

Drug/DWI Courts

Resource Guide

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As a response to the increase of drug and alcohol-abuse offenders in the criminal justice system and the level of recidivism, drug courts have been created to help alleviate caseload pressures, as well as expand to embrace the therapeutic jurisprudence model. This topic addresses the issues of planning, implementing, managing, and evaluating drug court programs.

Links to related online resources are listed below. Non-digitized publications may be borrowed from the NCSC Library; call numbers are provided.

Featured Links

Supreme Court of Ohio [Second Chances - One Year in Ohio's Drug Courts \(video\)](#). (2019).
Michelle White, Tara Kunkel. [Opioid Epidemic and the Courts](#). (September 2017).

Opioid abuse has been steadily increasing in the United States. State courts must partner with other organizations to confront this epidemic.

Nicole L. Waters, Nicole Cochran, Cynthia Lee, and Kathryn Holt [Miami-Dade County Adult Drug Court: Trauma Study Report](#). (September 2016).

National Center for State Courts. This study assessed outcomes for the Miami-Dade Adult Drug Court (ADC) clients who received trauma treatment through the ADC.

Juleyka Lantigua-Williams [Treating Addiction in Court](#). (2016).

Can drug courts help users better than medical facilities?

[National Substance Abuse Prevention Month](#). Observed in October since 2011.

[Adult Drug Court Best Practice Standards, Volume I \(2013\) and II \(2015\)](#). *National Association of Drug Court Professionals*. These two volumes include ten national standards for adult drug courts incorporating the latest research about problem solving courts.

["Drug Court Treatment Services: Applying Research Findings to Practice" Issues Commentary and Resource Brief](#). (2011).

This resource brief provides a summary of key information presented during the Research to Practice webinar presented on November 2, 2011. Topics include the effectiveness of drug courts, screening and assessment, and optimal treatment interventions.

Rubio, Dawn, Fred Cheesman, and William Federspiel. [Performance Measurement for Drug Courts: The State of the Art.](#) (July 2008). *Statewide Technical Assistance Bulletin, Volume 6.*

The emergence of drug courts as a reform of courts' traditional practice of treating drug-addicted offenders in a strictly criminal fashion coincided with renewed interest in performance measurement for public organizations.

General

Huddleston, C. West and Douglas B. Marlowe [Painting the Current Picture: A National Report Card on Drug Courts and Other Problem Solving Court Programs in the United States.](#) (June 2016). *National Drug Court Institute*

This report provides a summary of the 2014 national survey of drug court and other problem-solving courts. The report includes national survey data analysis on graduation rates, number of participants, costs, legislation and funding, and racial and ethnic minority representation. The report found 3,057 treatment courts operating in 2014.

Young, N.K., Breitenbucher, P., & Pfeifer, J. [Recommendations for Developing Family Drug Court Guidelines.](#)

(2013). This report provides guidance for implementing a Family Drug Court as a collaborative effort between the court, child welfare, substance abuse treatment providers, and the community with a focus on improving services to families who are involved with the child welfare system and are affected by substance use disorders.

[Minnesota State Substance Abuse Strategy.](#) (2012). *Minnesota Department of Human Services*

This report presents a statewide strategy for reducing substance abuse. The strategy involves a coordinated statewide effort to tackle substance abuse and addiction and calls for a multi-agency, multi-faceted approach that includes making the expansion of Drug Courts a priority.

Marlowe, Douglas B. and Judge William G. Meyer (Ret.), Eds. [The Drug Court Judicial Benchbook.](#) (February 2011). *National Drug Court Institute*

This judicial benchbook provides extensive information on the history of drug courts, starting a new drug court, legal and constitutional requirements, judicial ethics, effective treatment approaches, valid drug-testing procedures, and community corrections practices.

Monchick, Randy, Anna Scheyett, and Jane Pfeifer [Drug Court Case Management: Role, Function, and Utility.](#) (June 2006). *National Drug Court Institute* This monograph presents a general overview of the role, key functions, principles, knowledge, and skill sets required for effective case management in the drug court setting.

