of existing and planned problem-solving courts across Maryland. The Problem-Solving Court Discretionary Grant and Problem-Solving Court Budget Request address staffing needs within the Judiciary and collaborating agencies, to provide needed ancillary services, to provide critically needed drug/alcohol testing, to conduct trainings, and to fund services that are deemed non-reimbursable by managed care. See [Table 1](#) for a list of problem-solving court grant and budget requests funded by the Maryland Judiciary.

*Table 1 - Problem Solving Court Grant/Budget Request Awards FY 2019*

<b>Problem-Solving Court Grant/Budget Request Awards FY 2019</b>		
<b>Problem-Solving Court Jurisdiction</b>	<b>PSC Grant/ Budget Request Awards</b>	<b>Total by County</b>
Allegany Circuit Court	\$108,390	\$108,390
Anne Arundel Circuit Court	\$305,558	\$599,558
Anne Arundel District Court	\$294,000	
Baltimore City Circuit Court	\$516,150	\$730,489
Baltimore City District Court	\$214,339	
Baltimore Co. Circuit Court	\$176,230	\$245,568
Baltimore Co. District Court	\$69,338	
Calvert Circuit Court	\$239,636	\$239,636
Caroline Circuit Court	\$95,878	\$95,878
Carroll Circuit Court	\$311,039	\$311,039
Cecil Circuit Court	\$324,239	\$324,239
Charles Circuit Court	\$178,246	\$178,246
Dorchester District Court	\$66,672	\$310,172
Dorchester Circuit Court	\$243,500	
Frederick Circuit Court	\$300,688	300,688
Harford Circuit Court	\$183,091	\$314,091
Harford District Court	\$131,000	
Howard District Court	\$116,541	\$116,541
Kent Circuit Court	\$59,969	\$59,969
Montgomery Circuit Court	\$342,638	\$387,558
Montgomery District Court	\$44,920	
Prince George's Circuit Court	\$421,136	\$505,136
Prince George's District Court	\$84,000	
Somerset Circuit Court	\$100,625	\$100,625
St. Mary's Circuit Court	\$270,332	\$270,332
Talbot Circuit Court	\$138,930	\$138,930
Washington Circuit Court	\$134,422	\$134,422
Wicomico Circuit Court	\$300,762	\$300,762
Worcester Circuit Court	\$230,016	\$251,536
Worcester District Court	\$21,520	
<b>TOTAL</b>	<b>\$6,023,805</b>	<b>\$6,023,805</b>

***BHA Grant for Non-Reimbursable Services***

In fiscal year 2019, BHA provided \$1,000,000 and the Judiciary provided \$800,000 for a total of \$1,800,000 in combined resources to provide drug court grant awards to allow local drug court treatment providers to purchase non-reimbursable services delivered in ambulatory treatment settings. Jurisdictions used these funds for services such as; time spent in court on behalf of the client such as status hearings, pre-court meetings, and case consultation meetings with drug court personnel; non-reimbursable clinical case management associated with substance use disorder treatment services; correspondence with court officials on behalf of the clients; and transportation of clients back and forth to substance use disorder treatment.

***Washington/Baltimore High Intensity Drug Trafficking Area (HIDTA)***

The Washington/Baltimore HIDTA funds treatment and criminal justice programs that provide integrated drug treatment services and criminal justice supervision for high-risk substance dependent offenders in several of Maryland's drug courts. These programs working with the drug courts provide regular drug testing and apply graduated sanctions when individuals violate program requirements. The treatment services must include an assessment of the individual's drug use and criminal history, as well as placement in the appropriate level of care, such as residential, intensive outpatient, outpatient, or aftercare services. During fiscal year 2019, Maryland received \$512,794 to fund these treatment services.

***U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance***

The U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance awarded a \$175,419 grant to the Judiciary in October 2015. This grant provides the means to partner with the National Center for State Courts (NCSC) to develop and implement performance measures for Maryland's Adult Drug Courts. Performance measurement is considered an essential activity because it, "has a common-sense logic that is irrefutable, namely that agencies have a greater probability of achieving their goals and objectives if they use performance measures to monitor their progress along these lines and then take follow-up actions as necessary to ensure success." (Poister, 2003). For more information on the Adult Drug Court Performance Measures, please go to [page 12](#).

## **Professional Development**

Professional development among problem-solving courts remains a priority for the Judiciary. On an annual basis, Judiciary staff and the Specialty Courts and Dockets Committee plan educational events to support excellence among problem-solving court teams and criminal justice professionals. In fiscal year 2019, the following professional development events were arranged and implemented:

***15<sup>th</sup> Annual Problem-Solving Court Symposium***

The 15<sup>th</sup> Annual Problem-Solving Court Symposium featured state and national experts presenting timely and relevant topics and materials. The event has expanded each year, and in fiscal year 2019, the Problem-Solving Court Symposium hosted over 350 problem-solving court judges and staff, clinicians, attorneys, law enforcement officers, public safety personnel, Department of Human Resources staff, and ancillary service organizations from every region of the state.

