

MONTANA SUPREME COURT OFFICE OF THE COURT ADMINISTRATOR

Montana Drug Court Peer Review Process



ON-SITE MATERIALS





MONTANA'S PEER REVIEW MATERIALS - BEST PRACTICES AND STANDARDS TABLE

MONTANA BEST PRACTICES AND STANDARDS TABLE¹

Key Component #1: Drug Court integrates alcohol and other drug treatment services with justice system case processing.

Rating	Item #	Practice/Standard	Scoring	Survey item
A	1	Staff and team members have reviewed Montana drug court statutes	Fully met: all staff and team members Partially met: some staff and team members Not met: no	70, fully met = choice a, partially met = choice b
A	2	There is a Memorandum of Understanding (MOU) in place between the Drug Court team members (and/or the associated agencies).	Y/N Y = MOU with <i>all</i> team members	71
A	3	The Drug Court has a current contract or MOU with a treatment provider. ²	Y/N	35
A	4	The Drug Court has a policy and/or procedure manual.	Y/N	75
A	5	The program has a participant manual or handbook.	Y/N	76
A	6	The program has a participant contract.	Y/N	79

¹ The best practices tables for family and juvenile treatment courts are different and will be available for peer review of those treatment court types.

² In Montana enabling legislation

Rating	Item #	Practice/Standard	Scoring	Survey item
A	7	The program has a written consent or release of information form that specifies what information will be shared among team members. <i>NOTE: please check consent form to ensure it has 9 required elements (see authorization checklist) - add comments to team if elements need to be added.</i>	Fully met: Yes to question and review of consent shows all 9 elements are present Partially met: Yes to question and consent has most of the required items Not met: No to question or fewer than half of the required consent form elements	80
H	8	There is frequent email communication between the court and treatment providers regarding each participant's overall program performance. Content of email communication includes: 1) treatment attendance, 2) dates of missed appointments, 3) brief progress note (including what participant is studying), 4) recommendations from provider for judge.	Fully met: email communication plus content fully covered Partially met: email, but content not fully covered Not met: email not used or not used consistently	86 AND 87, <u>all</u> options a through d
	9	Clinically trained representatives from treatment agencies are core members of the Drug Court team and regularly attend team meetings and status hearings (court sessions).	Fully met: treatment attends both team meetings and status hearings Partially met: treatment attends either team meetings or status hearings Not met: treatment does not attend or is not member of team	84, row 7 & row 8, option a (Always) And 85, row 7 & row 8, option a (Always)
	10	Law enforcement is a member of the Drug Court team and attends team meetings and status hearings (court sessions).	Fully met: law enforcement attends both team meetings and status hearings Partially met: law enforcement attends either team meetings or status hearings Not met: law enforcement does not attend or is not member of team	84, row 11, option a (Always) And 85, row 11, option a (Always)

Rating	Item #	Practice/Standard	Scoring	Survey item
	11	All key team members attend team meetings (staffings) and status hearings (court sessions) [Judge, prosecutor, defense attorney, treatment representative(s), drug court coordinator, probation, law enforcement.]	Fully met: all team members attend both team meetings and status hearings Partially met: all team members attend either team meetings or status hearings Not met: all team members attend	84, rows 1, 2, 3, 4, 5, 7, 8, 11 option a (Always) And 85, rows 1, 2, 3, 4, 5, 7, 8, 11 option a (Always)

Key Component #2: Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.

Rating	Item #	Practice/Standard	Scoring	Survey item
A	12	A validated risk-assessment is used to determine "high-risk" and "high-need"	Y/N	23, rows 1 or 2, options a, b, or c OR at least one row "Yes, to determine level of monitoring or supervision" and at least one row "Yes, to determine level and type of treatment or other service" (if 23 is "Other" or "Local," confirm that tool indicated is validated, 22 must be answered Yes)
	13	Program admits only participants who are high risk/high need	Y/N	27 a and/or b and 28 c and/or d
A	14	An alternative track has been developed for those outside of high-risk, high-need.	Y/N/NA	6, row 1 (Yes)
A	15	A review of the case and criminal history check is conducted ³ to determine if the defendant is eligible for the Drug Court program.	Y/N	14

³ By prosecuting attorney or someone else designated for this role.

Rating	Item #	Practice/Standard	Scoring	Survey item
A	16	The Drug Court team understands Montana's definition of "sexual offense." <i>NOTE: please interview coordinator and prosecutor to ensure definition of sexual offense meets Montana's criteria.</i>	Y/N	Interview team members Please note: Programs with federal grants are also prohibited from taking violent offenders
A	17	No one is admitted to drug court who has been previously convicted of a sexual offense.	Y/N	19, row 14
	18	Defense counsel advises the defendant as to the nature, purpose, and rules of the Drug Court.	Y/N	78
A	19	The Drug Court defines in policy the current or prior offenses that may disqualify candidates for Drug Court and the reasons why.	Y/N	13
	20	The Drug Court defines what candidates are clinically disqualified and the reasons for the disqualification, e.g., psychiatric or medical services are not available. Disqualifications do not occur because of co-occurring disorder, medical conditions, or legally prescribed medication.	Y/N	30 And 19 rows 2-9= yes
	21	Drug Court allows non-drug charges that were driven by alcohol and other drug dependence.	Y/N	19 row 11 = yes
	22	Drug Court communicates eligibility and exclusion criteria to potential referral sources	Y/N	11 = all agencies have them

Key Component #3: Eligible participants are identified early and promptly placed in the drug court program.

Rating	Item #	Practice/Standard	Scoring	Survey item
H	23	The initial appearance before the drug court judge occurs soon after arrest or apprehension (50 days or less).	Y/N	$32 + 33 < 50$, options are added using high end of each range (e.g., 0 to 7 is calculated as 7 days)
A	24	Specific drug court team members are designated to screen cases and identify potential drug court participants.	Y/N	74
	25	Program caseload/census (number of individuals actually participating at any one time) is less than 125 – or – program demonstrates it has sufficient resources and intensity to serve a larger caseload/census.	Y/N	207 row 2 = less than 125
A	26	Program uses standardized screening tool to determine eligibility.	Y/N	23 at least one row "Yes, to determine eligibility" (if 23 is "Other" or "Local," confirm that tool indicated is validated, 22 must be answered Yes)
	27	There is a fee for participating in the Drug Court.	Y/N	152
H	28	The Drug Court fee is based on an ability to pay. ⁴	Y/N	153
A	29	The Drug Court documents the fee in the participant's file or court file.	Y/N/NA	157
	30	The court ensures that no one is denied participation in the program solely because of inability to pay fines, fees, or restitution.	Y/N	154 = No

⁴ Required in Montana statute.

Key Component #4: Drug Court provides access to a continuum of alcohol, drug and other treatment and rehabilitation services.

