NADCP
National Association of Drug Court Professionals

Adult Drug Court Planning Process Checklist

I. Laying the Foundation

1. Identify the Drug Court Advisory Council
   - ☐ Chief Judge
   - ☐ Elected Prosecutor
   - ☐ Chief Public Defender
   - ☐ Chief Court Administrator/Court Clerk
   - ☐ Chief of Police
   - ☐ Elected Sherriff
   - ☐ Chief Probation Officer
   - ☐ Director of Treatment Services
   - ☐ County Commissioner(s)
   - ☐ City Council Member(s)

2. Identify the Drug Court Planning Team Members
   a. Judicial
      - ☐ Judge
      - ☐ Magistrate
   b. Prosecution
      - ☐ District Attorney
   c. Defense
      - ☐ Public Defender
      - ☐ Private Defense Attorney
      - ☐ Local Bar Association
   d. Coordination
      - ☐ Court Administrator
      - ☐ Clerk
      - ☐ Other: _____
   e. Community Supervision
      - ☐ Pre-trial
      - ☐ Probation
      - ☐ Parole
      - ☐ Community Corrections
      - ☐ Law Enforcement
         - ☐ Police
         - ☐ Sherriff
         - ☐ Highway Patrol

  f. Treatment
    ☐ Private Provider
    ☐ County/State Provider
    ☐ Health Department
    ☐ Mental Health
  g. Evaluator
    ☐ Local College/University Professor
    ☐ Research/Evaluation Company

3. Secure Team Commitment
 a. During planning process
   ☐ Agreement from all department heads
   ☐ Develop inter-agency agreements
   ☐ Identify resistance to the program
 b. Identify impacts on each agencies
   ☐ Political
   ☐ Time
   ☐ Cost
 c. Collaboration
   ☐ Team participation in developing the program
   ☐ Establish on-going planning meetings

4. Identify Other Key Stakeholders
  ☐ Media/Community Groups
  ☐ Substance Abuse Treatment Providers/Agencies
  ☐ Mental Health Treatment Providers/Agencies
  ☐ Other State Agencies- Children & Families, Education etc.
  ☐ Vocational & Educational Communities
  ☐ Job Skills -Training & Placement Agencies
  ☐ Chamber of Commerce
  ☐ Welfare to Work Programs
  ☐ Victim Groups (MADD, etc)
  ☐ Anticrime and anti-drug coalitions
  ☐ Ex-offender / ex-addict groups
  ☐ Police or Sheriffs Association
  ☐ Department of Corrections

5. Identify the Problem
 a. Jail overcrowding
   ☐ Identify type of cases
 b. Prison overcrowding
   ☐ Identify type of cases
 c. Crowed criminal court dockets
   ☐ Identify type of cases
   ☐ Identify sentencing practices

       d. Crime and drug trends
- Increase in crime to include types
- Increase in drug use to include types
- Other social impacts (i.e. emergency room episodes, overdoses, property damage, etc.)

6. Assessing the Drug Court Planning Team for Key Knowledge
    a. All Planning Team Must Develop Competencies in the Following Areas:
- The Promise of Drug Courts
- The Ten Key Components of Drug Court
- Differing Drug Court Models
- The Science of Addiction and Psychopharmacology
- Cultural Competency and Proficiency
- Deciding on the Target Population(s)
- Assessing for Criminogenic Risk and Needs
- Clinical Screening and Assessment
- The Science of Substance Abuse Treatment: What Works
- Addressing Co-Occurring Mental Health and Health Disorders
- Addressing Relapse
- Best Practices in Effective Community Supervision
- Best Practices in Effective Drug Testing
- Sharing Client Information: Confidentiality and Ethics
- Preparing for a Drug Court Status Hearing
- The Drug Court Courtroom
- Addressing Client Behavior: Incentives and Sanctions
- Measuring Performance
- Research and Evaluation
- Management Information Systems
- Developing a Sustainable Court Program

II. How to Design An Adult Drug Court Program

1. Develop the Mission Statement
- Purpose of the drug court (developed by team)
- Address the goals
- Articulate the motivation of team and stakeholders

2. Define the Goals and Objectives
    a. Goals
- Focus on public safety and personal responsibility
- Improved utilization of community resources
- Cost effect on criminal justice system
- High rates of retention and completion
- Improved functioning of individuals
- Address access and fairness issues

    b. Objectives
- ☐ Clearly stated, realistic end results
- ☐ Quantifiable with measurable outcomes
- ☐ Respond to participant, stakeholder and community needs
- ☐ Attainable given program design and resources available

