

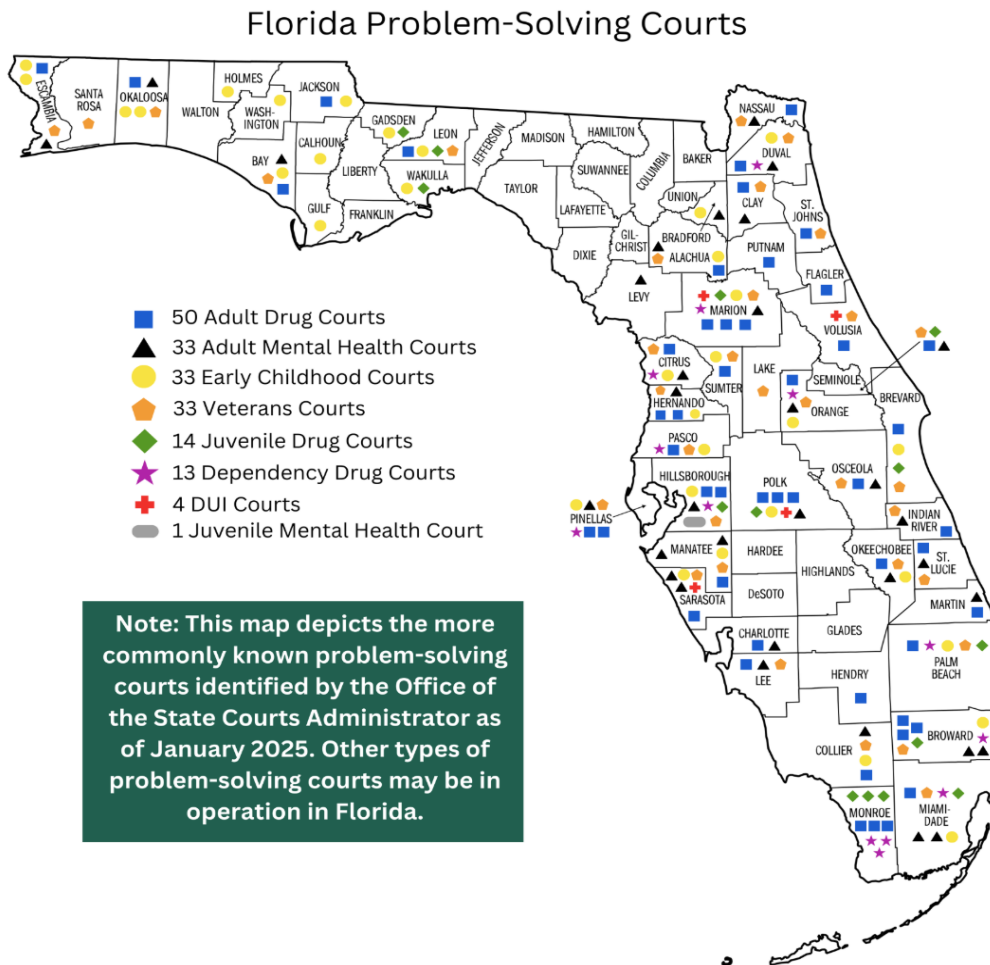
PROBLEM SOLVING COURTS NINTH JUDICIAL CIRCUIT COURT OF FLORIDA



9TH
JUDICIAL
CIRCUIT
PROBLEM
SOLVING
COURT
PROGRAMS

ORANGE
COUNTY

WHAT ARE FLORIDA PROBLEM SOLVING COURTS?



- Specialized dockets for persons/parents in need of treatment related to a substance abuse, a mental health condition or trauma.
- PSCs utilize a non-adversarial team approach with the goal of assisting people with recovery therapy enabling them to become productive citizens or safe parents.

