

STATE OF MICHIGAN



SANDRA FERENCE CICIRELLI
CHIEF JUDGE

MARK A. McCONNELL
CHIEF JUDGE PRO TEMPORE

THE DISTRICT COURT
18TH JUDICIAL DISTRICT
36675 FORD ROAD
WESTLAND, MICHIGAN 48185 - 2210
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DAVID R. WIACEK
MAGISTRATE

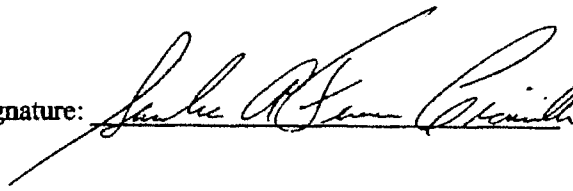
Administrative Order 2013 - 1**ORDER FOR THE ESTABLISHMENT OF A SOBRIETY COURT****IT IS ORDERED:**

This administrative order is issued in accordance with MCL600.1060 et seq. The purpose of this order is to establish a sobriety court in the 18th District Court upon approval by the State Court Administrative Office (SCAO). All policies and procedures comply with the statute and are consistent with the 10 Guiding Principles for DWI/Sobriety Courts promulgated by the National Drug Court Institute, a division of the National Association of Drug Court Professionals (see attachment A).

1. The court has entered into a memorandum of Understanding with each participating county prosecuting attorney in the circuit or district, a representative of the criminal defense bar, a representative of community treatment providers and other key partners pursuant to MCL 600.1062. The Memorandum of Understanding shall describe the role of each party. The memorandum of Understanding is attached.
2. The court has established eligibility criteria consistent with MCL 600.1064 and 600.1068.
3. In compliance with MCL 600.1064(3), no participant shall be admitted until a complete preadmission screening and substance abuse assessment are completed.
4. All participants shall sign a voluntary written consent to participate in the program in conformance with MCL 600.1068(1)d.
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 Sobriety Court records.

6. The court has established, as part of its program requirements, procedures to assure compliance with MCL600.1072 and 600.1074.
7. Pursuant to MCL 600.1078, the court shall provide the SCAO with the minimum standard data established by the SCAO for each individual applicant and participant of the Sobriety Court program.
8. The court shall use the Drug Court Case Management Information System (DCCMIS) to maintain and submit the minimum standard data as determined by the SCAO while receiving grant money from the SCAO.
9. The court acknowledges that case disposition information regarding Sobriety Court participation is unavailable from the Department of State driving record and criminal history record, and failure to use the DCCMIS will result in the absence of a complete record of Sobriety Court participation in Michigan courts.
10. The court acknowledges that it was selected to attend the Federal Drug Court Planning Initiative (DCPI) training sponsored by the Bureau of Justice Assistance (BJA), in compliance with MCL 600.1062(3). However due to the federal sequestration the training has been cancelled. Per instruction from the SCAO we have scheduled and will attend 4 separate sobriety/court sessions in other local operational courts.

Effective Date: 6-5-13

Chief Judge Signature:  Date: 6-5-13

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**Memorandum of Understanding
18th District Court
Sobriety Court**

This is an understanding between the 18th District Court, Prosecuting Attorney, Defense Counsel representative, Westland Police Department and the 18th District Court Sobriety Court Coordinator.

1. The below parties agree to share the following vision for the 18th District Court Sobriety Court:
 - A. Enhance the quality of life throughout the City of Westland;
 - B. Provide leadership through innovative services;
 - C. Continuously improve services;
 - D. Achieve program goals through teamwork;
 - E. Break the cycle of criminality and substance abuse.
2. We endorse the goals and mission of the 18th District Court Sobriety Court Program in order for participants to eliminate future criminal behavior and improve the quality of their lives. For these programs to be successful, cooperation must occur within a network of systems to facilitate and achieve the mission, challenge and vision of the 18th District Court Sobriety Court.
3. We agree that the mission of the sobriety court program shall be to successfully rehabilitate substance abusing individuals while maintaining public safety and;
4. We agree to the following challenge of the sobriety court program: Engaging substance abusing individuals involved in the criminal justice system in a continuum of treatment services and providing them with appropriate intervention through treatment, rehabilitative programming, reinforcement and monitoring.

