

## New Mexico Drug/DWI Court Peer Review Process

### Suggested Recommendation Language for Completing Peer Review Summary Report:

Sample language is provided in the right column for each of the Standards that are included on the Peer Review Checklist, to assist you in completing the Peer Review Summary Report. These recommendations are for practices for which you checked “no.” Please choose any relevant text and feel free to leave out or adapt any language that is not appropriate for this site. You may cut and paste the relevant language from this table into the list of recommendations on the summary report form.

Best Practice	Suggested recommendation language if practice is marked “no” on best practices table
<p><b>Key Component #1: Drug courts integrate alcohol and other drug treatment services with justice system case processing</b></p> <ul style="list-style-type: none"> <li><i>Guiding Principle #5: Forge Agency, Organization and Community Partnership</i></li> </ul>	
<p>1.1 Program has a Memorandum of Understanding (MOU) in place between the drug/DWI court team members (and/or the associated agencies)</p>	<p>It is essential to have an MOU between the various agencies that clearly states the roles and duties of each team member in the drug court program. This can also ensure agreements as to how they will communicate with each other (e.g., that they WILL communicate with each other) and what information will be shared, etc. The MOU can be used as a training tool for new team members and can serve as a reminder about the purpose of their collaboration for drug court. Sample MOU’s can be found at <a href="http://www.ndcrc.org">www.ndcrc.org</a></p>
<p>1.2 MOU specifies team member roles</p>	<p>It is essential to have an MOU between the various agencies that clearly states the roles, duties, and expectations of each team member in the drug court program. The MOU can also be used as a training tool for new team members and can serve as a reminder about the purpose of their collaboration for drug court. Sample MOU’s can be found at <a href="http://www.ndcrc.org">www.ndcrc.org</a></p>

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1.3 MOU specifies what information will be shared	In order for the team to make informed and fair decisions about their response to participant behavior, it is crucial that all necessary information be provided to the team. Consider adding language to your existing MOU that outlines how the team will communicate with each other (e.g., that they WILL communicate with each other) and what information can or will be shared, etc. The MOU can also be used as a training tool for new team members and can serve as a reminder about the purpose of their collaboration for drug court. Sample MOU’s can be found at <a href="http://www.ndcrc.org">www.ndcrc.org</a>
1.4 Program has a written policy and procedure manual	A policy manual helps to ensure that all partners are operating under the same assumptions—and also helps in clarifying roles, responsibilities, and expectations. The policy manual can also be used as a part of the training process for new team members, providing relevant information associated with their role on the team and learning program processes. The drug court team should collaboratively develop and agree on all aspects of court operations (mission, goals, eligibility criteria, operating procedures, performance measures, drug testing, and program structure guidelines) within this manual.
1.5 All key team members attend pre-court staff meetings (judge, prosecutor, defense attorney, treatment, program coordinator, and probation)	Ensure that <b>[include any missing team members, delete the others]</b> the judge, coordinator, prosecutor, defense counsel, probation officer, and treatment provider attend all pre-court staff meetings. The team is able to collaborate effectively during pre-court staff meetings despite the absence of <b>TEAM MEMBER(S)</b> . However, to maximize efficiency, it is important to have all key team members present at pre-court staff meetings. Each team member views, interacts, or discusses a participant from a different perspective. They may also see the person at a different time from most of the team, which may offer additional, useful information for the team to draw from in determining court responses that will change participant behavior.