This year's session topics included:

*Assessment of and Restoration to Competency from a Clinical Perspective*

Stephen Goldberg, M.D., founder and president of Veteran Health Services, LLC addressed considerations and challenges clinicians face during the assessment of competency to stand trial, including capacity vs. choice to participate in the evaluation, and evaluation during active symptoms of mental illness and medication compliance. Additionally, the monitoring and restoration process was discussed, focusing on ongoing assessments.

*Barriers to Prevent Chronic Absenteeism/Strategies to Prevent Truancy*

Treva D. Haugaard, MSW, MPA, executive director of GOALS Center, described how the GOALS Center utilizes a wraparound service coordination model, with early assessment and prompt provision of prevention and intervention supports to eliminate barriers to school attendance. The GOALS Center, through this session, helped participants understand the difference between problematic and non-problematic school attendance, identify proximal and distal barriers to school attendance, and brainstorm ways to implement effective strategies that can be utilized in a variety of settings.

*Can Recovery Heal the Brain of Addiction?*

Brandee Izquierdo, MPA, director of advocacy and outreach of Faces and Voices of Recovery explored addiction as a medical disorder, its effects on the brain, and how it changes behavior. Izquierdo examined the myths and facts about addiction and the importance of developing a path to recovery through peer support as an essential element in healing the brain.

*Going Beyond Fight, Flight, and Freeze: The Neurobiology of the Traumatized Brain*

Amber Guthrie, M.A, project director of Maryland Network Against Domestic Violence, helped participants gain a deeper understanding of how stress and trauma impact the brains and behaviors of individuals, particularly survivors of domestic violence. She explored how life experiences, development, and genetics affect human brains. Guthrie described different responses to stress, including the traumatic stress response and how it may impact survivors' abilities to function within service provision.

*Living with Brain Injury: A Common and Unrecognized Co-Occurring Behavioral Health Condition Among Criminal Justice-Involved Persons*

Anastasia B. Edmonston, M.S., CRC, project coordinator with BHA, discussed how individuals living with brain injury are at high risk of developing mental health and substance use disorders and are more likely to be unemployed or underemployed. Because individuals entering either the criminal justice or behavioral health systems are not consistently screened for a history of brain injury they are at risk of being inappropriately diagnosed and treated, the result of which is that functional cognitive, physical and behavioral consequences of brain injury are not addressed. As a result, those in the community are at risk of "treatment failure," homelessness, and incarceration. Once incarcerated, behavioral dysregulation and other neurocognitive deficits create vulnerabilities related to misperceptions of correctional staff and inmates. This presentation also emphasized the connection between traumatic brain injury and acquired brain injury among individuals who use opioids.

### Problem-Solving Courts Graduate Panel

This panel, made up of graduates from several problem-solving courts around Maryland, enabled service recipients to share their unique insights about problem-solving courts. Attendees heard first-hand about what motivated these individuals to change, what was the turning point in their addiction, and what they have done to continue to maintain sobriety, amongst other topics.

### Secondary Trauma, Vicarious Trauma and Compassion Fatigue. You ARE at Risk. What to do about it?

Judge Marcia P. Hirsch, Queens, New York Treatment Courts, explained how secondary trauma occurs when an individual hears about another individual's trauma and subsequently experiences a traumatic stress response himself/herself. Secondary trauma is also commonly referred to as compassion fatigue or vicarious traumatization. The potential consequences of not engaging with secondary trauma are significant and include burnout, higher job turnover, lower work satisfaction, strained social relationships, health problems, and a diminished ability to do the work in a client-centered, trauma-informed way. To prevent these consequences, it is essential that individuals and organizations are aware of the warning signs and are able to develop methods to prioritize their mental, physical, and spiritual self-care. This session discussed secondary trauma and self-care on both individual and organizational levels to support the difficult work that treatment court professionals do every day.

### Trauma Among Youth in the Juvenile Justice System

Anita Mwalui, MPH, Ph.D., president of the Mental Health Association of Greater Washington for Montgomery and Prince George's County and Divine Chiangeh, MBA, MPH, Ph.D., president of the Community Health Education & Research Corporation Mental Health Association of Greater Washington, D.C., explained how many types of traumatic experiences occur in the lives of children and adolescents from all walks of life. Left unaddressed, these experiences can lead to mental health and substance use disorders, school failure etc. Often, the after-effects of these experiences play a role in the legal and behavioral problems that bring youth in contact with law enforcement and the juvenile justice system.

