



# NADCP

**National Association of  
Drug Court Professionals**

## *Adult Drug Court Planning Process Checklist*

### **I. Laying the Foundation**

1. Identify the Drug Court Advisory Council
  - Chief Judge
  - Elected Prosecutor
  - Chief Public Defender
  - Chief Court Administrator/Court Clerk
  - Chief of Police
  - Elected Sherriff
  - Chief Probation Officer
  - Director of Treatment Services
  - County Commissioner(s)
  - City Council Member(s)
  
2. Identify the Drug Court Planning Team Members
  - a. Judicial
    - Judge
    - Magistrate
  - b. Prosecution
    - District Attorney
  - c. Defense
    - Public Defender
    - Private Defense Attorney
    - Local Bar Association
  - d. Coordination
    - Court Administrator
    - Clerk
    - Other: \_\_\_\_\_
  - e. Community Supervision
    - Pre-trial
    - Probation
    - Parole
    - Community Corrections
    - Law Enforcement
      - Police
      - Sherriff
      - Highway Patrol

- f. Treatment
    - Private Provider
    - County/State Provider
    - Health Department
    - Mental Health
  - g. Evaluator
    - Local College/University Professor
    - Research/Evaluation Company
3. Secure Team Commitment
- a. During planning process
    - Agreement from all department heads
    - Develop inter-agency agreements
    - Identify resistance to the program
  - b. Identify impacts on each agencies
    - Political
    - Time
    - Cost
  - c. Collaboration
    - Team participation in developing the program
    - Establish on-going planning meetings
4. Identify Other Key Stakeholders
- Media/Community Groups
  - Substance Abuse Treatment Providers/Agencies
  - Mental Health Treatment Providers/Agencies
  - Other State Agencies- Children & Families, Education etc.
  - Vocational & Educational Communities
  - Job Skills -Training & Placement Agencies
  - Chamber of Commerce
  - Welfare to Work Programs
  - Victim Groups (MADD, etc)
  - Anticrime and anti-drug coalitions
  - Ex-offender / ex-addict groups
  - Police or Sheriffs Association
  - Department of Corrections
5. Identify the Problem
- a. Jail overcrowding
    - Identify type of cases
  - b. Prison overcrowding
    - Identify type of cases
  - c. Crowded criminal court dockets
    - Identify type of cases
    - Identify sentencing practices

- d. Crime and drug trends
  - Increase in crime to include types
  - Increase in drug use to include types
  - Other social impacts (i.e. emergency room episodes, overdoses, property damage, etc.)
  
- 6. Assessing the Drug Court Planning Team for Key Knowledge
  - a. All Planning Team Must Develop Competencies in the Following Areas:
    - The Promise of Drug Courts
    - The Ten Key Components of Drug Court
    - Differing Drug Court Models
    - The Science of Addiction and Psychopharmacology
    - Cultural Competency and Proficiency
    - Deciding on the Target Population(s)
    - Assessing for Criminogenic Risk and Needs
    - Clinical Screening and Assessment
    - The Science of Substance Abuse Treatment: What Works
    - Addressing Co-Occurring Mental Health and Health Disorders
    - Addressing Relapse
    - Best Practices in Effective Community Supervision
    - Best Practices in Effective Drug Testing
    - Sharing Client Information: Confidentiality and Ethics
    - Preparing for a Drug Court Status Hearing
    - The Drug Court Courtroom
    - Addressing Client Behavior: Incentives and Sanctions
    - Measuring Performance
    - Research and Evaluation
    - Management Information Systems
    - Developing a Sustainable Court Program

## **II. How to Design An Adult Drug Court Program**

- 1. Develop the Mission Statement
  - Purpose of the drug court (developed by team)
  - Address the goals
  - Articulate the motivation of team and stakeholders
  
- 2. Define the Goals and Objectives
  - a. Goals
    - Focus on public safety and personal responsibility
    - Improved utilization of community resources
    - Cost effect on criminal justice system
    - High rates of retention and completion
    - Improved functioning of individuals
    - Address access and fairness issues

- b. Objectives
  - Clearly stated, realistic end results
  - Quantifiable with measurable outcomes
  - Respond to participant, stakeholder and community needs
  - Attainable given program design and resources available
- 3. Identify the Target Population
  - a. Review problem data
    - Determine which offenses and/or type of offenders to include
    - Focus should be placed on High Risk/High Need offenders
- 4. Design Eligibility and Disqualification Criteria
  - Level of Crime: Felony/Misdemeanor
  - Type of Crime: Possession/Drug Motivated/Drug Sales
  - Drug Use and Abuse History/Drug Dependency
  - Criminal Background
  - Residency
  - Mental Health and Health Issues
  - Current Legal status
  - Probation/Parole Status/Revocation
- 5. Determine Court Model
  - Pre Plea Diversion
  - Post Plea
  - Deferred Sentencing
  - Probation
  - Probation Revocation
  - Reentry
- 6. Design Entry Process
  - a. Risk and Need Assessment
    - Determines who is most suited for Drug Court
    - Identify tool(s) to be used
    - Identify who will administer risk and needs assessment
  - b. Identify who will conduct legal screening
    - Prosecutor
    - Defense Attorney
    - Coordinator
    - Entire Team
  - c. Determine Points of Entry
    - At Arrest
    - Bail
    - Pre-trial Review
    - Initial Court Appearance
    - Pre-sentence Hearings
    - Probation Revocation Hearing