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1.6 All key team members attend status hearings (judge, prosecutor, defense attorney, treatment, program coordinator, and probation)	Ensure that [include any missing team members, delete the others] the judge, coordinator, prosecutor, defense counsel, probation officer and treatment provider attend all status hearings. The team is able to work effectively during the status hearings despite the absence of TEAM MEMBER(S). However, to maximize efficiency, it is important to have all key team members present at status hearings. Each team member views, interacts with, or discusses a participant from a different perspective. They may also see the person at a different time from most of the team, which may offer additional, useful information for the team to draw from in determining court responses that will change participant behavior.
1.7 Law enforcement (e.g., police, sheriff) is a member of the drug/DWI court team	To the extent possible, the drug court team should make certain that local and state police understand their participation with drug court as a cost-effective way to deal with repeat offenders who have substance abuse problems. Participation by law enforcement on the team can change participants’ view of law enforcement and can law enforcements’ view of participants. Additionally, the program should be seen as an avenue for addressing quality of life issues and preserving public safety. Research in this area has shown that greater law enforcement involvement increases graduation rates and reduces outcome costs (Carey, Finigan & Pukstas, 2008).
1.8 Law enforcement attends drug/DWI court pre-court staff meetings	Work with local law enforcement agencies to inform leadership of the importance of representation at team meetings and identify an interested person to attend these meetings regularly. Involvement in pre-court staff meetings provides the law enforcement representative a new perspective about the context of participants’ lives and the work they are doing to make positive changes. Law enforcement also provides a unique perspective about participants and they can offer additional monitoring and community support to the program.
1.9 Law enforcement attends status hearings	Law enforcement presence at status hearings can help improve the relationship between participants and police, by demonstrating to both parties the commitment and dedication each has to the program’s goals. Law enforcement representatives receive an unusual opportunity to see positive changes in the individuals they have arrested. Law enforcement also provides support when warrants need to be served.

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1.10 Treatment communicates with court via email	Establish protocols for treatment providers to share information with the team through e-mail. Good communication is very important for any successful team effort and this is particularly true of drug court. For a drug court to provide immediate sanctions and rewards, it must operate with quick and accurate communication about client activities. Using e-mail as a primary communication method allows swift communication simultaneously with all team members. Drug courts where treatment communications with the court/team via e-mail have significantly less recidivism than programs that do not use this method of communication.
<b>Key Component #2: Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants’ due process rights</b>	
2.1 A prosecuting attorney attends drug/DWI court pre-court staff meetings	The prosecutor should attend and actively participate in all pre-court staff meetings. Best practices research indicates that this practice results in more positive participant outcomes including lower recidivism and increased cost savings. Prosecutors bring an important perspective to the team, through their role to maintain community safety and ensure accountability. It is important to have both attorneys present to avoid ex parte communication.
2.2 A prosecuting attorney attends status hearings	The prosecutor should attend and actively participate in all drug/DWI court status hearings. Best practices research indicates that this results in more positive participant outcomes including lower recidivism and increased cost savings. It is important to have both attorneys present to avoid ex parte communication.
2.3 The defense attorney attends drug/DWI court pre-court staff meetings	The defense attorney should attend and actively participate in all pre-court staff meetings. The presence of a participant advocate is an important piece of the process of the team deciding on responses to participant behavior, especially when jail sanctions are used. The program should consider any options that would allow consistent representation of the defense attorney at pre-court staff meetings. It is important to have both attorneys present to avoid ex parte communication.

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2.4 The defense attorney attends status hearings	The defense attorney should attend and actively participate in all status hearings. The presence of a participant advocate is especially important in court, especially when jail sanctions are used. The program should consider any options that would allow consistent representation of the defense attorney at status hearings. It is important to have both attorneys present to avoid ex parte communication.
<b>Key Component #3: Eligible participants are identified early and promptly placed in the drug court program.</b> <ul style="list-style-type: none"> <li>• <i>Guiding Principle #1: Determine the Population</i></li> </ul>	
3.1 The time between arrest and program entry is 50 days or less	The program may want to conduct an in-depth review to determine if there are places where time could be saved between arrest and identification for drug court. An analysis of case flow to identify bottlenecks or structural barriers, and points in the process where potential adjustments to procedures could facilitate quicker placement into drug court would be helpful. In addition, a more systematic identification and referral process may be able to shorten the time between arrest and drug court entry. The team could review the systems of programs that have shorter lapses between arrest and drug court entry, to gain ideas. The program should set a goal for how many days it should take to get participants into the program, and work toward achieving that goal, keeping in mind that the sooner individuals needing treatment are connected with resources, the better their outcomes are likely to be.
3.2 Current program caseload/census (number of individuals actively participating at any one time) is less than 125	When program caseload reaches 125 at any one time, the team should pay special attention to ensure that other best practices are still being successfully implemented. When drug courts get larger, there is a tendency for the judge to spend less time with each participant in court, for drug tests to occur less often and for various team members to attend pre-court staff meetings and review hearings less often. It is important to ensure that the quality of the supervision and other services do not decrease when the program gets larger.

