



Statewide Review of Therapeutic Courts with WATER

Dr. Mikala Meize-Bowers, Washington State Center for Court Research (WSCCR)
October 2024

Objectives

1. Recognize what the WATER is and why it's used.
2. Learn about general tool updates.
3. Identify statewide strengths and challenges identified with the WATER.

What is the WATER?

Washington Therapeutic court Evaluation and Revision Tool

- Self-review tool based on Best Practice Standards and evidence-based practices
- Modular: Review smaller parts of the program at one time
- Receive Strengths & Challenges report with recommendations and resources to meet challenge areas

Who created the WATER?

- Coordinated development between AOC, Healthcare Authority (HCA), and the Center for Justice Innovation (CJI).
- Each module is reviewed, then user tested.
- Smaller edits are made as users identify issues or confusion.
 - Constantly trying to make the tool as useful to programs as possible.

What are the benefits of the WATER?

- Drift from Best Practices over time
 - Use the WATER to determine where those major drifts are
- Smaller portions to review at one time
- Program monitoring is a best practice!

“

Treatment Courts are more effective, cost-effective, and culturally equitable when they conduct routine program monitoring.

”

Adult Treatment Court Best Practice Standards, p. 215

What have people said about the WATER?

*This is a **great list of recommendations** in addition to the ones we wrote.*

- Court Case Manager

*Very helpful process ... I do believe this process will help **develop strong therapeutic courts.*** - Judge

*Would it be possible to get **more details**...* - Therapeutic Court Coordinator

*This is a topic that we really want to get right, but have **found limited best practice research**...* - Therapeutic Court Coordinator

WATER updates

- Module 1: Target Population was released at the conference last year; 47 court programs have completed the module.
- Module 2: Team Roles is live now!
- Module 3: Treatment and Complimentary Services is coming soon for user testing.
- Modules 4-6 will be released at a later date.

State Summary

Court Type	Number of Responses	Total Court Programs
Adult Drug Court	4 (14%)	28
Behavioral Health Court	3 (38%)	8
Community Court	23 (79%)	29
DUI Court	2 (22%)	9
Early Childhood Court	3 (60%)	5
Family Treatment Court	2 (11%)	19
Mental health Court	6 (35%)	17
Veterans Treatment Court	2 (17%)	12
Other	2 (12%)	17
Total Responses	47 (33%)	144

Average length of existence: 7.2 years

Superior Courts: 8

District/Municipal Courts: 37

Target Population



Court Documents

- Type of documents
- Information included
- Who has access
- When are documents accessible



Eligibility & Referrals

- Referral sources
- Eligibility criteria
- Access to eligibility criteria
- Data collection



Screening & Assessment

- Use of RNR tool(s)
- Use of clinical tool(s)
- Trained staff
- Validation
- Re-administration
- Data collection



Time to Program Entry

- Time from initiating event to referral, screening, admission
- Reporting time in mathematical averages

Court Documents

Type of Documents	Information Included	Access to Documents	When Accessible
<ul style="list-style-type: none">• Policy & Procedure Manual (PPM)• Participant Handbook• Participant Contract• Release of Information (ROI)	<ul style="list-style-type: none">• Program policies• Information for participants• Responses• Team information• Outcomes of participant cases• Equity information	<ul style="list-style-type: none">• Team• Referral sources• Participants / Potential participants• Community partners / Public	<ul style="list-style-type: none">• Referral• Screening• Enrollment• On-demand

Court Documents

Strengths	Percentage of Courts Do This
Program policies included	100%
Release of Information (ROI)	98%
Criteria for graduation included	97%
Participant Contract	94%
Termination outcomes	91%

Court Documents

Challenge Areas	Percentage of Courts Do This
Court documents available to referred potential participants	4% – 34%
Documents in multiple languages	18%
Commitment to racial and ethnic equity	21%
Housing policies	38%
Travel policies	47%

Recommendations & Resources

- Make court documents **available widely**
- **Translate documents** into common languages in the jurisdiction
 - [Limited English Proficiency Population Estimates | Office of Financial Management \(wa.gov\)](#)
- **Include a commitment to racial and ethnic equity** in court materials: [Equity and Inclusion Toolkit - All Rise](#)
- **Include information participants may need** throughout the program like housing and travel policies

Eligibility & Referrals



Eligibility & Referrals

Referral Sources

- Team members
- Family/friends
- Other agencies

Eligibility Criteria

Access to Eligibility Criteria

Data Collection

Eligibility & Referrals

Most common referral sources:

1. Defense
2. Prosecution
3. Judicial Officer

When do participants enter program:

69% pre-plea

54% post-plea/deferred

50% post-plea/probation

35% post-plea/enrollment in
conjunction with probation violation

Eligibility & Referrals

Strengths	Percentage of Courts Do This
Referrals accepted from defense	100%
Eligibility criteria shared with team	100%
Participants with a variety of behavioral, mental, and medical needs are eligible	100%
Participants utilizing MOUD treatment are eligible	96%
Eligibility criteria are in writing	94%

