

STATEWIDE SUMMARY OF PROBLEM-SOLVING COURTS

DRUG TREATMENT COURTS			
	OPERATIONAL	UNDER WAY	TOTAL
Family	54	8	62
Criminal	90	8	98
Juvenile	18	10	28
Town and Village	8	0	8
Totals	170	26	196

PROBLEM-SOLVING COURTS			
	OPERATIONAL	UNDER WAY	TOTAL
Integrated			
Domestic Violence	39	8	47
Criminal DV	26	4	30
Town & Village DV	5	1	6
Youthful Offender DV	3	0	3
Mental Health	18	4	22
Mental Health Connections			
	1	6	7
Sex Offense	7	2	9
Community	8	1	9
Totals	107	26	133

STATEWIDE TOTAL OF PROBLEM-SOLVING COURTS			
	OPERATIONAL	UNDER WAY	TOTAL
Total	277	52	329

PROBLEM-SOLVING COURTS: LITIGANTS SERVED SINCE INCEPTION			
	CASES	ACTIVE	GRADUATES
DV Courts	112,168		
Mental Health Courts	2,460 ^(12/31/07)	907	742
Sex Offense Courts	1,569		
Community Courts			

	FAMILIES	CASES	AVERAGE CASES PER FAMILY
IDV Courts	13,122	67,125	5.12

	CURRENT PARTICIPANTS	GRADUATES TO DATE	PARTICIPANTS TO DATE	DRUG FREE BABIES
Drug Treatment Courts	7,115	18,530	47,170	632

New York's Problem-Solving Courts: At A Glance

OVER THE PAST DECADE, UNDER CHIEF JUDGE JUDITH S. KAYE'S LEADERSHIP, New York State has implemented a range of problem-solving courts which look to the underlying issues that bring litigants into our court system. The state's problem-solving courts vary from treatment models, such as drug and mental health courts, to accountability models, such as sex offense and domestic violence courts. At the same time, these various court models have much in common: trained judges and court staff; dedicated dockets; coordination with outside services and agencies; and closer engagement with litigants and their family members. Hon. Judy Harris Kluger, Deputy Chief Administrative Judge for Court Operations and Planning, oversees and supports problem-solving courts statewide. Below are summary descriptions of the various types of problem-solving courts now operating statewide.

DRUG COURTS are designed to halt the revolving door of addiction and arrest by linking nonviolent, drug-addicted offenders to court-supervised drug treatment and rigorous judicial monitoring. What distinguishes drug courts is their approach to treatment: upon voluntary entry into court-supervised programs, appropriate nonviolent addicted offenders become part of a dramatic intervention process that involves coordination among defense attorneys, prosecutors, treatment and education providers and law enforcement officials. Rules of participation are defined clearly in a contract agreed upon by the defendant, the defendant's attorney, the district attorney and the court. Offenders who complete treatment through the drug court and comply with court orders earn dismissal of their charges or a reduced penalty.

Results have been overwhelmingly positive, with an evaluation of drug treatment courts completed in October 2003 showing significant reductions in recidivism that extend beyond the period of active judicial supervision.

DOMESTIC VIOLENCE COURTS handle criminal domestic violence cases and are designed to improve victim safety and increase offender accountability by facilitating victim access to needed services, providing judicial monitoring and promoting coordination among the justice system, community stakeholders and social service providers.

Building on the domestic violence court concept, **INTEGRATED DOMESTIC VIOLENCE (IDV) COURTS** respond to a historic problem in the court system: domestic violence victims and their families have traditionally had to appear in different courts before multiple judges to address their legal issues. By allowing a single judge to hear all related criminal, family and matrimonial matters, IDV Courts provide more informed judicial decision-making and greater consistency in court orders, also resulting in fewer court appearances for these litigants.