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3.3 The drug/DWI court allows other charges in addition to drug charges	Drug court programs are designed with intense supervision appropriate for high-risk individuals. Participants with other criminal charges in addition to drug charges tend to be higher risk. Research has shown that programs that allow participants with other charges in addition to drug charges have significantly lower recidivism and higher cost savings.
3.4 The drug/DWI court accepts offenders with mental health issues, as long as appropriate treatment is available	The drug court model has been shown to work particularly well for high risk high need individuals, including those with diagnosed co-occurring mental health issues. Individuals with severe substance use disorder frequently have co-occurring mental health issues. The program should work to ensure appropriate treatment is available to treat mental health as well as substance use problems.
3.5 The drug/DWI court accepts offenders who are using medications to treat their drug dependence	If the program is capable of providing the necessary services, participants should not be denied entry into the program strictly based on the use of lawfully prescribed prescription medications. Research has shown that drug courts are effective with participants with a wide range of medical issues. Treating these individuals can potentially result in significant cost savings due to some of their associated costs (such as repeated emergency room visits) and also provide an opportunity for the program to oversee their medication dosages and usage.
3.6 Program uses validated, standardized assessment to determine eligibility	The program should immediately implement the use of standardized assessment tools to determine participant eligibility. This change will provide guidance in determining participant risk and need and the services related to treatment and supervision appropriate to the participant risk and need. Standardized assessments are also vastly more reliable than using subjective criteria (such as attitude or openness to treatment) or professional judgment alone (such as trying to predict what factors lead to success).
3.7 Participants are given a participant handbook upon entering the program	Creating a handbook specifically for participants would help clarify topics such as length/requirements of program phases, approved over-the-counter medications, and participant legal rights. Defining program minimums (group sessions, drug tests, etc) would also help potential participants understand what exactly the program will entail and ensure that they are well informed about the program’s expectations.

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<p><b>Key Component #4: Drug courts provide access to a continuum of alcohol, drug and other treatment and rehabilitation services</b></p> <ul style="list-style-type: none"> <li>○ <i>Guiding Principle #2: Perform a Clinical Assessment</i></li> <li>○ <i>Guiding Principle #3: Develop the Treatment Plan</i></li> <li>○ <i>Guiding Principle #8: Address Transportation Issues</i></li> </ul>	
<p>4.1 The drug/DWI court uses no more than two treatment agencies to provide treatment for a majority of participants or a single agency/individual provides oversight for any other treatment agencies treating drug court participants</p>	<p>Work on moving to a model where the drug court utilizes at most two core treatment agencies, or establish a communication system that designates a single entity (one of the providers or a different organization as appropriate) to oversee and coordinate treatment services as well as communication with the rest of the team. Referrals to ancillary services as needed are still appropriate on an individual basis.</p>
<p>4.2 The drug/DWI court requires participants to meet individually with a treatment provider or clinical case manager weekly in the first phase of the program</p>	<p>Participants should have individual treatment (one on one sessions) with case management personnel (drug court staff or treatment representative) at least once per week during the first phase of the program to review the status of treatment and program progress.</p>
<p>4.3 The drug/DWI court offers a continuum of care for substance abuse treatment (detoxification, outpatient, intensive outpatient, day treatment, residential)</p>	<p>Drug courts that offer a range of services along the continuum of care have significantly better outcomes than programs that do not. It is important to ensure that the treatment and services available fit with the risk and need levels of all the participants.</p>
<p>4.4 Program uses validated, standardized assessment to determine level or type of services needed</p>	<p>This assessment provides comprehensive information to help determine the individualized care a person will need to be successful. It helps to set the foundation for the case/treatment/service plan. When a person’s needs are being met, they are more likely to be successful (in the program and beyond).</p>

