

FOR IMMEDIATE RELEASE
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**Judges provide community update on Problem-Solving Courts Initiative and
Best Practice Standards unveiled**

On Thursday, the Delaware Judiciary provided the public and the legal community an update on the effort to improve Delaware's Problem-Solving Courts and released a detailed document outlining the best practices for those courts going forward. The event featured a panel discussion on the new standards involving the presiding judges of those courts. Problem-Solving Courts are specialized court proceedings that address low-level crime by focusing on the causes of the criminal behavior, such as substance abuse, mental health, and unemployment problems.

These new Best Practice Standards will ensure that all of Delaware's Problem-Solving Courts – including Drug Courts, DUI Courts, Mental Health Courts, and Veterans Treatment Courts – are operating in a consistent manner and are meeting the highest standards as established by national best practices and the latest research. The expectation is the Best Practice Standards report that was released Thursday will be continually updated as new research drives improved and updated best practices.

“One of the things that can happen in any organization is for inconsistencies in approach to arise, not because of a rational reason, but because the organization does not in fact function as one unit,” said Chief Justice Leo E. Strine, Jr., who welcomed the crowd to Thursday's event at the offices of the Delaware State Bar Association in Wilmington. “Even in a small state, we struggle with that, and sometimes do things differently in different counties and, in our case, different courts for reasons of happenstance or history rather than thought. With limited resources, it is important that we function as efficiently as possible and not take different and thus necessarily more costly approaches without good reason. Likewise, we should not duplicate effort when we can avoid that. Most important, justice requires that when we have identified, as best as humans can, the optimal way to help someone, we should provide it to every litigant who needs it, regardless of what door they enter. Already, our problem solving committee has consolidated the efforts of our Superior Court and Commons Pleas Courts in our largest county in key problem-solving areas like substance abuse and mental health. These best practices standards represent the next critical step in our efforts to provide the most efficient, effective, and equitable help we can to all Delawareans. The document released today also identifies a common set of standards that should guide each court, each judge, and our system partners in addressing the needs of criminal defendants with substance abuse or mental health problems as well as those of our defendants who have served in defending us all as members of the military.”

Superior Court President Judge Jan R. Jurden and Superior Court Judge William C. Carpenter, Jr. also offered remarks Thursday along with Statewide Problem-Solving Court

Coordinator Brenda A. M. Wise, Esq. The panel discussion featured President Judge Jurden; Court of Common Pleas Chief Judge Alex J. Smalls; Superior Court Judge William L. Witham, Jr.; Superior Court Judge Andrea L. Rocanelli and Court of Common Pleas Judge Charles W. Welch, III, all of whom are deeply involved in Delaware’s Problem-Solving Courts.

The effort to improve the state’s Problem-Solving Courts began in October 2014 when Chief Justice Strine called for a review of the state’s specialty courts and their operations. This led to the creation of Criminal Justice Council of the Judiciary (CJCJ), a panel of judges who were tasked with evaluating the operations of the specialty courts and making recommendations on how operations could be improved while continuing to provide the same level of specialized attention. The CJCJ, which is chaired by President Judge Jurden and Judge Carpenter, issued its final report and recommendations to the public in April 2017. (The report is available here: https://courts.delaware.gov/AOC/docs/CJCJ_Final_Report.pdf)

One of the most important recommendations in the CJCJ’s final report was to develop standards for the Problem-Solving Courts, with an eye toward the CJCJ’s ultimate goal of creating a comprehensive Treatment Court system. A working group of stakeholders was then created to develop the standards. The working group included representatives from the Judiciary, the Department of Justice, the Office of Defense Services, the Bureau of Community Corrections (Probation), the Division of Substance Abuse and Mental Health, the Treatment Access Service Center, the U.S. Veterans Administration and treatment providers from all three counties. This working group was assisted by consultants from the National Center for State Courts. The 70-page report, “Delaware Problem-Solving Courts Best Practice Standards” is the result of the working group’s efforts and is available here: <https://courts.delaware.gov/forms/download.aspx?id=106778>

“We appreciate the assistance and expertise provided by the National Center for State Courts in developing our standards. Consistent treatment of all who enter our Problem Solving Courts, regardless of the county they live in, is critical to fair and equal justice,” said Judge Carpenter. With the creation and adoption of these standards, work will now turn to addressing another key recommendation from the CJCJ report – developing “benchbooks” which act as a guide for judges on Delaware’s Problem-Solving Courts.

FOR MORE INFORMATION PLEASE CONTACT:

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