KEY COMPONENTS OF PROBLEM SOLVING COURTS



- Multidisciplinary Team Approach
- Non-adversarial
- Integration of alcohol/drug, mental health and other treatment services into justice system case processing

KEY COMPONENTS OF PROBLEM SOLVING COURTS



- Ongoing judicial interaction
- Bi-weekly/Monthly case review & status hearings
- Coordinated strategy for immediate responses to participants' compliance

KEY COMPONENTS OF PROBLEM SOLVING COURTS



- Continuum of services
- Alcohol and drug testing for abstinence
- Successful completion of program can result in dismissal of case, avoidance of felony conviction, or reunification of family

CRIMINAL PROBLEM SOLVING COURTS IN THE 9TH CIRCUIT ORANGE AND OSCEOLA COUNTIES

■ **Adult Drug Court (ADC)**

Treat eligible and appropriate drug addicted people involved in the criminal justice system.

■ **Mental Health Court (MHC)**

Seek to improve public safety by reducing criminal recidivism through the improvement of the quality of life of people with serious mental illnesses.

■ **Veterans Treatment Court (VTC)**

Address drug and alcohol abuse or mental health issues veterans develop after service in the military.



JUVENILE DEPENDENCY PROBLEM SOLVING COURT PROGRAMS ORANGE COUNTY

■ **Dependency Drug Court (DDC)**

Dependency drug courts focus on promoting child safety, permanency, and well-being. They also align with principles found in adult drug court.



■ **Early Childhood Court (ECC) - *Baby Court***

A child welfare problem-solving court serving children under the age of three (or 5) who are involved in the child welfare court process and placed in out-of-home care, with three key features: leadership from a trauma-informed judge, Child Parent Psychotherapy, and a multidisciplinary team.



HOW DOES A CASE GET TO PROBLEM SOLVING COURT?

Early identification of eligible participants

Arrest/Status Hearing



Referral



Program Screening



Treatment Evaluation



Set on PSC docket for

Contract Signing/Court Order Entered

Transfer to PSC specialized docket

INELIGIBILITY



**ADC - FORCIBLE FELONIES
VICTIM APPROVAL
SCORE ABOVE 60 POINTS**



**MHC – NO DIAGNOSIS WITHIN 12
MONTHS**



**DDC/ECC- SEXUAL ABUSE BY PARENT IS
BASES FOR DEPENDENCY**

PROBLEM SOLVING COURTS NINTH JUDICIAL CIRCUIT COURT OF FLORIDA



**PROBLEM
SOLVING
COURT
PROGRAMS**

**CRIMINAL
DIVISION**

ADULT DRUG COURT/OPIOID COURT (ADC/OPI) PROGRAM

Eligibility

Adults who have been arrested with an acceptable Felony or Misdemeanor offense.

