



MONTANA LEGISLATIVE BRANCH

Legislative Fiscal Division

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Director
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DATE: June 10, 2016

TO: Legislative Finance Committee

FROM: Scot Conrady, Fiscal Analyst, LFD

RE: Utilization of Drug Courts and Family Drug Courts in Montana

During the last Legislative Finance Committee meeting, staff was asked to prepare information regarding drug courts and their use in Montana. The following is a brief introduction to family/drug courts with links to web sites that may be helpful for interested parties that would like more information.

Drug courts were first developed as an alternative to regular courts and with the intention of reducing recidivism and substance abuse in the criminal system. Drug courts are utilized when the crime involves substance abuse and participants are deemed good fit for the program. Family drug courts are within the drug court program and may be used when substance abuse is involved in parental neglect or abuse of a dependent. Drug courts are generally voluntary and only available for nonviolent drug cases. They offer programs designed to address drug dependency in the hope of breaking the cycle of addiction and crime (or abuse and neglect in family drug courts).

In Montana, the first drug court began operations in 1996. There are currently 31 drug courts (5 of which are tribal) in Montana. Most of these courts were established with initial funding from federal grants. Funding for these grants involve federal agencies such as the Bureau of Justice Assistance or the Substance Abuse and Mental Health Service Administration (SAMHSA). Grants are awarded to state courts, local courts, or Indian tribal government courts. For example, the city of Glasgow, MT received \$333,167 in FY 15 for the implementation of the adult drug court discretionary grant program. In this case, the city of Glasgow pursued and was awarded this funding to provide financial assistance to the city to implement or enhance current drug court services.

Currently Children and Family Services within the Department of Public Health and Human Services does not receive federal funding for the support of, or participation in, drug or family drug courts. The funding for drug courts is located solely in the Judiciary Branch of state government. The Judiciary Branch has federal and private authority of just over \$3.1 million for use in supporting drug and family drug courts in FY 16 and approximately \$1.1 million in general fund authority. However, it should be noted that the majority of federal funding involves 3 year enhancement grants that will not be continued with state funding upon grant expiration.

Drug Court Information Links

Drug Courts in Montana

<http://courts.mt.gov/drugcourt>

Family Drug Courts

<http://www.cffutures.org/files/publications/FDC-Guidelines.pdf>

Best Practices Adult Drug Courts

<http://www.ndci.org/publications/drug-court-review/best-practices-drug-courts>

January 2015 Legislative Audit of Montana Drug Courts

<http://leg.mt.gov/content/Publications/Audit/Report/13P-08.pdf>

Family Drug Court Best Practices

- NADCP (National Association of Drug Court Professionals)
<http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwj08fizv83MAhVU3WMKHbhgAMkQFggdMAA&url=http%3A%2F%2Fwww.nadcp.org%2Fsites%2Fdefault%2Ffiles%2Fnadcp%2FReseach%2520Update%2520n%2520Family%2520Drug%2520Courts%2520-%2520NADCP.pdf&usq=AFQjCNFoEfrtNT5eLovm1o4tXFEg8zwK3g>
- NCSACW (National Center on Substance Abuse and Child Welfare)
<https://ncsacw.samhsa.gov/resources/resources-drug-courts.aspx>
- Child and Family Futures
http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=5&cad=rja&uact=8&ved=0ahUKEwj08fizv83MAhVU3WMKHbhgAMkQFgg9MAQ&url=http%3A%2F%2Fwww.cffutures.org%2Ffiles%2Fpublications%2FFDC-Guidelines.pdf&usq=AFQjCNHFGP_oaE_3bolexQgPAx2pU5oytQ

Adult Drug Court Best Practices

- National Drug Court Institute
<http://www.ndci.org/publications/drug-court-review/best-practices-drug-courts>
- Global Centre for Drug Treatment Courts
<http://globaldrugcourts.com/best-practice-standards/>