COMMUNITY COURTS differ from some of the other problem-solving courts in that they are focused on a particular neighborhood rather than being limited to a particular kind of case or defendant. Attempting to harness the power of the justice system to address local problems, Community Courts provide litigants access to programs such as job readiness, HIV prevention and tutoring. These courts can take many forms, but all engage in creative partnerships and problem-solving, testing new and aggressive approaches to public safety rather than merely responding to crime after it has occurred.

MENTAL HEALTH COURTS seek to provide mentally ill criminal defendants with the comprehensive services and structure they need in order to avoid further criminal behavior. These courts link defendants, where appropriate, with ongoing long-term treatment — in combination with intensive court supervision — as an alternative to incarceration. Mental Health Court Connections, a companion program, seeks to extend the benefits of a Mental Health Court to counties that do not currently have one.

SEX OFFENSE COURTS handle criminal sex offense cases. These courts aim to enhance public safety by preventing further victimization through early intervention, post-disposition monitoring, consistency and accountability. ●

For more information, visit WWW.NYCOURTS.GOV/COURTS/PROBLEM_SOLVING.



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DRUG TREATMENT • INTEGRATED DOMESTIC VIOLENCE • DOMESTIC VIOLENCE • SEX OFFENSE • COMMUNITY • MENTAL HEALTH

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JUDITH S. KAYE
CHIEF JUDGE OF THE STATE OF NEW YORK

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Statewide Symposium Focuses on Problem-Solving Courts

NEARLY 200 JUDGES and other professionals convened in Cooperstown, New York, in October for the state's first annual Problem-Solving Courts Symposium, where they discussed the evolution of New York's problem-solving courts and best practices to reduce the cycle of crime.

Deputy Chief Administrative Judge Judy Harris Kluger, who oversees the state's problem-solving courts, welcomed the group the first evening of the conference. "We have come a long way in a short time and together we have radically changed the legal landscape for litigants in our courts," Judge Kluger said. "[Chief] Judge [Judith S.] Kaye's vision of expanding problem-solving courts throughout the state has become a reality because of the hard work, commitment and support of everyone in this room."

"Traditional adversarial methods seemed only to interrupt, not end, revolving-door patterns of criminal behavior that can destroy individuals and families and corrode neighborhoods," Judge Kaye told conference attendees, also recounting two murder-suicides — both domestic violence incidents — occurring shortly after she became chief judge 14 years ago that helped inspire the establishment of domestic violence courts statewide.

Domestic violence courts strive to promote victim safety and hold offenders accountable for their actions. They are characterized by intensive judicial monitoring and coordination between the court, service providers and communities.

Day two of the symposium kicked off with a session titled

"Problem-Solving Courts and the Media," with participants viewing an ABC-TV "20/20" segment about domestic violence survivor Susan Still — a symposium panelist — who suffered over a decade of abuse at the hands of her husband, Ulner Lee Still, before taking action. "As victims of abuse, we endure some very

unbelievable and unthinkable acts," Ms. Still told attendees. "We really don't care to share [these acts] with anyone, ever, let alone the whole world."

A number of things made Ms. Still's case unique: her supervisor kept a record of the times Susan came to work battered and bruised; also, in the spring of

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Message from the Deputy Chief Administrative Judge for Court Operations and Planning

I AM DELIGHTED TO PRESENT OUR PREMIER ISSUE OF PSC, the official newsletter of the Office of the Deputy Chief Administrative Judge for Court Operations and Planning. The Office was established in January 2003 to oversee the implementation and operation of New York's problem-solving courts and other special projects and court initiatives.



Addressing drug and alcohol addiction, domestic violence, mental illness, sex offenses and other complex issues that often bring litigants into our justice system, problem-solving courts are characterized by intensive judicial monitoring, the incorporation of community resources and, where appropriate, court-ordered treatment. This comprehensive approach is designed to increase offender accountability, provide treatment alternatives where needed and enhance public safety and access to services while protecting the rights of all litigants.

Under Chief Judge Judith S. Kaye's leadership, the New York State Unified Court System has been an international leader in adopting these innovative court models, with the state now home to 277 problem-solving courts and 52 more in planning.

