

# **Problem-Solving Court Team** **Roles, Responsibilities, and Accountability**



**Illinois Association of Problem-Solving Court Conference**  
**October 3, 2019**



# Goals for Today



Define roles and responsibilities of each team member



Identify the essentials of a cohesive team



Discuss common pitfalls of problem-solving court teams



Identify procedures for team and program accountability

# Problem-Solving Courts Multidisciplinary Team

A dedicated multidisciplinary team of professionals manages the day-to-day operations of the Problem-Solving Court, including reviewing participant progress during pre-court staff meetings and status hearings, contributing observations and recommendations within team members' respective areas of expertise, and delivering or overseeing the delivery of legal, treatment and supervision services.

# **teamwork.**

**If you want to go fast,  
go alone.**

**If you want to go far,  
go together.**

**-African Proverb**

# Roles and Responsibilities

Judge

Coordinator

Probation Officer

Prosecutor

Public Defender/Defense Attorney

Treatment Provider

# Judge

# Roles and Responsibilities

## Judge

- Presides over court review hearings and ensures **program integrity** in a non-adversarial atmosphere.
- Imposes a series of incentives and graduated sanctions to increase offender accountability and **modify behavior** in a consistent manner, taking into consideration the participant's individual needs.
- Is the ultimate **decision-maker** regarding graduation, termination, and sanctions.
- Serves as the **team leader**.
- **Facilitates** team staffing meetings and status review hearings.
- **Actively seeks information and input** from all team members during staffing meetings.
- Utilizes effective practices to ensure **procedural fairness** in all program activities.

# Roles and Responsibilities

## Judge

- Establishes and maintains **policies and procedures** concerning the exchange of information among team members and the court.
- Presides over semi-annual or **annual policy meetings** to review program operations and structure, program goals, and objectives.
- **Advocates** for the program by utilizing his/her community leadership role to create interest and continued supports.
- Attends multidisciplinary team **training** that addresses responsivity issues.
- Is **knowledgeable** about the drug court model, effective treatment interventions, the national drug court standards, the state problem-solving court standards, mental illness, substance use disorders, alcoholism and pharmacology applied in a therapeutically appropriate manner, medication-assisted treatment, trauma, Veterans issues, and issues of gender, age, and culture that impact a participant's success.



# Coordinator

# Roles and Responsibilities

## Coordinator

- Oversees the **day-to-day operations** of the problem-solving court.
- Ensures that **referrals** to the program are processed in a timely manner and communicates the eligibility decision to all parties.
- Develops and maintains all **program materials** including the policy and procedure manual, participant handbook and participation agreements or contracts.
- Conducts participant **exit interviews** and performs other quality assurance reviews to obtain feedback on program operations.
- **Maintains** participant information in an electronic case management system.
- Ensures that new team members are **orientated** to the program and their roles and responsibilities.

# Roles and Responsibilities

## Coordinator

- Schedules regular **team meetings** that focus on program policy, structure, and team building activities designed to improve team function.
- Acts as the **arbitrator** to resolve team disputes and conflicts as they arise.
- Maintains program **policies and procedures** and ensures that the program operates consistent with program policies and procedures. Updates policies and procedures regularly to reflect program changes.
- Routinely monitors the quality and timeliness of **program data** entry and addresses performance issues.
- **Monitors programmatic data** on a semi-annual basis and provides the team with performance updates.
- Maintains **financial information** concerning the program and manages the program budget.

# Roles and Responsibilities

## Coordinator

- Seeks, prepares and submits **grant** applications, manages grant awards, both fiscally and programmatically.
- Identifies **gaps in revenue** and resources to assist the steering committee and the team in sustainability efforts.
- Acts as the **spokesperson** for the program to community leaders and organizations.
- Organizes, coordinates, and attends regular **team meetings**.
- Is **knowledgeable** about the drug court model, effective treatment interventions, the national drug court standards, the state problem-solving court standards, mental illness, substance use disorders, alcoholism and pharmacology applied in a therapeutically appropriate manner, medication-assisted treatment, trauma, Veterans issues, and issues of gender, age, and culture that impact a participant's success.

