

# MARYLAND JUDICIARY

## JUDICIAL COUNCIL'S SPECIALTY COURTS AND DOCKETS COMMITTEE

# Plan for Proposed Problem-Solving Court

## Informational Materials and Plan

**Office of Problem-Solving Courts**  
Maryland Judicial Center  
187 Harry S. Truman Parkway  
Annapolis, Maryland 21401  
[Richard.barton@mdcourts.gov](mailto:Richard.barton@mdcourts.gov)  
**(410) 260-3617**

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## **Section 1. Purpose**

To provide a formal process for planning problem-solving courts to become operational and be recognized by the Court of Appeals as such. Applicants are expected to provide a completed Plan for Proposed Problem-Solving Court (hereafter referred to as the Plan) and any supporting materials that would provide the most accurate detail of the proposed problem-solving court. The contents of any Plan to be submitted must comply with [Maryland Rule 16-207](#) and [Chief Judge Barbera's Administrative order dated June 18, 2019](#).

The approval of this Plan by the Chief Justice of the Supreme Court of Maryland does not imply any financial support for the operational problem-solving court. Requests for funding or other resources should not be included in this Plan.

## **Section 2. Plan and Submission Information**

### *Plan Specifications*

The Plan must be submitted utilizing either Microsoft Word Times New Roman font set at 12, or by using the online Plan available through the Office of Problem-Solving Courts website. Do not use staples or bind the signed Plan. Do not modify the Plan format in any way. The Plan submission must have proper signatures to be considered.

All or select portions of the Plan may be requested to be resubmitted if the Plan is not complete, clear, and concise. Fully explain and describe all acronyms or terms used.

**Signed Plans and all attachments should be forwarded to the Judicial Council's Specialty Courts and Dockets Committee at the following address:**

**Judicial Council's Specialty Courts and Dockets Committee  
c/o Gray Barton, Director  
Office of Problem-Solving Courts  
Maryland Judicial Center  
187 Harry S. Truman Parkway  
Annapolis, Maryland 21401**

**Or a scanned copy can be sent to [richard.barton@mdcourts.gov](mailto:richard.barton@mdcourts.gov)**

### *Technical Assistance*

For additional technical assistance in relation to this Plan, please contact the Office of Problem-Solving Courts at:

**Office of Problem-Solving Courts  
Maryland Judicial Center  
187 Harry S. Truman Parkway  
Annapolis, Maryland 21401  
(410) 260-3617  
[richard.barton@mdcourts.gov](mailto:richard.barton@mdcourts.gov)**

## **Section 3. Review and Approval of Plan**

### ***Initial Review of Plan***

The Administrative Order requires that prior to submitting a Plan for a Proposed Problem-Solving Court, the applicant should confer with the Office of Problem-Solving Courts and each State, local, or federal agency or official whose participation in the problem-solving court will be required under the Plan.

Additionally, the Judicial Council's Specialty Courts and Dockets Committee will review the Plan to determine whether it is comprehensible; identify potential weaknesses or areas of concern, and whether the Plan has adequate facilities, staff, and management capacity. The Chair of the Committee may appoint a representative(s) to conduct an on-site visit to determine whether all requirements for approval have been met. The Committee may request clarification and offer recommendations or corrections as necessary.

### ***Approval Process***

Once submitted, the Judicial Council's Specialty Courts and Dockets Committee shall review the Plan and forward its recommendations regarding the prospective problem-solving court Plan to the State Court Administrator.

Upon receipt of the recommendations from the Judicial Council's Specialty Courts and Dockets Committee, the State Court Administrator shall review the Plan to assure compliance with Maryland Rule 16-207, make such investigations and acquire such additional information as the State Court Administrator deems appropriate, consult with the submitting judge and the Judicial Council's Specialty Courts and Dockets Committee within four (4) months after submission of the Plan, unless extended by the Chief Justice of the Supreme Court of Maryland, the State Court Administrator shall submit the Plan to the Chief Justice of the Supreme Court of Maryland with a recommendation to approve the Plan.

