



NANCY M. BLOUNT
CHIEF JUDGE

State of Michigan
36th District Court
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LOCAL ADMINISTRATIVE ORDER 2014 -04

STATE OF MICHIGAN
36TH DISTRICT COURT

Subject: Order For The Establishment Of A Veterans Treatment Court

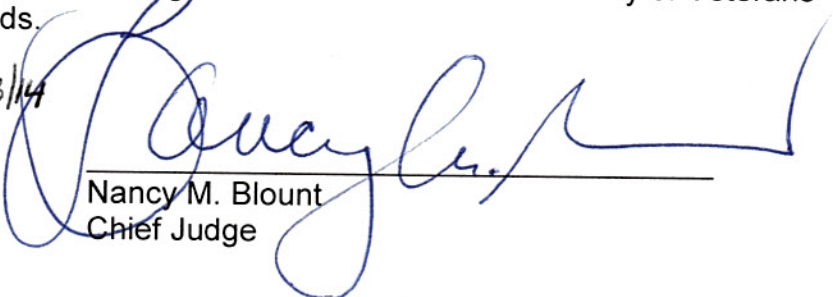
IT IS ORDERED THAT:

The purpose of this order is to establish a Veterans Treatment Court in the 36th District Court upon approval by the State Court Administrative Court (SCAO). All policies and procedures comply with the 10 Key Components for a Veterans Treatment Court, a copy of which is attached (Attachment A).

1. The Court entered into a Memorandum of Understanding with each prosecuting attorney in the district, a representative of the criminal defense bar, representatives of community treatment providers and other key parties. The Memoranda of Understanding shall describe the role of each party. The Memoranda of Understanding is attached. (Attachments B).
2. The Court has established eligibility criteria as part of Attachments B. Any statement or other information obtained as a result of participating in a substance abuse or mental health assessment shall be deemed confidential and shall not be used in any criminal prosecution against the veteran.
3. No participants shall be admitted until a complete preadmission screening, and substance abuse and/or mental health assessment are completed.
4. All participants shall sign a voluntary written consent to participate in the program.
5. The Court shall maintain case files in compliance with Trial Court General Schedule 16, the Michigan Case File Management Standards, and Part 2 of Title 42 of the Code of Federal Regulations to assure confidentiality of Veterans Treatment Court records.

Date Approved by SCAO: 5/23/14

Date: May 21, 2014



Nancy M. Blount
Chief Judge

ATTACHMENT A

The Ten Key Components of Veterans Treatment Court

In 2008, The Buffalo Veterans Treatment Court adopted with slight modifications the fundamental principles of the U.S. Department of Justice Publication entitled "*Defining Drug Courts: The Key Components*", (Jan.1997). There are key differences between Drug Courts, Mental Health Courts, and Veterans Treatment Courts. These *Key Components* provide the foundation for the successful operation of a Veterans Treatment Court.

Key Component #1: Veterans Treatment Court integrate alcohol, drug treatment, and mental health services with justice system case processing.

Veterans Treatment Courts promotes sobriety, recovery and stability through a coordinated response to a veteran's dependency on alcohol, drugs, and/or management of their mental illness. Realization of these goals requires a team approach. This approach includes the cooperation and collaboration of the traditional partners found in drug treatment courts and mental health treatment courts with the addition of the Veteran Administration Health Care Network, veterans and veterans family support organizations, and veteran volunteer mentors.

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

To facilitate the veterans' progress in treatment, the prosecutor and defense counsel shed their traditional adversarial courtroom relationship and work together as a team. Once a veteran is accepted into the treatment court program, the team's focus is on the veteran's recovery and law-abiding behavior—not on the merits of the pending case.

Key Component #3: Eligible participants are identified early and promptly placed in the Veterans Treatment Court program

Early identification of veterans entering the criminal justice system is an integral part of the process of placement in the Veterans Treatment Court program. Arrest can be a traumatic event in a person's life. It creates an immediate crisis and can compel recognition of inappropriate behavior into the open, making denial by the veteran for the need for treatment difficult.

Key Component #4: Veterans Treatment Court provide access to a continuum of alcohol, drug, mental health and other related treatment and rehabilitation services.

While primarily concerned with criminal activity, AOD use, and mental illness, the Veterans Treatment Court team also consider co-occurring problems such as primary medical problems, transmittable diseases, homelessness; basic educational deficits, unemployment and poor job preparation; spouse and family troubles—especially domestic violence—and the ongoing effects of war time trauma.

Veteran peer mentors are essential to the Veterans Treatment Court team. Ongoing veteran peer mentors interaction with the Veterans Treatment Court participants is essential. Their active, supportive relationship, maintained throughout treatment, increases the likelihood that a veteran will remain in treatment and improves the chances for sobriety and law-abiding behavior.

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

Frequent court-ordered AOD testing is essential. An accurate testing program is the most objective and efficient way to establish a framework for accountability and to gauge each participant's progress.

Key Component #6: A coordinated strategy governs Veterans Treatment Court responses to participants' compliance.

A veteran's progress through the treatment court experience is measured by his or her compliance with the treatment regimen. Veterans Treatment Court reward cooperation as well as respond to noncompliance. Veterans Treatment Court establishes a coordinated strategy, including a continuum of graduated responses, to continuing drug use and other noncompliant behavior.

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

The judge is the leader of the Veterans Treatment Court team. This active, supervising relationship, maintained throughout treatment, increases the likelihood that a veteran will remain in treatment and improves the chances for sobriety and law-abiding behavior. Ongoing judicial supervision also communicates to veterans that someone in authority cares about them and is closely watching what they do.