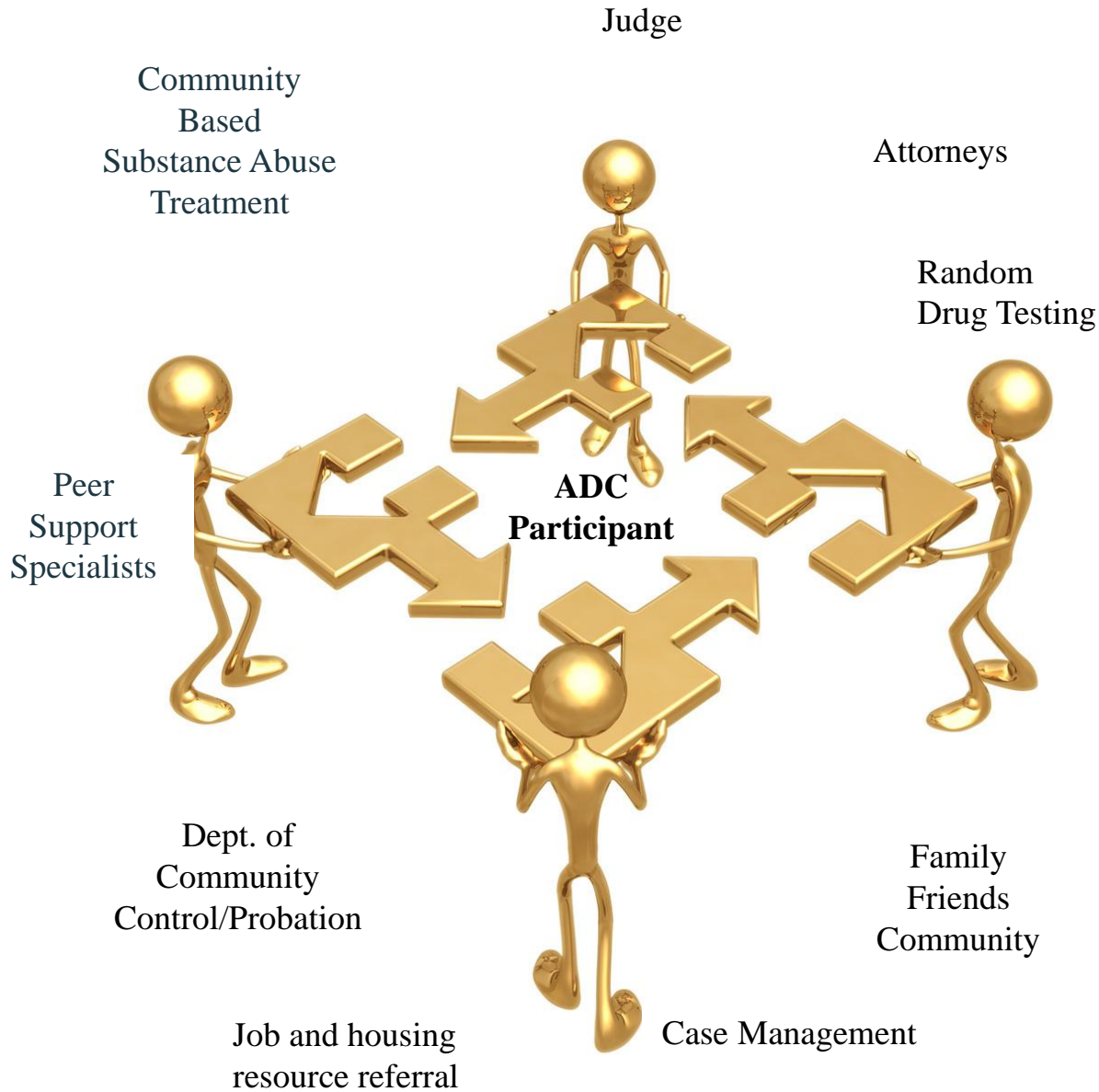
- Not only drug offenses
- Determination of Diversion or Post-Plea Track
- Victim Approval (if applicable)

Program Requirements

- Attend bi-weekly/monthly status hearings
- Frequent and random drug testing
- Group and Individual Counseling
- Pro-Social Activities/Community Service
- Monthly report to Probation as required
- Weekly contact with Case Manager
- Engage with Peer Support Specialist
- Ancillary or “Wrap around” services as needed
- Additional classes or conditions determined by State Attorney Office



Integrated Team Approach



Adult Drug Court

MENTAL HEALTH COURT PROGRAM (MHC)

Eligibility

Adults who have been arrested with an acceptable Felony or Misdemeanor offense and who have a permissible Mental Health Diagnosis.

- Victim Approval (if applicable)
- Mental Health evaluation within 12 months

Program Requirements

- Attend bi-weekly/monthly status hearings
- Random Drug Testing as needed
- Mental Health follow up (Medication Appts)
- Mental Health Treatment as recommended
- Monthly report to Probation as required
- Weekly contact with Case Manager
- Ancillary or “Wrap Around” services as needed
- Engage with Peer Support Specialist
- Additional classes or conditions determined by State Attorney Office



Integrated Team Approach



Mental Health Court

VETERANS TREATMENT COURT PROGRAM (VTC)