# Probation Officer

# Roles and Responsibilities

## Probation Officers

- Administers an **evidence-based risk assessment** instrument to determine eligibility and completes subsequent re-assessments.
- Assists with the execution of **participation contracts, waivers, and supervision guidelines**.
- Ensures the **case plan** is developed and updated based on re-administration of the risk assessment tool and attainment of goals.
- **Monitors compliance with the supervision plan** and all conditions of the court including: curfew checks (as established in program operations), fines/fees, restitution, and community service.
- Conducts **random drug and alcohol screens**. Ensures effective drug and alcohol testing protocols are followed.
- Conducts **home and field contacts**.
- Monitors the **payment of restitution** and program fees.
- Engages in **transition planning** with participant to prepare for program completion.

# Roles and Responsibilities

## Probation Officers

- Actively participates in **team meetings** and contributes to discussions concerning program entry, program progress, incentives, sanctions, graduation and termination decisions.
- Provides **weekly reports**, in writing, to the team about the participant's progress with his or her supervision plan.
- Promptly **enters supervision data** into the problem-solving court case management system.
- Performs routine **criminal record checks**.
- Attends and provides input at regularly-scheduled **policy meetings** that include the review of program operations, structure, team building and functioning.
- Is **knowledgeable** about the drug court model, effective treatment interventions, the national drug court standards, the state problem-solving court standards, mental illness, substance use disorders, alcoholism and pharmacology applied in a therapeutically appropriate manner, medication-assisted treatment, trauma, Veterans issues, and issues of gender, age, and culture that impact a participant's success.

# Prosecutor



# Roles and Responsibilities

## Prosecutor

- Refers potential participants for eligibility determination.
- Assists with determining legal eligibility which takes into account community safety and victim's rights and concerns.
- Assists with executing participant agreements or contracts, waivers, and terms and conditions including restitution and other responsibilities accepted by the participant during plea proceedings.
- May assist with resolving other pending legal actions that impact the potential participant's legal status or program eligibility.
- Attends all staffing meetings and status review hearings and actively participates in team discussions regarding program entry, program progress, incentives, sanctions, graduation, and termination decisions.

# Roles and Responsibilities

## Prosecutor

- Maintains a **non-adversarial approach** on the team while pursuing justice, ensuring public safety and protecting the victim's rights.
- Attends and provides input at regularly-scheduled **policy meetings** that include the review of program operations, structure, team building and functioning.
- Assists with **community outreach and education**.
- **Promotes the program** within the local legal and law enforcement communities.
- Attends **multidisciplinary team training** that addresses responsivity issues.
- Is **knowledgeable** about the drug court model, effective treatment interventions, the national drug court standards, the state problem-solving court standards, mental illness, substance use disorders, alcoholism and pharmacology applied in a therapeutically appropriate manner, medication-assisted treatment, trauma, Veterans issues, and issues of gender, age, and culture that impact a participant's success.

# Public Defender/Defense Attorney

# Roles and Responsibilities

## Public Defender/Defense Attorney

- Promptly refers potential participants for eligibility determination, when appropriate.
- Informs and effectively advises individuals of their legal rights, legal options, and treatment options prior to program entry.
- Without violating attorney-client privilege, encourages participants to be forthcoming and honest regarding their progress and recovery process.
- Advocates for fair and equal treatment of the participant.
- Monitors courtroom activities for any potential constitutional and liberty issues and any potential disparate treatment of participants.
- Maintains a non-adversarial approach while protecting participant's constitutional rights and advocates for the participant's stated legal interests.

# Roles and Responsibilities

## Public Defender/Defense Attorney

- Attends all **staffing meetings and status review hearings** and actively participates in team discussions regarding program entry, program progress, incentives, sanctions, graduation and termination decisions.
- During status review hearings, advocates for participant in a non-adversarial manner, helps provide participant **input for incentives and sanctions** and promotes a unified team presence.
- **Monitors operations** for adherence to program procedures, supervision terms, and that drug testing protocols are followed.
- Attends regularly-scheduled **policy meetings** that include the review of program operations, structure, team building and functioning.
- Provides input regarding **program improvement** at policy meetings and assists in resolving areas in need of improvement.

