

Maine's Treatment and Recovery Courts

MAINE'S TREATMENT AND RECOVERY COURTS

- Veterans Treatment Courts
 - Kennebec (Augusta, Justice Cashman, Mon)
 - Cumberland (Portland, Judge French, Wed)
- Co-Occurring Disorders Court
 - Kennebec (Augusta, Justice Cashman, Mon)

MAINE'S TREATMENT AND RECOVERY COURTS

- Family Recovery Courts

Androscoggin (Lewiston, Judge Archer, alternating Mon)

Kennebec (Augusta, Judge Walker, alternating Fri)

Penobscot (Bangor, Judge Larson, alternating Wed)

MAINE'S TREATMENT AND RECOVERY COURTS

- Treatment and Recovery Courts (formerly Adult Drug Treatment Courts)
 - York (Alfred, Justice Douglas, Fri)
 - Cumberland (Portland, Judge French, Wed)
 - Androscoggin (Auburn, Justice Stewart, alternating Fri)
 - Oxford (South Paris, Judge Ham-Thompson, alternating Fri)
 - Midcoast (Belfast/Rockland, Judge Walker, alternating Fri)
 - Penobscot (Bangor, Judge Larson, alternating Wed)
 - Hancock (Ellsworth, Judge Larson, alternating Fri)
 - Washington (Calais/Machias, Judge Mitchell, Fri)

Oversight of the Treatment and Recovery Courts

- Treatment and Recovery Courts, Veterans Treatment Courts, CODC
 - Statewide Steering Committee chaired by Judge David Mitchell (Washington TRC)
 - Composed of all TRC/VTC/CODC judges, Statewide Coordinator, and representatives of all disciplines involved with the TRC/VTC/CODC programs.
- Family Recovery Courts
 - Statewide Steering Committee chaired by Judge Eric Walker (Kennebec FRC)
 - Composed of all FRC judges, Statewide Coordinator, and representatives of all disciplines involved with the FRC's.

Entry Criteria

- Treatment and Recovery Courts
 - High Risk – risk of failing to thrive under standard supervision- NOT risk of violence
 - High Need
 - Legally Eligible Charge
- Family Recovery Courts
 - High Risk/High Need
 - Jeopardy

Treatment and Recovery Court Team Members

Judge	Prosecutor	Defense Attorney	Treatment Provider	Case Manager	Probation Officer
Coordinator	Law Enforcement Officer	Veterans Justice Outreach (VJO)	Mentor/Peer Support	Case Manager Supervisor	Evaluator

TEAM MEMBER IMPACT

- Judge: When the judge spends an average of 3 or more minutes in court per participant, costs savings go up 36% and recidivism goes down by 153%; When assigned voluntarily, recidivism goes down 84%; When term is indefinite, recidivism goes down 35%
- Prosecutor: When the prosecutor attends Staffing, cost savings go up 171%; attends court sessions, recidivism goes down 35%
- Defense Attorney: When the defense attorney attends Staffing, cost savings go up 93%; attends court sessions, recidivism goes down 35%

- Treatment: When the treatment provider communicates with the team by email recidivism goes down 119%
- Treatment: When treatment attends the court sessions recidivism goes down by 100%; When offers concurrent mental health treatment, recidivism goes down 80%
- When all team members attend Staffing recidivism goes down by 35%
- LEO: When a LEO is on a team, recidivism goes down 88%; When LEO attends court session, recidivism goes down 83%.

Recidivism reduction and cost saving are relative to courts that do not follow these practices,

NPC Research Key Component Study, 2008

10 KEY COMPONENTS

Treatment and Recovery Courts

- Key Component 1 Drug Courts integrate alcohol and other drug treatment services with justice system case processing.
- Key Component 2 Using a non-adversarial 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.