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

Management and monitoring systems provide timely and accurate information about program progress. Program monitoring provides oversight and periodic measurements of the program's performance against its stated goals and objectives. Information and conclusions developed from periodic monitoring reports, process evaluation activities, and longitudinal evaluation studies may be used to modify program

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

All Veterans Treatment Court staff should be involved in education and training. Interdisciplinary education exposes criminal justice officials to veteran treatment issues, and Veteran Administration, veteran volunteer mentors, and treatment staff to criminal justice issues. It also develops shared understandings of the values, goals, and operating procedures of both the veteran administration, treatment and the justice system components.

Education and training programs help maintain a high level of professionalism, provide a forum for solidifying relationships among criminal justice, Veteran Administration, veteran volunteer mentors, and treatment personnel, and promote a spirit of commitment and collaboration.

Key Component #10: Forging partnerships among Veterans Treatment Court, Veterans Administration, public agencies, and community-based organizations generates local support and enhances Veteran Treatment Court effectiveness.

Because of its unique position in the criminal justice system, Veterans Treatment Court is well suited to develop coalitions among private community-based organizations, public criminal justice agencies, the Veteran Administration, veterans and veterans families support organizations, and AOD and mental health treatment delivery systems. Forming such coalitions expands the continuum of services available to Veterans Treatment Court participants and informs the community about Veterans Treatment Court concepts. The Veterans Treatment Court fosters system wide involvement through its commitment to share responsibility and participation of program partners.

**36th District Court
Veterans' Treatment Court**

Memorandum of Understanding

This memorandum officially acknowledges the affiliation, relationship and understanding between 36th District Court and the City of Detroit Law Department and the 36th District Court Veterans Treatment Court Defense Counsel and the Wayne County Prosecutor's Office. It supersedes any prior memoranda between these entities. We agree to share the following in the operation of the 36th District Court Veterans Treatment Court.

The City of Detroit Law Department and the Wayne County Prosecutor's Office will designate representative(s) to participate as members of the Veterans Treatment Court team in the 36th District Court. Further, the representative(s) will actively participate in meetings regarding cases and interact in a non-adversarial manner to address revocations, pleas and application of sanctions and incentives as they apply to participants. *

The 36th District Court Veterans Treatment Court Defense Counsel will identify and recommend eligible clients to be referred to the Veterans Treatment Court. In addition, Defense Counsel agrees to review the Veterans Treatment Court Order/Contract with prospective participants prior to placement into Veterans Treatment Court; attend all pre-trial proceedings related to Veterans Treatment Court; provide feedback during Veterans Treatment Court team meetings regarding program progress, concerns and potential endeavors; and, comply with all Veterans Treatment Court policies and procedures that have been previously agreed upon by all parties.

The 36th District Court staff will assess and present defendants for consideration for admission into the Veterans Treatment Court in a timely manner; they will ensure defendants sign the necessary releases so information can be provided to the VA representative; they will assist the VA representative in meeting their program requirements; they will attend all scheduled court review hearings and monitor any referrals and additional services required. Further, they will participate in any required meetings to address concerns of the participants or to address any program concerns, and maintain open lines of communication.

Mission

The mission of the Veterans Treatment Court is to substitute a treatment problem solving model in lieu of a traditional court response via a coordinated collaboration with the veterans service delivery system and the Criminal Justice System to provide a specialized program providing the tools necessary to address any concerns that have brought them before the system and are affecting them in the community, and to leave no veteran behind.

Vision

Establish a specialty court which will identify those defendants who served or are serving in the United States Armed Forces, including the National Guard and Reserves, to:

- coordinate services between the Court, Probation, Veterans Administration and any service providers,
- develop a program to provide veteran mentors to veteran defendants,
- provide intensive monitoring and regular court supervision,
- coordinate feedback between the Court, Probation, Veterans Administration and any service providers and,
- treat the needs of the veteran promptly and professionally.

Structure of the Veterans Treatment Court

The Veterans Treatment Court will involve misdemeanor cases from 36th District Court with defendants who have served or are serving in the United States Armed Forces.

By design, this problem-solving court will provide defendants with a structure within which to obtain the necessary treatment and feedback to minimize the likelihood of future criminal court involvement. An important note is that the structure of this court is highly interactive. This ensures that all those invested in the process have access to each other and share information and treatment goals toward one end: Help the veteran succeed.

The person with the key role in this entire process is the veteran. His or her individual success is the overriding goal of this specialty court. The veteran's investment and partnership in this process is vital to his or her success. Overall, this program is a unique opportunity for all involved.

Identification of Veterans

The identification of veterans should be made at the earliest possible point for entry into the Veterans Treatment Court. Identification may be made by the prosecutor or defense attorney as well as by the Court at pre-trial or by the probation officer during the pre-sentence investigation or during supervision. Identification may also be made by a representative of the Veterans Administration.

Entry into the Veterans' Court

Sessions of the Veterans Court will occur on a regular basis. Additional sessions may be scheduled as they are needed. Defendants shall be referred at the earliest possible point in their court process.

There will not be a single specified means for entry into the Veterans Court. Any judge who determines he or she has a possible candidate must contact the Probation Division for an evaluation to determine if the individual is a qualified veteran.



If the individual is a qualified veteran and voluntarily agrees to enter the Veterans Treatment Court the referring court would close its file as "transferred to Veterans Court." The case would be transferred to Veterans Treatment Court, Hon. Leonia J. Lloyd, Presiding. Ideally, a qualified veteran's case would be presented at the next available scheduled Veterans Treatment Court review date.

Logistics of the Veterans' Court Sessions

Regular sessions of the Veterans Treatment Court will be held as needed. Regular staff meetings will be held to address any necessary issues related to the veterans. Staff meetings may include the judge, probation officers or case managers, veteran mentor coordinator, Veterans Justice Outreach Officer and such other staff as may be advisable from time to time.

Written progress reports and recommendations for each scheduled veteran will be available at least one day prior to each session and will form the basis for the discussions. Each veteran will be required to attend court sessions and report to his or her assigned probation officer or case manager, as directed. Frequencies may be altered depending on the veteran's progress or lack thereof.