# Roles and Responsibilities

## Public Defender/Defense Attorney

- Promotes the program within the local legal community.
- Attends multidisciplinary team training that addresses responsivity issues.
- Is knowledgeable about the drug court model, effective treatment interventions, the national drug court standards, the state problem-solving court standards, mental illness, substance use disorders, alcoholism and pharmacology applied in a therapeutically appropriate manner, medication-assisted treatment, trauma, Veterans issues, and issues of gender, age, and culture that impact a participant's success.

# Treatment Providers

# Roles and Responsibilities

## Treatment Providers

- Conducts a comprehensive **clinical assessment** using a validated instrument to determine program eligibility.
- Provides **weekly information** concerning a participant's progress in treatment and compliance with the treatment plan, including treatment attendance and the results of alcohol and drug tests if administered through treatment.
- Provides **individual and group treatment** that addresses the needs and responsibility issues of the participants served by the program.
- **Secures appropriate recovery support and ancillary services** as needed.
- Develops **appropriate treatment responses to relapses**.
- Promptly **enters treatment data** into an electronic case management system.
- Attends **team staffing meetings** and actively participates in team discussions regarding program entry, program progress, incentives, sanctions, graduation and termination decisions.



# Roles and Responsibilities

## Treatment Providers

- Attends and provides input at regularly-scheduled **policy meetings** that include the review of program operations, structure, team building and functioning.
- **Assists in providing training** on substance use disorders, recovery, treatment methodologies, and treatment terminology,
- Regularly **attends training** on current research regarding effective substances use and behavioral health treatment.
- Attends multidisciplinary team training that addresses responsivity issues. Is **knowledgeable** about the drug court model, effective treatment interventions, the national drug court standards, the state problem-solving court standards, mental illness, substance use disorders, alcoholism and pharmacology applied in a therapeutically appropriate manner, medication-assisted treatment, trauma, Veterans issues, and issues of gender, age, and culture that impact a participant's success.

**Why is discussing team roles  
important?**



# Common Treatment Court Questions

What information should be shared with the team?

How should the team resolve philosophical differences?

How does the team manage information that comes from participants?

How should the team weigh what is best for the individual participant while protecting the integrity of the program?



# Role Conflict



## Law enforcement and prosecutors

How to handle information about drug dealing and other crimes



## Treatment clinicians

How to protect the therapeutic alliance while sharing information with the team



## Defense bar

How to be a zealous advocate while participating in team decision-making

# Role Conflict

Team conflict can arise from a **lack of understanding** of how one's role on the team impacts how decisions are perceived

Teams that swing too far one way or the other in terms of deferring to a particular discipline's perspective may **lose the support** of other team members

