

STATE OF MICHIGAN



SAGINAW COUNTY TRIAL COURT

111 South Michigan Avenue
Saginaw, MI 48602-2086

Telephone (989) 790-5470

Facsimile (989) 793-8180

JUDGES:

JANET M. BOES

PATRICK J. MCGRAW
CHIEF JUDGE

DARNELL JACKSON

JAMES T. BORCHARD

M. RANDALL JURRENS

ANDRE R. BORRELLO

DAVID D. HOFFMAN
CHIEF JUDGE PRO TEM

BARBARA METER

A. T. FRANK

MANVEL TRICE III

TERRY L. CLARK

Administrative Order 2018 - _____

**ORDER FOR THE ESTABLISHMENT OF A DRIVING WHILE IMPAIRED
TREATMENT COURT**

IT IS ORDERED:

This administrative order is issued in accordance with MCL 600.1060 et seq. The purpose of this order is to establish a driving while impaired treatment court in the 70th District Court upon approval by the State Court Administrative Office (SCAO). All policies and procedures comply with the statute and are consistent with the 10 Guiding Principles for DWI Courts promulgated by the National Drug Court Institute, a division of the National Association of Drug Court Professionals (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 Memorandum of Understanding shall describe the role of each party. The Memorandum of Understanding is 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.

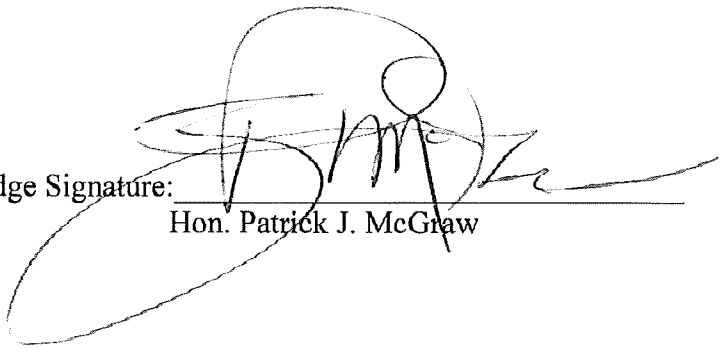
4. All participants shall sign a voluntary written consent to participate in the program in conformance with MCL 600.1068(1)d.
5. The court shall maintain case files in compliance with Record Retention and Disposal Schedule #13 for District Court, and Part 2 of Title 42 of the Code of Federal Regulations to assure confidentiality of DWI 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 DWI 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.

Effective Date: _____

Date: 2/17/18

Chief Judge Signature: _____

Hon. Patrick J. McGraw

A large, stylized handwritten signature in black ink, appearing to read 'P. McGraw', is written over the signature line. The signature is highly cursive and loops around itself.

ATTACHMENT A

The 10 Guiding Principles of DWI Courts

Guiding Principle #1 – Target the Population

Guiding Principle #2 – Perform a Clinical Assessment

Guiding Principle #3 – Develop the Treatment Plan

Guiding Principle #4 – Supervise the Offender

Guiding Principle #5 – Forge Agency, Organization, and Community Partnerships

Guiding Principle #6 – Take a Judicial Leadership Role

Guiding Principle #7 – Develop Case Management Strategies

Guiding Principle #8 – Address Transportation Issues

Guiding Principle #9 – Evaluate the Program

Guiding Principle #10 – Create a Sustainable Program

MEMORANDUM OF UNDERSTANDING

70TH DISTRICT

SOBRIETY TREATMENT COURT

This is an understanding between the Saginaw County Prosecuting Attorney, Saginaw County Sheriff Department, Saginaw County Community Corrections, Michigan Department of Corrections, 70th Judicial District Court, Defense Counsel Representative, Court Treatment Provider/s, Saginaw County Community Mental Health Authority and Sobriety Court Project Coordinator made and entered into this 1st day of October, 2017 and shall continue through the 30th day of September 2018. The parties may elect to renew the existing agreement for an additional one-year term upon mutually agreeable terms and conditions. This agreement can be modified, amended or terminated by any party.


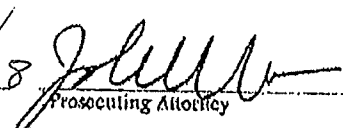
1. The below parties agree to share the following vision for the Saginaw County Sobriety Court:
 - A. Enhance the quality of life throughout Saginaw County;
 - B. Provide leadership through innovative services;
 - C. Continuously improve services;
 - D. Achieve program goals through teamwork;
 - E. Break the generational cycle of criminality and alcohol abuse.
2. We endorse the goals and mission of the Saginaw County Sobriety Court Program in order for participants to eliminate future criminal behavior and improve the quality of their lives. For these programs to be successful, cooperation must occur within a network of systems to facilitate and achieve the mission, challenge and vision of the Saginaw County Sobriety Court;
3. We agree that the mission of the drug/sobriety court program shall be to successfully rehabilitate alcohol abusing individuals while maintaining public safety and;
4. We agree to the following challenge of the sobriety court program: Engaging substance/alcohol abusing individuals involved in the criminal justice system in a continuum of treatment services and providing them with appropriate intervention through treatment, rehabilitative programming, reinforcement, and monitoring.
5. There are ten principles under which the respective agencies work cooperatively:
 - A. Drug and alcohol addiction is a chronic relapsing disease that is treatable and substance abuse is reversible behavior, but which, if unaddressed, may lead to continuing and increasing criminal behavior and other personal, family, and societal problems.
 - B. Drug/Sobriety Court programs offer an opportunity to direct those in crisis with addictions and abuse to begin a rehabilitation process, which may ultimately lead to a reduction or elimination of addiction and abuse and permit the development of a productive lifestyle.
 - C. Treatment intervention should occur early on upon entry to the criminal justice system to achieve maximum treatment outcomes.