Rating	Item #	Practice/Standard	Scoring	Survey item
H	31	Treatment is used as a supportive/therapeutic response not as a sanction. <i>NOTE: Observe this item in the team meeting (staffing) and status hearing (court session).</i>	Fully met: Yes Partially met: Sometimes Not met: No	OBSERVE
	32	One or two treatment agencies/professionals are primarily responsible for managing the delivery of treatment services for Drug Court participants.	Y/N	34, row 1, options 1 or 2 OR 36, Yes on rows 1 or 2
	33	A validated clinical assessment instrument is utilized immediately upon admission to treatment.	Fully met: a validated assessment is used, within 21 days of treatment Partially met: validated instrument –or– within 21 days Not met: Neither	39 AND 40, options a, b, or c
	34	The results of the assessment are the basis for the individualized treatment plan and placement in level of treatment.	Fully met: Yes Partially met: results used as one part of criteria for treatment plan/placement Not met: No	39, Fully = both options, Partially = either option
	35	The treatment plan is updated regularly per a specified schedule.	Y/N	62 = regularly based on specified schedule
A	36	The Drug Court requires that eligible participants enroll in Alcohol and Other Drug Treatment services immediately upon entering (within 7 days).	Y/N	41 = 0 to 7 days

Rating	Item #	Practice/Standard	Scoring	Survey item
H	37	Participants receive a sufficient dosage and duration of treatment to achieve long-term sobriety and recovery from addiction (Usually 6-10 hours weekly during the initial phase and approximately 200 hours over 9-12 months).	Y/N	45 = 6 or more AND 46 = 180 or greater
H	38	Participants meet with a treatment provider or clinical case manager for at least one individual session per week during the first phase of the program. The frequency of individual sessions may be reduced subsequently if doing so would be unlikely to precipitate a setback or relapse.	Y/N	140, options a-d
	39	Participants are screened for their suitability for group interventions, and group membership is guided by evidence-based selection criteria including participants' gender, trauma histories, and co-occurring psychiatric symptoms.	Y/N	47 = yes AND 42, options b, c for rows 9, 10, 19
	40	The Drug Court offers a continuum of care for substance use disordered treatment including detoxification, outpatient, intensive outpatient, day treatment, and residential services.	Fully met: Program has all specified levels of care available (5 types) Partially met: Program has most of the treatment modalities available (3-4 types) Not met: Program has notable gaps in treatment options (2 or fewer types)	42 options b, c for rows 1 or 2, 3-5, and 7

Rating	Item #	Practice/Standard	Scoring	Survey item
	41	Participants are <u>not</u> incarcerated to achieve clinical or social service objectives such as obtaining access to detoxification services or sober living quarters.	Fully met: Participants are never incarcerated as a proxy for detox or sober housing Partially met: Incarceration occasionally used as an interim measure Not met: Incarceration occurs in lieu of treatment placement	171 Fully = never Partially = rarely or sometimes Not = always
	42	Treatment groups ordinarily have no more than 12 participants and 2 leaders or facilitators.	Fully met: both criteria (12 or fewer participants and 2 facilitators) Partially met: one of these criteria Not met: Neither criterion	48, both rows 1 and 2
H	43	Treatment providers administer behavioral or cognitive-behavioral treatments that are documented in manuals and have been demonstrated to improve outcomes (are evidence-based).	Fully met: Manualized – and– evidence-based Partially met: Manualized Not met: Neither criterion	44, option b or c for any row Review the survey to see if there are other types written in
	44	Treatment providers are supervised regularly for fidelity to the models being used.	Y/N	38, rows 1 or 2
	45	Participants are prescribed psychotropic or addiction medications based on medical necessity as determined by a treating physician.	Y/N	42, row 10, options b or c OR 43, row 12-14 options b or c AND 64, option 3
	46	Treatment providers are licensed or certified to deliver substance abuse treatment and have experience working with criminal justice populations.	Fully met: Licensed/certified –and– experience with CJ population Partially met: Either licensed/certified or experienced Not met: Neither criterion	37, rows 1 and/or 3

Rating	Item #	Practice/Standard	Scoring	Survey item
H	47	The Drug Court offers gender specific services.	Y/N	42, row 9, options b or c
	48	The Drug Court offers mental health treatment when indicated and the treatment is integrated (offered simultaneously by the same clinicians).	Fully met: Offers mh tx – and– tx is integrated Partially met: Offers mh tx Not met: mh tx not offered	42, row 6, options b or c
	49	The Drug Court offers or refers participants to parenting classes.	Y/N	42, row 15, options b or c
	50	The Drug Court offers or refers participants to family/domestic relations counseling.	Y/N	43, row 6, options b or c
	51	Program involves family member(s) or friend(s) to support the participant.	Y/N	58, option 7
	52	The Drug Court offers or refers participants to health related services.	Y/N	43, row 10, options b or c
	53	The Drug Court offers or refers participants to dental care.	Y/N	43, row 11, options b or c
	54	Participants receive standardized, validated criminal thinking interventions if needed	Y/N	42, row 20, options b or c
	55	Participants who need it are provided vocational/educational services.	Fully met: Offers education and vocational services Partially met: Offers only education or vocational services Not met: Neither criterion	Fully met = 43, rows 1, 2, or 3 AND 7, options b or c Partially met = 43, rows 1, 2, or 3 OR 7, options b or c
O	56	Participants are provided brief, evidence-based educational curriculum to prevent health risk behavior (e.g., STIs).	Y/N	43, row 4, options b or c
O	57	Participants are provided brief evidence-based educational curriculum to prevent or reverse drug overdose.	Y/N	43, row 20, options b or c

Rating	Item #	Practice/Standard	Scoring	Survey item
H	58	The minimum length of the Drug Court program is 12 months or more.	Y/N	135, options c, d, or e Or text in “other” box indicating more than 12
	59	The Drug Court program has processes in place to ensure the quality and accountability of the treatment provider (for example, discusses evidence-based practices, surveys participants)	Y/N	38 rows 4, 5, or 6
	60	Participants regularly attend self-help or peer support groups. Before joining the mutual aid group, the treatment provider prepares the participants for what to expect in the group and assists them to gain the most benefit from the groups.	Fully met: attend self-help – and – participant receives advance preparation Partially met: attend self-help Not met: self-help groups not attended regularly	43 row 14, option c OR 144 OR 150, AND 49
H	61	Participants complete a final phase of the Drug Court focusing on a Recovery Management Plan (RMP). The RMP is primarily prepared by the participant (self-directed) in consultation with the counselor to ensure they continue to engage in prosocial activities and remain connected to recovery oriented systems of care after their discharge from Drug Court.	Fully met: RMP – and – primarily prepared by participant Partially met: RMP; primarily established by staff Not met: No RMP created	151 Fully = a, b, and c Partially = a or b or c or d No = e

Rating	Item #	Practice/Standard	Scoring	Survey item
H	62	For at least the first 90 days after discharge from the Drug Court, systematic attempts are made to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated. (Recovery Management Check-In)	Y/N	177, row 5
H	63	The Drug Court conducts a complete assessment of the primary drug court participant and of the family members as well assessing multiple areas for strengths and needs (basic needs/ medical and dental/child care/educational/behavioral-social-emotional/trauma, etc.)	Fully met: Assessment of both participant and family; covers all key domains Partially met: Assessment of participant only; –or– assessment covers some but not all domains Not met: No assessment completed	21 Fully = option b Partially = option c Not met = option a
	64	Program offers culturally-specific treatment services. Members of all racial/ethnic groups have access to the same levels of care and quality of treatment (including evidence-based practices)	Fully met: Culturally-specific; all groups have access to quality care Partially met: all groups in same treatment types Not met: Groups appear to have different access to care Not applicable: Program serves single racial/ethnic group	43, row 11 or row 12, options b or c Fully: AND 55 option b or d Partially: AND 55 option a Not met: AND 55, option c N/A: 43, row 11 and row 12, option a AND 55 option d

Rating	Item #	Practice/Standard	Scoring	Survey item
	65	Caseloads for probation officers or other professionals providing community supervision for the Drug Court do not exceed 30 active participants (Caseloads can go up to 50 if staff has a mix of low risk and no other caseloads or responsibilities).	Y/N Caseload less than 30 OR caseload between 31 and 50 with a mix of high risk/low risk clients and no other responsibilities	94 = 30 or less OR 94 = between 31 - 50 AND 95, option a
	66	Caseloads for clinicians providing case management and treatment do not exceed 30 active participants (Caseloads can go up to 50 if providing counseling OR case management).	Y/N Caseload less than 30 OR caseload between 31 and 50 and providing only case management or treatment, not both	96 = 30 or less OR 96 = between 31 - 50 and 97 = a or b
	67	The treatment court offers or makes referrals to a peer support specialist	Y/N	61, rows 1, 3, or 4

Key Component #5: Abstinence is monitored by frequent alcohol and other drug testing.