**Balance** is important



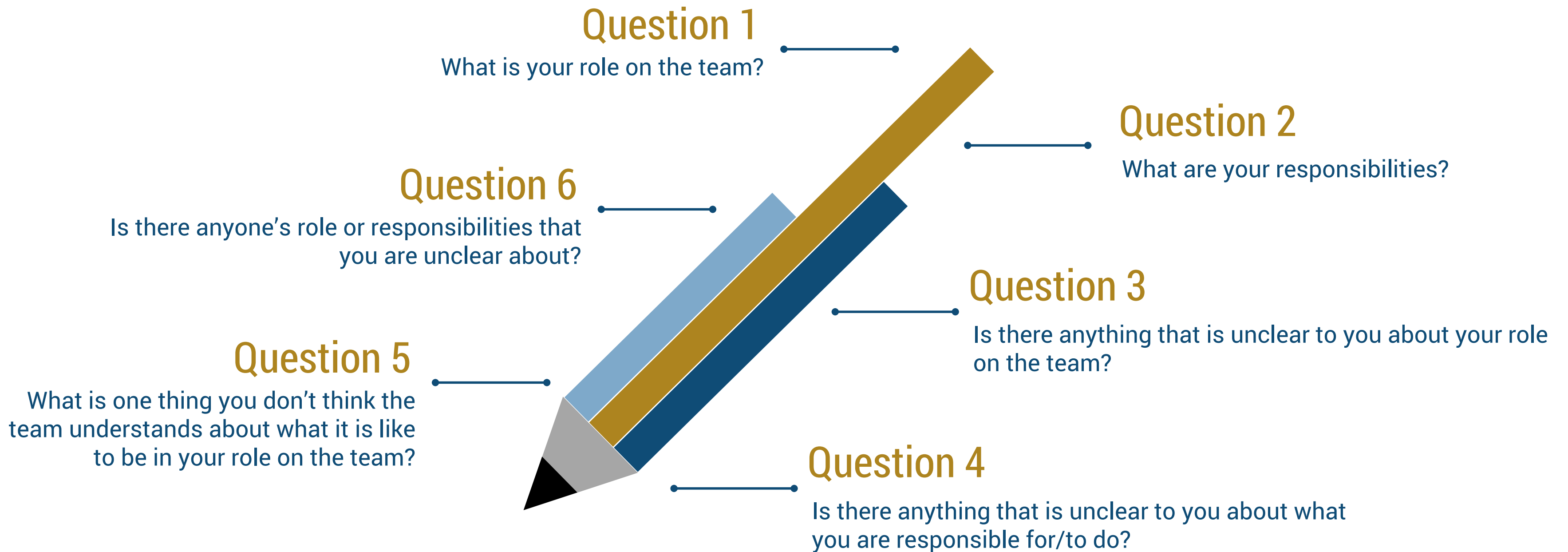
*Choosing to impose  
a jail sanction may  
concern a treatment  
team member because  
of a concern that  
jail may undo  
a therapeutic gain*

*Choosing not  
to impose a jail  
sanction may concern  
a prosecutor or  
probation officer  
who must consider  
public safety*



# Activity

## Roles and Responsibilities





# Successful Teams

Have strong and principled **leadership**

Maintain a **collaborative** climate

Have **competent** team members

Establish **high standards** for team members

Receive **external support and recognition**



# 5 Behaviors of a Cohesive Team

## *The Five Behaviors of a Cohesive Team*



# Cohesive Teams

## Trust

Admit weaknesses and mistakes

Ask for help

Accept questions and input about their areas of responsibility

Give one another the benefit of the doubt before arriving at a negative conclusion

Appreciate and tap into one another's skills and experience

Focus time and energy on important issues, not politics

# Cohesive Teams

## Conflict

Have lively, interesting meetings

Extract and utilize the ideas of all team members

Solve real problems quickly

Minimize politics

Put critical topics on the table for discussion

# Cohesive Teams

## Decision Making

Create clarity around direction and priorities

Align the entire team around common objectives

Develop an ability to learn from mistakes

Take advantage of opportunities

Move forward without hesitation

Change direction without hesitation or guilt

# Cohesive Teams

## Accountability

Ensure those not performing up to par feel pressure to improve

Identify potential problems quickly by questioning one another's approaches without hesitation

Establish respect among team members who are held to the same high standards

Avoid excessive bureaucracy around performance management and corrective action

# Cohesive Teams

## Results

Are achievement oriented

Encourages team rather than individual approaches to meet goals

Enjoy success and suffer failures acutely

Subjugate their own goals/interests for the good of the team

Avoid distraction

# Activity

## Assess Your Team

### Question 1

Where do people sit? Is there anyone who doesn't sit at the table who should be at the table? Anyone at the table who doesn't need to be at the table?

### Question 2

Is there anyone in the room who really doesn't need to be there?

### Question 3

Is there anyone who doesn't regularly speak out in team meetings? Does anyone on the team have responsibility for ensuring that everyone speaks up?

### Question 7

Does what happens in the team meetings stay in the team meetings?