Eligibility

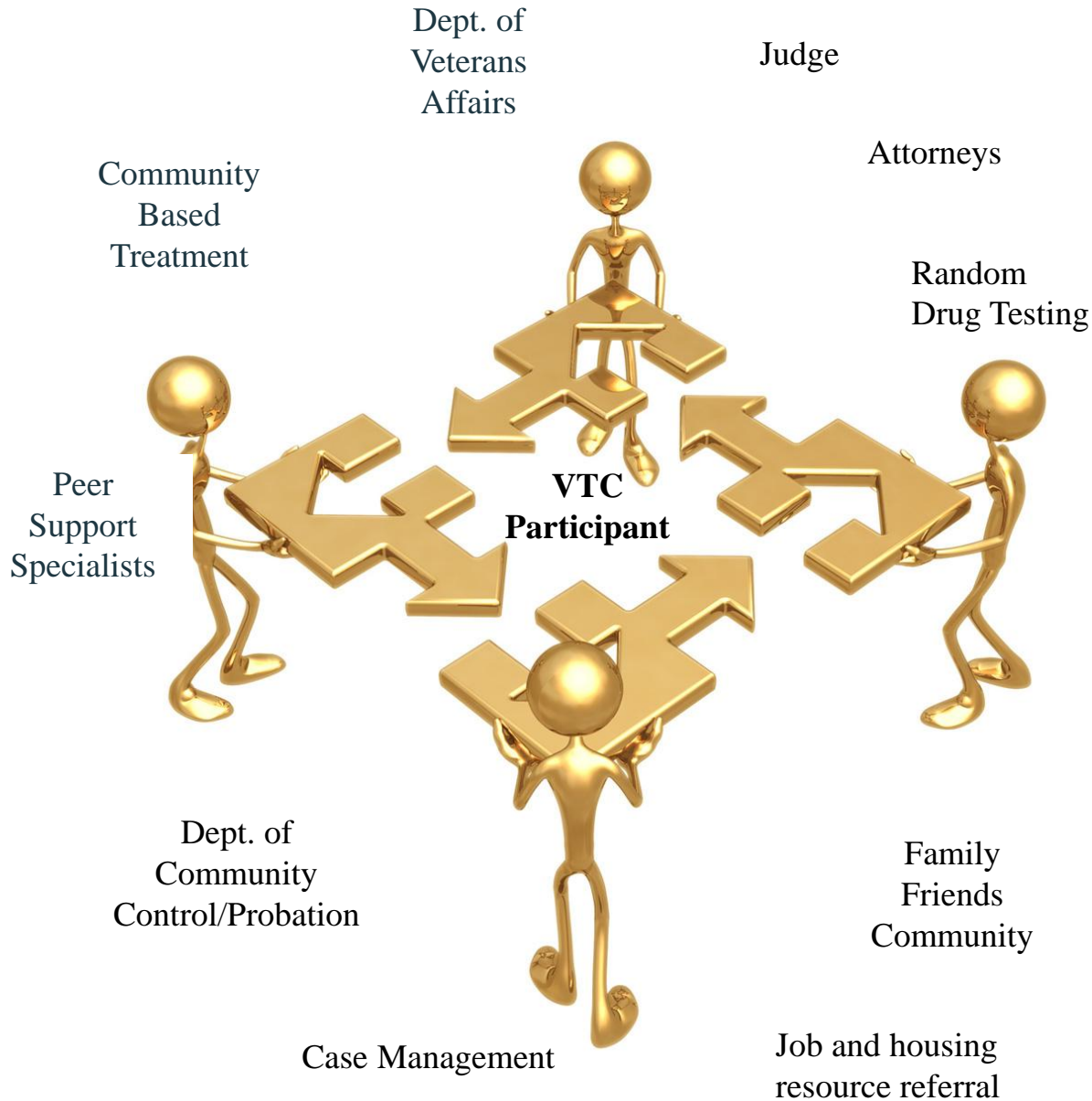
Adults who have been arrested with an acceptable Felony or Misdemeanor offense and have served in the US Armed Services, Allied Forces, or Military Contractors.