Rating	Item #	Practice/Standard	Scoring	Survey item
A	67	A written drug testing policy and procedure exists.	Y/N	109
	68	Urinalysis testing is always observed by appropriate gender.	Y/N	115
	69	Urine test samples are examined for dilution and adulteration.	Y/N	118, rows 1 and 2, option a
	70	Testing is random and unpredictable, occurring on weekends and holidays. (Client is not aware of when he/she is going to be tested)	Y/N Y includes if testing is random, unpredictable, and for cause.	110, rows 1, 2, and 5, option a
	71	Breathalyzers are utilized in conjunction with testing.	Y/N	113, row 8
	72	Procedures are in place for verifying contested test results.	Y/N	119

Rating	Item #	Practice/Standard	Scoring	Survey item
H	73	Drug urinalysis results are back to Drug Court within 48 hours or less.	Y/N	120, options a, b, c, or d
H	74	Drug Court drug tests are collected at least two times per week on average throughout drug court phases.	Y/N	138, options a, b, or c AND 147, options a, b, or c
	75	Participants are expected to have greater than 90 days clean (negative drug tests) before graduation.	Y/N	172, yes AND 173 d or e

Key Component # 6: A coordinated strategy governs drug court responses to participants' compliance.

Rating	Item #	Practice/Standard	Scoring	Survey item
H	76	The Drug Court places as much emphasis on incentives as it does on other infractions. <i>NOTE: Base your rating on observation in team meeting (staffing) and status hearing (court session).</i>	Number of incentives and sanctions are balanced, or more incentives than sanctions given	OBSERVE
	77	Participants are <u>not</u> sanctioned for failing to respond to their assessed level of treatment.	Fully met: Reassessment – and– adjustment to treatment plan Partially met: Either reassessment or adjustment to treatment plan. Not met: Sanctioned.	166, Fully = both options a & b, (not c), Partially = either option a or b (not c)
	78	Program considers whether a goal is distal or proximal when determining a sanction. <i>NOTE: confirm survey response by observing team meeting and court session.</i>	Y/N	159, row 4 AND OBSERVE

Rating	Item #	Practice/Standard	Scoring	Survey item
	79	Therapeutic responses or consequences are imposed for the nonmedically indicated use of intoxicating or addictive substances, regardless of the licit or illicit status of the substance.	Y/N	162, row 7, option a
H	80	Sanctions are imposed immediately after significant non-compliant behavior (e.g., in advance of a client's regularly scheduled court hearing for drug use or re-offending). <i>NOTE: confirm survey response by observing team meeting and court session.</i>	Y/N	162, row 1, a AND OBSERVE
	81	Policies and procedures concerning the administration of incentives, sanctions and therapeutic adjustments are specified in writing and communicated in advance to Drug Court participants and team members but there is also a reasonable degree of discretion to modify consequences in light of circumstances presented in each case.	Y/N	159, rows 1, And 159, rows 3 or 4, And 160 rows 3 and 4 And 162, rows 5 and 6,
	82	Participants are given the opportunity to explain their perspectives concerning factual controversies and the imposition of incentives, sanctions, and therapeutic adjustments. Participant may have a representative assist in providing explanations.	Y/N	162, row 8

Rating	Item #	Practice/Standard	Scoring	Survey item
	83	Participants receive a clear justification for why a particular consequence is or is not being imposed. NOTE: Base your rating on observation in team meeting (staffing) and status hearing (court session).	Fully met: Yes Partially met: Somewhat (or for some participants) Not met: No	OBSERVE
	84	Participants receive equivalent consequences without regard to gender, race, ethnicity, socioeconomic status or sexual orientation unless clear justification exists. NOTE: Base your rating on observation in team meeting (staffing) and status hearing (court session).	Fully met: Yes Partially met: Somewhat (or for some participants) Not met: No	OBSERVE
	85	Sanctions are delivered without expressing anger or ridicule. <i>NOTE: Base your rating on observation in team meeting (staffing) and status hearing (court session).</i>	Fully met: Yes Partially met: Somewhat (or for some participants) Not met: No	OBSERVE
H	86	The Drug Court has a range of progressive sanctions of varying magnitudes that may be administered in response to program noncompliance.	Y/N	At least 2 of the following: 163, rows 1, 2, 3, or 167 = yes
	87	In order to graduate, participants must have a job or be in school unless there are extenuating circumstances.	Y/N	176, row 1
	88	Drug Court offers assistance finding safe, stable, and drug-free housing. In order to graduate, participants must have a sober housing environment.	Fully Met: yes to both items Partially Met: yes to one of the two items Not Met: No to both items	176, row 2 and 43, rows 8 or 9, options b or c
	89	Participants are required to pay court fees in order to graduate.	Y/N	176, row 6
	90	In order to graduate participants must have paid all required program fees	Y/N	176, row 5

Rating	Item #	Practice/Standard	Scoring	Survey item
H	91	Jail sanctions are imposed judiciously, sparingly and progressively. Jail sanctions are definite in duration and last no more than three to five days.	Y/N	170, rows 4-7, option d (never) AND 162 row 9
	92	Participants are given access to counsel and a fair hearing if a jail sanction might be imposed.	Y/N	168
	93	Members of groups who have historically experienced discrimination receive the same incentives and sanctions as other participants. <i>NOTE: Base your rating on observation in team meeting (staffing) and status hearing (court session).</i>	Y/N	OBSERVE
	94	The judge is the ultimate arbiter and makes the final decision after taking into consideration the input of the Drug Court team members and discussing the matter in court with the participant.	Fully – considers team input and discusses in court with participants Partially – takes input of team or discusses in court Not – does not consider team input and does not discuss in court	125, rows 1 and 3, option a AND 159 8 option a
	95	The judge relies on the expert input of trained treatment professionals when imposing treatment-related conditions. <i>NOTE: Base your rating on observation in team meeting (staffing) and status hearing (court session).</i>	Fully met: Yes Partially met: Somewhat Not met: No	OBSERVE
	96	Drug Court has a medical expert who the team can consult with on medical issues, including the need for certain medication.	Y/N	64, options 1 and/or 3
	97	Phase promotion is based on achievement of realistic and defined objectives. <i>NOTE: Review participant handbook or program manual criteria for phase promotion criteria.</i>	Fully met: Yes Partially met: Somewhat Not met: No	REVIEW PARTICIPANT HANDBOOK or PROGRAM MANUAL

Rating	Item #	Practice/Standard	Scoring	Survey item
	98	<p>Phase advancement and graduation include objective evidence that participants are engaged in productive activities, such as employment, education, or attendance in peer support groups. <i>NOTE: Review participant handbook or program manual criteria for phase promotion criteria; Ask participants in focus group.</i></p>	<p>Fully met: Program materials indicate participants must be engaged in multiple productive activities to advance or graduate.</p> <p>Partially met: Participants must be engaged in at least one productive activity to advance/graduate</p> <p>Not met: Participants can be promoted or graduate without clear evidence of productive activities.</p>	REVIEW PARTICIPANT HANDBOOK or PROGRAM MANUAL; ASK PARTICIPANTS IN FOCUS GROUP
	99	<p>Participants may be terminated from Drug Court if they no longer can be managed safely or they fail repeatedly to comply with treatment or supervision requirements.</p> <p>Participants are not terminated from the Drug Court for continued substance use if they are otherwise generally compliant.</p>	Y/N	178, options 9, 10, and/or 16
	100	<p>Graduates of the Drug Court avoid a criminal record, avoid incarceration, receive a substantially reduced sentence or disposition, or have reduced fines or fees as an incentive for completing the program.</p>	Y/N	31, any yes in rows 1-6
	101	<p>Participants terminated early receive a sentence or disposition for the offense that brought them into drug court.</p>	Y/N	179

Key Component # 7: Ongoing judicial interaction with each participant is essential.