Eligibility & Referrals

Challenge Areas	Percentage of Courts Do This
Referral & eligibility data collection	9% - 87%
Criteria in multiple languages	11%
Case type eligibility	13% - 15% accept all
Criteria are assessed for racial biases	32%
Risk levels accepted & alternative tracks	34%

68% accept multiple risk levels

Recommendations & Resources

- **Collect & review data** for number of referrals, demographics, when a referral is not made & why, when a case is denied & why, when an accepted participant opts out & why
- **Translate documents** into common languages in the jurisdiction
 - [Limited English Proficiency Population Estimates | Office of Financial Management \(wa.gov\)](#)

Eligibility & Referrals

Challenge Areas	Percentage of Courts Do This
Referral & eligibility data collection	9% - 87%
Criteria in multiple languages	11%
Case type eligibility	13% - 15% accept all
Criteria are assessed for racial biases	32%
Risk levels accepted & alternative tracks	34%

68% accept multiple risk levels

Recommendations & Resources

- **Review eligibility criteria and referral data to determine areas that may be racially or ethnically biased.**
 - For example: criminal history restrictions, violent offenses, drug sales, previous enrollment in treatment courts.
- **Create alternative tracks for different risk/need levels.**
 - Over-serving participants may create worse outcomes, and mixing participants with differing risk levels can decrease the efficacy of the program.

Screening & Assessment

Tool(s) Used

- Risk/Need tool
- Clinical tool

Use of Tool(s)

- Trained staff
- Validated to jurisdiction
- Re-administered

Data Collection

- Number of potential participants screened
- Demographics
- Adjustments

Screening & Assessment

Risk/Need Tool

- Used to assess risk level and participant needs
- May be administered by court program staff

Clinical Tool

- Used to assess clinical needs of participant (SUD, MH, etc.)
- May be administered by treatment providers

Risk/Need tools used:

- CCAT
- DUI RANT
- RANT

66% accept low risk
78% accept moderate risk
80% accept high risk

Clinical tools:

- ACES
- GAD-7
- GAIN / GAIN-SS
- K6+
- MAST
- PHQ-9
- PCL-5

Screening & Assessment

Strengths	Percentage of Courts Do This
Risk/Need tools are administered by trained staff	100%
Track number of potential participants screened	89%
Use either a brief or full-length Risk/Need tool	83%
Clinical tools are administered by trained staff	82% - 90%

Screening & Assessment

Challenge Areas	Percentage of Courts Do This
Administering tool(s) more than once	0% - 35%
Screening data collection	26% - 89%
Using a validated tool	38% - 64%
Use of a clinical tool	57%

Recommendations & Resources

- **Re-administer the tool(s)** throughout the program to make sure services are still meeting participant needs.
- **Collect & review data** for number of screenings, demographics, assessment/screening adjustments
- **Validate, or use validated tools** for the population you serve.
- **Implement a clinical screen and/or assessment** to determine participant substance use disorder treatment needs, mental health or trauma needs, etc.

Time to Program Entry

Time from Initiating Event

- Referral
- Screening
- Admission

Report Averages

- Mathematical averages

Time to Program Entry

298 average days from arrest to program entry

241 average days from Order of Dependency to program entry

Challenge Areas	Percentage of Courts Do This
Collecting data for the time it takes from arrest to referral, eligibility screening, and program entry	12-28%
Reporting timelines in mathematical average	11%

Recommendations & Resources

- **Collect & review data for initiating event to program entry** (referral, screening, admission)
- **Report** program timelines **in mathematical averages**

Next Steps

- Courts receive individualized reports
- Reports include:
 - Training opportunities
 - Resource documents/videos/webinars
 - Template & example documents
 - Training and technical assistance offer from AOC staff
- Re-do the module at a later date
 - Recommended 12 months

Court Documents

Strengths:

- ✓ Court documents include:

Challenges:

- Court documents do not include:
 - Drug testing procedure
 - Housing policies
 - Policies for incentive and list of incentives

Recommendations & Resources:

- Include program requirements, policies, and procedures for each aspect of the program in court materials.
 - Include: housing policies, commitment to racial and ethnic equity, responsibilities of each team role.
 - [Sample Document: Policy and Procedure Manual - All Rise](#)
 - Drug testing policies
 - [CARROLL COUNTY HEALTH DEPARTMENT DRUG SCREEN POLICY \(ntcrc.org\)](#)
 - [Yamhill County Oregon EADC Urinalysis Testing Expectations \(ntcrc.org\)](#)

Q & A

Mikala Meize-Bowers, PhD

Senior Research Associate | Washington State Center for Court Research

Administrative Office of the Courts

mikala.meize-bowers@courts.wa.gov

www.courts.wa.gov