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4.5 Treatment providers administer evidence-based, manualized behavioral or cognitive-behavioral treatments	As described in Volume I of the Adult Drug Court Best Practice Standards, research has shown that outcomes are significantly improved when interventions are carefully documented in treatment manuals, providers are trained to deliver the interventions reliably (according to the manual), and fidelity to the treatment model is maintained throughout the process.
4.6 The drug/DWI court offers or make referrals to gender specific services	It is suggested that treatment services be responsive to gender, among other characteristics. Programs that offer gender-specific services have significantly lower recidivism than programs that do not provide these services.
4.7 The drug/DWI court offers or make referrals to mental health treatment	It is suggested that treatment services be responsive to mental health needs, among other characteristics. Programs that offer mental health services have significantly lower recidivism than programs that do not provide these services.
4.8 The drug/DWI court offers or make referrals to parenting classes	It is suggested that treatment services be responsive to participants that are parents, among other characteristics. Programs that offer parenting classes/services have significantly lower recidivism than programs that do not provide these services. In addition, parenting classes can be helpful for teaching positive communication among individuals, regardless of whether they are parents.
4.9 The drug/DWI court offers or make referrals to family/domestic relations counseling	It is suggested that treatment services be responsive to family/domestic relations, among other characteristics. Programs that offer family/domestic relations services have significantly lower recidivism than programs that do not provide these services.
4.10 The drug/DWI court offers or make referrals to health care	It is suggested that treatment services be responsive to medical needs, among other characteristics. Programs that offer health care services have significantly lower recidivism than programs that do not provide these services.
4.11 The drug/DWI court offers or make referrals to dental care	It is suggested that treatment services be responsive to dental needs, among other characteristics. Programs that offer dental care services have significantly lower recidivism than programs that do not provide these services.
4.12 The drug/DWI court offers or make referrals to anger management classes	It is suggested that treatment services be responsive to anger management needs, among other characteristics. Programs that offer anger management services have significantly lower recidivism than programs that do not provide these services.
4.13 The drug/DWI court offers or make referrals to housing assistance	It is suggested that treatment services be responsive to housing needs, among other characteristics. Programs that offer housing assistance/services have significantly lower recidivism than programs that do not provide these services.



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4.14 The drug/DWI court offers trauma-related services	It is suggested that treatment services be responsive to trauma-related needs, among other characteristics. Programs that offer trauma-related services have significantly lower recidivism than programs that do not provide these services.
4.15 The drug/DWI court offers a criminal thinking intervention	It is suggested that treatment services be responsive to criminal thinking needs. Programs that offer criminal thinking interventions have significantly lower recidivism than programs that do not provide these services.
4.16 The drug/DWI court provides relapse prevention services for all participants	Relapse prevention is a clinical best practice. The drug court should incorporate this treatment type and participants should be expected to practice relapse prevention strategies throughout the length of the program to prepare them for their lives during and after program involvements.
4.17 The drug/DWI court provides referrals to services for participant's children	Many drug court participants are parents, and children and families of people with substance abuse or mental health issues are impacted adversely by their use and often in need of their own services. Holistic/comprehensive approaches involve the entire family unit and help improve the quality of life and outcomes for program participants. Participants with children have demonstrated better outcomes when family interventions that lessen family conflict, improve communication skills, and enhance problem-solving skills were added to the drug court curriculum or were available in the community and referred to by the drug court program. Examples: Strengthening Families and Celebrating Families! Manualized, cognitive-behavioral curricula; and modified versions of multidimensional family therapy, multisystemic therapy, and functional family therapy.
4.18 The drug/DWI court provides childcare while participants are in treatment or in court (or participating in other drug/DWI court requirements)	Many participants have children, and child care can be difficult to obtain while trying to meet program requirements. It is recommended that the program consider options/resources that allow the program to offer child care, as this practical assistance (even on a limited basis, such as during status hearings) allows the participants to be fully engaged with the program.
4.19 Program provides (or partners with service providers who provide) participants with legally prescribed psychotropic or addiction medication (MAT)	Medication assisted treatment (MAT) is an evidence based practice. Drug court programs should incorporate this practice for those participants who have an indicated need. The drug court should strive to find a qualified health care practitioner who will partner with the program to provide this service.