- Eligibility solely determined by Office of State Attorney
- Victim Approval (if applicable)

Program Requirements

- Attend bi-weekly/monthly status hearings
- Random Drug Testing as needed
- VA services and support
- Mental Health and Substance Abuse screening
- Group and Individual Counseling (if recommended)
- Monthly report to Probation as required
- Weekly contact with Case Manager
- Engage with Peer Support/Mentor
- Ancillary “Wrap Around” Services as needed
- Additional classes or conditions determined by State Attorney Office

Integrated Team Approach



Veterans Treatment Court

NON-COMPLIANCE

(ALL CRIMINAL PSC)



JUDICIAL WARNING
THERAPEUTIC ADJUSTMENT
SANCTIONS



UNSUCCESSFUL DISCHARGE



RETURN TO TRIAL DIVISION (DIVERSION)
PLEA/SENTENCING (POST-PLEA)

COMPETENCY COURT PROGRAM (CC) ADMIN ORDER 2022-23

Eligibility:

A case is eligible for transfer to Competency Court once the defendant has been adjudicated incompetent to proceed or not guilty by reason of insanity and placed on conditional release for competency restoration or mental health treatment in the community.

- The Court makes a finding that the defendant is incompetent to proceed based on the forensic evaluations of expert psychiatrist(s) or psychologist(s)