### Treatment: What Works, How It Works

Steve Hanson, M.S. Ed., associate commissioner of treatment for the New York State Office of Alcoholism and Substance Abuse Services provided an overview of the treatment of substance use disorder with special implications for problem-solving courts. The history of approaches, core evidence-based approaches and issues related to the use of medication-assisted treatment and other forms of treatment modalities were addressed. Mr. Hanson introduced stages of treatment, what works in treatment, and other evidence-based topics.

### Veterans Treatment Court Panel

Judge Halee Weinstein, Baltimore City District Veterans Treatment Court; Latasha Nichols, MPA,CCM, problem-solving court coordinator, Dorchester County District Court; Jamie Meyers, LCSW-C, assistant director of impact strategies and veterans treatment court coordinator, United Way of Greater Baltimore; Jovanni Mooring, LCSW-C, veterans justice outreach specialist, Veterans Administration Medical Center; and Candice Edwards, veterans court coordinator, Prince George's County Circuit Veterans Court, provided a detailed overview of Veterans Treatment Courts and how they are tasked with trying criminal cases that involve veterans of the United States military. Panelists discussed the roles of the

veterans treatment court team, challenges faced by the team, U.S. Department of Veterans Affairs benefits and other services, the 10 key components of veterans courts, community mapping, resources, and veteran court mentoring.

### ***Behavioral Health Symposium***

The Judiciary hosted a Division of Parole and Probation symposium on behavioral health. This all-day training for 200 judges, problem-solving court coordinators, case managers, and probation agents included a welcome from the Lt. Governor followed by plenary sessions such as *Supervising Offenders with Mental Illness*, *National Alliance on Mental Illness (NAMI) presents: In Our Own Voice*, and a *Baltimore City Mental Health Court Panel* were seen by all in attendance. Breakouts sessions included *Crisis Response and Crisis Intervention Training (CIT)*, *Monitoring Individuals with Behavioral Health Issues*, *Impact of Trauma*, *Behavioral Health Diversity and Culture*, *Vicarious/Secondary Trauma*, *Bridge between Sexual Offending and Mental Disorders*, *Mental Health and Domestic Violence*, and *An Integrated Model for Behavioral Health Crisis Care*.

### ***DUI Court Tune-up***

Collaborating with the National Center for DUI Courts (NCDC), the Judiciary provided all 3 operational DUI courts in Maryland and one Delaware DUI court team to attend this one-and-a-half-day training in Annapolis. Several nationally recognized presenters addressed *Pitfalls of DUI Courts*, *DUI Court Team Roles*, *Equity and Inclusion*, *Targeting the Right Participants in DUI Courts*, *Effective DUI Court Treatment*, *Revisiting Phases*, and *Changing Behaviors*. Also, during this tune-up, faculty from NCDC broke out each DUI Court team to address pressing issues and established a time task plan to complete goals that were developed during the training.

## **Drug Courts**

Drug courts constitute a Judiciary-led, coordinated system that demands accountability of staff and court participants and provides immediate, intensive, and comprehensive drug treatment, supervision, and support services using a cadre of incentives and sanctions to encourage participant compliance. Drug courts represent the coordinated efforts of criminal justice, behavioral health, and social service agencies, along with treatment communities that actively intervene in, and break the cycle of substance abuse, addiction, and crime. As an alternative to less effective interventions, such as incarceration or general probation, drug courts quickly identify substance-abusing offenders and place them under strict court monitoring and community supervision coupled with effective, individually assessed treatment, and ancillary services. [Table 2](#) provides a comprehensive list and basic characteristics of all Maryland adult, family, and juvenile drug courts, and DUI courts