<https://www.ndci.org/resources/defining-drug-courts-the-key-components/>

BEST PRACTICE STANDARDS

- I. Target Population
- II. Equity and Inclusion
- III. Roles and Responsibilities of the Judge
- IV. Incentives, Sanctions, and Therapeutic Responses
- V. Substance Use Disorder Treatment

- VI. Complementary Treatment and Social Services.
- VII. Drug and Alcohol Testing.
- VIII. Multidisciplinary Team.
- IX. Census and Caseloads.
- X. Monitoring and Evaluation.

<https://www.ndci.org/standards/>

5 PHASE PROCESS

Phase 1: Orientation, Engagement, and Stabilization

- 30 days (minimum)
- Court: weekly or as directed
- Show up!
- Be honest!
- Treatment and case management plans developed and implemented
- Attend pro-social activities
- 14 days with no missed, positive, or diluted tests
- 7 days with no court-imposed sanctions

Phase 2: Sobriety and Abstinence

- 90 days (minimum)
- Court weekly or as directed
- Engage in treatment and case management plans
- Demonstrate changes to people, places and things
- Attend pro-social activities
- 30 days with no missed, positive, or diluted tests
- 7 days with no court-imposed sanctions

Phase 3: Maintenance and Relapse Prevention

- 90 days (minimum)
- Court every other week or as directed
- Continued engagement with treatment
- Develop a relapse prevention plan
- Return to work or education
- Strengthen community involvement
- 60 days with no missed, positive, or diluted test
- 14 days with no court-imposed sanctions

Phase 4: Maintenance and Community Involvement

- 90 days (minimum)
- Court monthly or as directed
- Continued engagement in treatment
- Increased return to the community with lower supervision
- 60 days with no missed, positive, or diluted test
- 14 days with no court-imposed sanctions

Phase 5: Early Recovery and Alumni

- 90 days (minimum)
- Court monthly or as directed
- Continued engagement in treatment
- Develop a continuing plan of care for after completion of court
- 90 days with no missed, positive, or diluted test
- 14 days with no court-imposed sanctions