Incompetent to Proceed – Florida Statute 916.12

"incompetent to proceed" means a defendant lacks the present ability to consult with their lawyer with a reasonable degree of rational understanding or lack a rational and factual understanding of the proceedings against them.

COMPETENCY COURT PROGRAM

NGI – Not Guilty By Reason of Insanity – Florida Statute 916.15

Court or jury found that the defendant, at the time of the crime, was unable to understand the nature of their actions or distinguish right from wrong due to a severe mental disease or defect

Conditional Release – Florida Statute 916.17

Allows defendant to live in the community under certain conditions pending restoration of competency through mental health treatment and/or competency training if defendant's condition is deemed restorable.

WHY COMPETENCY COURT?

Multi-disciplinary Team

Allows closer court monitoring of defendant's compliance with conditions of release, i.e., mental health treatment, competency restoration training, APD services, and reduction of risk to public safety

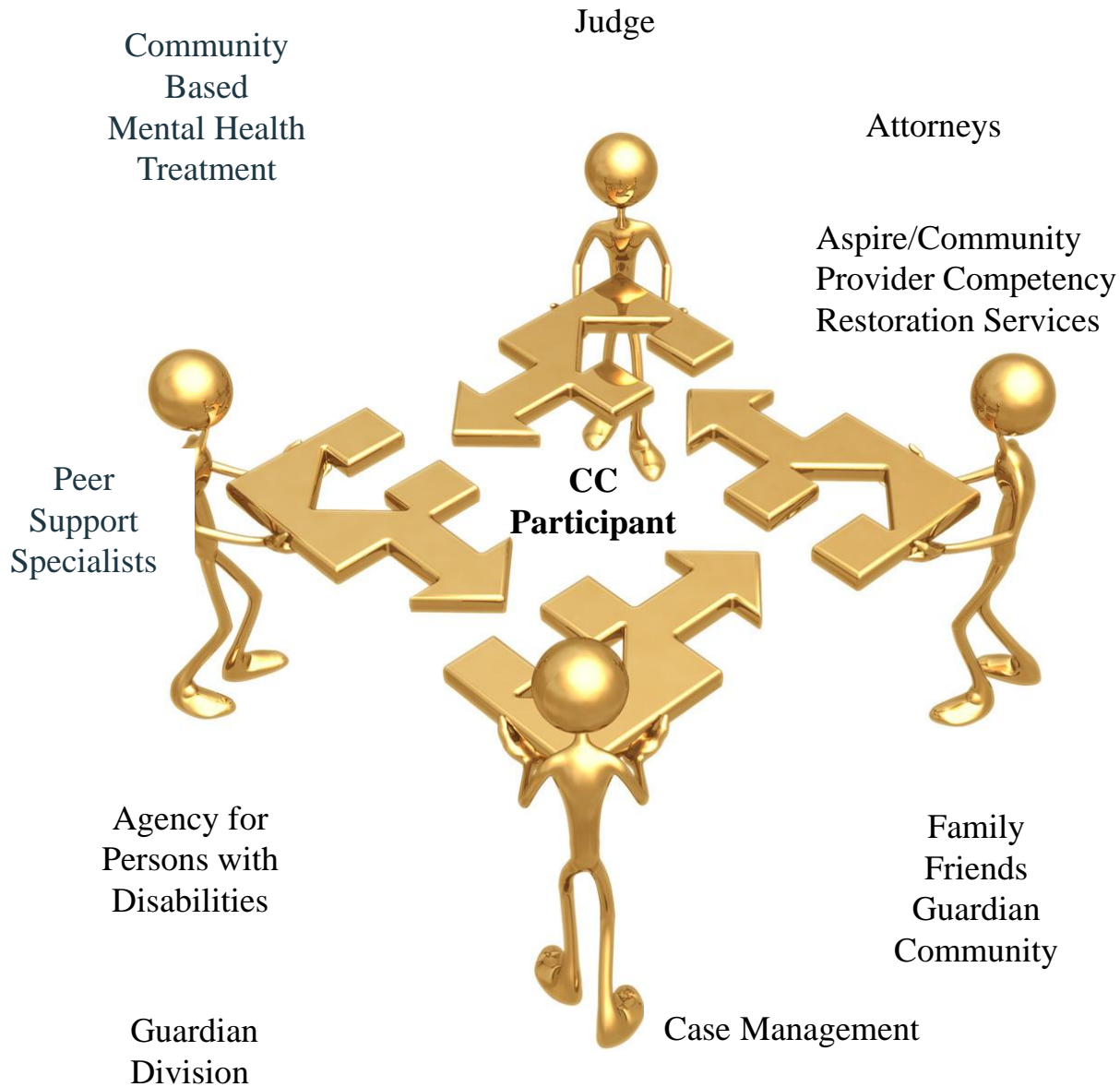
Opens docket space for trial divisions to set more substantive hearings/plea/trials to reach conclusion in cases.