***Figure 2 - Calvert County Adult Drug Court Judge Mark Chandlee with a Recent Drug Court Graduate.***

Table 2 - Drug Court Statistical Summary

Drug Court Statistical Summary July 1, 2018 – June 30, 2019								
County	Location	Type of Program	Year Est.	Entered Program	Graduated	Neutral <sup>a</sup>	Terminated	Total Served in FY 2019
Allegany	Circuit	Adult	June-18	33	2	1	1	33
Anne Arundel	Circuit	Adult	Dec-05	85	34	3	22	196
Anne Arundel	District	Adult DUI	Feb-97 Jan-05	102	85	9	3	332
Baltimore City	Circuit	Adult	Oct-94	41	40	1	13	227
Baltimore City	Circuit	Family	Aug-05	76	28	16	41	137
Baltimore City	District	Adult	Mar-94	37	62	2	33	144
Baltimore Co	Circuit	Juvenile	Mar-03	17	14	7	4	35
Baltimore Co	Circuit	Family	Aug-10	19	8	12	4	35
Calvert	Circuit	Adult	Feb-15	46	26	1	7	114
Caroline	Circuit	Adult	Nov-11	8	10	1	2	26
Carroll	Circuit	Adult	Apr-07	45	15	2	4	90
Cecil	Circuit	Adult	Jun-06	40	20	1	25	133
Charles	Circuit	Family	Jan-11	14	3	3	7	33
Dorchester	District	Adult	Jul-04	17	9	5	9	50
Frederick	Circuit	Adult	May-05	27	19	2	9	71
Harford	Circuit	Family	May-04	7	3	2	2	41
Harford	Circuit	Adult	Dec-18	2	0	0	0	2
Harford	District	Adult	Nov-97	5	6	2	5	32
Howard	District	Adult	Jul-04	8	3	2	1	17
Howard	District	DUI	Jul-04	23	14	1	2	45
Montgomery	Circuit	Adult	Nov-05	45	15	2	12	110
Prince George's	Circuit	Adult	Aug-02	16	20	3	5	108
Prince George's	Circuit	Juvenile	Aug-02	6	1	0	4	29
Prince George's	Circuit	Re-Entry	Oct-13	5	3	0	1	15
Prince George's	District	Adult	Apr-06	24	15	12	11	66
St. Mary's	Circuit	Juvenile	Feb-04	0	4	1	1	7
St. Mary's	Circuit	Adult DUI	July-09	14	13	1	7	44
St. Mary's	Circuit	Family	Aug-16	9	1	0	6	21
Somerset	Circuit	Adult	Aug-18	12	0	1	1	12
Talbot	Circuit	Problem-Solving	Aug-07	6	7	1	1	27
Washington	Circuit	Adult	May-19	7	0	0	0	7
Wicomico	Circuit	Adult	Sep-05	9	20	1	2	60
Worcester	Circuit District	Adult	Dec-05	25	13	1	6	53
<b>Total</b>				<b>830</b>	<b>513</b>	<b>96</b>	<b>251</b>	<b>2,352</b>

<sup>a</sup> Neutral is defined as administratively discharged during the reporting period (e.g., death, probation expired, moved jurisdiction).

### ***Adult Drug Court Performance Measures***

The Judiciary partners with the NCSC to develop and implement performance measures for Maryland's adult drug courts. With performance measures and their associated targets, Maryland adult drug courts have a framework to begin implementing performance management. Maryland is in a much better place to implement performance management than many other states because adult drug courts have access to the SMART database. The performance measures report contains several suggestions for using the current capabilities of SMART, as well as making modifications to the database, which will assist in the development of the informational superstructure needed to support a performance management system. [The NCSC report](#), endorsed by the Specialty Courts and Dockets Committee, documents the set of 24 selected measures along with the details about how each should be measured. The selected performance measures are listed by objective in Figure 4. The final and essential component to the performance management system, completed in FY 2019, was training on how to use this framework to assess performance and make any necessary modifications.

The Judiciary, in collaboration with NCSC, held a one-and-a-half-day scenario-based training that was provided to over 160 adult drug court practitioners from 20 operational and planning teams to learn more about the research behind these measures and explore how best to begin implementation or expansion. While performance measures are important because they provide performance-related data to program managers and staff, they are but one component of a performance management system.

The curriculum was designed to give adult drug court teams (judges, coordinators, state's attorneys, defense attorneys, treatment providers, probation, and law enforcement) the tools they need to manage their programs effectively. Performance measures provide timely information about key aspects of drug court performance to program managers and staff, enabling them to identify potential problems and, if warranted, to take corrective actions as well as to identify effective practices.



***Figure 3 - Adult Drug Court Performance Measures Training***  
Over 160 adult drug court practitioners from 20 operational and planning teams learned more about the research behind the Adult Drug Court Performance Measures.

Finally, by demonstrating that adult drug courts are actively assessing and seeking to improve their performance, the performance management system will assist in the sustainability of adult drug courts. The promise to each drug court is for the performance management system to function as an essential tool for continuous improvement.