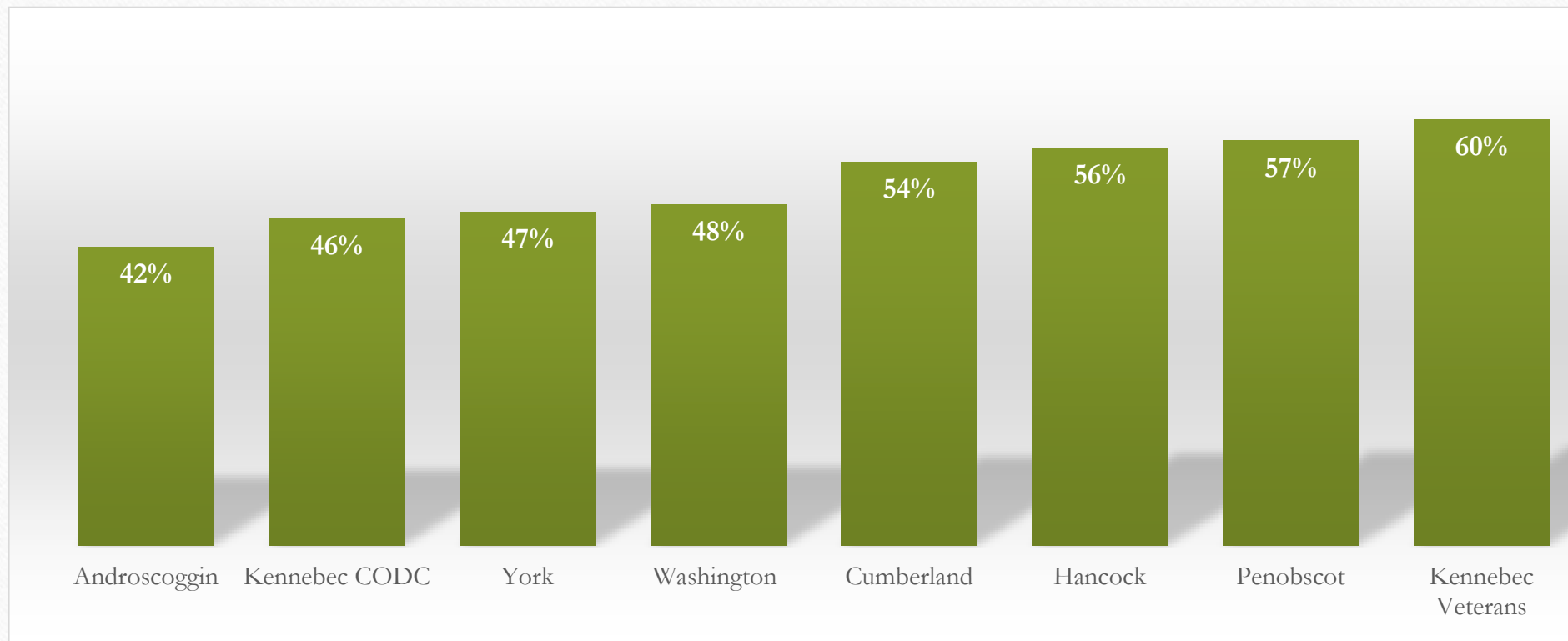
Treatment Courts Work

How do we know?

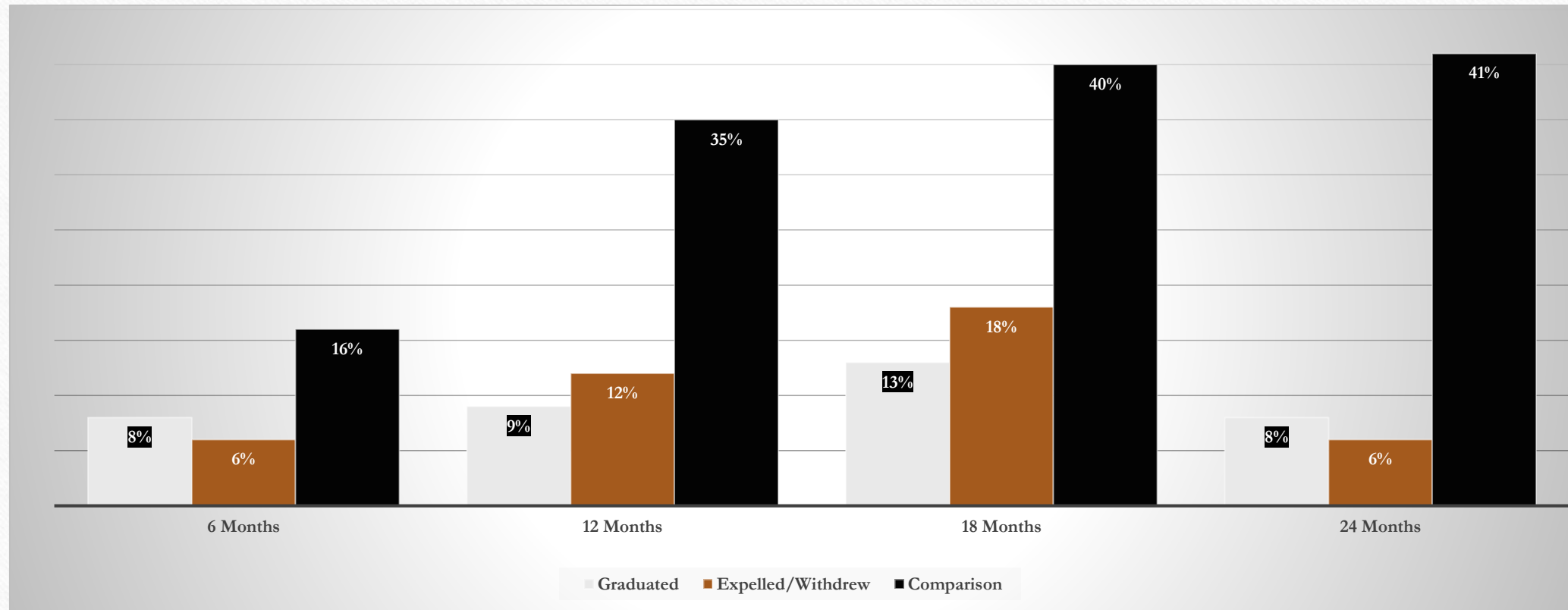
Recent year long evaluation of the Treatment Courts by
Public Consulting Group

What does the data show?