Rating	Item #	Practice/Standard	Scoring	Survey item
H	102	Judge regularly attends pre-court team meetings (staffings) to review each participant's progress and potential consequences and incentives for performance.	Y/N	94, row 1, option a
H	103	Participants appear before the judge for status hearing (court session) no less than every 2 weeks during the first phase. Frequency may be reduced after initiation of abstinence but no less frequently than every 4 weeks until the last phase of the program.	Fully met: at least every 2 weeks in phase 1; at least every 4 weeks through end of program. Partially met: frequency meets goal at beginning or end of program. Not met: participants go longer between sessions.	142, option a-e AND 148, option d-f
H	104	The judge spends a minimum of approximately 3 minutes at a minimum interacting with each participant in court.	Y/N	Calculate based on 122 divided by 123 AND Calculate based on observation of court session
	105	The judge presides over the Drug Court for no less than 2 consecutive years to maintain continuity and knowledge about Drug Court.	Fully met: 2 years of consecutive experience. Partially met: 2 years of cumulative experience. Not met: newer judge.	132 option a OR 132 option b AND 133, option c or d, or other response that is longer than 2 years
	106	The judge was assigned to Drug Court on a voluntary basis.	Y/N	129
	107	Participants appear before the same judge throughout Drug Court.	Y/N Y can still include an occasional substitute judge for vacation or illness of the primary judge	124

Rating	Item #	Practice/Standard	Scoring	Survey item
	108	The judge offers supportive comments to participants, stresses the importance of their commitment to treatment and other program requirements and expresses optimism. <i>NOTE: Base your rating on observation in status hearing (court session).</i>	Fully met: Yes Partially met: Somewhat or for some participants Not met: No	OBSERVE

Key Component # 8: Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.

Rating	Item #	Practice/Standard	Scoring	Survey item
	109	Drug Court monitors adherence to best practices on at least an annual basis and develops an action plan to address deficiencies.	Fully met: all options are met Partially met: at least one item of b-e met	185 options a-e
H	110	Specific goals and objectives have been established to measure the effectiveness of the program.	Y/N	186
	111	The program employs an automated system to collect data and aggregated data reports are provided to the drug court team, policymaking group, and/or the public.	Y/N	180, option a
	112	Drug Court continually monitors participant outcomes during the program (including attendance, graduation rate, drug and alcohol test results, length of stay, technical violations, new arrests, etc.)	Y/N	180, option b

Rating	Item #	Practice/Standard	Scoring	Survey item
O	113	Where information is available, criminal recidivism is monitored for at least 3 years post entry.	Fully met: information is available, recidivism is measured and tracked for 3 or more years Partially met: information is available, recidivism is measured or tracked N/A if information is not available	Fully met = 192, rows 1, 2, and 3 = Yes Partially met = 192, row 1 and row 2 or row 3 N/A = 192, row 1 = No
O	114	Program has skilled and independent evaluator look at best practices and participant outcomes.	Y/N	189 OR 190
	115	The results of program evaluations have led to modifications in Drug Court operations.	Y/N	193
	116	Review of the data and/or regular reporting of program statistics have led to modification in Drug Court operations.	Y/N	187, row 1, AND 188
	117	Drug Court has a process in place to get feedback from participants regarding their Drug Court experience.	Y/N	194
	118	The Drug Court monitors whether members of groups who have historically experienced discrimination are admitted and complete the program at equivalent rates to other participants and develops remedial action if this is not the case.	Y/N	187, rows 2 and 3
H	119	The program collects data and assesses whether members of groups who have historically experienced discrimination receive the same dispositions as other participants for completing or failing to complete the Drug Court.	Y/N	187, row 4

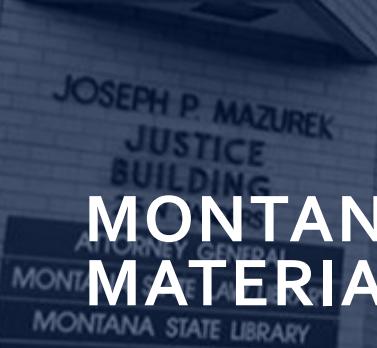
Rating	Item #	Practice/Standard	Scoring	Survey item
	120	Staff members record information about services and program outcomes within 48 hours. Timely and reliable data entry is part of performance evaluation.	Fully met: Both items Partially met: one of the two items Not met: neither item	183, options a, b, or c AND 184, option a

Key Component #9: Continuing interdisciplinary education promotes effective Drug Court planning, implementation, and operations.

Rating	Item #	Practice/Standard	Scoring	Survey item
	121	All new hires to the Drug Court team complete a formal training or orientation.	Y/N	196, row 9, option a
	122	Drug Court team members are educated across disciplines.	Y/N	196, row 10, option a
	123	Drug Court team members attend up-to-date training events on recognizing implicit cultural biases and correcting disparate impacts.	Y/N	196, row 2, option a
	124	The Drug Court judge attends training (legal and constitutional issues, judicial ethics, evidence-based treatment, behavior modification and community supervision).	Y/N	128, row2 OR 158, row 1 OR 195, row 1
	125	The team occasionally meets outside of regular staffing and court sessions to address program policies and training needs.	Y/N	98

Key Component # 10: Forging partnerships among Drug Courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

Rating	Item #	Practice/Standard	Scoring	Survey item
	126	The Drug Court has a policy committee. <i>(can be the drug court team if the members have the proper decision-making authority)</i>	Y/N	99, option a
	127	The Drug Court has an advisory committee. <i>(including representatives from community organizations)</i>	Y/N	102, option a
	128	The Drug Court team members provide information regarding the program through presentations to groups and individuals in the community.	Y/N	197, row 8, options a or b
	129	Secular alternatives to 12-step groups are available to participants who object to the religious content of 12-step groups.	Y/N	145
O	130	Program has a Mental Health Specialist as part of the team and agreements with community mental health service agencies. <i>[optional]</i>	Y/N	63, option 8 AND 197, row 7, options a or b



MONTANA'S PEER REVIEW MATERIALS - SITE VISIT SCHEDULE

[DRUG COURT NAME] SITE VISIT SCHEDULE/INTERVIEW SIGN-UP SHEET

(Travel if needed on prior day, or indicate travel time in the morning on the schedule below if travel is occurring on Day 1.)

Schedule time for a participant focus group and at least $\frac{1}{2}$ hour prior for peer reviewers to prepare for that.

Day 1 [DATE] - Fill in time for pre-court staff meeting and status hearing observation (if they happen on Day 1). Team members can sign up for interviews or you can contact them individually and fill in the times yourself.

