



Minnesota State Treatment Court Conference

June 5 & 6, 2023

Session Descriptions

Treatment Court Prosecutors: Revisiting Best Practices 2023

Judge Greg Pinski & John Haroldson

A prosecution perspective on the fundamental components of Drug Treatment Court practices in 2023. The presentation will address Competence, Confidentiality, Constitutionality, and Current Challenges as they relate to prosecutors engaged in Drug Treatment Court practice in 2023. Participants will examine legal and ethical standards for prosecutors related to Competency, Confidentiality, Medically Assisted Treatment, Alcoholic Anonymous, Due Process including Sanctions and Terminations, and Preventative Detention. In addition, participants will examine strategies prosecutors can use to promote public safety, while effectively aligning the implementation of best-practice standards with current legal authority. The session will conclude with a discussion on current challenges facing prosecutors in Drug Treatment Courts.

Learning Objectives:

- Overview of prosecutor's role in current Drug Treatment Court practices.
- Prosecutor's role in preserving confidentiality in Drug Treatment Courts.
- Prosecutor's role ensuring Constitutional best practices in Drug Treatment Courts.

Judicial Topic: Judicial Demeanor in Treatment Court

Judge Peggy Davis

The most important component of a successful treatment court is a high functioning team. The role of the Judge specifically is instrumental in keeping the team cohesive and productive. Sometimes teams struggle with understanding each other's roles and working collaboratively to affect positive behavior change in the participants. If teams struggle to communicate effectively, then the participants also struggle. The Judge's role is to ensure staffings run smoothly, that each member of the team participates in discussions about client progress, and that the team makes decisions about behavior modification based on evidence-based practices. In the courtroom, the Judge must engage with the clients using motivational interviewing techniques. While the Judge should never act as a treatment provider, she/he must understand the treatment progress of clients and address each participant with knowledge about the treatment and case management plans in effect. Finally, the Judge serves an important role in the community by educating community leaders about the effectiveness of treatment courts.

Learning Objectives:

- Learn about the role of the Judge during staffing.
- Learn about the role of the Judge in the courtroom.
- Learn about the role of the Judge in the community.

2023 Minnesota Legislative Update

Judge Kerry Meyer

In 2023, the Minnesota State Legislature passed a number of laws that may impact treatment court operations and practice. This includes the legalization of adult-use cannabis, changes to maximum probation lengths, as well as other changes. While the Judicial Branch is still working to implement required changes, this session will provide an overview of the immediate impacts and considerations for treatment court practice.

Learning Objectives:

- List statutory updates and changes from the 2023 Minnesota Legislative Session that impact treatment courts.
- Understand the immediate effects of statutory changes on treatment court practice.

College Nights: A Vision of Empowerment

MaryKay Riendeau, LADC, LSW, MSW & Aleesha Ward

MaryKay and Aleesha will share their innovative collaborative effort between the Range Hybrid Treatment Court and Minnesota North College-Mesabi Range Campus Called College Nights. College Nights offer a unique setting in which participants, students, and treatment court team members can discuss and learn about recovery together. The concept is to empower and inspire life change through education, have meaningful discussions about recovery, and introduce participants to the concept of being a student. The collaboration has received attention locally, statewide, and nationwide. College nights is offered through bimodal delivery (webcam and in person) and is structured to accept students and treatment court participants throughout the state of Minnesota.

Learning Objectives:

- To build lasting relationships within the community and treatment court.
- Create unique environments for participants & teams to learn from each other.
- Engage people in opportunities for a different future using education to create individual change.
- Open doors to new and innovative approaches to participant and student learning.

Judicial Topic: The Judge's Role in Sanctions and Incentives

Judge Peggy Davis

This session will increase understanding of how important relationship building is to effectively respond to multiple participant behaviors from a variety of disciplines and delivery opportunities, including status hearings.

Learning Objectives:

- Recognize the integral role that relationship plays between participant and team in the administration of court response to participant behavior.
- Identify two key components of a therapeutic alliance.
- List the characteristics of the where, who, when, and how framework of the multiple responses model.
- Identify common errors in implementation that undermine the effectiveness of sanctions and incentives.
- List at least three effective communication techniques when delivering sanctions and incentives.
- Identify how trauma can impact a participant's ability to meet recovery goals.
- Demonstrate their ability to use the multiple responses model.

Treatment Courts & oneCourtMN

Heather Kirchner, MSW & Cecilia Bliss, MSW

The Minnesota Judicial Branch has identified promoting access to treatment courts as one of its top five priorities over the next decade. This presentation will review how district courts can promote access by streamlining processes, identifying opportunities for consolidation, and improving consistency between courts. The presenters will also explain how all of these methods contribute to an improved treatment court system and align with the oneCourtMN vision of high-quality, consistent, and convenient court administration services anywhere in the state.

Learning Objectives:

- Improve understanding of the oneCourtMN vision and its application in treatment courts.
- Identify three strategies to increase consistency across different treatment courts within a judicial district.
- Understand how consistency contributes to improved access to treatment courts.

Plenary: The Future of Treatment Courts

Aaron Arnold

Treatment courts are the most effective justice system innovation in the last thirty years. Dozens of evaluations and have shown that treatment courts improve reduce reoffending, save lives, and strengthen families, and save money. Despite their unparalleled success, however, treatment courts are facing challenges. First, a shifting legal and cultural landscape is prompting reformers to turn to earlier offramps from the justice system, like pre-arrest models and prosecutor-led diversion. Second, too many treatment courts struggle to adhere to best practices. This session will offer recommendations for building on the success of treatment courts, adapting the model to changing times, and harmonizing treatment courts with emerging justice reform models.