Restored defendants may be eligible for Mental Health Court

COMPETENCY COURT REFERRAL PROCESS



Integrated Team Approach



Competency Court

COMPETENCY COURT



Defendant is not placed on conditional release with conditions specified

Defendants committed to the state hospital are not eligible for transfer

Defendant committed to DCF/state hospital remains or will be returned to the trial division.

Once defendant deemed competent to proceed in CC, case will be returned to trial division for final resolution.

PROBLEM SOLVING COURTS NINTH JUDICIAL CIRCUIT COURT OF FLORIDA



**PROBLEM
SOLVING
COURT
PROGRAMS**

**DEPENDENCY
DIVISION**

DEPENDENCY DRUG COURT PROGRAM (DDC)

Eligibility

Adults with a substance abuse disorder who have had their child(ren) removed from their custody by the Department of Children and Families due to abuse, abandonment or neglect

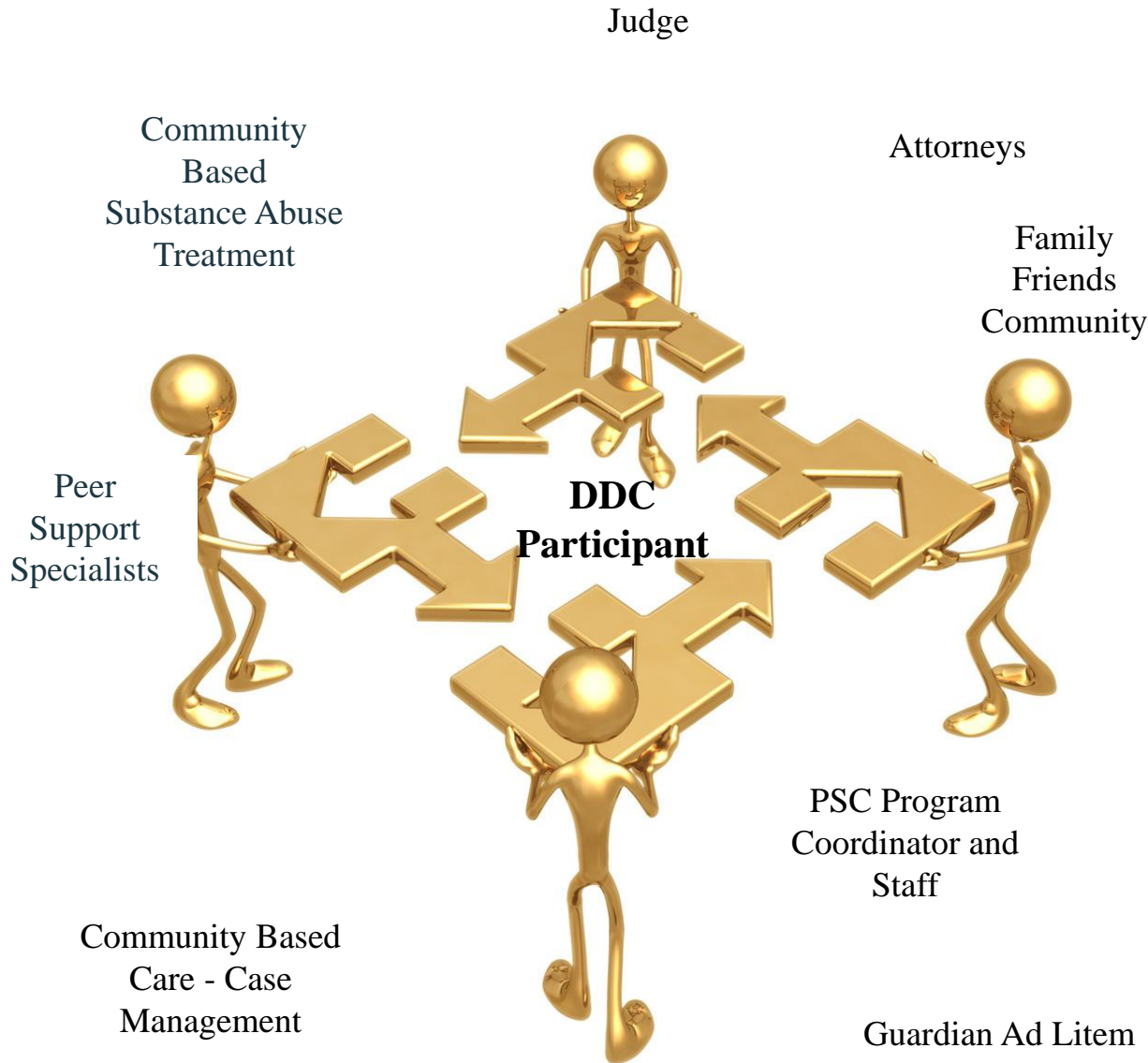
- Diagnosable substance abuse disorder
- Child adjudicated dependent and placed out of home.
- Case plan has goal of reunification

Program Requirements

- Attend Bi-weekly/monthly status hearings
- Submit to frequent and random drug testing
- Attend substance abuse treatment as recommended
- Maintain contact with case manager
- Engage with Peer Support Specialist
- Comply with case plan tasks



Integrated Team Approach



Dependency
Drug
Court

EARLY CHILDHOOD COURT PROGRAM (ECC)

Adults who have had their child(ren) removed from their custody by the Department of Children and Families due to abuse, abandonment or neglect