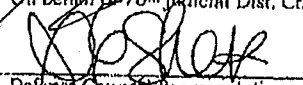
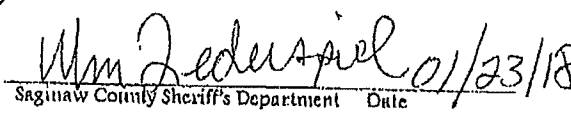
- D. Thorough assessment and evaluation is a critical component of the drug/sobriety court program.
 - E. Participants with drug and alcohol abuse issues cannot maximize their treatment potential without appropriate treatment intervention that includes their families.
 - F. Participant accountability is foremost in the program, with written program agreements and Court monitoring of behavior on a biweekly basis. Court monitoring will include incremental sanctioning for negative behaviors and positive rewards for improved behaviors.
 - G. Drug/Sobriety Court programs are established with written protocols, which are well defined and documented through the Policies and Procedures Manual. The Program Manual will be updated annually, to respond to the changes in the needs of the programs, participants, families, agencies and community.
 - H. Pre-adjudication participant entry in to the drug/sobriety court program shall be governed by written eligibility criteria as established by the Drug Court Policy Council with the concurrence of the Prosecuting Attorney.
 - I. Information about participant progress, participant family progress, and the functioning of the sobriety court program shall be made available to all parties.
 - J. Effective evaluation of the drug/sobriety court program shall be sought with appropriate responses being made relative to these evaluations.
6. The roles of the parties are as follows:
- A. Prosecuting Attorney: Provide initial screening of prospective and/or eligible participants, attend and participate in all team meetings and court sessions. Provide feedback, ideas, and suggestions as needed. Represent the interests of the prosecutor and law enforcement.
 - B. County Sheriff's Department and Community Corrections: Attend team meetings and court sessions. Provide advice and suggestions on community corrections sanctions and provide feedback to the court on the drug court participants' follow-up on all ordered community corrections sanctions. Acts as a liaison between the program and respective department.
 - C. Michigan Department of Corrections-Probation Representative: Attend team meetings and biweekly sessions. Provide probation oversight for all sobriety court participants. Work with the sobriety court coordinator in supervising and monitoring the individuals in the program. Prepare presentence reports as needed. Schedule show causes for participants who have violated the program rules and are subject to dismissal.
 - D. 70th District Court through the Sobriety Court Judge: Chair meetings, preside in court, and coordinate team activities, evaluations, and planning.
 - E. Defense counsel representative: Attend team meetings and court sessions. Insure that defendants' procedural and due process rights are followed. Advocate timely and effectively for incentives and sanctions, provide feedback, suggestions, and ideas on the operation of the court.
 - F. Project coordinator: Attend meetings, arrange for additional screenings of persons screened by the prosecutor. Answer inquiries from defense attorneys on possible eligibility. Enter

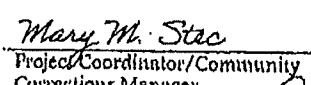

data into DCCMIS system. Liaison with treatment providers and drug/alcohol testing contractor, district court intensive supervised probation and residential treatment facilities.

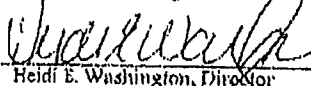
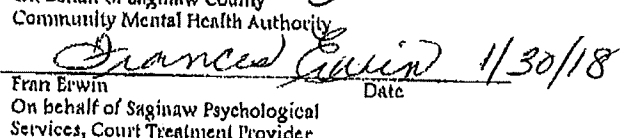
- G. Treatment Representative: Attend meetings, report on progress of participants, and offer insights and suggestions on the treatment plans of individuals in the program, ensure offenders are evaluated in a timely and competent manner, ensure the participants receives the most appropriate level of care available.
- H. Saginaw County Community Mental Health Authority through Substance Use Disorder Coordinator: Attend meetings, provide treatment suggestions based upon training and expertise; provide information on HIPPA requirements and confidentiality for team members.

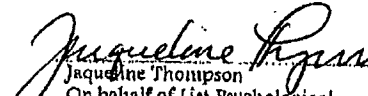
Signature and date of all parties.

 2/1/18  1/22/18
Sobriety Court Judge Date Prosecuting Attorney Date
On behalf of 70th Judicial Dist. Ct.

 1-23-18  01/23/18
Defense Counsel Representative Date Saginaw County Sheriff's Department Date
MILLOENT E. STEK

 01/19/18  1-22-18
Project Coordinator/Community Corrections Manager Date Sandra Lindsey, CEO Date
On behalf of Saginaw County Community Mental Health Authority

 1-19-18  1/30/18
Heidi E. Washington, Director Date Fran Erwin Date
Michigan Department of Corrections On behalf of Saginaw Psychological Services, Court Treatment Provider

 1/24/18
Jacqueline Thompson Date
On behalf of List Psychological Services, PLC, Court Treatment Provider