- d. Clinical Screening
    - Identify and select a tool
    - Identify who will conduct the screening
      - Drug Court case managers
      - Pretrial Services
      - Probation
      - TASC
      - Treatment Provider
  - e. Purpose of Screening
    - Determine the presence and severity of substance abuse.
    - Weed out persons who do not have substance abuse problems.
    - Determine if the severity of substance abuse problem is appropriate to the level of available drug court services.
  - f. Clinical Assessment
    - Identify and select a tool
    - Address biological, psychological and sociological factors
    - Identify a clinically trained and qualified counselor, psychologist, psychiatrist, social worker, or nurse to administer tool.
    - Determine if the severity of substance abuse problem is appropriate for the drug court program.
  - g. Purpose of Assessment
    - Examine scope and nature of substance abuse problem
    - Identify full range of service needs, pursuant to treatment planning
    - Match participants to appropriate services
    - Determine where and when the legal and clinical screening will be administered
    - Determine where and when the clinical assessment will be delivered
7. Establish Drug Court Phase System
- a. Determine Length of Program
    - Legal Requirements
    - Treatment Needs
  - b. Determine Number and Length of Phases
    - Phase Advancement Requirements
  - c. Define Specific Court-Imposed Rules
    - Rules and regulations of treatment
    - 12 Step Meetings/Support Meetings
    - Community Service
    - Employment
    - Program Fees/Court Costs
    - Alumni/Continuing Care
    - Court Appearances
    - Drug Tests
    - Curfew
    - Ancillary Services
    - Case Management

- Educational/Vocational Training/GED
  - Drug-Free/Pro-Social Activities
8. Develop Treatment Protocol
- a. Assess Treatment Resources and “Levels of Care” in the Community
    - Detoxification
    - Intensive Outpatient
    - Outpatient
    - Day Treatment
    - Inpatient Residential
    - Halfway House
    - Sober Living
    - Medical Care
    - Mental Health Care
    - Medication Assisted Programs
    - Case Management Services
  - b. Assess Other Ancillary Resources Available in the Community
    - Community Mapping Tool
  - c. Choose the Treatment Program(s) to Serve the Drug Court
    - Duration of Treatment
    - Goals of Treatment
    - Frequency of Treatment in each Phase
    - Culturally Appropriate Services and Staff
    - Individualized Treatment Plans
    - Type of evidence-based treatment used by provider
      - Cognitive Behavioral Therapy
      - Motivational Enhancement Therapy
      - Community Reinforcement Approach
      - Medically Assisted Treatments
      - Relapse Prevention
      - Aftercare/Continuing Care
      - Determine Administrative Responsibilities for Providers
        - Types of reports to be generated
        - Information to be shared with team
9. Identify Community Resources
- Complete Community Mapping
10. Develop Community Supervision Protocol
- a. Determine Which Agency Supervises Clients
    - Probation
    - Parole
    - Police
    - Sheriff
    - Pre-trial Services
    - Marshalls
    - Community Supervision Officers

- Case Managers
  - b. Develop Practices
    - Determine Frequency of Contact by Phase
    - On-going Assessment
    - On-going Home Visits
    - Search
    - Surveillance
    - Bar and Restricted Area Sweeps
    - Office Visits
11. Develop Drug Testing Protocol
- a. Determine Which Agency Administers Drug Tests
    - Probation
    - Parole
    - Police
    - Sheriff
    - Pre-trial Services
    - Marshalls
    - Community Supervision Officers
    - Case Managers
    - Treatment Providers
  - b. Determine Type(s) of Drug Test Methodology
    - Onsite/Laboratory
    - Urine
    - Hair
    - Silva
    - Breath
    - Blood
    - Sweat
  - c. Determine Frequency of Testing in Each Phase
    - Significant Testing Frequency in Early Phases and Titrate Frequency Down in Higher Phases
  - d. Develop Process for Randomization
    - Color Code Phone Message
  - e. Develop Process for Collection
    - Observed
    - Male and Female Collectors
    - Chain of Custody
    - Confirming Positive Tests
    - Timeframe of Reports
    - Reporting Results
  - f. Chose Drugs to be Tested
    - Illicit Drugs
    - Prescription Drugs
    - Alcohol
    - Adulterants

12. Develop Court Responses Protocol
  - Develop Court Responses Based on the NDCI *Ten Science-Based Principles to Changing Behavior*
  - Develop Memorandum of Understanding with Sherriff for Brief Jail and Other Sanctions (i.e., washing police cars, trash pick-up, etc.)
  - Develop Strategy to Secure and Receive Donations for Incentives (i.e., public transportation tokens, movie passes, restaurant and shopping vouchers, etc.)
  
13. Develop Communication Protocol
  - Develop Authorization/Consent Forms
  - Review Each Team Member Agency Ethics Regulations
  
14. Develop a Monitoring and Evaluation Protocol
  - Select an Evaluator (public or private)
  - Develop a logic model
  - Develop a Process Evaluation Plan
  - Identify Performance Measures
  - Develop How Data Will Be Collected and Stored
  - Consider Management Information Systems
  
15. Identify and Develop Waivers
  - Develop Search Waiver
  - Develop Offender Contract
  - Develop Offender Consent Form
  
16. Develop Operational Practices
  - a. Establish Staffing Meeting Practices
    - Determine When and Where Staffing Will Occur
    - Determine Who is Required to Attend Staffing
  - b. Develop Progress Reports Practices
    - Determine What Information is Included in Progress Reports
    - Determine When Progress Reports are Due and to Whom
  
17. Creating a Sustainable Drug Court
  - a. Identify Program Costs
    - Screening and Assessment Tools
    - Treatment Services
    - Drug Testing
    - Personnel
    - Training
    - Technology
    - Administration
    - Data Collection
    - Research
  - b. Identify Available Resources



- Existing Employees
- Existing Community Resources (community mapping)
- Grants and Donations
- Fundraising Strategies

18. Manage Public Relations

- Educate Agency Partners
- Educate the Public
- Develop a Media Plan
- Engage the Media
- Educate Local, State and National Leaders