
The Circuit Court

For
The Sixteenth Judicial Circuit of Michigan

Circuit Judges

RICHARD L. CARETTI, Chief Judge
JAMES M. BIERNAT, SR., Chief Judge, Pro Tempore
DONALD G. MILLER, Presiding, Civil/Criminal
ANTONIO P. VIVIANO, Presiding, Family
PETER J. MACERONI
MARY A. CHRZANOWSKI
MARK S. SWITALSKI
EDWARD A. SERVITTO, JR.
MATTHEW S. SWITALSKI
DIANE M. DRUZINSKI
TRACEY A. YOKICH
JOHN C. FOSTER
DAVID F. VIVIANO



Clerk of the Court

CARMELLA SABAUGH

KEITH R. BEASLEY
Court Administrator

ADMINISTRATIVE ORDER 2009 - 02

ORDER FOR THE ESTABLISHMENT OF A JUVENILE DRUG TREATMENT COURT

IT IS ORDERED:

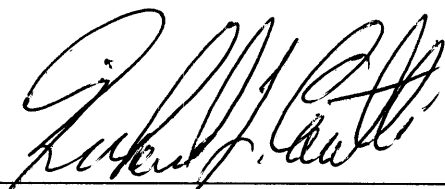
This Local Administrative Order is issued in accordance with MCL 600.1060 et seq. The purpose of this order is to establish a Juvenile Drug Treatment Court in the 16th Judicial Circuit upon approval by the State Court Administrative Office (SCAO). All policies and procedures comply with the statute and are consistent with the 16 Strategies of Juvenile Drug Courts promulgated by the National Drug Court Institute and the National Council of Juvenile and Family court Judges (see attachment A).

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 Memoranda of Understanding shall describe the role of each party. The Memoranda of Understanding are attached.
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 shall be admitted until a complete preadmission screening and substance abuse assessment are completed.
4. All participants shall sign a voluntary written consent to participate in the program in conformance with MCL 600.1068(1)d.

5. The Court shall maintain case files in compliance with Trial Court General Schedule 16, the Michigan Case File Management Standards, and Part 2 of Title 42 of the Code of Federal Regulations to assure confidentiality of drug treatment court records.
6. The Court has established, as part of its program requirements, procedures to assure compliance with MCL 600.1072 and 600.1074.
7. Pursuant to MCL 600.1078, the Court shall provide the SCAO with the minimum standard data established by the SCAO for each individual applicant and participant of the drug treatment court program.
8. The Court shall 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. The Court acknowledges that it has completed the federal Drug Court Planning Initiative (DCPI) training sponsored by the Bureau of Justice Assistance (BJA), in compliance with MCL 600.1062(3).

Effective Date: Upon approval of SCAO

Date: 6/9/09

Chief Judge Signature: 

ATTACHMENT A

The 16 Strategies of Juvenile Drug Treatment Courts

- 1) **Collaborative Planning:** Engage all stakeholders in creating an interdisciplinary, coordinated, and systemic approach to working with youth and their families.
- 2) **Teamwork:** Develop and maintain an interdisciplinary, nonadversarial work team.
- 3) **Clearly Defined Target Population and Eligibility Criteria:** Define a target population and eligibility criteria that are aligned with the program's goals and objectives.
- 4) **Judicial Involvement and Supervision:** Schedule frequent judicial reviews and be sensitive to the effect that court proceedings can have on youth and their families.
- 5) **Monitoring and Evaluation:** Establish a system for program monitoring and evaluation to maintain quality of service, assess program impact, and contribute to knowledge in the field.
- 6) **Community Partnerships:** Build partnerships with community organizations to expand the range of opportunities available to youth and their families.
- 7) **Comprehensive Treatment Planning:** Tailor interventions to the complex and varied needs of youth and their families.
- 8) **Developmentally Appropriate Services:** Tailor treatment to the developmental needs of adolescents.
- 9) **Gender-Appropriate Services:** Design treatment to address the unique needs of each gender.
- 10) **Cultural Competence:** Create policies and procedures that are responsive to cultural differences and train personnel to be culturally competent.
- 11) **Focus on Strengths:** Maintain a focus on the strengths of youth and their families during program planning and in every interaction between the court and those it serves.
- 12) **Family Engagement:** Recognize and engage the family as a valued partner in all components of the program.
- 13) **Educational Linkages:** Coordinate with the school system to ensure that each participant enrolls in and attends an educational program that is appropriate to his or her needs.
- 14) **Drug Testing:** Design drug testing to be frequent, random, and observed. Document testing policies and procedures in writing.