In the formal court session, each veteran will be called by his or her probation officer or case manager. The judge will review both positive and negative developments since the last court date with the veteran and the probation officer or case manager. Once the review is completed and a new court date set, the veteran will meet with his or her mentor privately. These interactions will be a significant part of the peer-mentoring process and will be documented in log books. The log books are confidential and strictly for the use of the veteran and the veteran mentor.

A veteran, who does not have any open cases in 36th District Court, may approach the Veterans Treatment Court personnel seeking assistance with substance abuse, mental health situations, VA benefits or other resources with which Veterans Treatment Court is involved. In these situations, staff will make every effort to assist the veteran with the appropriate information and referrals.

The Veterans Treatment Court will schedule commencements as part of its sessions, as they are needed. The probation officer or case manager, veteran mentor, key service provider(s) and family will be invited to attend. Prior Veterans Treatment Court graduates will also be invited. Along with a certificate attesting to the completion of all requirements of the Veterans Treatment Court, each veteran will be presented with a challenge coin to commemorate his or her success.

Eligibility – Personal

Any veteran or anyone who is currently serving in the United States Armed Forces, including the National Guard and the Reserves, is eligible to participate in the Veterans



Treatment Court. Each candidate for Veterans Treatment Court participation will be reviewed for a determination of eligibility.

A candidate may be offered entry into the program if admission to the Veterans Treatment Court is shown, in the discretion of the presiding judge, to meet the goals and objectives of the Veterans Treatment Court. However, entry into the Veterans Treatment Court shall only be with the consent of the veteran candidate.

Eligibility – Charges

Any veteran who pleads guilty to or is convicted of any misdemeanor offense for which he or she may be placed on probation, any veteran who has been placed on probation or any veteran who is in pre-trial status for a misdemeanor offense for which he or she may be placed on probation is eligible to be considered for entry into Veterans Treatment Court.

Veteran's Treatment Court Overview

Defendants may be placed in Veterans Treatment Court for up to two years: They will be assigned a probation officer or case manager as well as a veteran mentor. As part of probation, there will be standard probation conditions that the defendant is required to follow. Those conditions are as follows:

1. The defendant shall not commit any criminal offenses.
2. The defendant shall not leave the state without prior permission.
3. The defendant shall report to the Court as directed by the Court.
4. The defendant shall inform the Court of all changes of address and changes of employment.
5. The defendant shall not purchase, possess or consume any alcohol or illegal drugs.
6. The defendant will also be required to attend counseling as directed by the Veterans Administration or a local agency designated by the Veterans Administration. The counseling could include substance abuse and/or mental health counseling. The defendant shall comply with all requirements of the counseling programs.
7. The defendant shall complete substance abuse testing as may be ordered by the Court.

Reviews

Case management reviews will be conducted with probation officers or case managers and treatment providers once per month. Court reviews will occur regularly, with more sessions as they become necessary. Defendants will attend at least one court review per month unless excused by the Court.



Evaluation and Data Collection

The Veterans Treatment Court will be evaluated annually. Appropriate forms and data collection protocols will be developed or expanded. The Veterans Treatment Court will make every effort to maintain forms and processes electronically.

Each veteran who participates will be provided a questionnaire at the conclusion of his or her probation. This information will be added to the other responses for consideration at the annual review.

This agreement is effective on October 1, 2013 thru September 30, 2014 and may be renewed each year upon mutual agreement of all parties.

This Memorandum of Understanding does not involve an exchange of funds. The parties instead, agree to participate in an exchange of services.


All terms and conditions of this agreement are subject to the continuation of Veterans Treatment Court funding.

Upon mutual consent of all parties, this Memorandum of Understanding is subject to further obligation and revision as required to support the needs of the Veterans Treatment Court. Any changes shall be in writing and signed by all parties herein or their duly appointed representatives authorized to act on their behalf.

This Memorandum of Understanding may be terminated by any party for any reason by giving a 30 calendar day written notice.

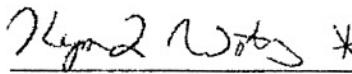
This Memorandum of Understanding will be reviewed on an annual basis by the 36th District Court Veterans Treatment Court and revised as necessary, upon mutual agreement of all parties.

Signatures of Authorized Representatives:



Nancy M. Blount
Chief Judge, 36th District Court

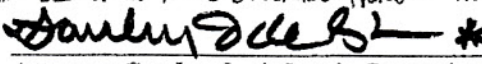
5/5/2014
Date



Kym L. Worthy, Wayne County Prosecutor

4/18/14
Date

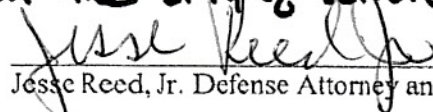
✶ WILL NOT SIGN ANOTHER UNLESS LSCD IS COMPENSATED FOR OUR TIME. THIS IS THE VIEW OF ELECTED PROSECUTORS ACROSS THE STATE OF MICHIGAN.



Attorney Stanley L. deJongh, Supervisor
Assistant Corporation Counsel, City of Detroit Law Department
36th District Court

5.5.2014
Date

* Subject to the City of Detroit Law Dept. having available resources and staffing; to be determined at the City of Detroit Law Dept.'s sole discretion.



Jesse Reed, Jr. Defense Attorney and Counselor

5.5.2014
Date

ATTACHMENT B

36th District Court Veterans' Treatment Court

Memorandum of Understanding

This memorandum officially acknowledges the affiliation, relationship and understanding between 36th District Court and the Wayne County Sheriffs Department. It supersedes any prior memoranda between these entities. We agree to share the following in the operation of the 36th District Court Veterans Treatment Court.