Fox, Aubrey, and Greg Berman. [Going to Scale: A Conversation About the Future of Drug Courts.](#) (Fall 2002). *Court Review* 39, no. 3: 4 An article that discusses drug court integration between states and localities. Strategies for accomplishing this are outlined in a forum-like discussion.

[Drug Court Clearinghouse Project.](#) *American University, School of Public Affairs, Justice Programs Office* This project has been operating since 1994 and maintains a clearinghouse of publications on various topics related to drug courts and substance abuse. The site also

includes an interactive map with information on drug court activity around the country. The map includes breakdowns by state and county, juvenile drug courts, and tribal drug courts.

[National Drug Court Institute.](#) *National Association of Drug Court Professionals* Membership and outreach organization for over 2100 drug courts across the nation.

Ethics

[America's Problem-Solving Courts: The Criminal Costs of Treatment and the Case for Reform.](#) (September 2009). *National Association of Criminal Defense Lawyers* This report looks at the history of drug courts, evaluates their operation and effectiveness and makes a number of recommendations to ensure that these problem-solving courts comply with constitutional and ethical norms.

Freeman-Wilson, Karen et al. [Ethical Considerations for Judges and Attorneys in Drug Court.](#) (2001). *Arlington, VA: National Drug Court Institute*

An article that discusses the singular ethical dilemmas that a drug court judge faces. This is because, it is argued, drug cases require a certain extra judgment because so much of the process is out of his or her hands.

Tauber, Jeffrey S., and Susan P. Weinstein. [Federal Confidentiality Laws and How They Affect Drug Court Practitioners.](#) (1999). *Alexandria, VA: National Drug Court Institute* An article which outlines first the federal confidentiality laws that drug courts operate under, and second, how they loom over every part of the Drug Court experience.

Evaluations

Kierkus, Christopher A. & Brian R. Johnson [Michigan DWI/Sobriety Court Ignition Interlock Evaluation.](#) (2015). This report provides information on the DWI/Sobriety Court Ignition Interlock program from 2011 to 2014.

[Minnesota Statewide Drug Court Follow-up Minnesota Judicial Council.](#) (2015). *Minnesota Judicial Council.* This evaluation is a follow-up to the 2012 study.

[Research Update on DWI Courts.](#) (January 2015). *Ashley Harron and Judge J. Michael Kavanaugh (RetJ.)* This report summarizes the latest studies (last five years) on the impact of DWI Courts.

[Minnesota DWI Courts: A Summary of Findings in Nine DWI Court Programs.](#) (July 2014). NPC Research.

Cissner, Amanda B., Michael Rempel, and Allyson Walker Franklin [A Statewide Evaluation of New York's Adult Drug Courts.](#) (June 2013). *Center for Court Innovation.* This study compared recidivism and sentencing outcomes between statistically matched samples drawn from 86 drug courts and conventional courts in the same jurisdictions.

[Testing the Cost Savings of Judicial Diversion.](#) (March 2013). *Center for Court Innovation.* This report examines the statewide impact of judicial diversion following 2009 drug law reform in New York.

[Minnesota Statewide Adult Drug Court Evaluation.](#) (June 2012). *Minnesota Judicial Branch*. This statewide evaluation examines drug court participants in 16 courts against a statewide comparison group to compare outcomes.

[Kansas Drug Court Feasibility Study.](#) (2011). The Kansas Supreme Court contracted with the National Center for State Courts (NCSC) to research the feasibility and practicality of instituting state-wide level management over drug courts within the state.

Rossman, Shelli B. et al. [The Multi State Adult Drug Court Evaluation.](#) (2011). *The Urban Institute* This five-year multi-site study funded by the National Institute for Justice compared participants in 23 drug courts in seven states to similar defendants who went through conventional case processing.

