
Judiciary Committee

HB 1524

Title: An act relating to increasing success in therapeutic courts.

Brief Description: Increasing success in therapeutic courts.

Sponsors: Representatives Kloba, Klippert, Goodman, Holy, Macri, Peterson, Haler, Doglio, Appleton and Stanford.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Amends the definition of "treatment" for the purpose of the Criminal Justice Treatment Account.

Hearing Date: 2/1/17

Staff: Audrey Frey (786-7289).

Background:

Criminal Justice Treatment Account.

Funds in the Criminal Justice Treatment Account may be expended for substance use disorder treatment and support services for offenders and nonviolent offenders within a drug court program, and the administrative and overhead costs associated with the operation of a drug court. The fund is administered by the Department of Social and Health Services.

Therapeutic Courts.

In 2015 the Therapeutic Courts Act (the Act) was enacted recognizing the judiciary's inherent authority to create therapeutic courts and encouraging creation of such courts by employing evidence-based and research-based best practices.

Therapeutic courts remove a defendant's or respondent's case from the criminal and civil court traditional trial track and allow those defendants or respondents the opportunity to obtain

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treatment services to address underlying issues that may have contributed to the conduct that led to their arrest or appearance before the court.

Therapeutic courts include, but are not limited to, adult drug courts, juvenile drug courts, family dependency or family drug courts, mental health courts, DUI courts, truancy courts, domestic violence courts, and other similar courts.

Under the Act, any jurisdiction establishing a therapeutic court shall endeavor to incorporate certain best practices in structuring a therapeutic court program. These best practices may include: (a) determining the population; (b) performing a clinical assessment; (c) developing the treatment plan; (d) monitoring the participant, including any appropriate testing; (e) forging agency, organization, and community partnerships; (f) taking a judicial leadership role; (g) developing case management strategies; (h) addressing transportation, housing, and subsistence issues; (i) evaluating the program; and (j) ensuring a sustainable program.

Summary of Bill:

The definition of "treatment" for the purpose of the Criminal Justice Treatment Account (the Account) is amended to mean services that are critical to a participant's successful completion of his or her substance use disorder treatment program, including but not limited to the recovery support and other programmatic elements outlined in the Therapeutic Courts Act. A list of services that do not qualify as treatment is removed.

The word "means" is replaced with the word "includes" as the operative verb in the definition of "treatment support," such that the definition is now inclusive rather than restrictive.

Administrative and overhead costs associated with the operation of a drug court are removed from the list of things on which funds provided to counties from the Account can be spent. Related language, regarding the maximum percentage of these funds that may be spent on administrative and overhead costs for drug courts, is also removed.

Language stating that "the authority under this section to use funds from the criminal justice treatment account for the administrative and overhead costs associated with the operation of a drug court expires June 30, 2015" is removed.

Appropriation: None.

Fiscal Note: Requested on 1/26/17.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.