3. Identify the Target Population
    a. Review problem data
- ☐ Determine which offenses and/or type of offenders to include
- ☐ Focus should be placed on High Risk/High Need offenders

4. Design Eligibility and Disqualification Criteria
- ☐ Level of Crime: Felony/Misdemeanor
- ☐ Type of Crime: Possession/Drug Motivated/Drug Sales
- ☐ Drug Use and Abuse History/Drug Dependency
- ☐ Criminal Background
- ☐ Residency
- ☐ Mental Health and Health Issues
- ☐ Current Legal status
- ☐ Probation/Parole Status/Revocation

5. Determine Court Model
- ☐ Pre Plea Diversion
- ☐ Post Plea
- ☐ Deferred Sentencing
- ☐ Probation
- ☐ Probation Revocation
- ☐ Reentry

6. Design Entry Process
    a. Risk and Need Assessment
- ☐ Determines who is most suited for Drug Court
- ☐ Identify tool(s) to be used
- ☐ Identify who will administer risk and needs assessment
    b. Identify who will conduct legal screening
- ☐ Prosecutor
- ☐ Defense Attorney
- ☐ Coordinator
- ☐ Entire Team
    c. Determine Points of Entry
- ☐ At Arrest
- ☐ Bail
- ☐ Pre-trial Review
- ☐ Initial Court Appearance
- ☐ Pre-sentence Hearings
- ☐ Probation Revocation Hearing

      d. Clinical Screening
- ☐ Identify and select a tool
- ☐ Identify who will conduct the screening
    - ☐ Drug Court case managers
    - ☐ Pretrial Services
    - ☐ Probation
    - ☐ TASC
    - ☐ Treatment Provider

      e. Purpose of Screening
- ☐ Determine the presence and severity of substance abuse.
- ☐ Weed out persons who do not have substance abuse problems.
- ☐ Determine if the severity of substance abuse problem is appropriate to the level of available drug court services.

      f. Clinical Assessment
- ☐ Identify and select a tool
- ☐ Address biological, psychological and sociological factors
- ☐ Identify a clinically trained and qualified counselor, psychologist, psychiatrist, social worker, or nurse to administer tool.
- ☐ Determine if the severity of substance abuse problem is appropriate for the drug court program.

      g. Purpose of Assessment
- ☐ Examine scope and nature of substance abuse problem
- ☐ Identify full range of service needs, pursuant to treatment planning
- ☐ Match participants to appropriate services
- ☐ Determine where and when the legal and clinical screening will be administered
- ☐ Determine where and when the clinical assessment will be delivered

7. Establish Drug Court Phase System
    a. Determine Length of Program
- ☐ Legal Requirements
- ☐ Treatment Needs

    b. Determine Number and Length of Phases
- ☐ Phase Advancement Requirements

    c. Define Specific Court-Imposed Rules
- ☐ Rules and regulations of treatment
- ☐ 12 Step Meetings/Support Meetings
- ☐ Community Service
- ☐ Employment
- ☐ Program Fees/Court Costs
- ☐ Alumni/Continuing Care
- ☐ Court Appearances
- ☐ Drug Tests
- ☐ Curfew
- ☐ Ancillary Services
- ☐ Case Management

       ☐ Educational/Vocational Training/GED
       ☐ Drug-Free/Pro-Social Activities

8. Develop Treatment Protocol
    a. Assess Treatment Resources and "Levels of Care" in the Community
       ☐ Detoxification
       ☐ Intensive Outpatient
       ☐ Outpatient
       ☐ Day Treatment
       ☐ Inpatient Residential
       ☐ Halfway House
       ☐ Sober Living
       ☐ Medical Care
       ☐ Mental Health Care
       ☐ Medication Assisted Programs
       ☐ Case Management Services
    b. Assess Other Ancillary Resources Available in the Community
       ☐ Community Mapping Tool
    c. Choose the Treatment Program(s) to Serve the Drug Court
       ☐ Duration of Treatment
       ☐ Goals of Treatment
       ☐ Frequency of Treatment in each Phase
       ☐ Culturally Appropriate Services and Staff
       ☐ Individualized Treatment Plans
       ☐ Type of evidence-based treatment used by provider
          ☐ Cognitive Behavioral Therapy
          ☐ Motivational Enhancement Therapy
          ☐ Community Reinforcement Approach
          ☐ Medically Assisted Treatments
          ☐ Relapse Prevention
          ☐ Aftercare/Continuing Care
          ☐ Determine Administrative Responsibilities for Providers
             ☐ Types of reports to be generated
             ☐ Information to be shared with team