- 15) **Goal-Oriented Incentives and Sanctions:** Respond to compliance and noncompliance with incentives and sanctions that are designed to reinforce or modify the behavior of youth and their families.

- 16) **Confidentiality:** Establish a confidentiality policy and procedures that guard the privacy of the youth while allowing the drug court team to access key information.

**MEMORANDUM OF UNDERSTANDING
BETWEEN 16TH JUDICIAL CIRCUIT JUVENILE DRUG COURT AND
MACOMB COUNTY PROSECUTING ATTORNEY'S OFFICE**

The Honorable Antonio P. Viviano, Presiding Judge of the 16th Judicial Circuit Family Division, and Macomb County Prosecuting Attorney, Eric Smith, enter into this Memorandum of Understanding (MOU).

1. Scope Of Agreement

MCL 600.1062(2) states, "the family division of circuit court in any judicial circuit may adopt or institute a juvenile drug treatment court, pursuant to statute or court rules. However, the family division shall not adopt or institute a juvenile drug treatment court unless the family division of circuit court enters 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, and a representative or representatives of community treatment providers. ... The memorandum of understanding shall describe the role of each party." The memorandum may also include treatment providers, local law enforcement, defense counsel and any other parties that may be considered an important component to the drug court team.

2. Mission Statement

The Mission of the 16th Judicial Circuit Juvenile Drug Court is to increase public safety by providing a continuum of services to include judicial supervision, due process, and an integration of County and community agencies offering treatment to restore abstinence and sobriety.

3. Role of the Court

The 16th Judicial Circuit Juvenile Drug Court was established in June of 1999. The Juvenile Division Program Director is assigned for program supervision, screenings, and coordination of all program meetings, classes and outside activities. A Drug Court Probation Officer also handles screenings, case management, and the development of a supervision plan. Other team members include a defense attorney, treatment provider, Prosecuting Attorney, a representative from the police department (if willing to participate) and such other members as may be mutually agreed upon. All team members meet for staff meetings once a week where they together determine appropriate sanctions and incentives, and discuss the status of scheduled drug court cases. They also may discuss any other concerns or problems which may be pending or need to be resolved. The team will comply with all 16th Judicial Circuit Court Juvenile Drug Court policies and procedures that have been previously agreed upon by all parties. Further, attendance at conferences and training seminars related to Drug Court operations is encouraged.

4. Role of the Prosecuting Attorney

The Prosecuting Attorney is a key member of the Drug Court Team. The Prosecuting Attorney or his designees, i.e., Assistant Prosecuting Attorneys, will identify potential candidates for referral to the Drug Court in conjunction with members of the Drug Court staff. The Prosecuting Attorney, or designee, will make recommendations on potential candidates for admission to the Drug Court; will attend Drug Court sessions; will negotiate appropriate conditions and plea based resolutions with defendants' attorneys for referrals for admittance to the Drug Court; will represent the interests of the People of the State of Michigan in all Drug Court meetings and proceedings; will request sanctions and rewards when appropriate; and will request appropriate dispositions of cases upon each participant's successful or unsuccessful completion of the Drug Court Program.

5. Target Population and Eligibility Criteria

The target population for the 16th Circuit Court Juvenile Drug Court is juvenile court wards between the ages of twelve and seventeen who have been clinically assessed to have a substance abuse diagnosis and meet all other statutory requirements to enter a drug treatment court. The Court and the Prosecuting Attorney acknowledge the criteria may be changed from time to time upon the mutual agreement of the parties to this MOU. The Court and the Prosecuting Attorney acknowledge that the Court, the defendant/candidate, and the Prosecuting Attorney must all mutually agree that a candidate should be admitted to the Drug Court before that individual can be admitted. The Court and the Prosecuting Attorney agree that either party may deny a candidate admission to the Drug Court.