Upon receipt of the State Court Administrator's recommendation, the Chief Justice of the Supreme Court of Maryland will review the Plan for approval.

## Section 4. Plan Requirements

The Administrative Order requires that the Plan contain the following:

- I. Explicit statements regarding the nature and purpose of the court, including
  - a. the target population to be served;
  - b. the estimated number of persons in that target population expected to participate on an annual basis; and
  - c. the services to be provided and which agencies or officials will be responsible for providing those services;
- II. A clear statement of the proposed structure of the court, including: the duties and functions of judges, other judicial personnel, and non-judicial personnel or agencies expected to participate;
- III. A statement as to whether a judge or magistrate proposing to preside over a problem-solving court has completed the appropriate educational courses as required by Section (g)(2) of the Administrative Order on Continuing Education of Judges, Magistrates, and Commissioners;
- IV. Specific protocols and requirements regarding referrals and entry of participants into the court, including:
  - a. eligibility criteria for participation, and the methods by which eligibility will be determined and participants will be approved;
  - b. whether self-represented participants will be accepted and, if so, how any right to the assistance of counsel will be protected;
  - c. protocols on any waivers, including *ex parte* communications consistent with Rules 18-102.9 and 18-202.9; and
  - d. the form and content of any written agreement a proposed participant will be expected to sign, as well as a clear statement of how such an agreement will be presented and explained to the participant including documentation of a finding by the admitting court that the participant understands the agreement and enters into it knowingly and voluntarily;
- V. A clear description of how the problem-solving court will operate, including:
  - a. the expected role of counsel;
  - b. the criteria by which a participant's success will be measured;
  - c. the kinds of requirements and restrictions that will be imposed on participants;
  - d. the methods and procedures for measuring a participant's satisfaction of those requirements, restrictions, and criteria;
  - e. the nature of any rewards and sanctions to which a participant may be subject and the procedures for implementing rewards and imposing sanctions; and

- f. criteria for both satisfactory and unsatisfactory termination of a participant's participation from the problem-solving court and the procedures for determining and implementing such terminations;
- VI. An estimated budget for the court approved by the submitting judge and a description of the expected funding sources; and
- VII. Such other provisions required by Rule 16-207 or as reasonably directed by the Office of Problem-Solving Courts or the State Court Administrator.

# Plan for Proposed Problem-Solving Court

## Section I – Court Information

Court Jurisdiction \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Administrative Judge \_\_\_\_\_

Problem-Solving Court Judge (if different) \_\_\_\_\_

Problem-Solving Court Contact Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Email \_\_\_\_\_

## Section II – Problem-Solving Court Description

### Type of Problem-Solving Court

Adult Drug Court       DUI/Drug Court       Family Recovery Court

Juvenile Drug Court       Mental Health Court       Re-Entry Court

Truancy Court       Veterans Court

Other \_\_\_\_\_

**Program Summary:**

*The Program Summary should provide a concise summary of the proposal and briefly describe the components of the proposed Problem-Solving Court, including the type of cases that can be accepted, the treatment strategies and modalities that will be used.*

What is the proposed length of the problem-solving court? \_\_\_\_\_

Estimated projected program capacity: \_\_\_\_\_

Projected number of participants to be admitted,  
During the first fiscal year: \_\_\_\_\_  
During the second fiscal year: \_\_\_\_\_

Who is allowed to participate in the problem-solving court? (Check all that apply):

- |   |  |
|---|--|
| <input type="checkbox"/> Adults Males   | <input type="checkbox"/> Offenders with a Mental Illness or disability |
| <input type="checkbox"/> Adult Females  | <input type="checkbox"/> Juveniles                                     |
| <input type="checkbox"/> Repeat Offenders   | <input type="checkbox"/> Non-Violent Offenders                         |
| <input type="checkbox"/> Probation Violators  | <input type="checkbox"/> First-Time Offenders                          |
| <input type="checkbox"/> Offenders with a Substance Addiction (Controlled or Otherwise) | <input type="checkbox"/> Parole Violators                              |
|   | <input type="checkbox"/> Other   |

If Other, please explain:

Please describe any criteria for eligibility or ineligibility for a prospective participant, including whether self-represented participants will be accepted and if so, how any right to the assistance of counsel will be protected.

