

COLLABORATIVE JUSTICE COURTS
RESOURCE WORKBOOK

Part One--Planning and Implementing an Effective Collaborative Court Program

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This section provides a detailed checklist of the steps necessary to plan and implement an effective collaborative court program. Courts in the planning process can use these topic areas and the included questions to prepare planning meeting agendas and to generally direct the development of program design and their policy and procedure manuals. Existing courts may find it helpful to use this section as a method of refining their existing practice.

The parameters of program design and implementation are similar regardless of the type of collaborative court. There are emerging best practices that apply to the type of behavior modification required for successful outcomes and these best practices are reflected in the checklist.

Collaborative court programs have been in existence in California for over 15 years. What began as a very narrowly focused program design applying to adult criminal offenders has grown into a model that is being applied to a variety of court case types. From juvenile delinquency and family dependency cases to mental health and teen peer courts, this model is changing the way the court does business.

Identify Target Population

Who will you serve?

While it may seem obvious at first, defining your target population can be a complex task. If you have decided, for instance, to start a mental health court, you will be admitting individuals with a mental health diagnosis. What remains are all the decisions that help to narrow down qualifying and disqualifying criteria. These questions can help you define your population: who you will admit and who you will exclude.

- What case type are you interested in serving? Why?
- What type of case or individual would be ineligible? Why?
- What geographic area or jurisdiction will be served? Why?
- How many cases could be eligible? Where can you get this information?
- What group of potential clients have the greatest need?
- What group of potential clients would benefit the most?
- How will the program benefit the community?

* Tip: Make sure this decision includes input from all stakeholders. Potential clients are stakeholders too.

Determine Goals and Objectives of Program

Why do you want to implement this program and what do you want to accomplish?

Typically, someone in a jurisdiction hears about a type of collaborative court and decides to implement one locally. Sometimes there can be a disconnect between the idea and the actual local need. These questions will help any jurisdiction develop the rationale for implementing a program and can be the basis for measuring success.

- What is the mission of the program? What are you going to do?
- What is the vision of the program? How are you going to get there?
- What changes do you hope the program will make in the courts?
- What changes do you hope the program will make in client outcomes?
- What changes do you hope the program will make in the community?
- How will you justify such a resource intensive program to the public?
- How will you know if the program is successful?
- What objective indicators will you measure?

* Tip: This is a planning team decision. Expect partners to have different reasons for wanting to participate, and work to incorporate all into a mission statement and list of objectives.

Identify and Contact Key Stakeholders and Service Providers

Who will be part of this collaboration?

Collaborative courts require a comprehensive set of partners to be effective. Depending upon the type of collaborative court program, the partners will vary based on the needs of the clients. The list of partners should include both government agencies and community organizations. Once identified, the roles and responsibilities of stakeholders and service providers will also vary. Some partners will be part of the day to day operational team while others will be on the program steering committee or advisory committee. The questions below will help develop and/or expand the list of team members to most effectively serve clients.

- Who currently works with these clients?
- Are there other resources/service providers that could be serving these clients?
- How will potential community partners be invited to participate?
- What will each partner's role be on the team?
- What efforts will be made to assure all team members understand each other's function, and legal and ethical mandates?
- What team building strategies will be employed to breakdown traditional barriers in communication?
- What cross-training can be done?
- How can members of the target population be involved in this process?

* Tip: Remember that some people can be intimidated by the power of the court. The goal is to build a team that encourages open communication among all members.

Conduct Needs Assessment/Gap Analysis

What are the needs of the client population?

While each client will present with unique strengths and needs, there are some generalizations that can be made about the potential client group. For example, as professionals who are currently working with the potential client base, the planning team can use these questions to discuss what services the program will need to provide or link with in the community in order to support clients' efforts toward long-term sobriety. While substance abuse may be a common thread through most collaborative courts, there are a multitude of other challenges faced by potential clients.

- What characteristics do clients possess when they enter the system?
- Are there needs unique to this client-base? (e.g. medication management, life-skills training/independent living, parenting training, housing, job readiness.)
- What services are currently available in the community to address these needs?
- What strengths do these clients currently possess? Who can tell you?
- What skills and abilities do you want program graduates to possess?
- What services are lacking? Why are these services unavailable? Are there culture or gender-specific services lacking?
- How will the program assure that treatment/service matching is occurring to fully meet the individual needs of each client?

* Tip: This is an opportunity to do an informal survey of potential clients. Ask what would help them be more successful. Ask what challenges they face.

Develop Eligibility Criteria

How will you determine who is admitted to the program?

This set of questions takes the issue of target population one step further. Assuming that the program being developed will begin serving a subsection of possible clients, developing eligibility criteria can assist in determining which group of clients will be served.

- What is the right sized caseload for your program? How do you know this?
- What is the treatment capacity in your community? How many treatment slots are available for your clients? (This may be substance abuse treatment or mental health treatment or a combination.)
- What is the case management and community supervision capacity in your community?
- How will you maintain program capacity?
- What are the legal criteria to be admitted to the program? How will you measure this? Who will conduct this screening, and in what time frame?
- What are the clinical criteria to be admitted to the program? How will you measure this? Who will conduct this screening/assessment, and in what time frame?
- Who will not be admitted? Why?
- Are there public relations issues to be concerned about, such as a certain type of case or client that will be difficult to gain political support for if admitted?
- Who will monitor the eligibility screening process and adherence to target population selection?

* Tip: The planning team should review the target population description when developing eligibility criteria.

Review Literature on Collaborative Courts

How will this be different from “business as usual”?