*Figure 4 - Maryland Adult Drug Court Performance Measures By Objective or Desired Outcome*

**OBJECTIVES**

- I *To target defendants for admission who are addicted to illicit drugs or alcohol and are at substantial risk for recidivism or failing to complete a less-intensive disposition, such as standard probation or pretrial supervision*
  - Admissions Classified as:
    - 1. High Risk/High Needs
    - 2. Low Risk
- II *To identify eligible participants early and place them promptly in drug court*
  - Processing Time (average number of days between):
    - 3. Arrest to First Treatment Episode
      - Arrest to admission is further divided by the following subintervals for diagnostic purposes:
        - o Arrest to referral for screening
        - o Referral and eligibility determination
        - o Eligibility determination and admission
        - o Admission to First Treatment Episode
    - 4. Referral to First Treatment Episode
- III *To provide ongoing judicial interaction with each drug court participant*
  - 5. Drug Court Status Hearings Attended
- IV *To conduct all drug court team interactions with participants in a manner that is consistent with procedural justice*
  - 6. Procedural Fairness
- V *To provide community supervision to hold participants accountable and protect public safety*
  - 7. Accountability Contacts
- VI *To employ graduated sanctions and rewards to hold participants accountable, promote recovery, and protect public safety*
  - 8. Sanctions
  - 9. Incentives
  - 10. Ratio of Incentives to Sanctions
  - 11. Response Time Between the Negative Behavior and Response
- VII *To provide appropriate evidence-based alcohol, drug, and other related treatment and rehabilitation services to drug court participants in sufficient dosages as to reasonably expect impacts on participant behavior*
  - 12. Units of Treatment
  - 13. Length of Time in Program
- VIII *To monitor abstinence by frequent alcohol and other drug testing*
  - 14. Weekly Drug/Alcohol Tests Administered

- IX *To improve the ability of participants to function effectively in society*
  - 15. Quality of Residency Status
  - 16. Residential Stability
  - 17. Employment/Education Status
- X *To provide all defendants the same opportunities to participate and succeed in the drug court regardless of race, ethnicity, gender, and age*
  - 18. Access and Fairness
    - o Referral
    - o Admission
    - o Discharge

**PROXIMAL (SHORT-TERM AND IMMEDIATE) OUTCOMES**

- XI *Improve retention in program*
  - 19. Successful Completion
- XII *Establish sobriety*
  - 20. Positive Discrete Drug and Alcohol Tests
  - 21. Positive Continuous Monitoring Tests
  - 22. Time from Last Positive Drug Test to Program Discharge
- XIII *Reduce in-program reoffending*
  - 23. In-Program Reoffending

**DISTAL (LONG-TERM) OUTCOME**

- XIV *Reduce post-program recidivism*
  - 24. Post-Program Recidivism

## Mental Health Courts

In Maryland, as in other states, deinstitutionalization of those with mental health conditions has led to increased instances of that population becoming involved in the criminal justice system. Mental health courts were established in response to the increased numbers of individuals with mental health disorders found caught in the revolving door of the criminal justice system. See [Table 3](#) for a comprehensive list and basic characteristics of all mental health courts.

A mental health court is a specialized court docket established for defendants with a primary mental health diagnosis. A problem-solving approach substitutes for the traditional adversarial criminal court process. Participants are identified through mental health screenings and assessments, and they voluntarily participate in a judicially supervised treatment plan developed jointly by a team of court staff and mental health professionals. The overarching goal of the mental health court is to decrease the frequency of participants' contact with the criminal justice system by providing judicial oversight to improve their social functioning with respect to employment, housing, treatment, and support services in the community.

Mental health court judges met with program participants 4,288 times in court hearings in FY 2019.

Mental health courts rely on individualized treatment plans and ongoing judicial monitoring to address mental health needs and public safety concerns. These courts also seek to address the underlying problems that contribute to criminal behavior and to lower the overall recidivism rate of this population.

*Table 3 - Mental Health Court Statistical Summary*

<b>Mental Health Court Statistical Summary</b>							
<b>July 1, 2018—June 30, 2019</b>							
<b>County</b>	<b>Location</b>	<b>Year Est.</b>	<b>Entered Program</b>	<b>Graduated</b>	<b>Neutral<sup>a</sup></b>	<b>Terminated</b>	<b>Total Served in FY 2019</b>
<b>Baltimore City</b>	Circuit	May-17	68	0	12	2	137
<b>Baltimore City</b>	District	Oct-02	119	26	102	6	395
<b>Harford</b>	District	Jan-03	14	2	1	1	26
<b>Montgomery</b>	Circuit	Jan-17	7	1	1	2	15
<b>Montgomery</b>	District	Jan-17	47	17	2	5	77
<b>Prince George's</b>	District	July-07	113	40	36	20	273
<b>Total</b>			<b>368</b>	<b>86</b>	<b>154</b>	<b>36</b>	<b>923</b>

<sup>a</sup> Neutral is defined as administratively discharged during the reporting period (e.g., death, probation expired, moved jurisdiction).