The Wayne County Sheriffs Department agrees to provide the Veterans Treatment Court with no cost access to GPS toppers and SCRAM units. The Veterans Treatment Court staff will explain the monitoring process to the defendant, including the necessity of maintaining a telephone line. Also, staff is responsible for completing the necessary paperwork in a timely manner, identifying the defendant, the case number and the return to court date. Staff will keep the Sheriffs Department informed of any curfew/schedule changes or concerns. This information is conveyed to the Sheriffs Department by telephone or by facsimile machine.

The Wayne County Sheriffs Department agrees to install and maintain the required system ordered by the Court; maintain regular contact with the defendants; and, on a limited basis, provide services to those who are unable to obtain a telephone line by downloading results from the assigned monitoring unit. In addition, the Sheriffs Department will monitor the defendants telephonically and answer any questions. If there is a violation, the Sheriffs Department will inform the Court and take the defendant into custody in order to address the concern in a timely manner.

Mission

The mission of the Veterans Treatment Court is to substitute a treatment problem solving model in lieu of a traditional court response via a coordinated collaboration with the veterans service delivery system and the Criminal Justice System to provide a specialized program providing the tools necessary to address any concerns that have brought them before the system and are affecting them in the community, and to leave no veteran behind.

Vision

Establish a specialty court which will identify those defendants who served or are serving in the United States Armed Forces, including the National Guard and Reserves, to:

- coordinate services between the Court, Probation, Veterans Administration and any service providers,
- develop a program to provide veteran mentors to veteran defendants,
- provide intensive monitoring and regular court supervision,

- coordinate feedback between the Court, Probation, Veterans Administration and any service providers and,
- treat the needs of the veteran promptly and professionally.

Structure of the Veterans Treatment Court

The Veterans Treatment Court will involve misdemeanor cases from 36th District Court with defendants who have served or are serving in the United States Armed Forces.

By design, this problem-solving court will provide defendants with a structure within which to obtain the necessary treatment and feedback to minimize the likelihood of future criminal court involvement. An important note is that the structure of this court is highly interactive. This ensures that all those invested in the process have access to each other and share information and treatment goals toward one end: Help the veteran succeed.

The person with the key role in this entire process is the veteran. His or her individual success is the overriding goal of this specialty court. The veteran's investment and partnership in this process is vital to his or her success. Overall, this program is a unique opportunity for all involved.

Identification of Veterans

The identification of veterans should be made at the earliest possible point for entry into the Veterans Treatment Court. Identification may be made by the prosecutor or defense attorney as well as by the Court at pre-trial or by the probation officer during the pre-sentence investigation or during supervision. Identification may also be made by a representative of the Veterans Administration.

Entry into the Veterans Court

Sessions of the Veterans Court will occur on a regular basis. Additional sessions may be scheduled as they are needed. Defendants shall be referred at the earliest possible point in their court process.

There will not be a single specified means for entry into the Veterans Court. Any judge who determines he or she has a possible candidate must contact the Probation Division for an evaluation to determine if the individual is a qualified veteran.

If the individual is a qualified veteran and voluntarily agrees to enter the Veterans Treatment Court the referring court would close its file as "transferred to Veterans Court." The case would be transferred to Veterans Treatment Court, Hon. Leonia J. Lloyd, Presiding. Ideally, a qualified veteran's case would be presented at the next available scheduled Veterans Treatment Court review date.

Logistics of the Veterans Court Sessions

Regular sessions of the Veterans Treatment Court will be held as needed. Regular staff meetings will be held to address any necessary issues related to the veterans. Staff meetings may include the judge, probation officers or case managers, veteran mentor coordinator, Veterans Justice Outreach Officer and such other staff as may be advisable from time to time.

Written progress reports and recommendations for each scheduled veteran will be available at least one day prior to each session and will form the basis for the discussions. Each veteran will be required to attend court sessions and report to his or her assigned probation officer or case manager, as directed. Frequencies may be altered depending on the veteran's progress or lack thereof.

In the formal court session, each veteran will be called by his or her probation officer or case manager. The judge will review both positive and negative developments since the last court date with the veteran and the probation officer or case manager. Once the review is completed and a new court date set, the veteran will meet with his or her mentor privately. These interactions will be a significant part of the peer-mentoring process and will be documented in log books. The log books are confidential and strictly for the use of the veteran and the veteran mentor.

A veteran, who does not have any open cases in 36th District Court, may approach the Veterans Treatment Court personnel seeking assistance with substance abuse, mental health situations, VA benefits or other resources with which Veterans Treatment Court is involved. In these situations, staff will make every effort to assist the veteran with the appropriate information and referrals.

The Veterans Treatment Court will schedule commencements as part of its sessions, as they are needed. The probation officer or case manager, veteran mentor, key service provider(s) and family will be invited to attend. Prior Veterans Treatment Court graduates will also be invited. Along with a certificate attesting to the completion of all requirements of the Veterans Treatment Court, each veteran will be presented with a challenge coin to commemorate his or her success.

Eligibility – Personal

Any veteran or anyone who meets the requirements of MCL 600.1200(j) is eligible to participate in the Veterans Treatment Court. Each candidate for Veterans Treatment Court participation will be reviewed for a determination of eligibility.

A candidate may be offered entry into the program if admission to the Veterans Treatment Court is shown, in the discretion of the presiding judge, to meet the goals and objectives of the Veterans Treatment Court. However, entry into the Veterans Treatment Court shall only be with the consent of the veteran candidate.