6. Statutes

The Court and the Prosecuting Attorney acknowledge the statutory scheme set forth in the Michigan Compiled Laws, specifically MCL 600.1060 - 600.1082, and agree to operate the 16th Judicial Circuit Court Juvenile Drug Court in accordance with those statutes.

7. Graduated Drug Court Sanctions

The Court and the Prosecuting Attorney agree that a graduated scale of sanctions for violations of the regimented Drug Court Program is a necessary component of this MOU. Sanctions include a warning, writing a letter of apology, reduction in curfew, increased treatment/drug testing requirements, tether, and detention. The Court and the Prosecuting Attorney acknowledge the criteria may be changed from time to time upon the mutual agreement of the parties to this MOU. The Court and Prosecuting Attorney agree to employ the graduated scale of sanctions in the ordinary course of the operation of the 16th Judicial Circuit Court Juvenile Drug Court. Further, the Prosecuting Attorney and the Court understand that each participant's case shall be judged on its own merits, and that circumstances may cause the parties to deviate from the graduated scale in certain cases.

8. Amendments

Upon the mutual consent of all parties hereto, this Memorandum of Understanding is subject to further negotiation and revision as required to support the objectives of the 16th Judicial Circuit Court Juvenile Drug Court and the Macomb County Prosecuting Attorney. Any changes to this agreement will be valid only if made in writing and accepted by all parties.

9. Compliance With Mandatory Grant Contract Provisions

In compliance with grant contract(s) between the Michigan Supreme Court Administrative Office and the 16th Judicial Circuit Court Juvenile Drug Court, the parties agree that Drug Court activities will comply with all applicable terms and conditions of the grant contract(s).

The parties agree that Drug Court activities will not discriminate in employment, service delivery or access, pursuant to the Elliot-Larsen Civil Rights Act, 1976 PA 220, as amended, MCL 37.1101, et. seq. Additionally, discrimination against businesses owned by minorities, women or handicapped persons in Drug Court activities is prohibited.

Pursuant to Public Law 103-227, the parties assure that any service or activity funded in whole or in part through the grant contract(s) will be delivered in a smoke-free facility or environment. Smoking shall not be permitted anywhere in the facility, or those parts of the facility under the control of a subcontractor. If activities or services are delivered in facilities or areas that are not under the control of the Drug Court (e.g., a mall, restaurant, or private work site), the activities or services shall be smoke free.

10. Protection of Confidential Information

All entities collaborating in this Drug Court effort agree to follow all laws, rules, and regulations surrounding the confidential information of all participants. All entities are responsible for safeguarding information in accordance with all laws and regulations, including Title 42 of the Code of Federal Regulations regarding the confidential information of participants.

In addition, all entities collaborating in this Drug Court agree to the confidentiality regulations as set forth by HIPPA. Information that may be faxed to either entity will be done in accordance with all laws to include HIPPA and contain a confidential cover sheet. All confidential information will be securely stored in locked rooms or locked file cabinets inaccessible to those not authorized to receive the information

The Court and the Prosecuting Attorney agree that the Prosecuting Attorney, or designated members of his staff, in the course of his duties as Prosecuting Attorney, shall have full access to review participants' files in their entirety, including but not limited to, all records of

any and all drug testing, whether by urine, blood sample, breath sample, buccal swab, or otherwise; and any and all records pertaining to the participant's ongoing participation in Drug Court. Further, the Court and Prosecuting Attorney agree that candidates seeking admittance to the Drug Court shall sign a consent form for the disclosure of confidential substance abuse information as a prerequisite for admission to the Drug Court. In light of the possibly evolutionary nature of this item, it is included as **Attachment A**, which is made a part of this MOU. Further, the Court and the Prosecuting Attorney acknowledge that this item may be changed from time to time upon the mutual agreement of the parties to this MOU. The signed consent form further expands and controls the use and extent of the protection of confidential information.