- Remember to schedule time to check in with coordinator or judge to start the day, find your room, get through security, etc.; and at the end of the day to debrief with your peers.

8:00am – 8:50am _____ (Name & team member role/agency)

9:00am – 9:50am _____

10:00am – 10:50am _____

11:00am – 11:50am _____

12:00pm – 12:50pm: Lunch Break

1:00pm – 1:50pm _____ (Name & team member role/agency)

2:00pm – 2:50pm _____

3:00pm – 3:50pm _____

4:00pm – 4:50pm _____

Day 2 [DATE] - Fill in time for court staff meeting and status hearing observation (if they happen on Day 2). Team members can sign up for interviews or you can contact them individually and fill in the times yourself.

- Remember to schedule time (about an hour) at the end of the visit to conduct an exit interview/debrief with the whole team, to provide preliminary impressions, commendations, and recommendations.

Remember to schedule time (about an hour) prior to the exit interview for your peer team to debrief and plan for the exit interview.

8:00am – 8:50am _____ (Name & team member role/agency)

9:00am – 9:50am _____

10:00am – 10:50am _____

11:00am – 11:50am _____

12:00pm – 12:50pm: Lunch Break

1:00pm – 1:50pm _____ (Name & team member role/agency)

2:00pm – 2:50pm _____

3:00pm – 3:50pm _____

4:00pm – 4:50pm _____

(Day 3, if needed, to finish debrief, or to travel) [DATE] - Fill in time for court staff meeting and status hearing observation (if they happen on Day 3). Team members can sign up for interviews or you can contact them individually and fill in the times yourself.

8:00am – 8:50am _____ (Name & team member role/agency)

9:00am – 9:50am _____

10:00am – 10:50am _____

11:00am – 11:50am _____

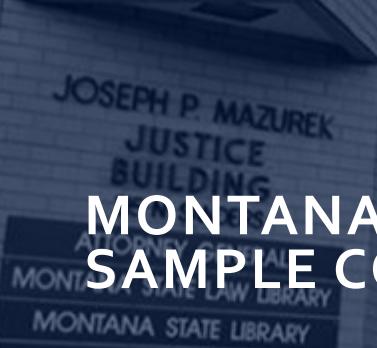
12:00pm – 12:50pm: Lunch Break

1:00pm – 1:50pm _____ (Name & team member role/agency)

2:00pm – 2:50pm _____

3:00pm – 3:50pm _____

4:00pm – 4:50pm _____



MONTANA'S PEER REVIEW MATERIALS - SAMPLE CONFIDENTIALITY FORM

IN THE **DISTRICT COURT OF THE STATE OF MONTANA**
FOR THE COUNTY OF **SAMPLE**

[NAME OF DRUG COURT PROGRAM]
PO BOX **XXXX**
XXXX, MONTANA XXXXX-XXXX

CONFIDENTIALITY AGREEMENT

Federal regulation (42 CFR Part 2) prohibits anyone from disclosing any information regarding any of our participants without their written permission. Violations of confidentiality may be punishable under the law. All information you receive while in staffing with the **[NAME OF DRUG COURT PROGRAM]** is confidential and you are required by law not to disclose this information to anyone. **This regulation applies to everyone with no exceptions.**

I agree to adhere to these confidentiality regulations and will not disclose to any person any information about the participants I may receive while I am in **[NAME OF DRUG TREATMENT COURT PROGRAM]** pre-court staff meeting, status hearing, team interviews, participant focus group, or any other activity during this visit.

Date	Signature	Print name

Witnessed:

Date	Signature	Print name
------	-----------	------------



MONTANA'S PEER REVIEW MATERIALS QUESTIONS FOR TEAM MEMBERS

(for verifying best practices, clarifying information, and identifying commendations and recommendations)

TIPS (SEE ADDITIONAL TIPS AND DETAILS IN DOCUMENT "K")

- Keep a page of notes for follow-up questions to ask team members during interviews or throughout the visit, as information or questions arise.
- Briefly introduce yourself and the other peer review team member(s) to each interviewee and explain the purpose of the visit if needed.

Sample Script: "We are here as a part of a peer review process. I am the [judge with the 19th Judicial District Adult Drug Court and this is the coordinator and treatment provider with our program](#). As peers, we are here to observe and learn about your program, look for best practices, provide feedback (both commendations and recommendations), and discover new ideas we can take back to our own program. What you tell us will be kept confidential and will not be shared with any other team members and any information we put in the report will not be identified as coming from a specific person."

- Avoid asking leading questions:
 - [Do](#) ask "How often do you perform drug testing? What are your procedures?"
 - [Do not](#) ask "You are testing twice per week, right?"
- Clarify any information on the assessment and best practices table that is missing, inconsistent, or confusing.
- Ask for clarification about items on the best practices table that are "no" to ensure that it is accurate, confirm if any strategies have already been attempted to address the topic, and explore possible suggestions or solutions that could be discussed with the team and/or added to the report.
- Add any other questions that come up during preparations for the visit or during the visit itself, including areas of concern that arose with any other team members (but [do not](#) share which team members said what).

All team members at the beginning of the interview

- Please describe your role on the treatment court team [Prompts: What are your main duties? What do you see as your main purpose on the team? What is unique about your role that is different than the roles of the other team members?]

- How long have you been with the program in your current role? Have you been with this program in any other roles or with other treatment court programs?
- What kind of training have you received (or have you attended) about the treatment court model and your role as a part of a treatment court team?
- *(If you have observed the court session before the interview)* Were there any differences in our observed court session from what usually happens in court?
- What do you see as the most successful practices of this (treatment court) program? Are there any particularly successful/innovative practices in your program that you would like to share with other programs in Montana?
- What is your program's main challenge right now? OR What challenges is your program facing right now?
- Do you see any conflict between your participation on the treatment court team and your professional requirements as a (FILL IN ROLE)? If so, what conflict do you see? (If so, what do you see as the solution to this conflict?)
- Please describe this program's approach to responding to participant behavior. Would you say the program leans more toward the use of incentives or the use of sanctions to reinforce or change behavior? What would you estimate is the ratio between positive and negative responses in this program? How consistently does the team use incentives and sanctions for similar types of behaviors?
- Do you have any suggestions for how to improve this program? What are improvements you would like to see?
- Is there anything we didn't ask about that you would like us to know?
- *Add any other questions that come up during preparations for the visit or during the visit itself, including areas of concern that arose with any other team members. (However, avoid identifying team members when talking with other team members about what you have learned in other interviews.)*

Coordinator, judge, or other team member as appropriate

- Clarify any information on the assessment and best practices table that are missing, inconsistent, or confusing
- Ask for clarification about items on the best practice table that are “no” to ensure that is accurate, confirm if any strategies have already been attempted to address the topic, and explore possible suggestions or solutions that could be discussed with the team and/or added to the report
- Is there anything you would like to have in your report that would provide support to anything you need, or changes you would like to see, for the program?
- What is the role of Probation in this drug court?
- Which team member(s)/agency(ies) conduct case management? {Probe if there is anyone who does case management besides any team member whose job title is “case manager.”}

- Please describe the process your program has in place to review the work of the treatment provider(s). In particular, we are interested in how you ensure the quality of treatment services and how well they align with the drug court model and treatment best practices. {Probe for: using evidence-based practices, culturally appropriate approaches, cognitive behavioral therapy, manualized treatment, and trained/licensed professionals, how fidelity to their treatment models are maintained, and appropriately matching individuals to services based on assessed needs} (PLEASE NOTE: THIS INFORMATION WILL MAP TO THE BEST PRACTICES TABLE, ITEMS 31-46, 48, 54, 59)
- How do team members learn about the roles and content expertise of other team members? Is there a cross-training system or other process where team members receive this information?
- What is the process for imposing a jail sanction? Are participants given a chance to communicate with the defense attorney before going to jail? (PLEASE NOTE: THIS INFORMATION WILL MAP TO THE BEST PRACTICES TABLE, ITEMS 83 & 93)
- If they are using an electronic data system (online assessment question 180), ask: Which data system do you use? (PLEASE NOTE: THIS INFORMATION WILL MAP TO THE BEST PRACTICES TABLE, ITEM 112.)

