

STATE OF MICHIGAN



DISTRICT JUDGES  
Hon. L. Eugene Hunt, Jr.  
Hon. Sam A. Salamey  
Hon. Mark W. Somers

NINETEENTH DISTRICT COURT

16077 MICHIGAN AVENUE  
DEARBORN, MICHIGAN 48126

Eric F. Cyman  
Court Administrator  
(313) 943-2070  
Court Information  
(313) 943-2060

Administrative Order 2019 – 03

**ORDER FOR THE ESTABLISHMENT OF A HYBRID DWI/DRUG TREATMENT COURT**

**IT IS ORDERED:**

This administrative order is issued in accordance with MCL 600.1060, *et seq.* The purpose of this order is to establish a hybrid DWI/drug treatment court in 19<sup>th</sup> District Court upon approval by the State Court Administrative Office (SCAO). All policies and procedures comply with the statute and are consistent with the *10 Key Components of Drug Treatment Courts* promulgated by the National Association of Drug Court Professionals (see attachment A) as required by MCL 600.1060(c), and the *10 Guiding Principles for DWI Courts* promulgated by the National Drug Court Institute, a division of the National Association of Drug Court Professionals (see attachment B) as required by MCL 600.1084(2).


1. The court has entered into a memorandum of understanding with each participating county prosecuting attorney in the circuit or district court district, a representative of the criminal defense bar, a representative of community treatment providers, and other key parties pursuant to MCL 600.1062. The memorandum of understanding describes the role of each party and is attached (Attachment C).
2. The court has established eligibility criteria consistent with MCL 600.1064 and 600.1068.
3. In compliance with MCL 600.1064(3), no participant will be admitted until a complete preadmission screening and substance abuse assessment are completed.
4. All participants will sign a voluntary written consent to participate in the program in conformance with MCL 600.1068(1)(d).
5. The court will maintain case files in compliance with Retention and Disposal Schedule General Schedule #13 – District Court, the Michigan Trial Court Case File Management Standards, and Part 2 of Title 42 of the Code of Federal Regulations to assure confidentiality of treatment court records.

6. The court has established, as part of its program requirements, procedures to ensure compliance with MCL 600.1072 and 600.1074.
7. Pursuant to MCL 600.1078, the court will provide the SCAO with the minimum standard data established by the SCAO for each individual applicant and participant of the treatment court program.
8. The court will use the Drug Court Case Management Information System (DCCMIS) to maintain and submit the minimum standard data as determined by the SCAO while receiving grant money from the SCAO.
9. In order to begin or continue operation of the hybrid DWI/drug treatment court, the 19<sup>th</sup> District Court will become certified by the State Court Administrative Office under MCL 600.1062 and MCL 600.1084.

**Effective Date:** Upon approval by the State Court Administrative Office.

Date

5/14/19

  
L. Eugene Hunt, Jr., Chief District Judge

## **ATTACHMENT A**

### **The 10 Key Components of Drug Treatment Courts as Promulgated by the National Association of Drug Court Professionals**

**Key Component #1:** Drug courts integrate alcohol and other drug treatment services with justice system case processing.

**Key Component #2:** Using a nonadversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.

**Key Component #3:** Eligible participants are identified early and promptly placed in the drug court program.

**Key Component #4:** Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.

**Key Component #5:** Abstinence is monitored by frequent alcohol and other drug testing.

**Key Component #6:** A coordinated strategy governs drug court responses to participants' compliance.

**Key Component #7:** Ongoing judicial interaction with each drug court participant is essential.

**Key Component #8:** Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.

**Key Component #9:** Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.

**Key Component #10:** Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

## **ATTACHMENT B**

### **The 10 Guiding Principles of DWI Courts**

**Guiding Principle #1 – *Target the Population:*** Targeting is the process of identifying a subset of the DWI offender population for inclusion in the DWI court program. This is a complex task given that DWI courts, in comparison to traditional drug court programs, accept only one type of offender: the person who drives while under the influence of alcohol or drugs. The DWI court target population, therefore, must be clearly defined, with eligibility criteria clearly documented.

**Guiding Principle #2 – *Perform a Clinical Assessment:*** A clinically competent objective assessment of the impaired-driving offender must address a number of biopsychosocial domains including alcohol use severity and drug involvement, the level of needed care, medical and mental health status, extent of social support systems, and individual motivation to change. Without clearly identifying a client's needs, strengths, and resources along each of these important biopsychosocial domains, the clinician will have considerable difficulty in developing a clinically sound treatment plan.

**Guiding Principle #3 – *Develop the Treatment Plan:*** Substance dependence is a chronic, relapsing condition that can be effectively treated with the right type and length of treatment regimen. In addition to having a substance abuse problem, a significant proportion of the DWI population also suffers from a variety of co-occurring mental health disorders. Therefore, DWI courts must carefully select and implement treatment practices demonstrated through research to be effective with the hard-core impaired driver to ensure long-term success.

**Guiding Principle #4 – *Supervise the Offender:*** Driving while intoxicated presents a significant danger to the public. Increased supervision and monitoring by the court, probation department, and treatment provider must occur as part of a coordinated strategy to intervene with repeat and high-risk DWI offenders and to protect against future impaired driving.

**Guiding Principle #5 – *Forge Agency, Organization, and Community Partnerships:*** Partnerships are an essential component of the DWI court model as they enhance credibility, bolster support, and broaden available resources. Because the DWI court model is built on and dependent upon a strong team approach, both within the court and beyond, the court should solicit the cooperation of other agencies, as well as community organizations to form a partnership in support of the goals of the DWI court program.

**Guiding Principle #6 – *Take a Judicial Leadership Role:*** Judges are a vital part of the DWI court team. As leader of this team, the judge's role is paramount to the success of the drug court program. The judge must also possess recognizable leadership skills as well as the capability to motivate team members and elicit buy-in from various stakeholders. The selection of the judge to lead the DWI court team, therefore, is of utmost importance.

**Guiding Principle #7 – *Develop Case Management Strategies:*** Case management, the series of inter-related functions that provides for a coordinated team strategy and seamless collaboration across the treatment and justice systems, is essential for an integrated and effective DWI court program.

**Guiding Principle #8 – *Address Transportation Issues:*** Though nearly every state revokes or suspends a person's driving license upon conviction for a DUI offense, the loss of driving privileges poses a significant issue for those individuals involved in a DWI/drug court program. In many cases, the participant solves the transportation problem created by the loss of their driver's license by driving anyway and taking a chance that he or she will not be caught. With this knowledge, the court must caution the participant against taking such chances in the future and to alter their attitude about driving without a license.

**Guiding Principle #9 – *Evaluate the Program:*** To convince "stakeholders" about the power of DWI court, program designers must design a DWI court evaluation model capable of documenting behavioral change and linking that change to the program's existence. A credible evaluation is the only mechanism for mapping the road to program success or failure. To prove whether a program is efficient and effective requires the assistance of a competent evaluator, an understanding of and control over all relevant variables that can systematically contribute to behavioral change, and a commitment from the DWI court team to rigorously abide by the rules of the evaluation design.

**Guiding Principle #10 – *Create a Sustainable Program:*** The foundation for sustainability is laid, to a considerable degree, by careful and strategic planning. Such planning includes considerations of structure and scale, organization and participation and, of course, funding. Becoming an integral and proven approach to the DWI problem in the community, however, is the ultimate key to sustainability.