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4.20 The minimum length of the drug/DWI court program is 12 months or more	Research has shown that programs that are a minimum of 12 months have significantly better outcomes than shorter programs. The program is encouraged to establish a minimum 12 months of supervision and treatment. Participant phases should also reflect the time in which participants are actually enrolled in program
4.21 Treatment providers are licensed or certified to deliver substance abuse treatment	Studies have shown that in addition to better outcomes, licensed or certified staff members are also more likely to have positive views of adopting evidence-based practices. Continued oversight is also paramount, as providers implement evidence-based practices more regularly when they receive substantial initial training, continued refresher trainings, and regular supervision/feedback from their agency.
4.22 Treatment providers have training and/or experience working with a criminal justice population	The intersection of treatment, corrections/supervision, and the judicial system can be a complex system for one to navigate. Treatment providers trained and/or experienced in working with the criminal justice population have the tools necessary to more comfortably function in this environment. Competing ideals, accountability to outside agencies, and evolving group dynamics are just some of the matters that may arise while working for a drug court team, so retaining treatment providers with this experience is vital.
4.23 The treatment court program has processes in place to ensure the quality and accountability of the treatment provider	One of the most important elements of a successful drug court is the quality of treatment services provided. A quality assurance process needs to be put in place to ensure the accountability of the treatment provider to incorporate services and training consistent with the drug court model and treatment best practices (such as evidence-based practices, culturally appropriate approaches, cognitive behavioral therapy, manualized treatment, and trained/licensed professionals; maintaining fidelity to their treatment models, and appropriately matching individuals to services based on assessed needs).
4.24 Caseloads for probation/supervision officers do not exceed 30 active participants (up to 50 if mix of low risk and no other caseloads/responsibilities)	The probation/supervision officers typically have (along with treatment providers) the most frequent contact with and know the most information regarding participants. This underscores the need for caseloads to remain at 30 or below among these officers, as the ability to perform all regular supervision duties will begin to diminish beyond this figure.

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4.25 Caseloads for clinicians providing case management and treatment do not exceed 30 active participants (up to 50 if counseling OR case management)	Treatment providers typically (along with probation/supervision officers) have the most frequent contact with and know the most information regarding participants. This underscores the need for caseloads to remain at 30 or below among these clinicians, as the ability to deliver services will begin to diminish beyond this figure.
<b>Key Component #5: Abstinence is monitored by frequent alcohol and other drug testing</b> <ul style="list-style-type: none"> <li>○ <i>Guiding Principle #4: Supervise the Offender</i></li> </ul>	
5.1 Drug testing is random/unpredictable	As noted in the Drug Court Judicial Benchbook, “For testing to correctly assess the drug use patterns of program participants, it is crucial that samples be collected in a random, unannounced manner. The more unexpected and unanticipated the collection regime, the more accurately the testing results will reflect the actual substance use of a drug court client population... If clients never know when they are going to be tested, then opportunities for them to use drugs during known testing gaps are reduced...”
5.2 Drug testing occurs on weekends/holidays	Knowing that budget constraints limit programs greatly, the program should consider adding testing to ensure participants are not using substances outside of the current drug testing schedule. If weekend or holiday testing does not occur, this can result in opportunities for participants to use, knowing there are a concrete number of days that will pass before the next possible test. Substances that have shorter detection windows, such as alcohol or cocaine, may be used without the program’s knowledge. Although testing may be difficult to do 7 days per week, having the ability to test 1 day per weekend, and testing 1-2 weekends per month would greatly increase the amount of coverage on participants, and substantially reduce the amount of time that participants know testing will not occur.
5.3 Collection of test specimens is witnessed directly by staff	Research and anecdotal evidence overwhelmingly show that drug test tampering is common among the criminal justice population. Not only does this make supervision of a participant difficult (as you may not be accurately monitoring their substance use), they are engaging in criminal thinking and behavior, which the program is working to reverse. The best way to approach this is to have trained staff members directly witness sample collection.