### Question 4

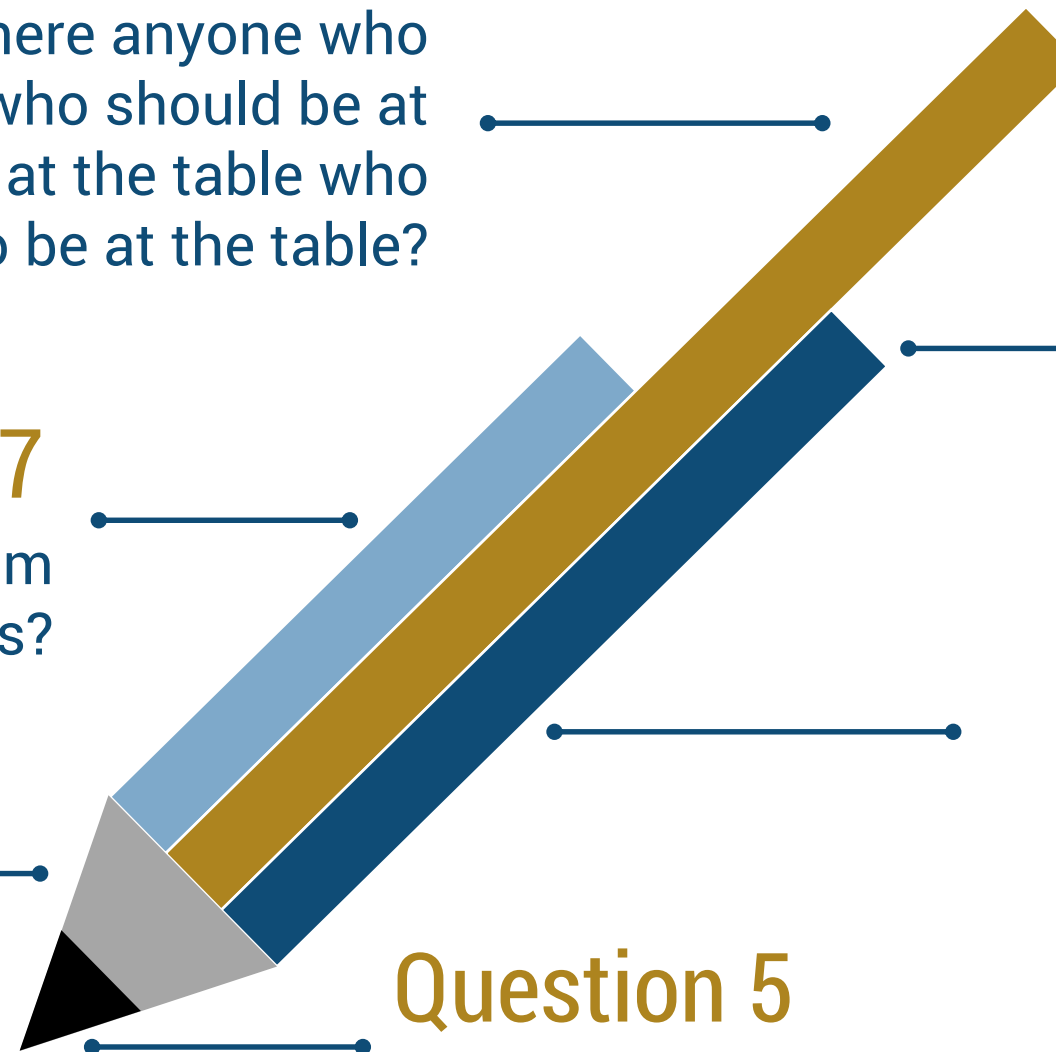
How are meetings managed? Do you regularly start and end on time or do you go to court late routinely? Does one person speak at a time? Are some people on their cell phones? Do team members have the information you need?

### Question 6

How are decisions made? Do you understand why decisions are made? If there is voting, is the voting perceived as fair?

### Question 5

How is conflict resolved?