[Montana Drug Courts: A Snapshot of Success and Hope.](#) (January 2011). *Montana Judicial Branch* This report describes results for participants who have come through Montana's Drug Courts during a 30-month period (May 2008-November 2010). It includes data for Drug Courts funded by a state general fund appropriation and Drug Courts funded through local, state or federal grant dollars.

Picard-Fritsche, Sarah [Expanding Access to Drug Court.](#) (May 2010). *Center for Court Innovation* This evaluation examines one local effort to systematize and broaden access to court-mandated treatment, the Screening and Treatment Enhancement Project (STEP), implemented in Brooklyn, New York in 2003.

Hall, Daniel. [Development of a Plan for the Statewide Evaluation of Florida's Drug Courts.](#) (July 2008). As drug courts have expanded in Florida, there has been a subsequent need to evaluate their impact and effectiveness on a statewide level, particularly with respect to their cost effectiveness and reductions in recidivism.

[Developing Statewide Assessment Standards for Drug Court Participants in Michigan.](#) (September 2008). The goals of this T.A. project is to identify a minimum core set of data-elements that should be collected by all drug courts at each stage in the assessment process, from preadmission screening to a full clinical evaluation to outcome performance monitoring.

Carey, Shannon M., Michael W. Finigan and Kimberly Pukstas [Exploring the Key Components of Drug Courts.](#) (March 2008). *National Institute of Justice* This study explores how different drug court programs are implementing the 10 key components and the effect on outcomes and costs in 18 drug courts across 4 states and one U.S. territory (California, Michigan, Oregon, Maryland and Guam).

[Dedicated Drug Court Pilots: A Process Report.](#) (April 2008). This is a report from a study done by the United Kingdom Ministry of Justice on the effectiveness of their drug court pilot programs.

Worcel, Sonia D. et al. [Minnesota Drug Courts Funding Study - Chemical Dependency and Mental Health Services.](#) (July 2007). *Portland, OR: NPC Research* This study looks at practices within 12 counties in Minnesota and offers recommendations to continue growth of the drug courts program.

Finigan, Michael W. et al. [The Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs.](#) (April 2007). *Portland, OR: NPC Research* This study of the Multnomah County Drug Court, the second oldest drug court in the nation, considers five policy questions in evaluating the success of the program, including the overall impact on criminal recidivism, whether judicial leadership affects outcomes and the cost-effectiveness of the program.

Rubio, Dawn, Fred Cheesman, Mary Durkin, and Scott Maggard. [Wyoming Drug Court Performance Measures Project](#). (2007). *Court Consulting Services and Research Division*. NCSC designed a Web-based data collection instrument to collect demographic and performance measure data for Wyoming drug courts.

Heck, Cary [Local Drug Court Research: Navigating Performance Measures and Process Evaluations](#). (2006). *National Drug Court Institute* The purpose of this document is to promote quality research at all levels for drug courts by providing a uniform and manageable data collection and evaluation strategy for local programs. (KF3890 .H431 2006)

[Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes](#). (February 2005). *United States Government Accountability Office (GAO)* GAO conducted a systematic review of drug court program research, from which it selected 27 evaluations of 39 adult drug court programs.

Fautsko, Timothy, Dawn Rubio, and Christopher Ryan. [Performance Evaluation and Operations Review of the Drug Court for Office of Court Administration in the Commonwealth of Puerto Rico: Final Report](#). (2002). An evaluation of and suggestions for improving the Supreme Court and Office of Court Administration in Puerto Rico.

Klaversma, Laura and William Meyer. [Evaluation of the City of Wichita Treatment-based Drug Court: Final Report](#). (2000). An evaluation of the methodology of Wichita's innovative Drug Court.

Funding

Nipps, Emily [Federal Grant Helps Pinellas County Run Nations First Drug Court for Women](#). (March 2010). *St. Petersburg Times* A \$900,000 federal grant allows this drug court team to provide a program specifically designed to treat female substance abusers.