Eligibility – Charges

Any veteran who pleads guilty to or is convicted of any misdemeanor offense for which he or she may be placed on probation, any veteran who has been placed on probation or any veteran who is in pre-trial status for a misdemeanor offense for which he or she may be placed on probation is eligible to be considered for entry into Veterans Treatment Court in accordance with MCL 600.1203

Veteran's Treatment Court Overview

Defendants may be placed in Veterans Treatment Court for up to two years. They will be assigned a probation officer or case manager as well as a veteran mentor. As part of probation, there will be standard probation conditions that the defendant is required to follow. Those conditions are as follows:

22. The defendant shall not commit any criminal offenses.
23. The defendant shall not leave the state without prior permission.
24. The defendant shall report to the Court as directed by the Court.
25. The defendant shall inform the Court of all changes of address and changes of employment.
26. The defendant shall not purchase, possess or consume any alcohol or illegal drugs.
27. The defendant will also be required to attend counseling as directed by the Veterans Administration or a local agency designated by the Veterans Administration. The counseling could include substance abuse and/or mental health counseling. The defendant shall comply with all requirements of the counseling programs.
28. The defendant shall complete substance abuse testing as may be ordered by the Court.

Reviews

Case management reviews will be conducted with probation officers or case managers and treatment providers once per month. Court reviews will occur regularly, with more sessions as they become necessary. Defendants will attend at least one court review per month unless excused by the Court.

Evaluation and Data Collection

The Veterans Treatment Court will be evaluated annually. Appropriate forms and data collection protocols will be developed or expanded. The Veterans Treatment Court will make every effort to maintain forms and processes electronically.

Each veteran who participates will be provided a questionnaire at the conclusion of his or her probation. This information will be added to the other responses for consideration at the annual review.

This agreement is effective on October 1, 2013 thru September 30, 2014 and may be renewed each year upon mutual agreement of all parties.

This Memorandum of Understanding does not involve an exchange of funds. The parties instead, agree to participate in an exchange of services.

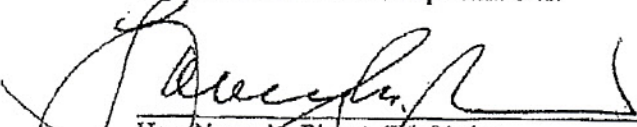
All terms and conditions of this agreement are subject to the continuation of Veterans Treatment Court funding.

Upon mutual consent of all parties, this Memorandum of Understanding is subject to further obligation and revision as required to support the needs of the Veterans Treatment Court. Any changes shall be in writing and signed by all parties herein or their duly appointed representatives authorized to act on their behalf.

This Memorandum of Understanding may be terminated by any party for any reason by giving a 30 calendar day written notice.

This Memorandum of Understanding will be reviewed on an annual basis by the 36th District Court Veterans Treatment Court and revised as necessary, upon mutual agreement of all parties.

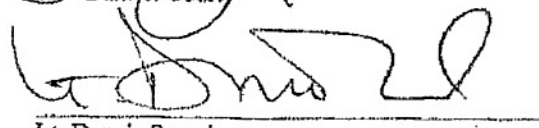
Signatures of Authorized Representatives:



Hon. Nancy M. Blount, Chief Judge
36th District Court

SEP 13 2013

Date



Lt. Dennis Ranel,
Wayne County Sheriffs Department

10-10-13

Date

ATTACHMENT B

36th District Court Veterans' Treatment Court

Memorandum of Understanding

This memorandum officially acknowledges the affiliation, relationship and understanding between 36th District Court and the Institute for Population Health-Behavioral Health Division. It supersedes any prior memoranda between these two entities. We agree to share the following in the operation of the 36th District Court Veterans Treatment Court.

The Institute for Population Health-Behavioral Health Division will provide no cost assessments and referrals for substance abuse treatment for veterans who are not eligible to receive services through the Veterans Administration. The Veterans Treatment Court staff will assist the veterans in conducting the assessment, will ensure all necessary releases are signed and will provide monitoring of services provided.

The Veterans Administration representative will attend all scheduled court review hearings and Stand Down sessions. At these hearings, the representative will determine eligibility for services; schedule appointments for services required; and, provide a summary of defendant's level of participation in services to date. Further, the representative will participate in any required meetings to address concerns of the participants or to address any program concerns and maintain open lines of communication. Finally, the VA will assist the veterans participating in the Veterans Treatment Court with any necessary services at no cost to the 36th District Court.

The 36th District Court staff will assess and present defendants for consideration for admission into the Veterans Treatment Court in a timely manner; they will ensure defendants sign the necessary releases so information can be provided to the VA representative; they will assist the VA representative in meeting their program requirements; they will attend all scheduled court review hearings and monitor any referrals and additional services required. Further, they will participate in any required meetings to address concerns of the participants or to address any program concerns, and maintain open lines of communication.

Mission

The mission of the Veterans Treatment Court is to substitute a treatment problem solving model in lieu of a traditional court response via a coordinated collaboration with the veterans service delivery system and the Criminal Justice System to provide a specialized program providing the tools necessary to address any concerns that have brought them before the system and are affecting them in the community, and to leave no veteran behind.

Vision

Establish a specialty court which will identify those defendants who served or are serving in the United States Armed Forces, including the National Guard and Reserves, to:

- coordinate services between the Court, Probation, Veterans Administration and any service providers,
- develop a program to provide veteran mentors to veteran defendants,
- provide intensive monitoring and regular court supervision,
- coordinate feedback between the Court, Probation, Veterans Administration and any service providers and,
- treat the needs of the veteran promptly and professionally.

Structure of the Veterans Treatment Court

The Veterans Treatment Court will involve misdemeanor cases from 36th District Court that meet the statutory requirements of MCL 600.1200(j) and MCL 600.1203.

By design, this problem-solving court will provide defendants with a structure within which to obtain the necessary treatment and feedback to minimize the likelihood of future criminal court involvement. An important note is that the structure of this court is highly interactive. This ensures that all those invested in the process have access to each other and share information and treatment goals toward one end: Help the veteran succeed.

The person with the key role in this entire process is the veteran. His or her individual success is the overriding goal of this specialty court. The veteran's investment and partnership in this process is vital to his or her success. Overall, this program is a unique opportunity for all involved.

Identification of Veterans

The identification of veterans should be made at the earliest possible point for entry into the Veterans Treatment Court. Identification may be made by the prosecutor or defense attorney as well as by the Court at pre-trial or by the probation officer during the pre-sentence investigation or during supervision. Identification may also be made by a representative of the Veterans Administration.