Graduation Rates of the Treatment and Recovery Courts



Conviction Recidivism of Treatment and Comparison Groups After Release: 2016-2019



Conviction rates fairly comparable regardless of exit type; both superior to comparison group.

Treatment Courts have Cost Benefits

Time	Treatment Group Cost Per Person	Comparison Group Cost Per Person	Treatment Savings Percent Per Person	Treatment Savings Dollars Per Person
Exit	\$ 38,193	\$ 43,461	12%	\$ 5,268
6 months	\$ 41,235	\$ 50,414	18%	\$ 9,179
12 months	\$ 42,974	\$ 58,672	27%	\$ 15,699
18 months	\$ 44,712	\$ 60,845	28%	\$ 16,133

Lower cost at exit and even greater savings taking reduced recidivism into account.

TREATMENT AND RECOVERY COURTS WORK!

Kim S.

Adult Drug Treatment
Court Grad

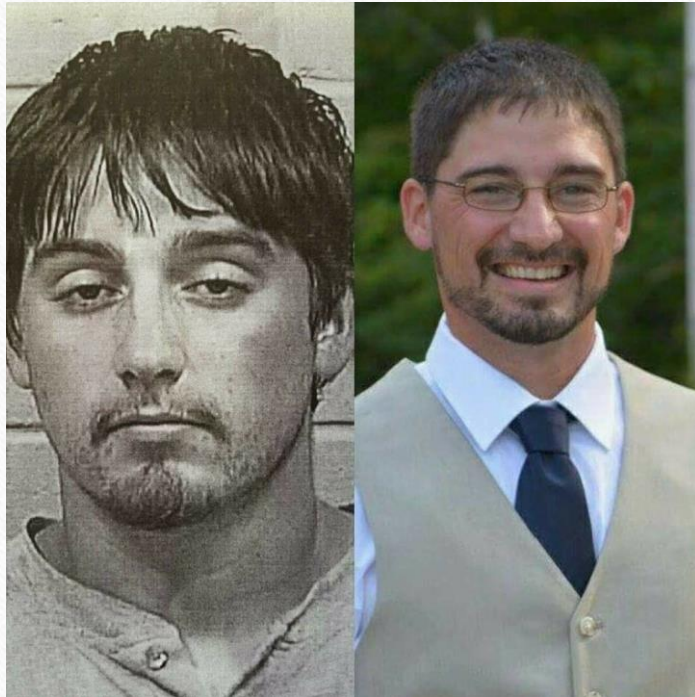
I just enjoy so many
things these days that I'm
not willing to give up.

Courtney A.

Family Recovery
Court Graduate

This opportunity
saved my life and
gave me the ability to
be a mother again.

TRANSFORMATION



WHY TREATMENT AND RECOVERY COURTS WORK

- More than just an alternative
- Unite public health with public safety
- Meet accountability with compassion
- Ensure evidence-based treatment and recovery solutions instead of incarceration
- Transform courtrooms into places of hope, safety, and health

Treatment Court Referral Form

<https://mjbportal.courts.maine.gov/CourtForms/FormsLists/DownloadForm?strFormNumber=CR-234>

MAINE JUDICIAL BRANCH

TREATMENT AND RECOVERY COURT REFERRAL FORM

ADULT DRUG TREATMENT AND RECOVERY COURT

- | | |
|--|---|
| <input type="checkbox"/> ANDROSCOGG COUNTY | <input type="checkbox"/> CUMBERLAND COUNTY |
| <input type="checkbox"/> HANCOCK COUNTY | <input type="checkbox"/> OXFORD/FRANKLIN COUNTY |
| <input type="checkbox"/> PENOBSCOT COUNTY | <input type="checkbox"/> REGION VI (LINCOLN/KNOX/SAGadahoc/WALDO) |
| <input type="checkbox"/> WASHINGTON COUNTY | <input type="checkbox"/> YORE COUNTY |