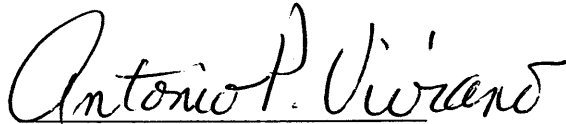
11. Termination of Memorandum of Understanding

Any party for any reason may terminate this Memorandum of Understanding by giving a thirty calendar-day written notice. A termination of the Memorandum of Understanding shall serve as a barrier to any further cases under the jurisdiction of the Prosecuting Attorney from entering the 16th Judicial Circuit Juvenile Drug Court without the express agreement of the Prosecuting Attorney.

12. Renewal

This Memorandum of Understanding shall be reviewed and renewed on a yearly basis and revised as necessary at that time upon mutual agreement of the parties.

Signatures of Authorized Representatives:



Honorable Antonio P. Viviano
Presiding Judge of Family Division, 16th Judicial Circuit Court

5-21-09

DATE



Mr. Eric J. Smith
Macomb County Prosecuting Attorney

5.13.09

DATE

Attachment A

ATTACHMENT A

TARGET POPULATION/ELIGIBILITY CRITERIA

In order to be eligible for Juvenile Court Drug Court a person must be:

- (1) A resident of Macomb County, Michigan
- (2) No prior assaultive felonies with harm to an individual, with the exception of one prior Assault and Battery or Domestic Violence charge. "Harm" being defined as either physical or emotional trauma.
- (3) Charged with a drug-motivated or drug-related felony for which he or she is likely to be incarcerated. This is **generally** determined in relation to the person's guideline scores for the persons falling within the straddle cell category of the sentencing guidelines are **generally** considered to be within the target population.
- (4) A non-violent offender, meaning not a "violent offender" as defined by MCL 600.1060(g): Currently charged with or has pled guilty to an offense involving the death of or a serious bodily injury to any individual, or the carrying, possessing, or use of a firearm or other dangerous weapon by that individual, whether or not any of these circumstances are an element of the offense, or criminal conduct of any degree; or, has 1 or more prior convictions for a felony involving the use or attempted use of force against another individual with the intent to cause death or serious bodily harm.
- (5) Free of any current serious mental or physical illness that would preclude meaningful participation in the Drug Court Program. Serious mental illness includes dementia with delusions dementia with depressed mood, and dementia with behavioral disturbance. The key criteria to the Drug Court are whether, with or without medication, the person can meaningfully participate in treatment and habilitation. The Drug Court Team may consider candidates as to whom there is a dispute as to their mental and/or physical appropriateness for admission into the Drug Court program.
- (6) Either a felony probation violator who is likely to be incarcerated due to the violation or be charged with a new offense that is not outside of the Drug Court guidelines. Persons charged with Delivery of Drugs or Possession with Intent to Deliver, whose criminal activity appears to be motivated by monetary gain should not be considered for the Drug Court.
- (7) Criminal Sexual Conduct (CSC) is not eligible.
- (8) Operating – OWI or OUIL – 3rd Offense is not eligible.
- (9) Physically and mentally stable and able to actively participate in the Drug Court Program, with or without reasonable accommodation.
- (10) Willing to acknowledge a substance abuse or dependence problem and agrees to participate in the Drug Court intensive treatment program.
- (11) Willing to enter a plea of guilty, enter Drug Court as a condition of supervision, and waive the right to counsel during Drug Court sessions, with

the knowledge that the felony plea will be reduced to a misdemeanor or may possibly be dismissed if the prosecutor is in agreement, upon successful completion of the Drug Court Program.

(12)Able to arrange transportation to and from treatment and Drug Court Sessions.

Attachment B

PROPOSED GRADUATED DRUG COURT SANCTIONS

1ST OFFENSE FOR NON-COMPLIANCE - (MISSED UDS, TREATMENT, CASE MANAGEMENT AND COURT ATTENDANCE, LESS THAN 3, 12-STEP MEETINGS, ETC.) - WARNING OR ESSAY

2ND OFFENSE FOR NON-COMPLIANCE - 6 HOURS OF COMMUNITY SERVICE AND/OR 30/30.