5. There are ten principles under which the respective agencies work cooperatively:
- A. Drug and alcohol addiction is a chronic relapsing disease that is treatable and substance abuse is reversible behavior, but which, if unaddressed, may lead to continuing and increasing criminal behavior and other personal, family and societal problems.
 - B. Sobriety court programs offer an opportunity to direct those in crisis with addictions and abuse to begin a rehabilitation process, which may ultimately lead to a reduction or elimination of addiction and abuse and permit the development of a productive lifestyle.
 - C. Treatment intervention should occur early on upon entry to the criminal justice system to achieve maximum treatment outcomes.
 - D. Thorough assessment and evaluation is a critical component of the sobriety court program.
 - E. Participants with drug and alcohol abuse issues cannot maximize their treatment potential without appropriate treatment intervention that includes their families.
 - F. Participant accountability is foremost in the program, with written program agreements and Court monitoring of behaviors on a biweekly basis. Court monitoring will include incremental sanctioning for negative behaviors and positive rewards for improved behaviors.
 - G. Sobriety court programs are established with written protocols, which are well defined and documented through the Policies and Procedures manual. The Program Manual will be updated annually, to respond to the changes in the needs of the program, participant families, agencies and community.
 - H. Preadjudication participant entry into the sobriety court program shall be governed by written eligibility criteria as established by the Sobriety Court Policy Council with the concurrence of the prosecuting attorney.
 - I. Information about participant progress, participant family progress, and the functioning of the sobriety court program shall be made available to all parties.
 - J. Effective evaluation of the sobriety court program shall be sought with appropriate responses being made relative to these evaluations.
6. The roles of the parties are as follows:
- A. Prosecuting Attorney: Provide initial screening of eligible participants; participate in team meetings and court sessions as needed. Provide feedback, ideas, and suggestions as needed. Represent the interests of the prosecutor and law enforcement.
 - B. Westland Police Department: Attend team meetings and court sessions as needed. Provide advice and suggestions on community corrections sanctions and provide feedback to the court on the drug court participants follow up on all ordered community corrections sanctions.

C. Probation Department: Attend team meetings and biweekly court sessions. Provide probation oversight for all drug court participants. Work with the sobriety court coordinator in supervising and monitoring the individuals in the program. Prepare presentence reports as needed. Schedule show causes for participants who have violated the program rules and are subject for dismissal.

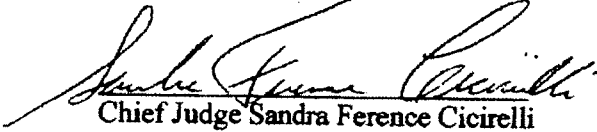
D. Sobriety Court Judge: Chair meetings, preside in court and coordinate team activities, evaluations and planning.

E. Defense counsel representative: Attend team meetings and biweekly court sessions. Insure that defendant's procedural and due process rights are followed. Provide feedback, suggestions and ideas on the operations of the court.

F. Project Coordinator: Attend meetings, arrange for additional screenings of persons screened by the prosecutor. Answer inquiries from defense attorneys on possible eligibility. Enter data into DCCMIS system. Liaison with treatment providers and drug testing contractor, district court intensive supervised probation and residential treatment facilities.

G. Treatment agency: Attend meetings, report on progress of participants, and offer insights and suggestions on the treatment plans of those individuals in the program.

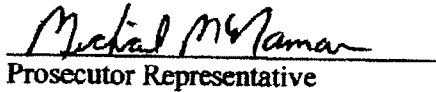
Unless superseded or revoked, this Memorandum of Understanding shall expire 12/31/18


Chief Judge Sandra Ference Cicirelli

6-5-13
Date


Judge Mark A McConnell

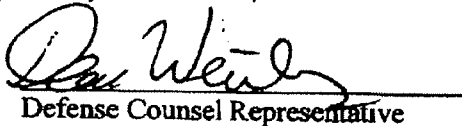
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Prosecutor Representative

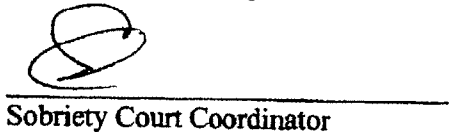
6-5-13
Date


Westland Police Representative

6/5/13
Date


Defense Counsel Representative

6/5/13
Date


Sobriety Court Coordinator

5/24/13
Date


Treatment Provider Representative

6/13/13
Date