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| **healing to wellness court** 3  *The Judge as  Sentry & Gate-Keeper* **Key component Bench Card** | | | | | | | |
| **Eligible court-involved substance-abusing parents, guardians, juveniles, and adults are identified early through legal and clinical screening for eligibility and are promptly placed into the Tribal Healing to Wellness Court.** | | | | |
| Key Concepts, Considerations, & Questions   |  |  | | --- | --- | | **Court-Involved Person** | What mechanism (policy/practice) assures that defendants, respondents, petitioners and/or juveniles are identified early? | | **Eligibility Criteria** | Are eligibility criteria specified for minimum qualification? | | **Population Focus** | Is a process in place to modify Target Population/Eligibility Criteria? | | **Screening** | Are all team members familiar with of the Court’s legal and clinical screening process? | | **Promptly Placed** | Is timeframe monitored? (average # days from incident/arrest to:  1) Screening; 2) Initial Hearing; 3) Review; 4) Phase Change, etc.?) | | Do numbers indicate a faster pace in comparison to regular process? | | | | | “Excerpt from Statute, P & P, Court Rules, etc.”  “Alumni Quote” | | | |
| ***Jurist – Judicial roles & responsiblities*** | | | | | | | |
| Functions and Formalities | | Community Connection – Familiarize community members with **WHO** gets into Wellness Court  Tribal Council Connection – Keep Tribal leadership informed of judicial policy and rule-making  Court Capability – Monitor Court’s quality of process and provision of treatment/ancillary services | | | | □ | |
| Legal Process  & Procedures | | Maintain clear and transparent distinction between regular court procedure and Wellness Court  Is referral form readily available to all referral point personnel?  Distinguish Wellness Court file from defendant/respondent file (file with separate docket numbers) | | | | □ | |
| Ethics & Protocol | | Identify and deliberate timely judicial conflicts to assure Court momentum and consistency  Assure consent forms are reviewed thoroughly with candidate-participant  Review confidentiality rules and forms periodically with Team Members and participants | | | | □ | |
| Legal Context & Considerations  *(Assure no conflict with existing law)* | | Constitution  Code  Council Resolution  Common Law  Court Rule  Custom | | | | □  □  □  □  □ | |
|  | | | | | | | |
| SUGGESTED  Practices  Training  Coaching  Support | |  |  | | --- | --- | | Foster relationship with Court partners | □ | | Monitor promptness of placement into Court | □ | | Assess eligibility crit./target pop. periodically | □ | | Assure notice of changes to eligibility criteria/target population | □ | | Discuss eligibility issues or challenges | □ | | Ensure team can distinguish legal/clinical screening | □ | | | **Related NADCP Core Competency**  # 4 – Judge “is knowledgeable of gender, age, and cultural issues that may impact the offender’s success.” | | | |  |
| See Process & Procedure Bench Card 13 | | | |
| Resources/  Technology | [www.WellnessCourts.org](http://www.WellnessCourts.org), [www.home.tlpi.org](http://www.home.tlpi.org), [www.ndci.org](http://www.ndci.org), [www.american.edu/spa/jpo/initiatives/drug-court/](http://www.american.edu/spa/jpo/initiatives/drug-court/) , [www.ndcdr.org](http://www.ndcdr.org), [www.drugcourtonline.org](http://www.drugcourtonline.org) | | | | | |  |
| “*95 percent of the crime is drug or alcohol related. Crime is the result of an addiction that is a result of trauma and you have to find out the trauma. Maybe there’s historical trauma, individual or a family trauma that the person has to deal with. We in the justice system have to work in tandem with those who are trying to make the community well before we’re going to see any progress*. *A (Wellness Court) is perfectly, ideally suited for tribes.”* -- Hon. B. J. Jones | | | | | | | |