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5.4 Staff that collect drug testing specimens are trained in appropriate collection protocols	Due to the multitude of ways that participants may try to tamper with or alter their drug tests (dilution, using another person’s urine, placing additives to a sample, switching samples, etc.), any and all staff members must be training in the proper protocols of drug testing. This training includes witnessing and collecting samples, following chain-of-custody procedures, transporting samples, storing samples when necessary and interpreting/reporting results.
5.5 Drug test results are back in 2 days or less	Establish protocols to obtain drug testing results as soon as possible, and within 48 hours at the longest. Effective behavior modification relies on rapid response to behavior, and that includes a quick response when participants have used or relapsed.
5.6 Drug tests are collected at least 2 times per week <sup>1</sup>	The program should administer drug tests on participants twice per week (at a minimum) during the first two phases of the program. A standardized system of drug testing, coordinated with probation and parole guidelines, should continue through the entirety of the program. Details of the drug testing schedule should also be documented by the program in the policy and procedure manual or other related materials.
5.7 Participants are expected to have greater than 90 days clean (negative drug tests) before graduation	Add “90 days of substantially continuous abstinence from alcohol or other drugs” as a graduation criterion for new participants. A period of drug-free stability is crucial to maximize the participant’s chance for success after the program. This practice positively impacts both recidivism and cost outcomes, decreasing recidivism, and increasing savings.
<b>Key Component #6: A coordinated strategy governs drug court responses to participants’ compliance</b> <ul style="list-style-type: none"> <li>○ <i>Guiding Principle #7: Develop Case Management Strategies</i></li> </ul>	

<sup>1</sup> Assessment asks about frequency of testing during the program’s first phase. If this item is marked “Yes,” verify that program maintains drug testing frequency for the duration of the program.

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6.1 Program has incentives for graduation, including avoiding a criminal record, avoiding incarceration, or receiving a substantially reduced sentence	Programs that have the leverage of avoiding incarceration, reducing sentences, or dismissing charges have better outcomes, because participants are often drawn to the program and have the incentive to engage in and complete it in order to obtain the benefits of less severe criminal justice system handling. Engage the prosecutor's office and other key policy-makers in discussions about how to implement this type of incentive in your program.
6.2 Sanctions are imposed immediately after non-compliant behavior (e.g., drug/DWI court will impose sanctions in advance of a client's regularly scheduled court hearing)	One of the goals of the program is to ensure that participants are fully aware of the relationship between their actions and resulting sanctions. Research has demonstrated that for sanctions and rewards to be most beneficial, they need to closely follow the behavior that they are intended to change or reinforce. Implement procedures/guidelines that allow sanctions to be imposed more quickly so they are more strongly tied to infractions will have a greater impact.
6.3 Team members are given a written copy of the incentive and sanction guidelines	Drug courts that have written guidelines for sanctions and rewards and that provide these guidelines to the team have double the graduation rate and three times the cost savings compared to drug courts that do not have written guidelines (Carey, Finigan & Pukstas, 2008; Carey, Waller & Weller, 2010). Much of the information contained in these guidelines exists in the Reentry Court’s MOU and can be adapted to fit within the new guidelines. These guidelines should be considered a starting point for team discussion of rewards and sanctions during pre-court staff meetings and not hard and fast rules. They can help the team in maintaining consistency across participants so that, when appropriate, similar behaviors result in similar sanctions. The guidelines also serve as a reminder of the various reward and sanction options available to the team so they do not fall into habits of using the same type of sanctions (e.g., community service) so frequently that they become ineffective. Written guidelines could also be helpful for new team members in learning about the program
6.4 Program has a range of sanction options (including less severe sanctions such as writing assignments and community services and more severe sanctions such as jail time)	Drug courts need to be able to sanction negative or non-compliant behaviors. However, participants vary in their level of risk and need, and their needs and skills change over the course of their participation. Therefore, the program needs to have a range of sanction options available, for responding to the range of minor to more serious infractions. <b>[FEEL FREE TO OFFER SPECIFIC SUGGESTIONS YOU HAVE FROM YOUR PROGRAM OR OTHERS YOU KNOW AS APPROPRIATE]</b> <a href="http://www.ndcrc.org">www.ndcrc.org</a> has sample incentives and sanctions lists that might be helpful to review for ideas.