### *Mental Health Court Performance Measures*

In fiscal year 2019, the Judiciary contracted with NCSC to create Mental Health Court Performance Measures. Throughout the past year, NCSC visited mental health courts in Maryland to gather data and engage mental health court programs in the creation of performance measures.

Implementing performance measurement is important because mental health courts complete for resources with other facets of the criminal justice system. Therefore, mental health courts must demonstrate that the limited resources provided to them are used efficiently and that this expenditure of resources produces the desired outcomes for participants. To this end, mental health court performance measures permit stakeholders to demonstrate that (1) participants are identified and linked to services in a timely manner, (2) that participation improves their capability to function effectively in society, (3) to reduce criminal activity, and (4) that participants have access to resources in the community to maintain their mental health stability after their program participation ends.

Performance measures are used to gauge the efficacy of current policies and highlight any areas that may benefit from a change. They also give courts the ability to examine the effects of newly implemented policies to determine if they are functioning as intended or if further revision is needed.

In fiscal year 2019, the Mental Health Court Performance Measures report presented the performance measures and associated benchmarks as endorsed by the Specialty Courts and Dockets Committee. The final and essential component to the performance management system is training on how to use this framework to assess performance and make any necessary modifications.

To accomplish this training objective, NCSC, with input from the Judiciary, is designing a course based on realistic scenarios that represent performance issues and challenges frequently encountered by mental health courts. These scenarios also demonstrate how performance measures can be used to address an issue. This two-day training for all mental health court teams will be completed in fiscal year 2020.

## Veterans Courts

Veterans courts provide services to those who served in the military and suffer from conditions such as Post-Traumatic Stress Disorder, Traumatic Brain Injuries, and/or substance use disorders. Veterans can resolve outstanding criminal offenses, obtain the treatment and services they need, and stabilize their lives. A veterans court connects eligible participants to U.S. Department of Veterans Affairs benefits, long-term supportive housing, and other benefits for participants whose service-related disabilities prevent their return to the workforce. The veterans court can also access local resources where the veteran does not qualify for VA benefits. See Table 4 for a comprehensive list and basic characteristics of all veterans courts.



**Table 4 - Veterans Court Statistical Summary**

County	Location	Year Est.	Entered Program	Graduated	Neutral <sup>b</sup>	Terminated	Total Served in FY 2019
Anne Arundel	District	Nov-18	20	9	2	1	38
Baltimore City	District	Oct-15	24	19	0	1	52
Dorchester <sup>a</sup>	District	June-18	18	1	1	0	18
Prince George's	Circuit	Apr-15	3	6	0	0	14
<b>Total</b>			<b>65</b>	<b>35</b>	<b>3</b>	<b>2</b>	<b>122</b>

<sup>a</sup> Dorchester Regional Veterans Treatment Court consists of Dorchester, Somerset, Wicomico, and Worcester Counties.

<sup>b</sup> Neutral is defined as administratively discharged during the reporting period (e.g., death, probation expired, moved jurisdiction).

## Truancy Reduction Pilot Program

In accordance with § 2-1546 of the State Government Article, established under Chapter 718, Acts of 2009, this section of the report provides the status of the Truancy Reduction Pilot Program. The purpose of the Truancy Reduction Pilot Program is to improve school attendance and positively affect the youth’s attitude about education through a nurturing approach that ultimately will build a relationship between the family, the school, and the court. The program is an alternative to punitive measures such as having parents prosecuted in criminal court or stigmatizing the child and further souring their outlook on education and the criminal justice system. A social worker, counselor, or case manager works with families to determine reasons for poor attendance and makes referrals to community-based services when appropriate. There are currently eight courts participating in the program.



*Figure 5 - Senior Judge Karen Jenson and a recent graduate of the Kent County Truancy Court Program.*

**Table 5 - Truancy Reduction Pilot Program Statistical Summary**

<b>Truancy Reduction Pilot Program Statistical Summary</b>							
<b>July 1, 2018-June 30, 2019</b>							
County	Location	Year Est.	Entered Program	Graduated	Neutral <sup>a</sup>	Terminated	Total Served in FY 2019
<b>Dorchester</b>	Circuit	Mar-07	19	4	6	2	42
<b>Harford</b>	Circuit	Jan-08	9	6	2	0	16
<b>Kent</b>	Circuit	Sept-14	33	10	10	5	54
<b>Prince George's</b>	Circuit	May-09	48	5	1	17	73
<b>Somerset</b>	Circuit	Nov-05	22	8	9	5	39
<b>Talbot</b>	Circuit	Jan-11	0	0	0	0	0
<b>Wicomico</b>	Circuit	Dec-04	47	18	7	9	67
<b>Worcester</b>	Circuit	Jan-07	51	17	12	7	77
<b>Total</b>			<b>229</b>	<b>68</b>	<b>47</b>	<b>45</b>	<b>368</b>

<sup>a</sup> Neutral is defined as administratively discharged during the reporting period (e.g., death, probation expired, moved jurisdiction).