CO-OCCURRING DISORDERS COURT

- KENNEBEC COUNTY

VETERANS TREATMENT COURT

- KENNEBEC COUNTY
 CUMBERLAND COUNTY

Veteran (Check if applicable and attach DD-214, if available)

Defendant: _____

Date of Birth (mm/dd/yyyy): ____/____/____

Current Mailing Address: _____

Current Residential Address: _____

County: _____

In Custody: Yes No If yes, location: _____

If no, phone number: _____

Email: _____

Docket Number and Charge: _____

An interpreter for the _____ language is requested.

Country, region, or dialect: _____

Accommodations requested: _____

Referred by: _____

Phone and Email address: _____

ADTC: Return completed form to the clerk of the court where your charges are pending.

COOC and Kennebec County VTC: Return completed forms to Kennebec County Clerk's Office.

Cumberland County VTC: Return completed forms to Cumberland County Clerk's Office.

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation, contact the Court Access Coordinator, access@tc.courts.maine.gov, or a court clerk. Language Services: For language assistance and interpretation, contact a court clerk or languageservices@courts.maine.gov.

INCENTIVES & SANCTIONS

Positive Behavior

Incentive Matrix: "What do we want the participant to learn from this?"

Step 1. Identify the Behavior

Easier/Proximal	Moderate	Difficult/Distal
<ul style="list-style-type: none"> Attendance at treatment Attendance at other appointments Home for home visits Report to UA Timeliness Payment 	<ul style="list-style-type: none"> Honesty Testing Negative Participating in Prosocial Activities Employment Progress toward Tx Goals Progress in Tx 	<ul style="list-style-type: none"> Complete Tx LOC Extended Abstinence/Neg. Tests Treatment Goals Completed Phase Goals Completed Program Goals Completed

Step 2. Determine the Response Level

		Easier/Proximal	Moderate	Difficult/Distal
Distal ↓ Prox	Phase 1	Small	Medium	Large
	Phase 2	Small	Medium	Large
	Phase 3		Small	Large
	Phase 4		Small	Large
	Phase 5		Small	Medium

Step 3. Choose the Responses (Paired with Judicial Approval/Verbal Praise)

3a. Incentive Response

Small	Medium	Large
<ul style="list-style-type: none"> Fish Bowl Decision Dollars Example for other participants in court Handshake Candy ≤ 1 day reduction of curfew 	<p>Any small and/or:</p> <ul style="list-style-type: none"> ≤ 3 day reduction of curfew Choice of Gift Certificate Supervisor Praise Written Praise Positive Peer Board Certificate Reduction in CS hours Reduction in program fees 	<p>Any small, medium or:</p> <ul style="list-style-type: none"> Framed Certificate Travel Pass Larger Gift Certificate Position as Mentor to New Participants Reduction of Curfew

3b. Therapeutic Response

	Phase 1	Phase 2	Phase 3	Phase 4
Single Event	<ul style="list-style-type: none"> Behavior Chain Cost/Benefit Analysis 	<ul style="list-style-type: none"> Behavior Chain Cost/Benefit Analysis Change in LOC 	<ul style="list-style-type: none"> Behavior Chain 	<ul style="list-style-type: none"> Behavior Chain
Continued Progress		<ul style="list-style-type: none"> Aftercare Fcgy Re-evaluate Pharmacological Interventions 	<ul style="list-style-type: none"> Aftercare Fcgy Re-evaluate Pharmacological Interventions 	

3c. Supervision Responses

Phase 1	Phase 2	Phase 3	Phase 4
<ul style="list-style-type: none"> Change in Curfew Status 	<ul style="list-style-type: none"> Reduced Contacts Reduction in Home Visits 	<ul style="list-style-type: none"> Reduced Contacts Reduce Home Visits Reduce in External Monitoring Devices 	<ul style="list-style-type: none"> Reduced Contacts Decreased Drug Testing

Inappropriate Behavior

Sanction Matrix: "What do we want the participant to learn from this?"