Coordinator and prosecutor

- Have you reviewed Montana's legislation on sexual events? (best practice 16 – Does your program exclude offenders who have prior sex convictions?)

Probation, coordinator, or other team member who performs drug testing

- Can you describe your drug testing process? How often are tests collected? How long does it take to get results?
- What is your protocol for ensuring drug tests are random?
- How much field supervision (unannounced visits to home or workplace, curfew checks) is conducted by your program?

Judge

- How much training have you received from treatment providers, or from other professionals regarding treatment, to assist you in being able to "talk the talk" about addiction/dependence and treatment? Is this an area you would like more information about?

Treatment provider(s)

- How is the treatment plan developed? (looking for whether treatment is intended to address identified, individualized criminogenic needs)

- What treatment approaches do you use (or, are used at your agency)? (Check the list of services listed on assessment, question 44, to see if there are any types indicated by the provider that are not included on the list.)
- How do you/does your agency ensure fidelity to the treatment models used within the treatment court?
- Do you use a manual for the specific treatment model you provide? (best practice 43)
- Are the treatment approaches used evidence-based? What standard is used for assessing evidence?
- What is the maximum number of participants you serve in a group? (best practice 42)
- What is the actual size of an average group? (best practice 42)
 - *(If group size is more than 12)* Does the specific intervention require this group size? What size is required?
- Are the groups mixed gender or are there separate groups for different genders? (best practice 47)
- Do you have bilingual treatment services?
- Do you match clients to counselors of the same cultural background? (best practice 64)
- Do you have clients who are not U.S. citizens?
- Do you have clients who have limited cognitive abilities? (e.g., can't read or write)
- How many counselors are there in a group session? (best practice 42)
- Do you assign homework for participants to do between groups or individual treatment meetings?
- What kinds of things do you talk about during group treatment sessions?
- Do participants ever ask to talk about topics or issues that are different from the topic that is intended for that session in the curriculum? If so, how do you handle those questions? (i.e., do you cover the requested topic or issue or do you stay with the intended topic?)



MONTANA'S PEER REVIEW MATERIALS

TEAM MEMBER INTERVIEW TIPS

- Prior to the visit:
 - Review the survey and note any clarifying questions you have of various staff or team members.
 - Decide which peer reviewer will take the lead in each interview.
 - Consider utilizing the script on the top of the interview questions document.
- During the visit:
 - Keep a page of notes for follow-up questions to ask other team members during interviews or throughout the visit, as information or questions arise.
 - Briefly introduce yourself to each interviewee and explain the purpose of the visit if needed.
- Peer review team members should briefly introduce themselves to each interviewee and explain the purpose of the visit (unless this already occurred previously, such as during the pre-court staff meeting).
- Designated interviewer (and others as needed) should provide a brief background on the peer review process to all interviewees (unless this already occurred previously, such as during the pre-court staff meeting).
- The primary role of the designated interviewer should be to obtain information from team members regarding best practices of the court (particularly those practices that were marked “no” in the best practices table), and priority areas that are identified by the peer review team (based on the program’s survey responses, other interviews, etc.).
- Avoid asking leading questions:
 - Do ask “How often do you perform drug testing? What is your procedure?”
 - Do not ask “Do you think that one drug test per week is enough?”
 - Do ask “Do you have any suggestions to improve treatment services in your program?”
 - Do not ask “Do you think you need MAT services/resources, etc.?”
- Ensure all best practices information and priority areas (according to their best practices results) are addressed before the interview is finished.
- Exchange of information between peer review team and interviewees can be beneficial, as learning from one another gives insight into each other’s programs. However, be careful of getting sidetracked with conversations that compare your program with their program, particularly during focus groups. Discussions around specific program practices (such as admission procedures, issuing warrants, etc.) are encouraged, but the designated interviewer should ensure that all priority questions and best practices are addressed before the interview concludes.



MONTANA'S PEER REVIEW MATERIALS

PRE-COURT STAFF MEETING

Program: _____

Observer: _____

Start time: _____

Date: _____

End time: _____

1. How many participants were discussed during the pre-court staff meeting? _____ Participant Cases
[Did the time seem adequate for the team to discuss each individual in some detail?]

2. Staff members/partners present at the pre-court staff meeting:

Check box if staff member was present. Use for verifying coding for best practices #9-11.	Indicate if staff member participated in the conversation for most participants; was actively engaged in the meeting		
<input type="checkbox"/> Judge	Yes	Some	No
<input type="checkbox"/> Defense attorney (or parent attorney)	Yes	Some	No
<input type="checkbox"/> Prosecutor (or child welfare attorney)	Yes	Some	No
<input type="checkbox"/> Guardian ad Litem (or child attorney)	Yes	Some	No
<input type="checkbox"/> Drug court coordinator	Yes	Some	No
<input type="checkbox"/> Probation/Supervision	Yes	Some	No
<input type="checkbox"/> Substance use disorder treatment representative	Yes	Some	No
<input type="checkbox"/> Mental health treatment representative	Yes	Some	No
<input type="checkbox"/> Case manager	Yes	Some	No
<input type="checkbox"/> School representative	Yes	Some	No
<input type="checkbox"/> Court Appointed Special Advocate (CASA)	Yes	Some	No
<input type="checkbox"/> Law enforcement representative	Yes	Some	No
<input type="checkbox"/> Court clerk	Yes	Some	No
<input type="checkbox"/> Peer mentor	Yes	Some	No
<input type="checkbox"/> Community partner	Yes	Some	No
Describe: _____			
<input type="checkbox"/> Other: _____	Yes	Some	No
Describe: _____			
<input type="checkbox"/> Other: _____	Yes	Some	No
Describe: _____			

3. What kind of reports or other information on each participant did the team use for staffing? [If team does not have information prepared prior to staffing, make recommendation that they develop a summary sheet on each participant with specific updates on each participant including attendance at treatment, drug test results, and other progress on program requirements].

- Docket
- Individual staffing reports (e.g., individual reports on each participant)
- List of participants with summary information
- Written documentation - Paper files
- Written documentation - Computer files
- Verbal report

Notes:

4. What kind of information about participants was discussed among the team?

- Treatment progress (e.g., progress on treatment goals, attendance, drug test results if applicable)
- Drug tests (____ Positive Results ____ Negative Results ____ Missed Tests)
- Supervision (____ Office visits ____ Home Visits)
- Case plan and whether the participant is meeting plan goals
- Living situation
- People the participant spends time with
- Employment status
- Plan for incentives
- Past incentives already received
- Plan for other response(s) (supervision/monitoring responses, therapeutic responses, sanctions)
- Other responses received in the past (supervision/monitoring responses, therapeutic responses, sanctions)
- How the judge should address the participant in court

Notes:

5. Did the team discuss incentives/recognition/rewards for each participant who was doing well?

- Yes
- Sometimes
- No

6. Did the team collaborate on decisions about treatment responses?

- Yes
- Sometimes
- No

7. Did the team collaborate on decisions about sanctions?

- Yes
- Sometimes
- No

8. Did the team appear to understand the difference between sanctions and therapeutic responses (treatment)? (e.g., were treatment responses discussed separately from sanctions?)