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6.5 In order to graduate participants must have a job or be in school	Add “maintain employment or be enrolled in school” as a graduation criterion It is important that participants have reached this level of stability, the ability to support themselves through legal means, and/or be on the path to develop additional skills that will help them obtain employment. In addition, engagement in work or school provides consistent positive activity that takes up their time and provides reinforcement for their new, safer and healthier lifestyle. Make sure that the case manager works with participants to build the skills they need to apply for and retain employment or remain connected to an educational program.
6.6 In order to graduate participants must have a sober housing environment	Add “maintain sober housing” as a graduation criterion for new participants. Having a safe and drug/alcohol-free place to live is crucial for a participant's long-term success. Make sure that the case manager works with participants to assess their housing environment, identify housing options, and help them apply for and obtain housing.
6.7 In order to graduate participants must pay all court-ordered fines and fees (e.g., fines, restitution)	Add “full payment of all court-ordered fines and fees” as a graduation criterion for new participants. Make sure that program establishes a payment plan with each participant and assists them in figuring out how to earn the funds to pay their fines and fees and how to budget to pay them off.
6.8 Participants are required to pay drug/DWI court fees	Research has demonstrated that drug courts that require participants to pay fees have higher graduation rates and lower recidivism than drug courts that require no fees (Carey, et al. 2005; Carey, Pukstas & Finigan, 2008; Carey & Perkins, 2009; Carey, Waller, & Weller, 2010). Paying fees may increase the sense of accountability, as well as a sense of valuing the program as something that they have paid for. The team may consider the idea that indigent participants could “work off” these fees through community service or good behavior, rather than paying with cash, creating another method of providing incentives and/or sanctions.
6.9 The drug/DWI court reports that the typical length of jail sanctions is 6 days or less	The effectiveness of jail as a sanction tapers off within 3-6 days (particularly in high-risk individuals). This results in increasing the use of resources while gaining little in return. Jail sanctions should be used judiciously and as a last resort, with program responses gradually building towards its use.