It is helpful for the entire planning team to review the literature available on collaborative courts, and then come together to discuss its implications. There are numerous studies and instructive documents available on collaborative court programs and the team should be familiar with them so that issues can be raised that might not otherwise be considered. A beginning reading list is offered in Part Two of this workbook. By reviewing the literature as well as policy and procedure manuals from other collaborative courts, the team can begin to frame their own policy issues.

- What literature should the entire team read regarding the collaborative court process?
- What literature should be read specific to the chosen target population?
- What behavior change literature would assist the team?
- What studies or other research would be helpful to review?
- What examples are available from existing collaborative courts that can instruct your process?

* Tip: See Part Two for suggested readings.

Conduct an Environmental Scan

What internal or external support or opposition exists for the proposed program?

Collaborative courts do not exist in a vacuum. It is critical for long-term sustainability that internal and external support and opposition are identified and addressed. By answering these questions the planning team can develop a plan for community (and agency) education.

- What will the impact be on each team member agency?
- How will non-program personnel in each agency react?
- What will be expected of support staff in each team member agency?
- What community-based organizations will be supportive of the program? Why?
- What community-based organizations might oppose the program? Why?
- What information is needed to educate and convince skeptics?
- Do any agencies or organizations have the power to veto or sabotage this proposed program?

*** Tip:** Give skeptics time to learn about the program and the reasons to support it. Keep them involved—they may become your biggest supporter!

Develop Program Design

What will the program look like?

To develop a comprehensive program that meets the complex needs of clients, there is a myriad of questions that must be answered. Planning teams should work to answer these questions as a group, and base the decisions in best practices. For example, in deciding how long the program should be, it might seem easy to say “A year” or “a minimum of 18 months”, but the team must ask itself what the rationale is for the decision. Are you working with individuals with a methamphetamine addiction? If so, the research tells us that a year may not be long enough. While it is helpful to look to other programs for the answers, be sure the ultimate decision is based on local information.

- How long will the program be?
 - Treatment needs
 - Ancillary service needs
- Will there be phases? What will the objective requirements be for phase advancement and program completion?
- What will the objective minimum requirements be for each phase?
 - Frequency and duration
 1. Assessment-what tools will be used?
 2. Treatment
 3. Case Management/Case Planning
 4. Community Supervision
 5. Drug testing
 6. Education
 7. Employment
 8. Family involvement
 - Who will provide:
 1. Assessment
 2. Treatment
 3. Case Management/Case Planning
 4. Community Supervision
 5. Drug Testing
 6. Education services
 7. Employment services
 8. Family Involvement services
- How will a client move through the program from referral to termination?
 - Develop a flowchart.
 - Determine how long from referral to intake to assessment to program entry.
 - Discuss process with all team member agencies

1. What forms will have to change?
 2. What procedures will have to change?
- How will the court respond to non-compliant behavior?
 - How will the court respond to compliant behavior?
 - What are the roles and responsibilities of each team member?

* Tip: Remember to review target population description and characteristics of client base to avoid unrealistic expectations of clients.

Determine Resource Capability and Needs

Who can provide the services required?

Once the team has decided upon a type of collaborative court, the specific target population, eligibility criteria and program design it is time to look very closely at service availability and delivery. These questions can help the team begin the discussion of available community resources and can also help to identify gaps in service for the client population. When it becomes time to request funding support it will be clearer what is needed from having reviewed these issues.

- What services do team member agencies have to offer program clients?
- Who else in the community can provide necessary services?
- Are there specific services offered to meet the cultural needs of clients?
- Is there a cost for additional services or are clients otherwise eligible to receive services?
- How can existing services be coordinated to minimize duplication?
- Which services are low cost or no cost to clients?
- How will clients pay for additional services?
- Will there be a program fee? If so, how will it be used?
- What sources of support—funding and in-kind—exist in the community?
- What services simply do not exist? Why do you need them?

* Tip: Target population should be closely tied to resource availability. Programs should be certain to have appropriate services available for the needs of clients.

Decide how Program Administration will be Handled

How will policy decisions be made?

While the planning team is focused very intently on developing program policy and procedures, once the program becomes operational it will be more difficult to step back from individual client issues and discuss needed policy issues. By answering the questions below the team can create a system that continues to support policy and procedure review and revision, even after the program is up and running.

- What does the decision-making structure look like?
 - Vertical: with one person making the ultimate decisions
 - Horizontal: a consensus model
- Is there a governing body responsible for program policy?
 - Steering Committee
 - Advisory Board
- Where will program policy decisions be made (in what committee and by whom?)
- Is there a person responsible for program coordination?
 - Communication protocols
 - Information dissemination
 - Documentation of policy decisions
- How will information be communicated from team members to their supervisors and department heads/executive directors? Will it be the coordinator's responsibility or will each team member be expected to share the information with their agency?
- Who on the team has the ability to make policy decisions?

*** Tip:** The role and responsibilities of the program manager/coordinator should be clearly defined. These may change as the program moves from the planning to the implementation phase.

Evaluation

How will program success be defined and measured?

It becomes an arduous task to develop an evaluation plan and to begin collecting necessary data after a program has been operational. Evaluation planning must begin in the planning phase and these questions can help the team (hopefully with an evaluator as a team member) decide the best plan for their local court. It can help to review the answers to the questions on goals and objectives, and it is often useful to have a brief presentation to the entire team by a professional evaluator so that the entire team has a better understanding of the overall benefits of evaluation and how (and why) each team member must be a part of the process.

- What indicators do you want to track? (What is an “indicator”?)
- If the court is successful, what will the outcomes be?
- What specific data will be collected? Is any of the needed data already being collected? By whom?
- Who will be responsible for collecting data?
- How is the evaluation plan being developed before program implementation?
- Who will conduct the evaluation?
- How will the evaluation results be used to modify program operation?

* Tip: It's never too early to develop an evaluation plan.