Yes Somewhat No

9. Is treatment used as a supportive/therapeutic response and not a sanction?

Yes Somewhat No

10. Did the prosecutor and defense attorney listen respectfully to each other's opinions? (A measure of the "non-adversarial" relationship described in Key Component #2)

Yes Somewhat No

11. Did the prosecutor and defense attorney appear to have a collaborative/non adversarial relationship?

Yes Somewhat No

12. To what extent did the players appear to work as a team?

- Not at all
- Somewhat
- Very much

Comments:

13. Did someone lead the meeting? If so, who? [An individual assigned to lead the meeting generally indicates that someone is guiding the conversation to ensure the appropriate topics are covered and can help promote efficiency in the discussion. If there is no leader and the discussion appears to vary greatly in focus from participant to participant, consider recommending that the team assign someone to lead the discussion].

14. Did the team spend any time talking about policy issues during the staff meeting? [It's best to have a separate meeting that focuses on policy issues with individuals who have the authority to make program changes].

Yes No

15. Did ex parte communication occur? (i.e., Was the defense or prosecutor, or both, not in attendance?) If so, describe how it was handled.

[ex parte communication in treatment courts occurs when one of the attorneys (defense or prosecutor) has communication with the judge without the other being present [such as at staffing], or when a participant speaks with the judge without an attorney present]

Notes:

16. Was there anything noteworthy (strength or weakness) about any team member or the team as a whole?



MONTANA'S PEER REVIEW MATERIALS GENERAL COURTROOM OBSERVATION

Program: _____

Observer: _____

Date: _____

Session Start Time (When the Judge enters the room): _____

Session Ending Time (Judge leaves and/or everyone is dismissed): _____

1. How many participants' cases were heard during the session?

Present _____ # No-shows _____

Divide number present into length of time in session to get average time spent per participant in court:

_____ minutes

Note how much time was typically spent from the time the participant was called before the Judge and then returned to his/her seat: _____ [verifies coding of best practice #105]

2. What staff attended the drug court session? [verifies coding of best practices #9, 10, & 11]

- Judge
- Drug court coordinator
- Defense attorney (or parent attorney)
- Prosecuting attorney (or child welfare attorney)
- Guardian ad Litem (or child attorney)
- Substance use disorder treatment provider(s) _____
- Mental health treatment provider
- Probation/Supervision
- Case manager
- School representative
- Court Appointed Special Advocate (CASA)
- Law enforcement (Besides Bailiff)
- Bailiff
- Court clerk
- Court reporter
- Interpreter
- Peer mentor
- Community partner (Describe role/agency: _____)
- Other _____

3. Can conversations between the judge and each participant be heard throughout the courtroom?

[It is important that everyone be able to hear. The judge and team should take advantage of the courtroom as classroom. Participants learn from the modeling of others and will learn as much from listening to others' conversation with the judge as they do from their own.]

Yes

Somewhat

No

▪ If no, what is keeping these conversations from being heard?

- Microphones are not used, judge speaks quietly, side conversations are occurring between team members and/or participants, noise from people entering/exiting the courtroom, courtroom is too large, other courtroom setup/layout issues, etc.
- Notes:

4. Did participants sit in the courtroom for the entire hearing or come and go as their cases were called? (Staying throughout hearing is a learning experience for participants. It also is an indicator of a structured court [consistency and rules]. Early dismissal can be given as a reward. Talk to coordinator or other team members if you have questions or feedback about the hearing.)

<ul style="list-style-type: none"><input type="checkbox"/> All participants stayed in the court the whole hearing [good]<input type="checkbox"/> All participants came and went as their cases were called [good if those who left were successful participants who were seen first and released early as a reward] [bad if the coming and going is disruptive or if all participants leave when they are done regardless of their status]<input type="checkbox"/> Some participants stayed the whole time while others didn't [was there a rationale for what the program's process? Were those who did well released early while others stayed?]	Notes:
--	--------

5. To what extent did the drug court staff appear to work as a team?

- Not at all
- Somewhat
- Very much

Notes:

6. Describe how the Judge interacted and behaved toward the other team members (e.g., case worker, attorneys, treatment representatives).

a. Overall, did the Judge exhibit signs of **collaboration and a team approach** toward the team when talking to participants?

- Yes
- Somewhat
- No

b. Did the Judge appear to **follow the decisions made by the team** at the pre-court staff meeting?

- Yes
- Somewhat
- No

Notes:

7. In general, how did the Judge interact with the drug court clients/participants?

(Pay attention to the general feel of the courtroom, the level of formality/informality, and the relationship between the judge and participants. Judge must build a relationship with participants, convey caring, maintain consistency, and follow through on consequences.)

- Did the judge speak directly to the participants?

Yes Somewhat No

- Did the judge utilize open-ended questions/motivational interviewing style?

Yes Somewhat No

- Did the judge ask participants if there was anything the team can do to help them in the next few weeks?

Yes Somewhat No

- Was the judge respectful when speaking to the participants?

Yes Somewhat No

- Did participants appear to feel comfortable speaking to the judge?

Yes Somewhat No

- Did the judge and participants appear to have a rapport or feeling of trust?

Yes Somewhat No

- From whom did the Judge request answers, information, or explanations?

- Exclusively from the participant
- Primarily from the participant, but also from other staff members present (e.g., attorney, social worker)
- Equally from the participant and staff members present
- Primarily from staff members, but also from the participant
- Exclusively from staff members
- Other (describe process):

8. In the peer's opinion, was the Judge warm or cold during the interaction? Was the Judge authoritative? Respectful? Did the Judge listen to what the participant has to say? (describe briefly):

9. Were any jail sanctions imposed? If so, was the participant given the opportunity to communicate with the defense attorney prior to being taken to jail? [verifies coding of best practice #93]

10. Did the judge allow participants to speak (e.g., explain their behavior, or talk about what went well for them, etc.)?

Yes Somewhat No

- Did the judge listen to the participant, pick up on new information (positive or negative) provided by the participant, and address it appropriately in court?

[For example, if the participant volunteered new information about engaging in a pro-social activity, did the judge ask for more information and praise the participant? If the participant mentioned spending time with a friend who uses, did the judge ask for more information and remind the participant they should not be spending time with that friend?]

11. Did the judge explain to each participant the reasons for the sanctions or incentives being provided?

12. Did the judge describe to each participant what behavior they were doing right, or what behavior they would like to see the participant begin doing or continue doing?

13. During the course of their interactions with each participant, did the judge provide a learning experience for the other participants in the courtroom?

14. How was the courtroom arranged? [Look for a trauma competent courtroom]

- Did the judge sit...?: on the bench at a table with the participants At a podium
Other: (Please specify) _____
- Did the participants stand or sit while speaking to the judge? Stand Sit
- Did the participant have their back...?:
 to a wall to the other participants to the team
 to a door to people standing and moving

Notes:



MONTANA'S PEER REVIEW MATERIALS FOCUS GROUP DISCLOSURE FORM

Background: The Montana Office of the Court Administrator/Supreme Court has requested a peer review of {name of specialty court program}. As part of this review, staff from {name of peer program(s)} is conducting a site visit, including this focus group with {name of drug court program} participants in order to learn more about the drug court process. We would like to hear about your experiences with this program, what you like about it and how it may be improved.