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6.10 The drug/DWI court retains participants with new possession charges (new possession charges do not automatically prompt termination)	Participants who are caught possessing drugs or alcohol are most likely to be successful if they are retained in the program, which responds to the infraction and continues or increases intensive monitoring. Establish the policy of conducting a reassessment and responding to the need that precipitated the arrest, such as increasing treatment supports and adding skill-building classes.
<b>Key Component #7: Ongoing judicial interaction with each participant is essential</b> <ul style="list-style-type: none"> <li>○ <i>Guiding Principle #6: Take a Judicial Leadership Role</i></li> </ul>	
7.1 Participants have status review sessions every 2 weeks, or once per week, in the first phase	The team should review the current frequency of judicial interaction with participants and whether to increase the frequency of court hearings for participants. Research shows that participants have the most positive outcomes if they attend approximately one court appearance every 2 weeks.
7.2 Judge spends an average of 3 minutes or greater per participant during status review hearings	An <i>average</i> of three (3) minutes per participant is related to graduation rates 15 percentage points higher and recidivism rates that are 50% lower than drug courts that spend less than 3 minutes per participant (Carey, Waller, & Weller, 2010).
7.3 The judge’s term is as least 2 years or indefinite	The current judge has been presiding over the court for the past XX years. Experience and longevity are correlated with more positive participant outcomes and cost savings according to research where judges have served for 2 years or more.
7.4 The judge was assigned to drug/DWI court on a voluntary basis	The current judge has been presiding over the court for the past XX years. Judges that choose to site on the drug court bench (rather than being assigned) are correlated with more positive participant outcomes and cost savings.
7.5 In the final phase of drug/DWI court, the clients appear before the judge in court at least once per month	Research has shown that drug courts that require participants to attend status hearings once per month during the last phase have significantly greater reductions in recidivism. The drug court should ensure that participants appear in court once per month in the final phase.
<b>Key Component #8: Monitoring and evaluation measure the achievement of program goals and gauge effectiveness</b> <ul style="list-style-type: none"> <li>○ <i>Guiding Principle #9: Evaluate the Program</i></li> </ul>	

<b>Best Practice</b>	<b>Suggested recommendation language if practice is marked “no” on best practices table</b>
8.1 The results of program evaluations have led to modifications in drug/DWI court operations	Establish a regular interval for evaluation feedback. Review the results of all evaluations and associated recommendations as a team. Discuss how to make related program modifications. Use feedback about the program to analyze operations, modify program procedures, gauge effectiveness, change therapeutic interventions, measure and refine program goals, and make decisions about continuing or expanding the program.
8.2 Review of program data and/or regular reporting of program statistics has led to modifications in drug/DWI court operations	Establish a regular interval for reviewing program data and statistics. Review information gathered as a team. Discuss how to make related program modifications. Use feedback to analyze operations, modify program procedures, gauge effectiveness, change therapeutic interventions, measure and refine program goals, and make decisions about continuing or expanding the program.
8.3 The drug/DWI court maintains data that are critical to monitoring and evaluation in an electronic database (rather than paper files)	Drug courts that keep their data in an electronic database have significantly better outcomes than programs that keep their data in paper files. The drug court should work toward finding a drug court specific electronic database, particularly a web-based case management system.
<b>Key Component #9: Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations</b>	
9.1 All new hires to the drug/DWI court complete a formal training or orientation	The program is highly encouraged to provide training to new team members on the drug court model and their specific role before or as soon as possible after the new member joins the team.
9.2 All members of the drug/DWI court team are provided with training in the drug court model	The program is highly encouraged to provide regular (yearly) training to team members on the drug court model. Research has demonstrated that regular training for team members is related to greater reductions in recidivism and higher cost savings.
9.3 Drug/DWI court staff members receive ongoing cultural competency training	Drug court staff should participate in ongoing cultural competency training on an annual basis.



Best Practice	Suggested recommendation language if practice is marked “no” on best practices table
<p><b>Key Component #10: Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness</b></p> <ul style="list-style-type: none"> <li>○ <i>Guiding Principle #10: Ensure a Sustainable Program</i></li> </ul>	
<p>10.1 The drug/DWI court has an advisory committee that includes community members</p>	<p>The program is encouraged to create an advisory committee of key community partners that meets at least twice per year to learn about the needs of the program and its participants and discuss ways that resources can be generated to meet those needs. Meeting regularly can keep partners engaged and able to respond to changing political or community contexts.</p>
<p>10.2 The drug/DWI court has a steering committee or policy group that meets regularly to review policies and procedures</p>	<p>The program is encouraged to consider the creation of a steering committee made up of drug court team members and representatives from other community agencies, representatives of the business community and other interested groups. This could result in expanded community understanding and support of the program, as well as additional services, facilities, and rewards for the program. This can also contribute substantially to the sustainability of the program.</p>