9. Identify Community Resources
       ☐ Complete Community Mapping

10. Develop Community Supervision Protocol
    a. Determine Which Agency Supervises Clients
       ☐ Probation
       ☐ Parole
       ☐ Police
       ☐ Sheriff
       ☐ Pre-trial Services
       ☐ Marshalls
       ☐ Community Supervision Officers

        ☐ Case Managers
   b. Develop Practices
        ☐ Determine Frequency of Contact by Phase
        ☐ On-going Assessment
        ☐ On-going Home Visits
        ☐ Search
        ☐ Surveillance
        ☐ Bar and Restricted Area Sweeps
        ☐ Office Visits

11. Develop Drug Testing Protocol
   a. Determine Which Agency Administers Drug Tests
        ☐ Probation
        ☐ Parole
        ☐ Police
        ☐ Sheriff
        ☐ Pre-trial Services
        ☐ Marshalls
        ☐ Community Supervision Officers
        ☐ Case Managers
        ☐ Treatment Providers
   b. Determine Type(s) of Drug Test Methodology
        ☐ Onsite/Laboratory
        ☐ Urine
        ☐ Hair
        ☐ Silva
        ☐ Breath
        ☐ Blood
        ☐ Sweat
   c. Determine Frequency of Testing in Each Phase
        ☐ Significant Testing Frequency in Early Phases and Titrate Frequency Down in Higher Phases
   d. Develop Process for Randomization
        ☐ Color Code Phone Message
   e. Develop Process for Collection
        ☐ Observed
        ☐ Male and Female Collectors
        ☐ Chain of Custody
        ☐ Confirming Positive Tests
        ☐ Timeframe of Reports
        ☐ Reporting Results
   f. Chose Drugs to be Tested
        ☐ Illicit Drugs
        ☐ Prescription Drugs
        ☐ Alcohol
        ☐ Adulterants

12. Develop Court Responses Protocol
 ☐ Develop Court Responses Based on the NDCI *Ten Science-Based Principles to Changing Behavior*
 ☐ Develop Memorandum of Understanding with Sherriff for Brief Jail and Other Sanctions (i.e., washing police cars, trash pick-up, etc.)
 ☐ Develop Strategy to Secure and Receive Donations for Incentives (i.e., public transportation tokens, movie passes, restaurant and shopping vouchers, etc.)

13. Develop Communication Protocol
 ☐ Develop Authorization/Consent Forms
 ☐ Review Each Team Member Agency Ethics Regulations

14. Develop a Monitoring and Evaluation Protocol
 ☐ Select an Evaluator (public or private)
 ☐ Develop a logic model
 ☐ Develop a Process Evaluation Plan
 ☐ Identify Performance Measures
 ☐ Develop How Data Will Be Collected and Stored
 ☐ Consider Management Information Systems

15. Identify and Develop Waivers
 ☐ Develop Search Waiver
 ☐ Develop Offender Contract
 ☐ Develop Offender Consent Form

16. Develop Operational Practices
 a. Establish Staffing Meeting Practices
 ☐ Determine When and Where Staffing Will Occur
 ☐ Determine Who is Required to Attend Staffing
 b. Develop Progress Reports Practices
 ☐ Determine What Information is Included in Progress Reports
 ☐ Determine When Progress Reports are Due and to Whom

17. Creating a Sustainable Drug Court
 a. Identify Program Costs
 ☐ Screening and Assessment Tools
 ☐ Treatment Services
 ☐ Drug Testing
 ☐ Personnel
 ☐ Training
 ☐ Technology
 ☐ Administration
 ☐ Data Collection
 ☐ Research
 b. Identify Available Resources

□ Existing Employees
□ Existing Community Resources (community mapping)
□ Grants and Donations
□ Fundraising Strategies
18. Manage Public Relations
□ Educate Agency Partners
□ Educate the Public
□ Develop a Media Plan
□ Engage the Media
□ Educate Local, State and National Leaders