2ND MISSED DRUG SCREEN - 30/30, POSSIBLY HIGHER LEVEL OF CARE, IF THEY ARE IN PHASE II OR HIGHER, THEY MUST GO BACK ONE PHASE FOR 30 DAYS.

3RD OFFENSE FOR NON-COMPLIANCE - MANDATORY ONE NIGHT IN THE MCJ, BACK TO PHASE ONE AND/OR 30/30, 30 DAYS CURFEW, 12 HOURS OF COMMUNITY SERVICE.

4TH OFFENSE FOR NON-COMPLIANCE - MANDATORY 3 NIGHTS IN THE MCJ, BACK TO PHASE I FOR 30 DAYS, 30/30, 30 DAYS CURFEW, 12-24 HOURS OF COMMUNITY SERVICE.

5TH OFFENSE FOR NON-COMPLIANCE - MANDATORY MCJ, TO BE BROUGHT BACK IN ONE WEEK, BACK TO PHASE I AND ONE OR MORE OF THE ABOVE SANCTIONS FOR 4TH OFFENSE.

6TH OFFENSE FOR NON-COMPLIANCE - SET CASE FOR PRE-TRIAL AND DISCUSS POSSIBLE EXPULSION WITH OTHER TEAM MEMBERS.

SANCTIONS FOR DIRTY DRUG AND ALCOHOL SCREENS

1ST DIRTY DROP - 30/30, POSSIBLE HIGHER LEVEL OF CARE AND IF POSITIVE WAS FOR ALCOHOL, DAILY PBT'S FOR 30 DAYS

2ND DIRTY DROP - MANDATORY ONE NIGHT IN THE MCJ; BACK TO PHASE I, POSSIBLE HIGHER LEVEL OF CARE, OR RETURN TO TREATMENT; AND/OR 30/30, 30 DAYS OF PBT'S IF ALCOHOL POSITIVE.

3RD POSITIVE - MANDATORY 3 NIGHTS IN THE MCJ, BACK TO PHASE I, HIGHER LEVEL OF CARE, AND/OR CONSIDER ¼ HOUSING, CURFEW, DAILY PBT'S, 30/30, PRESENT SPONSOR AT DRUG COURT.

4TH POSITIVE - MANDATORY MCJ, TO BE BROUGHT BACK IN ONE WEEK; BACK TO PHASE I, HIGHER LEVEL OF CARE, AND/OR CONSIDER ¼ HOUSING, CURFEW, DAILY PBT'S, 30/30, PRESENT SPONSOR AT DRUG COURT.

5TH POSITIVE – MANDATORY 14 DAYS IN MCJ, BACK TO PHASE I, HIGHER LEVEL OF CARE, AND/OR CONSIDER ¾ HOUSING, CURFEW, DAILY PBT'S, 30/30, PRESENT SPONSOR AT DRUG COURT.

6 OR MORE POSITIVES – SET FOR PRE-TRIAL TO DISCUSS POSSIBLE EXPULSION WITH TEAM. IF WE DECIDE TO KEEP PARTICIPANT, TEAM TO DISCUSS APPROPRIATE SANCTION.

ANYONE WHO IS PICKED UP ON A BENCH WARRANT MUST REMAIN IN THE MCJ FOR AT LEAST TWO WEEKS BEFORE BEING BROUGHT BACK TO COURT ON A SHOW CAUSE HEARING.

*** WE WILL STILL LOOK AT EACH INDIVIDUAL CASE ON A CASE BY CASE BASIS. HOWEVER, WE NEED TO HAVE SOME STANDARD SANCTIONS AND STICK TO THEM TO THE BEST OF OUR ABILITY.**

Attachment C

**MULTIPARTY CONSENT FORM
CONSENT FOR THE DISCLOSURE OF CONFIDENTIAL
SUBSTANCE ABUSE INFORMATION**

I, _____, hereby consent to communication between the presiding drug court judge, drug court staff, assistant prosecuting attorney, defense attorney, consulting therapist, police representative, court officer, court recorder and any probation/parole department.

