

CONFERENCE OF CHIEF JUSTICES CONFERENCE OF STATE COURT ADMINISTRATORS

Resolution 22

In Support of Problem-Solving Court Principles and Methods

WHEREAS, the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) appointed a Joint Problem-Solving Courts Committee to continue the work of the previous Task Force on Therapeutic Justice; and

WHEREAS, the Joint Problem-Solving Courts Committee found that:

- There is evidence of broad support for the principles and methods commonly used in problem-solving courts, including, ongoing judicial leadership, integration of treatment services with judicial case processing, close monitoring of and immediate response to behavior, multidisciplinary involvement, and collaboration with community-based and government organizations;
- These principles and methods have demonstrated great success in addressing certain complex social problems, such as recidivism, that are not effectively addressed by the traditional legal process; and
- The application of these principles advance the trust and confidence of the public; and

WHEREAS, CCJ and COSCA adopted CCJ Resolution 22 and COSCA Resolution 4 on August 3, 2000 that agreed to:

1. Call these new courts and calendars “Problem-Solving Courts,” recognizing that courts have always been involved in attempting to resolve disputes and problems in society, but understanding that the collaborative nature of these new efforts deserves recognition.
2. Take steps, nationally and locally, to expand and better integrate the principles and methods of well-functioning drug courts into ongoing court operations.
3. Advance the careful study and evaluation of the principles and methods employed in problem-solving courts and their application to other significant issues facing state courts.
4. Encourage, where appropriate, the broad integration over the next decade of the principles and methods employed in the problem-solving courts into the administration of justice to improve court processes and outcomes while preserving the rule of law, enhancing judicial effectiveness, and meeting the needs and expectations of litigants, victims and the community.

5. Support national and local education and training on the principles and methods employed in problem-solving courts and on collaboration with other community and government agencies and organizations.
6. Advocate for the resources necessary to advance and apply the principles and methods of problem-solving courts in the general court systems of the various states.
7. Establish a national agenda consistent with this resolution that includes the following actions:
 - a. Request that the CCJ/COSCA Government Affairs Committee work with the United States Department of Health and Human Services to direct treatment funds to the state courts.
 - b. Request that the National Center for State Courts initiate with other organizations and associations a collaborative process to develop principles and methods for other types of courts and calendars similar to the *10 Key Drug Court Components*, published by the Drug Courts Program Office, which define effective drug courts.
 - c. Encourage the National Center for State Courts Best Practices Institute to examine the principles and methods of these problem-solving courts.
 - d. Convene a national conference or regional conferences to educate Conference members and other appropriate policy leaders on the issues raised by the growing problem-solving court movement.

NOW, THEREFORE, BE IT RESOLVED that CCJ and COSCA reaffirm their commitment to these action items; and

BE IT FURTHER RESOLVED that CCJ and COSCA agree to develop a national agenda that includes the following actions:

- a. Encourage each state to develop and implement an individual state plan to expand the use of the principles and methods of problem-solving courts into their courts;
- b. Support the development and delivery of national and local judicial and staff education curricula based on the principles and methods of problem-solving courts;
- c. Encourage the attendance by judicial officers and staff at national and local courses based on the principles and methods of problem-solving courts;
- d. Encourage the development in each state of at least one “demonstration” jurisdiction to serve as a laboratory in the use of problem-solving court principles and methods within a traditional court setting;
- e. Support the identification and promulgation of national best practices in the use of problem-solving court principles and methods within a traditional court setting;
- f. Request the National Center for State Courts’ Problem-Solving Court Community of Practice to seek funding to document best practices in “demonstration” jurisdictions and other jurisdictions and widely promulgate this information;

- g. Request that the National Judicial College, the National Center for State Courts and the National Association of State Judicial Educators update their existing training curricula to include the principles and methods of problem-solving courts;
- h. Ask CCJ and COSCA members to request of the law schools in their states that they, as appropriate, include the principles and methods of problem-solving courts in their curricula;
- i. Request that the Association of American Law Schools support expanded education by their members on the principles and methods of problem-solving courts;
- j. Request that Legal Education and Admission to the Bar Section of the American Bar Association support the efforts of CCJ and COSCA in pursuing the initiatives included in this Resolution; and
- k. Advocate for necessary financial resources for treatment and services that are integral to a successful problem-solving court.

Adopted as proposed by the CCJ/COSCA Problem-Solving Courts Committee at the Annual Meeting on July 29, 2004.