Please explain how participants are identified and referred to the problem-solving court.

Will a prospective participant be expected to sign a written agreement upon entry into the problem-solving court?



No  Yes (attach a copy of the written agreement)

If yes, describe how the agreement will be presented and explained to the participant and steps to be taken by the Court to determine whether the participant understands the agreement, and enters into it knowingly and voluntarily:

Please explain how participants are assessed and referred to the appropriate level of treatment and/or other essential services. Identify any screening and assessment tools that will be used and why.

Provide a description of your target population and what local data is being used to support that decision.

Does the problem-solving court have phases?  No  Yes (describe below)

<b>Phase</b>	<b>How Long?</b>	<b>Phase</b>	<b>How Long?</b>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Describe the frequency and nature of judicial involvement and interaction with the participants:

Describe the methods of supervision and monitoring that will be utilized:

Please explain how program participants may exit the problem-solving court, including criteria for graduation.

**Section III - Available Services**

What services are available to problem-solving court participants? (Check all that apply):

- AA/NA/CA
- Academic/GED/Vocational
- Assisted Living
- Case Management
- Childcare
- Cognitive Behavioral/Restructuring
- Co-occurring Treatment
- Day Reporting
- Day Treatment
- Detoxification
- Developmental Disabilities Support Services
- Early Recovery
- Family Therapy
- Group Counseling
- Half-way House
- Housing
- Individual Counseling
- In-patient Treatment (up to 28 days)
- Intensive Outpatient
- Job Training
- Life Skills
- Mental Health
- Methadone Treatment (Medically Supervised)
- Other Support Groups
- Outpatient Treatment
- Parenting Class
- Primary Health/Dental Care
- Probation Residential Services
- Relapse Prevention
- Substance Abuse Residential
- Three-quarter House
- Other (List)

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Please list all treatment or service providers associated with your problem-solving court:

<u>Company/Agency</u>	<u>Type of Treatment</u>	<u>Point of Contact</u>	<u>Phone</u>
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Provide information on what partnerships are being established. Please attach documents and Memorandums of Understanding as appropriate.

## Section IV – Funding

Describe the total amount of funding the court has received or anticipates receiving this fiscal year. (Fill ALL that apply, explain as needed and enter the total annual funding amount):

<u>Funding Source</u>	<u>Funding Amount</u>
<b>A. Federal Government</b>	
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>B. State Government</b>	
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>C. Local Government</b>	
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>D. Private Sources (i.e. Grants, donations from businesses or foundations, and other charitable organizations)</b>	
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>E. Other</b>	
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

Describe your plan and/or goals to financially sustain the problem-solving court as a valuable and cost-effective service to the community:

### Section V - Statistical Data and Evaluation

How is data to be collected and compiled?

- Automated       Manually       Both

Describe the method in which the problem-solving court plans to collect and then use the data and statistics to effectively determine whether the court is meeting its goals and objectives.

### Section VI - Problem-Solving Court Personnel

Please list all personnel associated with your problem-solving court (i.e., judge, coordinator, prosecutor, defense counsel, probation, etc.)

<u>Name</u>	<u>Role</u>	<u>Phone</u>	<u>E-Mail Address</u>
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Has this problem-solving court judge received formal training in establishing a problem-solving court? If the answer is Yes, please list who provided the training and when it was provided.

- No     Yes      By Whom & When \_\_\_\_\_  
By Whom & When \_\_\_\_\_  
By Whom & When \_\_\_\_\_

**Signing Authority**

**This Plan for Proposed Problem-Solving Court has been authorized for submission by:**

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**Signature of Administrative Judge**

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**Date**

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**Signature of Problem-Solving Court Judge (If Different)**

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**Date**