The purpose of, and need for, this disclosure is to permit the participation of a case conference concerning my case to exchange information between multidisciplinary parties, inform the court and all other named parties of my eligibility and/or acceptability for substance abuse treatment services and my treatment attendance, prognosis, compliance and progress in accordance with the drug court program's monitoring criteria.

The type and extent of the information to be disclosed will include only that information which is necessary for, and pertinent to, the drug court program's monitoring criteria in connection with the case/charges noted below.

Disclosure of this confidential information may be made only as necessary for, and pertinent to, hearings and/or reports concerning:

(List charges and docket number)

I understand that such information, where necessary, will be disclosed in open-court, which is a public forum, and I hereby authorize the same.

I understand that this consent will remain in effect and cannot be revoked by me until there has been a formal and effective termination of my involvement with the drug court program for the above-referenced case(s), such as the discontinuation of all court supervision upon my successful completion of the drug court's requirements OR upon sentencing for violating the terms of my drug court involvement and/or completion of probation/parole in other jurisdictions.

I understand that my disclosure made is bound by Part 2 of Title 42 of the code of Federal Regulations, which governs the confidentiality of substance abuse patient records and that recipients of this information may redisclose it only in connection with their official duties.

Date

Signature

**16th JUDICIAL CIRCUIT
JUVENILE DRUG COURT**

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into by and between the Macomb County Circuit Court and Sound Counseling. The parties agree as follows:

1. The mission of Juvenile Drug Court is to empower substance abusing juvenile offenders and their families to restore abstinence, maintain sobriety, and reduce recidivism through judicial supervision and treatment that integrates community resources.
2. The parties will work cooperatively to achieve the following:
 - Develop and sustain sobriety in youth who have become chronic drug users.
 - Replace the criminal activity associated with substance use with productive activity.
 - Reduce recidivism—both as juveniles and as adults—among a set of youth wards who have chronically been in and out of Court and confinement.
 - Reduce the costs associated with supervising substance abusing youth.
3. The Macomb County Juvenile Drug Court program objectives are:
 - OBJECTIVE A – The Drug Court graduation rate will remain above 90%
 - OBJECTIVE B - At graduation 100% of graduates will have improved school attendance and grades.
 - OBJECTIVE C – At graduation 100% of graduates will have their lives organized around substance-free activities.
 - OBJECTIVE D – Fewer than 15% of Drug Court graduates will receive petitions for juvenile offenses or charges in Circuit Court within 60 months of graduation.
4. The Macomb County Juvenile Drug Court will comply with the 10 key components of drug courts promulgated by the National Association of Drug Court Professionals.
5. The roles and responsibilities of the parties are as follows:

Juvenile Drug Court Judge: The Macomb County Juvenile Drug Court Judge provides judicial supervision for all aspects of the program. The judge presides at review hearings, participates in pre-hearing conferences, and attends pertinent drug court team training.

Prosecuting Attorney: The assistant prosecutor dedicated to the Drug Court Program authorizes all substance-related petitions and can recommend Drug Court screening for appropriate youth. The assistant prosecutor participates in team meetings, Drug Court review hearings and related training as needed.

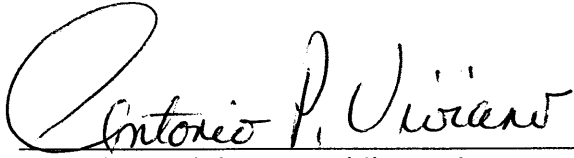
Defense Attorney: The defense attorney will provide guidance and legal counsel to juveniles and their families participating in Drug Court. Additionally the defense attorney provides informed advocacy for participants and will raise any issues of concern about procedures with the Drug Court team.

Probation Officer: The Drug Court probation officer coordinates all treatment reports for the legal and social file, as well as, prepares written reports for review hearings. Further, the Probation staff monitors each family on a once a week basis and enforces all graduated sanctions as ordered by the Judge. This monitoring includes compliance with drug screens, school requirements, as well as, overall family commitment and compliance.

Juvenile Division Program Director: The Program Director oversees the assessment, probation and treatment components of the Program. The Program Director determines program eligibility and makes the final decision as to a youth's appropriateness for status in the program.