What Happens in the Focus Group: You will participate in a group discussion with 6 to 12 participants. A reviewer will ask you about your knowledge and experience with {name of drug court program}. The reviewer will take notes. The discussion should last about an hour. A summary of the group's opinions will be used in a feedback report to program staff. The names of the participants will not be provided in the report and no information will be presented in a way that the participant can be identified.

Potential Risks: There are minimal risks to this review. You may hear something said in the focus group that upsets you. You may say something in the focus groups that upsets another participant.

Potential Benefits: Your participation in the focus groups will be used to help improve drug court program practices.

Compensation: You will not be paid for this focus group.

Confidentiality: We ask all focus group participants to keep the discussions confidential; however, it is possible that participants will repeat what they have heard outside of the focus group. Drug court staff will not be present in the room during the discussion. Any information you provide will not be presented to the staff in a way that could be identified with you. Notes of the discussion will be kept confidential. Only members of the review team will have access to the focus group materials. Recordings and notes of the discussion will be kept only until the report is written and then will be destroyed.

Right to Refuse or Withdraw: Participation in the focus group is **voluntary**. You have the right to decline to participate in this group. If you decide to be in the focus group and then change your mind, you can leave the focus group at any time. Your participation will not affect your program status.

If you have questions: If you have concerns or problems about your participation in this focus group, please contact Jeff Kushner at the Montana Office of the Court Administrator, 406-202-5352 (JKushner@mt.gov)



MONTANA'S PEER REVIEW MATERIALS - PARTICIPANT FOCUS GROUP/INTERVIEW QUESTIONS

1. What phase are (each of) you in? (write down number of people in each phase)

2. What do you like most about the [drug court name]?

Probing questions:

- What works well for you?
- What is most helpful or useful for you?

3. What do you like least about the [drug court name]?

Probing questions:

- What does not work for you?
- Are there any things about the program (or your own situation) that make your progress in treatment more difficult (e.g., job requirements, transportation challenges, child care responsibilities)?

4. How are you treated by the...

- Court staff (e.g., Judge, assistants, public defender, probation officer, prosecutor)
- Treatment providers (e.g., group leaders, counselors, administrators, office staff)

Probing questions:

- Is there someone in the [drug court name] who you feel you can talk with when you're having a tough time? Who is that person? What helps you feel comfortable talking to them?

5. I have a few questions about how the [drug court name] operates. (Feel free to omit any questions that have already been answered)

- (if you have observed the court session before the focus group) Were there any differences in our observed court session from what usually happens in court?
- How often are your drug tests?
- Do you get tested on the weekends or holidays?
- Have you received a participant handbook?
- Does the program tend to focus on what is going well for participants or what is not going well (or is it a mix of both)?

Probing question:

- How would you describe how much of the program's responses to participants is positive and how much is negative?
- How many people are in your treatment groups most of the time?
- Are men and women in the same groups or are the groups mixed?

- How many counselors are there in a group session?
- Does your counselor use a book or a manual when they work with you during treatment? Do you have a book or manual that you use in group?
- Does your counselor assign homework for you to do between treatment meetings? (if yes, probe for an example) If so, what kinds of assignments have you had?
- What kinds of things do you talk about during treatment meetings?
- Do participants have a chance to talk to an attorney before being sent to jail for a sanction? [verifies best practice #92]
- What do you have to do to graduate?
 - Do you have to be employed? in school/other educational program? attend peer support groups? etc. [verifies best practice #88]

6. What incentives and sanctions does the [drug court name] use?

Probing questions:

- Were you told about them before you started the program (or at the beginning?) [maps to best practice #81]
- What do you think is most effective?
- What rewards do you like most?

7. Are there any obstacles to you successfully completing the [drug court name] (e.g., lifestyle, family influences, time commitment)?

8. Do you have any suggestions to improve the [drug court name]?

Probing questions:

- What is one thing that the [drug court name] (or program staff) doesn't do/offer that you think would be helpful?
- What would you tell a friend who was thinking about participating in [drug court name]?
- If you could change one thing about the [drug court name], what would it be?

9. Is there anything else important that we need to know?

Thank you so much for your participation and feedback!

Do you have any questions for me?



MONTANA'S PEER REVIEW MATERIALS EXIT INTERVIEW GUIDELINES

Before the end of the site visit, and as close to the end as possible, it is useful to have a scheduled time to debrief the findings of the visit with the coordinator, Judge, and any other team members who are available. This final meeting helps connect the process of the visit with what you found and allows you to ask any questions that have emerged, as well as gives you all an opportunity to discuss the highlights so the team is clear what the main points will be in the report.

PROCESS:

- Express appreciation for their participation and willingness to be reviewed and to meet again for this exit interview/debrief session.
- Provide an overview of peer review process and how the debrief fits in, and summarize the debrief and its purpose—to come together to allow program staff to ask questions or share additional information, allow peers to ask emergent questions, allow peers to highlight their findings from the visit, share next steps.
 - Note if you have learned anything as peers or gained ideas you can take back with you.
- Highlight positives from the visits—best practices met (e.g., the “yes’s” on the best practices table), program strengths, creative ideas/practices, areas the participants liked.
- Highlight a few key suggestions—best practices not yet met, clarification about why they are relevant, ask if they have ideas on how they could work to meet that practice, and add any concrete suggestions for how they could work on meeting them. Try to make sure that there are no major surprises in the final report (cover the main recommendations that will be in the report).
- Ask if the team has any questions.
- Describe next steps—to wrap up the review process (they will receive a copy of the draft report for their review by {approximate date}).

TIPS FOR THE EXIT INTERVIEW:

- Make sure to highlight positives and be complimentary.
- Be careful not to be too critical. While you can highlight recommendations and areas of possible improvement, it is not your role to ensure compliance or enforcement of the Drug Court Standards.
- Focus on their program (be careful about the temptation to talk about your own).
- Be very careful not to highlight any individual for recommended changes, unless it is to confirm who is responsible for a next step or decision (e.g., if one team member needs training, avoid saying that in front of everyone in the group). It is usually o.k. to recognize a particularly stellar

staff member if warranted, as long as it can be done without implying that the rest of the team isn't meeting expectations.

- Maintain confidentiality of individual interviews (staff) and focus group members (clients) when sharing feedback or asking clarifying questions. It is important not to reveal who made particular comments in their interviews, either directly or indirectly.

EXIT INTERVIEW FORM:

The purpose of this meeting is to bring everyone together so we can share some feedback and highlights from our visit, and you can ask questions or share additional information. After this meeting, we'll write up a site visit report and share that with you and the Montana Supreme Court, Office of the Court Administrator.

We want to commend you on your program and all of the best practices you have implemented. In particular, we want to highlight: *[list top strengths, best practices met; note any creative practices, areas the participants liked, anything you learned; you can add more rows if needed]*

1. _____
2. _____
3. _____
4. _____
5. _____

[If you have any key/important remaining questions, ask them here, including any final adjustments to the best practice table]

There are a few suggestions we would like to make and we'll be including in the report. *[you can note if you talked about these already during the visit; you can add more rows if needed]*

1. _____
2. _____
3. _____
4. (optional) _____
5. (optional) _____

The report will include an updated version of the best practices table so you can see all of the different areas you are achieving and those you can work on.

Do you have any questions for us? *[Write down any questions that you need to pass along to the State Coordinator, or any requests the program has for TA or resources.]*

Thank you!