## Conclusion

Problem-solving courts have been continually created and expanded over the past 25 years in Maryland. These courts are different from the traditional criminal court in that they have specialized dockets, create a collaborative relationship between traditional court actors and outside organizations, and attempt to solve social problems rather than focus only on adjudicating cases. Individual problem-solving courts are complex, involving new partnerships, new roles, and new partners both in and outside the courthouse. Given that each problem-solving court is typically shaped by local circumstance, the challenge of supporting and overseeing problem-solving courts on a statewide level is considerable.

Problem-solving court programs are expanding in Maryland, and they are critically important to the Judiciary's mission to provide fair, efficient, and effective justice for all. The Judiciary continues to be the primary funding source for problem-solving courts in Maryland. Though many agencies and stakeholders provide funding and resources to the 59 problem-solving courts, without the Judiciary's continued financial and technical support for these programs, they would cease to exist.

For more information, please contact Gray Barton, PSC Program Director at 410-260-3617 or [richard.barton@mdcourts.gov](mailto:richard.barton@mdcourts.gov).

## **Appendix A**

### **Maryland Judicial Council - An Overview**

The Judicial Council serves as the principal policy advisory body to the Chief Judge of the Court of Appeals. In 2013, Chief Judge Mary Ellen Barbera, the administrative head of the Maryland Judiciary, commissioned a comprehensive review of the governance and operational structure of the Maryland Judiciary, which led to the reconstitution of the Judicial Council, as well as the restructuring of the Judiciary's myriad committees, subcommittees, and workgroups. The reconstituted Judicial Council and the new committee structure became effective January 1, 2015. Since that time, the Council and its committees have worked to advance the Judiciary's mission *to provide fair, efficient, and effective justice for all*, with the strategic plan and eight key goals as their guide.

The Judicial Council consists of twenty-two members, including the Chief Judge of the Court of Appeals, the Chief Judge of the Court of Special Appeals, the Chair and Vice Chair of the Conference of Circuit Judges, the Chief Judge of the District Court, the State Court Administrator, the Chair and Vice Chair of the Conference of Circuit Court Clerks, the Chair and Vice Chair of the Conference of Circuit Court Administrators, the Chair of the Court of Appeals Standing Committee on Rules of Practice and Procedure, the Chief Clerk of the District Court, the Chair of the Retired and Recalled Judges Committee, three Circuit Court judges, four District Court judges, and two District Administrative Clerks. The Deputy State Court Administrator serves as Secretary to the Judicial Council. The Judicial Council's Executive Committee, which meets at the request and direction of the Chief Judge of the Court of Appeals to provide input to the Chief Judge on matters that arise between sessions of the Judicial Council, consists of the Chief Judge of the Court of Appeals, the Chief Judge of the Court of Special Appeals, the Chair of the Conference of Circuit Court Judges, the Chief Judge of the District Court, and the State Court Administrator.

As indicated above, a number of the members serve by virtue of their position, while the remaining members are appointed by the Chief Judge of the Court of Appeals. Each appointed member of the Judicial Council is appointed to a two-year term, but can be reappointed to one additional consecutive two-year term as the Chief Judge deems necessary and appropriate. Unless otherwise directed by the Chief Judge, the Judicial Council meets bi-monthly.

As the highest governance body, the Judicial Council is the central hub for all Judiciary-wide policy changes, judicial reforms, legislative issues, and other internal and external developments that impact the administration of justice. To that end, the committees develop recommendations for the Judicial Council's consideration and the Chief Judge's approval that address policies, programs, and initiatives that help to ensure the effective and efficient administration of justice in Maryland. In addition, the Judicial Council takes up external matters that impact the Maryland Judiciary.

The diverse and focused members of the Judicial Council and its committees, including judges, magistrates, trial court clerks and administrators, and commissioners, represent all areas of the State. It is through their collective work that the Maryland Judiciary is fulfilling its mission and achieving its goals, all for the betterment of those who enter the courts and utilize the services the Judiciary offers.