# Common Pitfalls of Problem-Solving Court Teams

- Absence of trust
- Fear of conflict
- Lack of commitment
- Avoidance of accountability
- Inattention to results

# Common Pitfalls of Problem-Solving Court Teams

## Inconsistent, non-assigned team members

- Commitment of each agency on the team to assign team members for a minimum of two years
- Voluntary assignments
- Memorialized policies and procedures
- Memorandums of Understanding
- Orientation of all new team members

# Common Pitfalls of Problem-Solving Court Teams

Team member that goes along with everything or doesn't talk in staffing and then talks badly about decisions or team members outside of staffing

- Address immediately, usually outside of staffing
- Set clear expectations that behavior is not tolerated
- Address expectations and issue with entire team without pointing fingers while making it clear that behavior will not be tolerated
- Monitor behavior
- Removal of disruptive member

# Common Pitfalls of Problem-Solving Court Teams

One or two team members have dominant voice and others don't participate in discussions

- Judge as the leader must seek input from all team members
- Coordinator encourages input and discussion
- Allow enough time to talk as a team

# Common Pitfalls of Problem-Solving Court Teams

## Not trusting other team member expertise

- Written roles and responsibilities
- Length of team members on the team
- Common training
- Ability and willingness to ask questions of each other
- Open dialogue
- Recognize positive, good work frequently

# Common Pitfalls of Problem-Solving Court Teams

## Lack of common knowledge

- Initial and ongoing training
- Sharing expertise with the team
- Common training
- Ability and willingness to ask questions of each other
- Open dialogue

# Common Pitfalls of Problem-Solving Court Teams

## Team members not doing their job

- Review of policies and procedures
- Review of roles and responsibilities
- Assign tasks for accountability
- Ask team member questions during staffing
- Team retreat