Entry into the Veterans' Court

Sessions of the Veterans Court will occur on a regular basis. Additional sessions may be scheduled as they are needed. Defendants shall be referred at the earliest possible point in their court process.

There will not be a single specified means for entry into the Veterans Court. Any judge who determines he or she has a possible candidate must contact the Probation Division for an evaluation to determine if the individual is a qualified veteran.

If the individual is a qualified veteran and voluntarily agrees to enter the Veterans Treatment Court the referring court would close its file as "transferred to Veterans Court." The case would be transferred to Veterans Treatment Court, Hon. Leonia J. Lloyd, Presiding. Ideally, a qualified veteran's case would be presented at the next available scheduled Veterans Treatment Court review date.

Logistics of the Veterans' Court Sessions

Regular sessions of the Veterans Treatment Court will be held as needed. Regular staff meetings will be held to address any necessary issues related to the veterans. Staff meetings may include the judge, probation officers or case managers; veteran mentor coordinator, Veterans Justice Outreach Officer and such other staff as may be advisable from time to time.

Written progress reports and recommendations for each scheduled veteran will be available at least one day prior to each session and will form the basis for the discussions. Each veteran will be required to attend court sessions and report to his or her assigned probation officer or case manager, as directed. Frequencies may be altered depending on the veteran's progress or lack thereof.

In the formal court session, each veteran will be called by his or her probation officer or case manager. The judge will review both positive and negative developments since the last court date with the veteran and the probation officer or case manager. Once the review is completed and a new court date set, the veteran will meet with his or her mentor privately. These interactions will be a significant part of the peer-mentoring process and will be documented in log books. The log books are confidential and strictly for the use of the veteran and the veteran mentor.

A veteran, who does not have any open cases in 36th District Court, may approach the Veterans Treatment Court personnel seeking assistance with substance abuse, mental health situations, VA benefits or other resources with which Veterans Treatment Court is involved. In these situations, staff will make every effort to assist the veteran with the appropriate information and referrals.

The Veterans Treatment Court will schedule commencements as part of its sessions, as they are needed. The probation officer or case manager, veteran mentor, key service provider(s) and family will be invited to attend. Prior Veterans Treatment Court graduates will also be invited. Along with a certificate attesting to the completion of all requirements of the Veterans Treatment Court, each veteran will be presented with a challenge coin to commemorate his or her success.

Eligibility – Personal

Any veteran or anyone meets the requirements of MCL 600.1200(j), is eligible to participate in the Veterans Treatment Court. Each candidate for Veterans Treatment Court participation will be reviewed for a determination of eligibility.

A candidate may be offered entry into the program if admission to the Veterans Treatment Court is shown, in the discretion of the presiding judge, to meet the goals and objectives of the

Veterans Treatment Court. However, entry into the Veterans Treatment Court shall only be with the consent of the veteran candidate.

Eligibility – Charges

Any veteran who pleads guilty to or is convicted of any misdemeanor offense for which he or she may be placed on probation, any veteran who has been placed on probation or any veteran who is in pre-trial status for a misdemeanor offense for which he or she may be placed on probation is eligible to be considered for entry into Veterans Treatment Court In accordance with MCL 600.1203.

Veteran's Treatment Court Overview

Defendants may be placed in Veterans Treatment Court for up to two years. They will be assigned a probation officer or case manager as well as a veteran mentor. As part of probation, there will be standard probation conditions that the defendant is required to follow. Those conditions are as follows:

15. The defendant shall not commit any criminal offenses.
16. The defendant shall not leave the state without prior permission.
17. The defendant shall report to the Court as directed by the Court.
18. The defendant shall inform the Court of all changes of address and changes of employment.
19. The defendant shall not purchase, possess or consume any alcohol or illegal drugs.
20. The defendant will also be required to attend counseling as directed by the Veterans Administration or a local agency designated by the Veterans Administration. The counseling could include substance abuse and/or mental health counseling. The defendant shall comply with all requirements of the counseling programs.
21. The defendant shall complete substance abuse testing as may be ordered by the Court.

Reviews

Case management reviews will be conducted with probation officers or case managers and treatment providers once per month. Court reviews will occur regularly, with more sessions as they become necessary. Defendants will attend at least one court review per month unless excused by the Court.

Evaluation and Data Collection

The Veterans Treatment Court will be evaluated annually. Appropriate forms and data collection protocols will be developed or expanded. The Veterans Treatment Court will make every effort to maintain forms and processes electronically.

This agreement is effective on October 1, 2013 thru September 30, 2014 and may be renewed each year upon mutual agreement of all parties.

This Memorandum of Understanding does not involve an exchange of funds. The parties instead, agree to participate in an exchange of services.

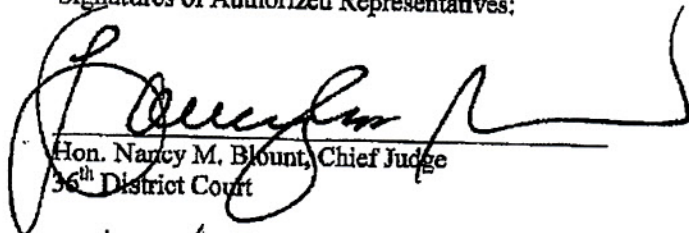
All terms and conditions of this agreement are subject to the continuation of Veterans Treatment Court funding.

Upon mutual consent of all parties, this Memorandum of Understanding is subject to further obligation and revision as required to support the needs of the Veterans Treatment Court. Any changes shall be in writing and signed by all parties herein or their duly appointed representatives authorized to act on their behalf.

This Memorandum of Understanding may be terminated by any party for any reason by giving a 30 calendar day written notice.