[Veteran's Treatment Court](#). (December 2010). *Office of National Drug Control Policy* Ten jurisdictions have been awarded 2010 Veterans Treatment Court Planning Initiative (VTCPI) grants. The communities selected are in Orlando, Florida; Cincinnati, Ohio; Augusta, Georgia; San Antonio, Texas; Eau Claire, Wisconsin; Kew Gardens, New York; Klamath Falls, Oregon; Elmira, New York; Batavia, New York; and San Diego, California.

[A Historic Day for Drug Courts](#). (March 2009). *National Association of Drug Court Professionals (NADCP)* This NADCP alert provides updates on federal funding and activity related to drug courts. "We have achieved the largest annual federal appropriation in the history of Drug Courts, 63.9 million in 2009, a 250% increase over last years mark."

Reilly, Dennis & Atoundra Pierre-Lawson [Ensuring Sustainability for Drug Courts: An Overview of Funding Strategies](#). (April 2008). *National Drug Court Institute* This publication presents examples of creative sustainability strategies developed by drug courts around the country. In addition to funding sources, the report looks at education, planning, and leadership development.

[Drug Courts Funding Model](#). (2006). *National Center for State Courts* Chart provides state and county drug court programs, their funding source(s) (federal, state, local, donations, and participant fees), and partnerships formed between the court and other entities to ensure the success of the program.

Boone, Donna and Daniel Becker. [Crafting a Plan: Sustaining Indiana's Drug Courts](#). (March 2005). *Statewide Technical Assistance Bulletin, Volume 4*.

National Center for State Courts' consultants worked with Indiana Judicial Center (IJC) staff to map a multifaceted process for obtaining needed support and funding of the state's drug courts.

Juvenile and Family

[Engage, Involve, Empower: Family Engagement in Juvenile Drug Courts.](#) *National Center for Mental Health and Juvenile Justice*. This brief provides a comprehensive set of recommendations for successful engagement of families in the juvenile drug treatment court process based on the results of a nationwide survey of professionals involved in juvenile drug treatment courts, mental health courts, and hybrid courts.

[Juvenile Drug Treatment Court Guidelines.](#) (December 2016). *OJJDP*. This report introduces the evidence-based protocol used to translate existing research about juvenile drug courts and related interventions into measurable guidelines.

Blair, Lesli et al. [Juvenile Drug Courts: A Process, Outcome, and Impact Evaluation.](#) (May 2015). *OJJDP Juvenile Justice Bulletin*. The study's findings do not generally support juvenile drug courts since most sites saw higher rates of recidivism for drug court youth when compared with youth on probation. Most of the drug courts studied did not adhere closely to evidence-based practices which may partly explain the poor results.

Young, N.K., Breitenbucher, P., & Pfeifer, J. [Guidance to States: Recommendations for Developing Family Drug Court Guidelines.](#) (2013). *Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs*. This publication provides guidance to help states and programs create family drug courts that implement effective policies for courts and child welfare and treatment service systems, and community-based organizations serving parents, children, and families.

Eugene Curtin. [An Invitation to Success: Zero to Five Family Drug Treatment Court.](#) (2008). *National Center for State Courts, Future Trends in State Courts 2008*. This article discusses how children five years old and younger make up one-fourth of all children in foster care—and have a greater risk of developing behavioral problems than children in more stable homes. The Zero to Five Family Drug Treatment Court provides a unique forum for treating substance-abusing parents, improving their parenting skills, and reuniting them with their children.

[Healing the Youngest Children: Model Court Community Partnerships.](#) (March 2007). *Child Court Works, ABA Center on Children and the Law* This article describes four model court community partnerships that apply research to court practices to improve outcomes for maltreated infants, toddlers, and their families.

Research

[Drug Courts are Not the Answer: Toward a Health Centered Approach to Drug Use.](#) (March 2011). *Drug Policy Alliance* This report recommends that “drug courts focus primarily on more serious offenses and where drug use absent harm to others is no longer regarded as a criminal justice matter.”