# Accountability

## Team Members and Program

National Standards

State Standards and Certification

Recommended Performance Measures

Written Program Policies and Procedures

Program Evaluation





# Problem-Solving Courts Program Evaluation

## Why do a program evaluation?

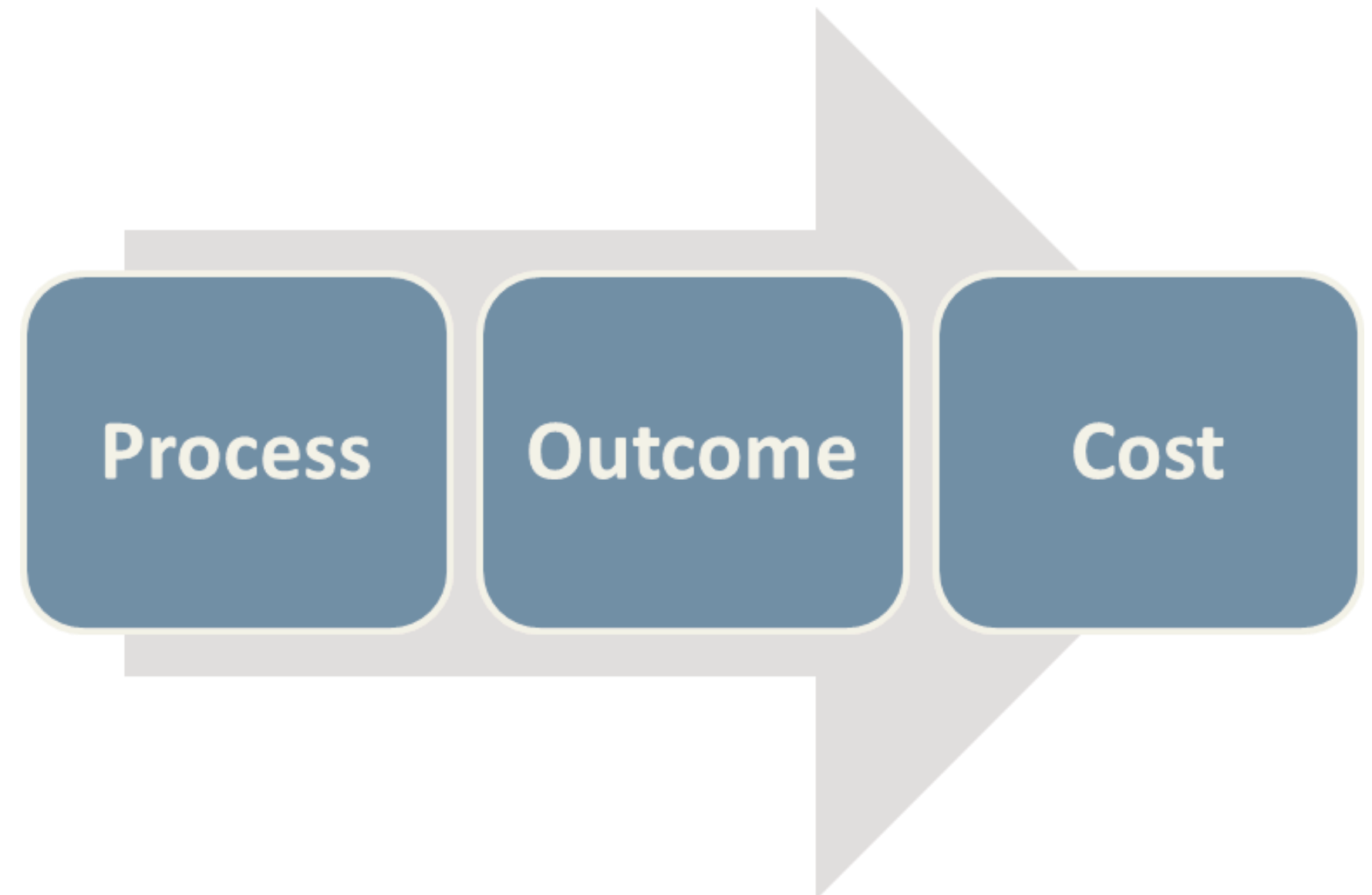
- Ensure that the program is **adhering** to the problem-solving court model based on research and evidence-based practices
- Ensure program is **meeting** goals
- Drug Courts that had evaluations conducted by independent evaluators and used them to make modifications in drug court operations had 85% greater **reductions in recidivism** and 100% greater **cost savings** than programs that did not use these results

# Problem-Solving Courts

## Types of Evaluations

### Three main areas of evaluation

- Process (Program Improvement)
- Outcome (Impact)
- Cost (Cost-Benefit)



# Problem-Solving Court Process Evaluation

Purpose: Examine program policies and procedures to:

- Determine how the program was implemented and if it was implemented as intended
- Learn whether and how well the program is following the intended model (best practices)

# Problem-Solving Court Process Evaluation

## Benefits:

- Useful information about program functioning
- Allows an assessment of the reasons for successful or unsuccessful performance
- Provides information for replicating the program in another site
- Contribute to program improvement
- Increase effectiveness for participants
- Better outcomes, better cost-benefits

# Problem-Solving Court

## Outcome and Impact Evaluation

Purpose: Determine whether the program has improved participant outcomes during and after participation

- Are services delivered as planned? If not, why?
- Graduating participants as intended? What is program graduation rate? What is different about those who graduate and those who do not?
- Is the program having the intended impact? Are participants being re-arrested less often? Are participants spending fewer days in jail?
- Looks at drug testing, in-program recidivism, treatment dosages, post-program recidivism, employment, etc.

# Problem-Solving Court

## Cost-Benefit Evaluation

### Is the program operating efficiently?

- Cost effectiveness analysis calculates the cost of a program and then examines whether the program led to its intended positive outcomes.

### Is the program cost effective?

- Cost benefit evaluation calculates the cost of the program and also the cost of the outcomes, resulting in a cost-benefit ratio.

# Invest in Your Team and Program



## Have the tough conversations

- Don't avoid discussing conflict
- Hold the team accountable

## Invest in your team

- Schedule retreats at least twice a year to review policies and procedures
- Visit other treatment courts together
- Continue training

## Have fun together

- Create rituals
- Celebrate team successes
- Schedule activities outside of the office

# Questions? Contact Us



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