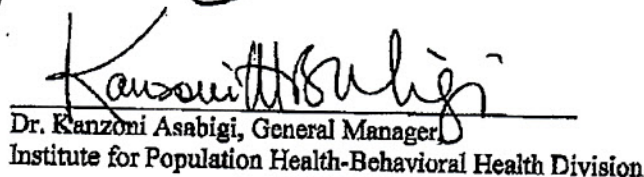
This Memorandum of Understanding will be reviewed on an annual basis by the 36th District Court Veterans Treatment Court and revised as necessary, upon mutual agreement of all parties.

Signatures of Authorized Representatives:



Hon. Nancy M. Blount, Chief Judge
36th District Court

9/13/13
Date



Dr. Kanzoni Asabigi, General Manager
Institute for Population Health-Behavioral Health Division

10/9/13
Date

MEMORANDUM OF UNDERSTANDING
between the
Department of Veterans Affairs John D. Dingell VA Medical Center, Detroit, Michigan
And
36th District Court, Detroit, Michigan

Background: Each year hundreds of veterans are charged with misdemeanor crimes or ordinance violations within the jurisdiction of the 36th District Court. Many of these veterans have medical conditions, including those related to their military service. Veterans who are charged with non-violent crimes or ordinance violations often need rehabilitative services that are not otherwise available to them except through the Department of Veterans Affairs (hereinafter "VA"). The 36th District Court, Detroit, Michigan has agreed to establish a Veterans Court in Detroit, Michigan to work with the VA to divert select members of this veteran population who are charged with non-violent misdemeanor crimes or ordinance violations away from jail and into appropriate rehabilitative programs.

Purpose: The purpose of this Memorandum of Understanding (hereinafter "MOU") between the John D. Dingell VA Medical Center (hereinafter "Detroit VAMC") and the 36th District Court is to establish the responsibilities of VA and the 36th District Court Veterans Treatment Court (hereinafter "Veterans Treatment Court"), which will provide interested veterans charged with non-violent misdemeanor crimes and ordinance violations within the jurisdiction of the 36th District Court with an opportunity to realize better outcomes in their contact with the criminal justice system through utilization of VA rehabilitative programs.

Authority: The 36th District Court has the authority to operate the Veterans Court pursuant to its judicial powers and Michigan Public Act 335 of 2012. VA has the authority to administer programs and provide healthcare to eligible veterans pursuant to Title 38 of the United States Code. This MOU is not intended to confer or create authority not already in existence. The parties to this MOU agree and understand that VA eligibility statutes and rules will dictate whether veteran-defendants who appear in the Veterans Treatment Court are authorized to receive medical treatment at the Detroit VAMC. The parties further agree that VA personnel have the sole authority to interpret the VA health care eligibility rules.

The Parties to this MOU agree as follows:

Planning for the Veterans Treatment Court will be done by representatives of the 36th District Court and will assist in the planning, development and application of the Veterans Court.

1. Veterans charged with non-violent misdemeanor crimes and ordinance violations may be eligible to enter the Veterans Treatment Court program.
2. The Veterans Treatment Court is a voluntary program. Veterans charged with non-violent misdemeanor crimes or ordinances within the jurisdiction of the 36th

District Court enter the jurisdiction of the Veterans Treatment Court only by their agreement and a determination by a judge of the 36th District Court that the veteran-defendant is eligible and an appropriate candidate for the Veterans Treatment Court. Only veteran-defendants who served in the United States military, naval, or air force and who enter a plea of guilty or no contest to the charged crime will be eligible to have their cases presented to the Veterans Court.

3. The 36th District Court shall be responsible for having the veteran-defendant sign all necessary forms provided by the Court, including those allowing a release of the veteran-defendant's health information from VA to the 36th District Court and the veteran-defendant's current charges from 36th District Court to VA. The parties understand and agree that if the authorization to release information is revoked by the veteran-defendant at any time, VA will be unable to provide any information to the 36th District Court pursuant to Federal privacy and confidentiality laws, absent a valid order signed by a 36th District Court judge. Furthermore, the parties agree and understand that VA medical records and claims records of veteran-defendants are subject to the provisions in the "Confidentiality of Veteran Records" section below.
4. The parties will collaborate and cooperate for the purpose of developing and implementing necessary forms to be utilized to fulfill the requirements of the Veterans Treatment Court and to create a viable data collection process for a review of the efficacy of the Veterans Treatment Court at the conclusion of one year after the effective date of this MOU. Participants will be given a special probation code that will assist the court in tracking these defendants.
5. The Detroit VAMC shall provide one liaison to the Veterans Treatment Court whose responsibilities shall include:
 - a. Maintaining the authorizations signed by each veteran-defendant for release of information from the veteran-defendant's VA medical record to the 36th District Court. The liaison will provide the authorization forms to the 36th District Court;
 - b. Appearing at the Veterans Court to respond to court inquiries and assist with scheduling of appointments at the 36th District Court;
 - c. Providing status reports concerning the veteran-defendant's treatment to the 36th District Court on a regular basis as requested;
 - d. Assisting in treatment planning for veteran-defendants; and
 - e. Providing assistance to veteran-defendants to enroll in VA health care and establish eligibility for the care.