Learning Objectives:

- Identify the major justice reform trends that may affect treatment courts.
- Understand common criticisms of the treatment court model.
- Select one or more recommended practices for strengthening their treatment court.

Judicial Topic: Motivational Interviewing from the Bench

Judge Peggy Davis

Motivational Interviewing is designed to help participants see what matters to them and helps them to be engaged, feel valued and develop a vested interest in their long-term recovery planning and case management. Through motivational interviewing the participant has buy in and a voice in identifying goals and a value system that gives them a major role in recovery planning. During the three minutes that a judge can interact with a participant, Motivational Interviewing from the bench helps to reinforce program integrity, participant accountability and engagement. This interaction allows the judge to extend the program requirements while giving the participant a voice and opportunity to be heard.

Learning Objectives:

- Learn the principles and skills needed to deliver court responses effectively.
- Gain an in-depth understanding of motivational interviewing as a technique to assist clients in changing their behavior.
- Enhance participant accountability through engagement.

Treatment Court Outreach & Media Relations

Kim Pleticha

Treatment courts often need to promote their programs to the public, including local stakeholders, the broader community, and even potential participants. This session will review appropriate and effective strategies for treatment courts to engage with a wide variety of stakeholders and maximize public engagement.

Learning Objectives:

- Identify three specific strategies for public engagement in treatment courts.
- Explain Judicial Branch processes and procedures for utilizing social media to promote treatment court programs.
- Understand the importance of adhering to judicial and other professional ethics when promoting treatment courts.

Serving Low-Risk Low Need Individuals

Aaron Arnold

Treatment courts are designed to serve high-risk, high-need individuals and should strive to focus their resources on this population whenever possible. However, there are many court-involved individuals with problematic substance use who are lower risk, lower need, or both. In this session, experts from the National Association of Drug Court Professionals and the Center for Justice Innovation will discuss concrete, evidence-based strategies for serving these individuals. Among the approaches to be discussed are multi-track treatment courts, community courts, prosecutor-led diversion programs, and more.

Learning Objectives:

- Identify at least three specific strategies for serving low-risk or low-need individuals with problematic substance use.
- Understand the differences between these strategies and the key features of each.
- Assess which strategies may be appropriate for their communities.

Cannabis and Cars: Addressing the Challenges of the Marijuana Impaired Driver

Mark Stodola

As of January, 2023, 22 states and the District of Columbia have legalized recreational marijuana while 41 states allow for the use of medical marijuana. The prevalence of “legal weed” in our communities has created challenges on our roadways as incidents of marijuana impaired driving continue to increase across the country and new users are exposed to the drug. This interactive presentation will provide the audience up to date information on the scope of our marijuana impaired driving problem, issues surrounding polysubstance use, and the use of assessment tools to determine risk and practical evidence-based sentencing, supervision and monitoring strategies to address these behaviors.

Learning Objectives:

- Participants will identify marijuana impaired driving trends and their challenges.
- Participants will identify how assessment tools can help determine risk for marijuana impaired drivers.
- Participants will identify three supervision countermeasures and research-based practices that jurisdictions should be using to reduce the possibility of re-offense by drug impaired drivers.

Plenary: Team Member Ethics

Judge Greg Pinski & Sarah Sistrunk

In this session, the presenters will facilitate a dialogue on the sometimes conflicting ethical obligations of drug court team members and try to reach a consensus on how best to handle ethical variations in drug court team member obligations.

Learning Objectives:

- Recognize the conflicting ethical obligations of drug court team members.
- Demonstrate tolerance and support for those team members with differing ethical obligations.
- Understand that ethical variances can be strengthen the team.

Judicial Topic: Is There a Difference Between Deferred Sentencing and Post-Conviction Cases?

Judge Peggy Davis

Best practices indicate that high risk high need individuals receive the most benefit from the traditional treatment court docket. Many high-risk high need participants enter treatment court as a condition of probation. However, there are a number of treatment courts that accept individuals who are participating in the treatment court as a condition of deferred prosecution agreement. This presentation will examine whether the type of disposition impacts the nature of program waivers and/or conditions of program participation.

Learning Objectives:

- Identify the different types of legal status available as part of treatment court participation.
- Determine how the participant's legal status may affect treatment court's ability to enforce certain conditions of participation.
- Learn what state statutes and/or constitutional provisions may apply to program conditions, supervision and responses to behavior.

Incentives, Sanctions and Therapeutic Adjustment in Treatment Courts

Sarah Sistrunk

This presentation outlines the basic behavior modification principles and their applicability in keeping participants engaged in treatment court programs and move toward long term recovery. It looks at how programs can use participant driven incentives to formulate a strategy of creative responses that are desirable to the participant and productive behaviors which give the participant an opportunity to be rewarded through positive and negative reinforcement. It identifies the importance of incentives, both formal and informal, and their application in the program. The presentation recognizes the effect of immediate consequences in modifying client behavior.

Learning Objectives:

- Learn how incentives motivate participants to comply with program requirements.
- Identify various creative incentives that can be used to respond to a client's conduct.
- Learn that incentives must be consistently and uniformly imposed.