Step 1. Identify the Behavior

Low (Less Immediate)	Moderate	High (More Immediate)	Very High
<ul style="list-style-type: none"> Late for Scheduled Event Missed payment 	<ul style="list-style-type: none"> Missed UA Failure to Complete Assignments 	<ul style="list-style-type: none"> Unexcused Absence tx Alcohol Use Drug Use Tamper w/ UA or device Dishonesty 	<ul style="list-style-type: none"> Criminal behavior (new crimes, drinking and driving) Arrest

Step 2. Determine the Response Level

		Low	Moderate	High	Very High
Distal ↓ Prox	Phase 1	Level 1	Level 2	Level 2	Level 4
	Phase 2	Level 1	Level 2	Level 3	Level 4
	Phase 3	Level 2	Level 3	Level 4	Level 5
	Phase 4	Level 3	Level 4	Level 5	Level 5
	Phase 5	Level 3	Level 4	Level 5	Level 5

Step 3. Choose the Responses (paired with Judicial Verbal Disapproval and Explanation)

3a. Sanction/Punishment Responses

	Level 1	Level 2	Level 3	Level 4	Level 5
Community Service	≤ 4 hrs	≤ 8 hrs	≤ 16 hrs	≤ 24 hrs	≤ 32 hrs
Curfew	≤ 3 days	≤ 5 days	≤ 7 days	≤ 10 days	≤ 15 days
House Arrest	≤ 24 hrs	≤ 72 hrs	≤ 5 days	≤ 7 days	≤ 16 days
Jail			≤ 24 hours	≤ 3 days	≤ 7 days
Other				Review Placement	Termination

3b. Therapeutic Responses

Level 1	Level 2	Level 3	Level 4	Level 5
<ul style="list-style-type: none"> Behavior Chain Cost/Benefit Analysis Skill Development Thought Restructuring Homework/Practice Thinking Report 	<p>Level 1 plus:</p> <ul style="list-style-type: none"> LOC Review 	<p>Level 1, 2, plus:</p> <ul style="list-style-type: none"> Referral Medication Eval Treatment Team Review/Round Table 		<p>Level 1, 2, 3, plus:</p> <ul style="list-style-type: none"> Re-Assessment

3c. Supervision Responses

Level 1	Level 2	Level 3	Level 4	Level 5
<ul style="list-style-type: none"> ≤ 1 additional report days/week Official Letter in File 	<ul style="list-style-type: none"> ≤ 2 additional report days/week Home Visit Curfew 	<ul style="list-style-type: none"> Continuous Testing GPS/Electronic Monitoring ≤ 3 additional report days/week Home Visit Increase frequency UA Test Contingency Contract Additional Court Report Case Conference 	<ul style="list-style-type: none"> ≤ 4 additional report days/week Contingency Contract Electronic Monitor Device Case Conference Curfew 	

LINKS AND RESOURCES

- Maine Treatment Courts:
<https://www.courts.maine.gov/courts/treatment/index.html>
- Maine Treatment Court Handbook:
<https://mjbportal.courts.maine.gov/CourtForms/FormsLists/DownloadForm?strFormNumber=CR-249>
- National Association of Drug Court Professionals (NADCP):
<https://www.nadcp.org/>
- Justice for Vets:
<https://justiceforvets.org>
- New England Association of Recovery Court Professionals: <https://nearcp.org>
- 2020 Annual Report on Maine's Drug Treatment Courts:
<https://www.courts.maine.gov/about/reports/adtc-report-2020.pdf>
- Maine Adult Drug Treatment Courts Evaluation Report 2015-2020:
<https://www.courts.maine.gov/about/reports/adtc-evaluation-report-2020.pdf>
- National Drug Court Institute: [Home - National Drug Court Institute - NDCI.org](#)