

HEALING TO WELLNESS COURT KEY COMPONENT BENCH CARD

3

ELIGIBLE COURT-INVOLVED SUBSTANCE-ABUSING PARENTS, GUARDIANS, JUVENILES, AND ADULTS ARE IDENTIFIED EARLY THROUGH LEGAL AND CLINICAL SCREENING FOR ELIGIBILITY AND ARE PROMPTLY PLACED INTO THE TRIBAL HEALING TO WELLNESS COURT.

Key Concepts, Considerations, and Questions

Court-Involved Person	What mechanism (policy/practice) assures that defendants, respondents, petitioners and/or juveniles are identified early?
Eligibility Criteria	Are eligibility criteria specified for minimum qualification?
Population Focus	Is process in place to modify Target Population/Eligibility Criteria?
Screening	Are all Team Members familiar with of the Court's legal and clinical screening process?
Promptly Placed	Is timeframe monitored? [average # days from incident/arrest to]: 1) Screenings; 2) Initial Hearing; 3) First Review; 4) Phase Change, etc.?
	Do numbers indicate a faster pace in comparison to regular process?

“excerpt from statute, p & p,
court rules, etc.;

Alumni Quote,.”

(pic, graphic, cartoon, etc.?)

JURIST - JUDICIAL ROLES & RESPONSIBILITIES

Functions & Formalities	Community Connection – Familiarize Community members with WHO gets into Wellness Court Council Connection – Keep Tribal leadership informed of judicial policy & rule-making Court Capability – Monitor Court’s quality of process & provision of treatment/ancillary services	<input type="checkbox"/>
Legal Process & Procedures	Maintain clear & transparent distinction between regular Court procedure and Wellness Court If form is used to record and respond to referrals, is it readily available to all referral point personnel? Distinguish Wellness Court file from defendant/respondent file (file separately - alternate docket numbers)	<input type="checkbox"/>
Ethics & Protocol	Identify and deliberate timely judicial conflicts to assure Court momentum and consistency. Assure consent forms are reviewed thoroughly with candidate-participant. Review confidentiality rules and forms periodically with Team Members and participants.	
Legal Context & Considerations (Assure no conflict with existing law)	Constitution Code Council Resolution Common Law Court Rule Custom	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

TEXT

SUGGESTED	Foster collaborative relationship with Court partners <input type="checkbox"/>	Related NADCP Core Competency # 4 – Judge “is knowledgeable of gender, age, and cultural issues that may impact the offender’s success.”
Practices	Monitor placement into Court promptness <input type="checkbox"/>	
Training	Assess eligibility criteria/target population periodically <input type="checkbox"/>	See Process & Procedure Bench Card 13
Coaching	Assure notice of changes to eligibility crit./target pop. <input type="checkbox"/>	
Support	Discuss eligibility issues or challenges expeditiously <input type="checkbox"/>	
	Ensure Team can distinguish legal/clinical screening <input type="checkbox"/>	
Resources/Technology	www.tlpi.org , www.nadcp.org , www.ndci.org , www.au.edu , www.ndcdr.org , etc. (any technology that would be useful – video conferencing, conference call, webinars, webpage, etc)	<input type="checkbox"/>

“95 percent of the crime is drug or alcohol related. Crime is the result of an addiction that is a result of trauma and you have to find out the trauma. Maybe there’s historical trauma, individual or a family trauma that the person has to deal with. We in the justice system have to work in tandem with those who are trying to make the community well before we’re going to see any progress. A (Wellness Court) is perfectly, ideally suited for tribes.”
Hon. B. J. Jones