Walsh, Nastassia [Addicted to Courts: How a Growing Dependence on Drug Courts Impacts People and Communities.](#) (March 2011). *Justice Policy Institute* According to this report, data from the Substance Abuse Mental Health Services Administration (SAMHSA) Treatment Episode Data Set (TEDS) shows little difference in success rates for people who are referred to treatment by criminal justice agencies versus those treated through other sources.

[A Model for Success A Report on New Jersey's Adult Drug Courts.](#) (October 2010). *New Jersey Courts* This report provides a ten year overview of the statewide Adult Drug Court system in New Jersey.

King, Ryan S. and Jill Pasquarella [Drug Courts: A Review of the Evidence.](#) (April 2009). *The Sentencing Project* This report assesses the impact of the drug court movement by reviewing existing research.

Bhati, Avinash Singh, John K. Roman, and Aaron Chalfin. [To Treat or Not To Treat: Evidence on the Prospects of Expanding Treatment to Drug-Involved Offenders.](#) (April 2008). *Justice Policy Center, Urban Institute* This report examines the issue of whether expanding the drug court model to more drug-involved offenders who are currently ineligible would be cost-beneficial.

[Random Drug Testing Results for Drug Courts Operating in Fiscal Year 2006.](#) (March 2007). *Arkansas Drug Courts, Department of Community Correction* This report provides statistics for the random drug-testing results in the Arkansas Drug Courts for a one-year period

[National Registry of Evidence-Based Programs and Practices \(NREPP\).](#) According to the Substance Abuse and Mental Health Services Administration (SAMHSA), the NREPP is a "searchable online registry of mental health and substance abuse interventions reviewed and rated by independent experts." It was created to help organizations learn about "interventions that have been scientifically tested and [which] can be readily disseminated in the field. Organizations can search for interventions that fit the needs of their communities."

Flango, Victor E. and Carol R. Flango. [What's Happening with DWI Courts?.](#) (2006). *Future Trends in State Courts.* Nurtured by federal funding, DWI courts have sprung up at a rapid pace. Although evolving as a branch of drug courts, specialized DWI courts have tended to take root and grow more rapidly in states not saturated with drug courts and states not suffering from the highest alcohol-related fatalities.

Treatment

Steadman, H.J. et al. [Six Steps to Improve Your Drug Court Outcomes for Adults with Co-Occurring Disorders.](#) (April 2013). *National Drug Court Institute.* This fact sheet provides information to effectively work with participants with a dual diagnosis of both a substance use disorder and a mental illness

[Drug Courts 2020: A Strategic Plan for Virginia's Drug Treatment Courts.](#) (2011). *Supreme Court of Virginia, Office of the Executive Secretary.* The mission of Virginia's Drug Treatment courts is to provide a judicially-supervised, cost-effective, collaborative approach for handling court-involved individuals with substance use disorders that promotes public safety, ensures accountability, and transforms participants into productive members of the community.

[Arkansas Drug Courts.](#) (2007). *Arkansas Division of Drug Courts* Program Eligibility Requirements, Treatment Requirements and Enrollment Statistics from July 2005 through December 2006. This resource provides statistics about the use of drug courts for an 18-month time period in Arkansas.

[Adult DUI/DWI Treatment Court Programs.](#) (2007). *Maryland Drug Courts, Office of Problem-Solving Courts* Maryland's guidelines for planning and implementing an adult DUI/DWI treatment court program It covers planning for a drug-treatment court, developing program operational procedures, and addressing policy issues.

Cheesman II, Fred, Denise Dancy, and Ann Jones. [An Examination of Recidivism of Offenders Receiving Services from the Virginia Alcohol Safety Action Program](#). (August 2004). There are 24 Alcohol Safety Action Program (ASAP) District Offices operating throughout Virginia. The report provides an assessment of their success in reducing the incidence of driving under the influence of alcohol or other drugs.



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