Launching problem-solving courts and supporting their ongoing operations require hard work and dedication. I applaud the tireless efforts of our problem-solving court judges and staff as well as those outside agencies and individuals who work in and support these courts. Thanks to their commitment, New York State continues to make great strides in the problem-solving justice arena.

With this inaugural issue, we highlight the first annual Problem-Solving Courts Symposium and provide an overview of the different types of problem-solving courts. Future issues will cover other topics of interest to PSC judges and staff as well as those looking to learn more about problem-solving courts in New York State. I invite you to e-mail suggestions or story ideas for future issues of PSC to my office at: JKLUGER@COURTS.STATE.NY.US

—HONORABLE JUDY HARRIS KLUGER

Chief Judge Kaye Addresses the Symposium...

Following are excerpts from Chief Judge Judith S. Kaye's welcoming address to participants of the Problem-Solving Courts Symposium



“IN A SENSE I FELT HEIR TO A GREAT LEGACY when I became chief judge a little over 14 years ago. It was already obvious that changing social realities were bringing into our courts more and more cases involving issues that continued to frustrate the other branches of government, most especially drug addiction, likely a factor in more than 75 percent of our overflowing criminal dockets.”

“THE GREAT LEGACY to which I fell heir, of course, is not the problem — it's the avenue toward confronting, and ameliorating, the problem. And that was the birth of our problem-solving initiatives, beginning back in 1993 with our Manhattan Community Court, and continuing to this day with nine community courts, more than 200 drug courts, 15 mental health courts, 35 domestic violence courts, 39 integrated domestic violence courts and seven sex offense courts, that both deliver justice and serve as a model across the nation and the world.”

“NONE OF THE ACHIEVEMENTS WOULD HAVE BEEN POSSIBLE without your hard work on the ground, your willingness to test new ideas, and your commitment to soar high above and beyond the call of duty. For this I thank you. But there's much more yet to do.”

“LOOKING AHEAD, I think we need to be aware that many cases that are, in fact, suitable for problem-solving approaches aren't making their way to problem-solving courts. We need to enhance our capacity to remedy this situation. We also need to make sure that our problem-solving courts are adhering to best practices, that we are holding our service provider partners to the highest standards. We need to make an ongoing investment in research so that we understand the impact of these courts.”

“WITH THE SAME SKILL AND COMMITMENT that allowed us to develop problem-solving principles, test their efficacy and promote their development, I am confident that we can take problem-solving even further, bringing it to scale so that instead of a “revolving door” we can give everyone who passes through our courthouse doors a one-way ticket to a better life.”



NEW YORK STATE'S FIRST ANNUAL PROBLEM-SOLVING COURTS SYMPOSIUM



Judge Kluger presents Judge Kaye with a memento of her leadership and vision in establishing problem-solving courts in New York State.

Statewide Symposium continued from page 1

2003, Susan's husband had their 13-year-old son videotape a 51-minute incident of Mr. Still verbally and physically assaulting his wife. Susan Still was able to turn the videotape over to authorities. It would be played before a packed Erie County courtroom at Mr. Still's trial the following year, with New York State Supreme Court Justice John F. O'Donnell, who also addressed the conference, presiding.

Judge O'Donnell recounted how, while the videotape was playing and Ms. Still was on the stand, “we didn't think to turn off her microphone.” He remembers Ms. Still sobbing audibly. While he did not watch the defendant as the tape was being shown in court, a court reporter who observed Ulner Still as the tape played told Judge O'Donnell, following Mr. Still's sentencing, that Ulner Still “appeared as cool as a cucumber ... as if he was waiting to give autographs.” Judge O'Donnell sentenced Ulner Still to 36 years in prison, one of the longest sentences given to a domestic abuser in a case that did not end in homicide.