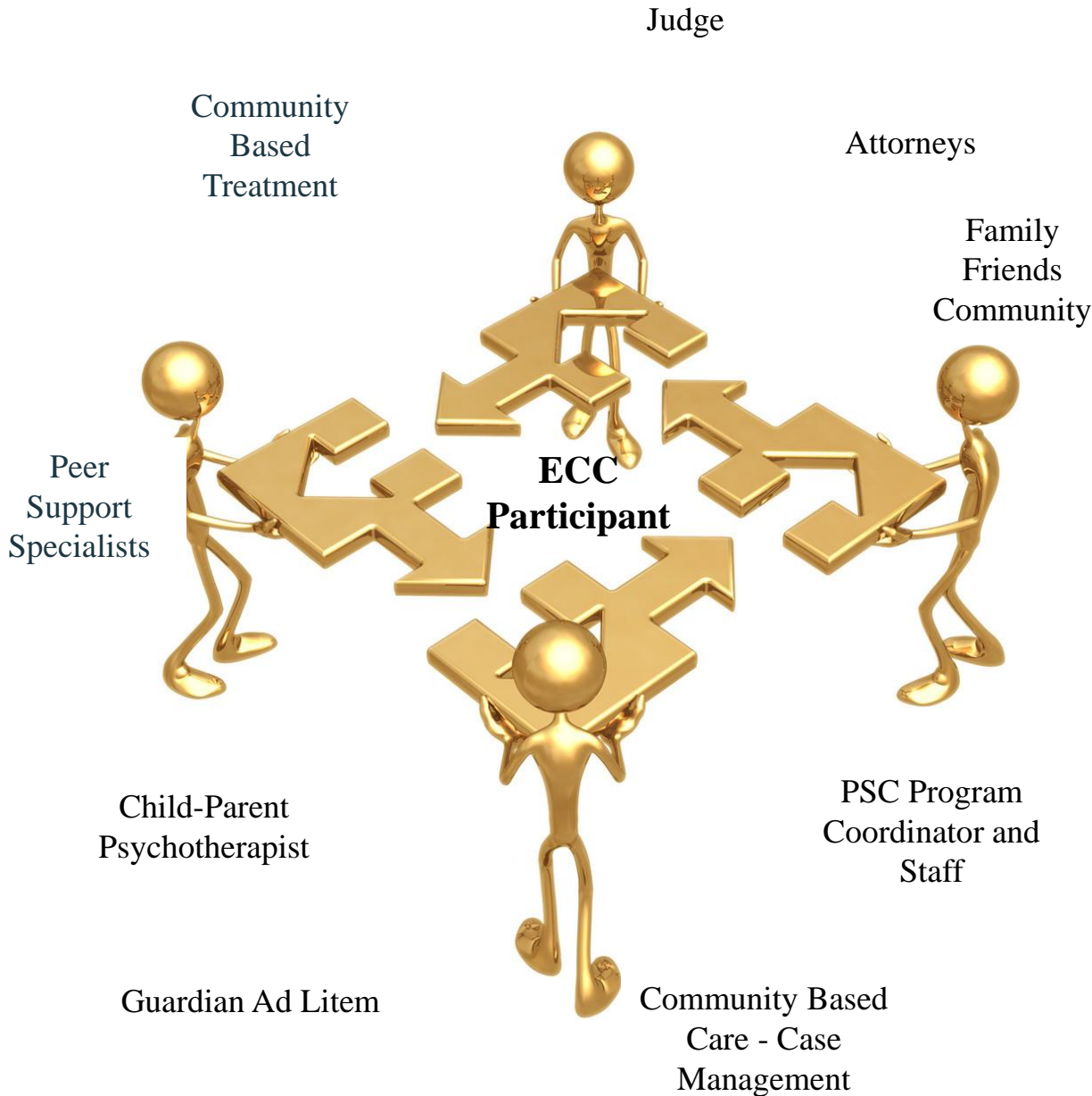
- Child(ren) under the age of five (5)
- Child(ren) adjudicated dependent and placed out of home.
- Case plan has goal of reunification

Program Requirements

- Attend Bi-weekly/monthly status hearings
- Attend Child Parent Psychotherapy
- Maintain contact with Case Manager
- Engage with Peer Support Specialist
- Comply with Case plan tasks



Integrated Team Approach



Early Childhood Court

THE BENEFITS OF PROBLEM SOLVING COURTS

■ Reduce Recidivism

- Recidivism rates for graduates: 12% - 17%

■ Reduce symptoms among participants

- Through early, continuous and intensive judicially supervised treatment, random drug testing, and the use of graduated incentives/sanctions

■ Reintegrate

- Help participants give back to the communities that have been affected by their actions and improve their life skills to enable them to become productive members of society

QUESTIONS?