6. Upon a determination by the 36th District Court judge presiding over a veteran-defendant's case that VA health care for the veteran-defendant would be an appropriate judicial recommendation, the judge will initially refer the veteran-defendant to the Detroit VAMC to develop recommendations for a treatment plan for the eligible veteran-defendant. In making the referral, the judge will consider an assessment by a representative of the VA and 36th District Court. The 36th District Court agrees that its referral for treatment shall be general and it is within the discretion of the VA to develop a specific treatment plan for eligible veteran-defendants. The treatment plan recommended by VA will be provided to the probation officer designated by the 36th District Court for presentation to the Veterans Treatment Court judge presiding over the veteran-defendant's case. If the judge does not agree that the treatment plan will achieve court objectives, an attempt shall be made to reach an agreement for a mutually agreeable treatment plan; however, in the absence of such an agreement, the 36th District Court shall seek alternative treatment options from other sources in the community.
7. In order to initiate re-entry planning and to promote sound clinical continuity of care for veteran-defendants, a Detroit VAMC evaluator may perform a psychosocial assessment of a veteran-defendant who is incarcerated only if the veteran-defendant is in a pre-release status (usually within six months of the release date.) VA will not furnish hospital or outpatient care to a veteran-defendant who is an inmate in an institution of another government agency if that agency has a duty to provide the care and services. 38 U.S.C. §1710(h); 38 C.F.R. § 17.38(c) (5).
8. The parties understand and agree that the Detroit VAMC shall only provide treatment through programs and services the Detroit VAMC has available and for which an enrolled veteran is eligible under Federal law, and that the Detroit VAMC may be limited in its treatment options due to budget and availability of providers. The parties also understand and agree that veteran-defendants participating in the Veterans Treatment Court will not receive a priority for care from VA just because they are participating in the Veterans Treatment Court, however every effort will be made to assist the Veterans as they attempt to comply with Court ordered treatment.
9. The 36th District Court agrees to locate alternative treatment options existing within the community if:
 - a. the veteran-defendant is not eligible for VA care,
 - b. the VA is unable to provide treatment within the time frame mandated by the Veterans Treatment Court,
 - c. the VA is unable to provide treatment at the level mandated by the Veterans Treatment Court, or
 - d. the VA is unable to provide treatment for any other reason.

10. The VA's authority to pay for a veteran-defendant's non-emergency care at non-VA facilities is generally limited to those specific situations set forth in 38 U.S.C. §1703.
11. In order to assist in treatment planning, the 36th District Court agrees to provide the VA with the veteran-defendant's current charges at the time of referral to VA.
12. The Veterans Treatment Court may include a Mentor Program. Any Veterans Court Mentor Program will be the responsibility of the 36th District Court, and will be put into place as soon as practical following the initiation of the Veterans Court Program. The Veterans Treatment Court Mentor Program will make efforts to provide appropriately screened mentors to veterans-defendants to provide non-medical assistance as needed to the veteran-defendants
13. The parties shall not make any statements, representations or commitments of any kind, to bind another party except as expressly provided herein or otherwise agreed to by the parties in writing.
14. Confidentiality of Veteran Records: VA medical and claims records are and shall remain the property of VA and shall not be removed or transferred from VA except in accordance with 5 U.S.C. § 552a (Privacy Act), 38 U.S.C. § 5701 (Confidentiality of Claimants Records), 5 U.S.C. § 552 (FOIA), 38 U.S.C. § 5705 (Confidentiality of Medical Quality Assurance Records), 38 U.S.C. § 7332 (Confidentiality of Certain Medical Records), Public Law 104-191 enacted in August 21, 1996 (Health Insurance Portability and Privacy Act of 1996) and any other pertinent Federal laws, rules and regulations. Subject to applicable Federal confidentiality and privacy laws, veterans or their designated representatives may have access to information from VA's records, upon request during normal business hours.

All individually identifiable health information shall be treated as confidential by the parties to this MOU in accordance with all applicable Federal, state and local laws, rules and regulations governing the confidentiality and privacy of individually identifiable health information.

15. Independent Contractors: For the purposes of this MOU, the relationship of the parties shall not be construed or interpreted to be a partnership, association, joint venture, or agency. The relationship between the parties to this MOU is an independent contractor relationship and neither party will be an agent, representative, or employee of the other party. No party shall have the authority to make any statements, representations, or commitments of any kind or to take any action that shall be binding on another party, except as may be expressly provided for herein or authorized in writing with the agreement of the other parties.

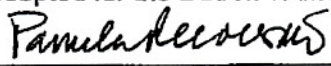
16. Liability: Each party shall retain all the rights and remedies available under applicable Federal and state laws. Each party shall be responsible and liable for the errors and omissions of their employees to the extent provided by law. VA employees performing under this MOU are covered by the individual liability protections of the Federal Tort Claims Act (FTCA) (28 U.S.C. §2679 (b)-(d)) and do not carry separate insurance. VA contractors are not covered by the FTCA.
17. Notices: Any notices required or resulting from this MOU shall be in writing and made to the following:

Nanette Colling, VJO Coordinator
John D. Dingell VA Medical Center
4646 John R. Street
Detroit, MI 48201

Kelli D. Moore, Court Administrator
36th District Court
421 Madison Ave
Detroit, MI 48226

Term of Agreement: The term of this MOU is one year commencing on its effective date. This MOU will become effective on the date that all parties have signed it. This MOU will automatically be renewed for consecutive one year terms unless amended or unless any party terminates its participation in this MOU by providing written notice to all other parties not less than thirty days prior to the effective date of such termination. If a party terminates participation in the MOU, the parties agree to honor any and all agreements entered into with participating veteran-defendants until the conclusion of their respective cases pending in the Veterans Court.

Accepted for the Detroit VAMC:

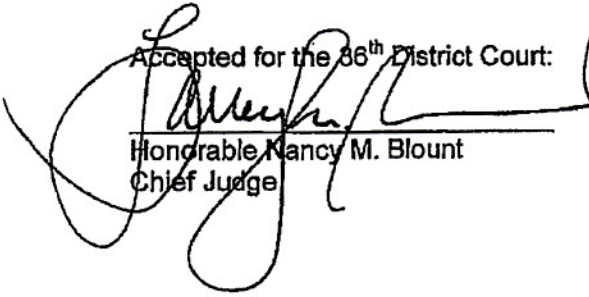


Dr. Pamela Reeves, M.D., Director

2/7/14

Date

Accepted for the 36th District Court:



Honorable Nancy M. Blount
Chief Judge

12-9-2013

Date