SYMPOSIUM PANELISTS
LEFT TO RIGHT:
David G. Jay, Esq., Louis A. Haremski, Esq., Susan Still, Hon. John F. O'Donnell

Discussion of domestic violence cases continued at the symposium's segment on domestic violence courts later that day, with the two-day conference also including sessions on New York's other problem-solving court models as well as presentations on research demonstrating the effectiveness of drug courts, ethical issues relating to problem-solving courts, and stress management and self-care for problem-solving court judges and other professionals. ●

FROM LEFT SYMPOSIUM PARTICIPANTS Daniel Alessandrino and James Imperatrice; Hon. Stephen Dougherty, Linda McKinney, Hon. Langston McKinney, Hon. James Tormey (Administrative Judge, 5th JD)



Experts Discuss Community Courts in New York and Beyond

THE STORY OF BROOKLYN'S RED HOOK COMMUNITY JUSTICE CENTER — the nation's first multi-jurisdictional community court — began Dec. 17, 1992, with the murder of local school principal Patrick Daly, who was killed in the crossfire of rival drug gangs while looking for a truant schoolchild.

“It was a horrible crime,” said Red Hook Community Justice Center Presiding Judge Alex Calabrese during the Cooperstown symposium's session on community courts. “It ... put Red Hook in the middle of citywide and national news, and [one national magazine] labeled [Redhook] as one of the top 10 crack-infested communities in the United States.”

At the time of Daly's murder, plans were already in place for the 1993 opening of the country's first community court in mid-Manhattan — where Judge Harris Kluger was the initial presiding judge — to help stem the growing number of misdemeanor crimes in the Times Square area. Following Patrick Daly's death, Chief Judge Kaye decided that Red Hook too could benefit from a community court.

Working with local stakeholders, community courts address addiction, mental illness, unemployment and other problems that contribute to low-level crime and adversely affect the quality of life for area residents. At the Red Hook Community Justice Center, which opened in 2000, Judge Calabrese hears local civil, family and criminal cases.

The Red Hook court handles misdemeanors such as drug possession, assault, prostitution, shoplifting and summons cases from the area's three police precincts. It also has jurisdiction over all housing cases from the Red Hook Houses — New York's second-largest housing project — as well as all juvenile delinquency and family offense cases from the three precincts.

Judge Calabrese has an array of sanctions and services at his disposal to help hold offenders accountable and get them back on track. Defendants may be required to perform community service and complete drug treatment, job training or other programs, with the court's on-site services available free to local residents.

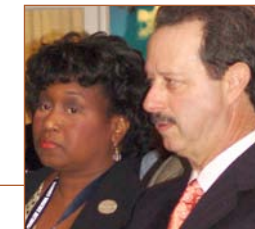
Offenders who fail to complete court-ordered community service and other programs may be sentenced to jail and typically face stiffer penalties than they would at a traditional courthouse, Judge Calabrese emphasized. “We concentrate on the lower-level cases, and the police department has shown that if you concentrate on the lower-level cases, crime comes down,” he said.

New York State is currently home to eight community courts, including Bronx Community Solutions, one of the newest problem-solving court initiatives in the country. Patterned after the Red Hook model, Bronx Community Solutions applies a problem-solving approach to nonviolent crimes such as drug possession, prostitution and shoplifting at the busy Bronx criminal courthouse, said its project director, Aubrey Fox, at the conference.

Community courts are also expanding nationally, with over two dozen in operation around the country. Additionally, they now exist in England, Australia and South Africa and are in the planning stage in Scotland and Vancouver, Canada.

“There are so many places that are looking at the community court model that the model has moved from being considered experimental to being viewed as a new approach to justice,” said Judge Calabrese. ●

FROM LEFT: District Administrative Judges Hon. George B. Ceresia, Jr. (3rd JD), Hon. Vito C. Caruso (4th JD), and Hon. Judith F. O'Shea (6th JD); Hon. Andrea Phoenix and Lawrence M. Schaffer, Esq.; Abena Darkeh, Esq., and Hon. Esther Morgenstern



FROM TOP TO BOTTOM:
Hon. Timothy Lawliss,
Aubrey Fox,
Hon. Madeleine
Fitzgibbon, Hon. Sam D.
Walker