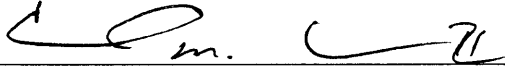
Contracted Treatment Provider: The contracted treatment provider, Sound Counseling, PC, provides participants with a variety of outpatient treatment services. Additionally, the contracted therapist attends weekly team meetings, court hearings and relevant training seminars.

Evaluator: The Juvenile Drug Court Evaluator conducts interviews with youth and their families to analyze the merits and the strengths of the program. The Evaluator also tracks statistics to evaluate progress toward achieving the Drug Court outcome goals.



Antonio P. Viviano, Presiding Judge
16th Judicial Circuit Court – Family Division

Date: 5/21/09



Conrad Aumann II, Ph.D
Sound Counseling, PC

Date: 5/21/09

**16th JUDICIAL CIRCUIT
JUVENILE DRUG COURT**

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into by and between the Macomb County Circuit Court and Melissa M. King, Esq. The parties agree as follows:

1. The mission of Juvenile Drug Court is to empower substance abusing juvenile offenders and their families to restore abstinence, maintain sobriety, and reduce recidivism through judicial supervision and treatment that integrates community resources.
2. The parties will work cooperatively to achieve the following:
 - Develop and sustain sobriety in youth who have become chronic drug users.
 - Replace the criminal activity associated with substance use with productive activity.
 - Reduce recidivism—both as juveniles and as adults—among a set of youth wards who have chronically been in and out of Court and confinement.
 - Reduce the costs associated with supervising substance abusing youth.
3. The Macomb County Juvenile Drug Court program objectives are:
 - OBJECTIVE A – The Drug Court graduation rate will remain above 90%
 - OBJECTIVE B - At graduation 100% of graduates will have improved school attendance and grades.
 - OBJECTIVE C – At graduation 100% of graduates will have their lives organized around substance-free activities.
 - OBJECTIVE D – Fewer than 15% of Drug Court graduates will receive petitions for juvenile offenses or charges in Circuit Court within 60 months of graduation.
4. The Macomb County Juvenile Drug Court will comply with the 10 key components of drug courts promulgated by the National Association of Drug Court Professionals.
5. The roles and responsibilities of the parties are as follows:

Juvenile Drug Court Judge: The Macomb County Juvenile Drug Court Judge provides judicial supervision for all aspects of the program. The judge presides at review hearings, participates in pre-hearing conferences, and attends pertinent drug court team training.

Prosecuting Attorney: The assistant prosecutor dedicated to the Drug Court Program authorizes all substance-related petitions and can recommend Drug Court screening for appropriate youth. The assistant prosecutor participates in team meetings, Drug Court review hearings and related training as needed.

Defense Attorney: The defense attorney will provide guidance and legal counsel to juveniles and their families participating in Drug Court. Additionally the defense attorney provides informed advocacy for participants and will raise any issues of concern about procedures with the Drug Court team.

Probation Officer: The Drug Court probation officer coordinates all treatment reports for the legal and social file, as well as, prepares written reports for review hearings. Further, the Probation staff monitors each family on a once a week basis and enforces all graduated sanctions as ordered by the Judge. This monitoring includes compliance with drug screens, school requirements, as well as, overall family commitment and compliance.

Juvenile Division Program Director: The Program Director oversees the assessment, probation and treatment components of the Program. The Program Director determines program eligibility and makes the final decision as to a youth's appropriateness for status in the program.

Contracted Treatment Provider: The contracted treatment provider, Sound Counseling, PC, provides participants with a variety of outpatient treatment services. Additionally, the contracted therapist attends weekly team meetings, court hearings and relevant training seminars.

Evaluator: The Juvenile Drug Court Evaluator conducts interviews with youth and their families to analyze the merits and the strengths of the program. The Evaluator also tracks statistics to evaluate progress toward achieving the Drug Court outcome goals.

Antonio P. Viviano

Antonio P. Viviano, Presiding Judge
16th Judicial Circuit Court – Family Division

Date:

5/21/09

Melissa King

Melissa King, Esq.
Defense Counsel

Date:

5-21-09