## Maryland Judicial Council 2019

### Honorable Mary Ellen Barbera, Chair \*

Chief Judge, Court of Appeals

#### **Matthew Barrett**

Chair, Conference of Circuit Court Administrators  
Circuit Court for Cecil County  
Term: January 1, 2019 – December 31, 2019

#### **Honorable Keith Baynes**

Vice-Chair, Conference of Circuit Judges  
Circuit Court for Cecil County  
Term: January 1, 2019 – December 31, 2020

#### **\*Honorable Matthew J. Fader**

Chief Judge, Court of Special Appeals

#### **\*Pamela Harris**

State Court Administrator  
Administrative Office of the Courts

#### **Honorable Karen H. Mason**

Circuit Court for Prince George's County  
Term: January 1, 2019 – December 31, 2020

#### **Honorable Patricia L. Mitchell**

District Court in Montgomery County  
Term: January 1, 2019 – December 31, 2020

#### **Honorable Charlene M. Notarcola**

Acting Chair, Conference of Circuit Court Clerks  
Circuit Court for Cecil County  
Term: January 1, 2019 – December 31, 2019

#### **Honorable Gerald V. Purnell**

District Court in Worcester County  
Term: January 1, 2018 – December 31, 2019

#### **Roberta Warnken**

Chief Clerk, District Court of Maryland

#### **Honorable Brett W. Wilson**

Circuit Court for Dorchester County  
Term: January 1, 2019 – December 31, 2020

#### **Vacant**

Vice-Chair, Conference of Circuit Court Clerks  
Term: January 1, 2019 – December 31, 2019

\*Executive Committee

#### **Melissa Batic**

Vice-Chair, Conference of Circuit Court Administrators  
Circuit Court for Wicomico County  
Term: January 1, 2019 – December 31, 2019

#### **Honorable Pamila J. Brown**

District Court in Howard County  
Term: January 1, 2019 – December 31, 2020

#### **Markisha Gross**

Administrative Clerk  
District Court in Montgomery County  
Term: January 1, 2019 – December 31, 2020

#### **Honorable James A. Kenney III**

Chair, Senior Judges Committee

#### **Cheryl Miller**

Administrative Clerk  
District Court in Cecil County  
Term: January 1, 2018 – December 31, 2019

#### **\*Honorable John P. Morrissey**

Chief Judge, District Court of Maryland

#### **Hon. W. Michel Pierson**

Circuit Court for Baltimore City  
Term: January 1, 2018 – December 31, 2019

#### **\*Honorable Laura S. Ripken**

Chair, Conference of Circuit Judges  
Circuit Court for Anne Arundel County  
Term: January 1, 2019 – December 31, 2020

#### **Honorable Alan M. Wilner**

Chair, Standing Committee on Rules of Practice and Procedure

#### **Honorable Dorothy J. Wilson**

District Court in Baltimore County  
Term: January 1, 2019 – December 31, 2020

#### **Faye D. Gaskin, Secretary**

Deputy State Court Administrator  
Administrative Office of the Courts

## The Judicial Council's Specialty Courts and Dockets Committee

### *Purpose*

The Specialty Courts and Dockets will promote and oversee the development, implementation and evaluation of specialty courts and dockets in the courts.

### *Scope of Activity*

The Committee will ensure the utilization of best practices by specialty courts and special dockets, in areas such as substance abuse, mental health and alcoholism, business and technology, and science and technology. It will monitor and direct the evaluation of the delivery of evidence-based training, technical assistance, research, funding and support for specialty courts and special dockets. The Committee will report on its initiatives and other activities, at least annually, to the Judicial Council.

### Committee Membership

*Hon. Nicholas E. Rattal, Chair*

<i>Name</i>	<i>Term Expires</i>
Hon. Mark S. Chandlee, Vice Chair, Circuit Court, Calvert County	December 31, 2020
Hon. Keith A. Baynes, Circuit Court Cecil County	December 31, 2020
Hon. James A. Bonifant, Circuit Court, Montgomery County	December 31, 2019
Hon. Philip T. Caroom, Senior Judge Circuit Court, Anne Arundel County	December 31, 2020
Hon. Karen C. Friedman, Circuit Court, Baltimore City	December 31, 2020
Hon George M. Lipman, Vice Chair, Senior Judge District Court, Baltimore City	December 31, 2020
Hon. Thomas J. Pryal, District Court, Anne Arundel County	December 31, 2020
Hon. Holly D. Reed III, District Court, Montgomery County	December 31, 2020
Hon. Mary C. Reese, District Court, Howard County	December 31, 2020
Hon. Ronald A. Silkworth, Senior Judge Circuit Court, Anne Arundel County	December 31, 2019
Hon. Rachel E. Skolnik, District Court, Baltimore City	December 31, 2020
Hon. Ann Wagner-Stewart, District Court, Prince George's County	December 31, 2019
Hon. Beverly J. Woodard, Circuit Court, Prince George's County	December 31, 2019
Hon. Ricardo D. Zwaig, District Court, Howard County	December 31, 2019

Gray Barton, *Staff*