



## Opioids and the Courts News: September 6, 2019

### National

#### [Trump Administration Announcing Nearly \\$2B In Opioid Grants](#)

Associated Press

The Trump administration is awarding nearly \$2 billion in grants to states and local governments to help fight the opioid crisis.

Health and Human Services Secretary Alexander Azar says the grants come from money that President Donald Trump secured from Congress last year. Trump says, “nothing is more important than defeating the opioid and addiction crisis.”

The Substance Abuse Mental Health Services Administration is awarding \$932 million to every state and some U.S. territories to help provide treatment and recovery services that meet local needs.

Separately, the Centers for Disease Control and Prevention is getting \$900 million under a new, three-year program to help state and local governments better track overdose data. Forty-seven states and the District of Columbia are among jurisdictions sharing \$301 million in the first year.

### National

#### [U.S. Judge Orders Big Drug Companies To Face Opioid Trial](#)

Reuters

U.S. District Judge Dan Polster, who oversees roughly 2,000 opioid lawsuits by states, counties, and cities, said the plaintiffs can try to prove that drugmakers’ deceptive marketing of the painkillers caused a harmful, massive increase in supply that pharmacies and distributors did not do enough to stop.

“A factfinder could reasonably infer that these failures were a substantial factor in producing the alleged harm suffered by plaintiffs,” the Cleveland-based judge wrote.

The ruling was among seven decisions and orders totaling 80 pages from Polster ahead of a scheduled Oct. 21 trial by two Ohio counties against Purdue Pharma, the OxyContin maker accused of fueling the epidemic, and several other defendants.

### National

#### [Ohio Attorney General Sues To Stop Upcoming Opioid Trials](#)

Associated Press

Upcoming trials seen as test cases for forcing drugmakers to pay for societal damage inflicted by the opioid epidemic should be delayed until Ohio’s own lawsuits against the drugmakers can be heard, Ohio Attorney General Dave Yost argued in a lawsuit.



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Yost, a Republican, said attempts to force drugmakers to pay should come in a single state action to allow equal distribution of money across Ohio. His lawsuit, filed Friday in federal appeals court in Cincinnati, comes amidst urgent negotiations over a potentially massive settlement between drugmakers and thousands of communities across the country.

The Ohio trials, involving claims brought by Cuyahoga and Summit counties in northeastern Ohio, are scheduled for October. They're considered "bellwether" trials to test claims being brought against the drugmakers.

### National

[Exclusive: OxyContin maker prepares 'free-fall' bankruptcy as settlement talks stall](#)

Reuters

OxyContin maker Purdue Pharma LP is preparing to seek bankruptcy protection before the end of the month if it does not reach a settlement with U.S. communities over widespread opioid litigation, three people familiar with the matter said, after some states balked at the company's \$10 billion to \$12 billion offer in August to end their lawsuits as part of a negotiated Chapter 11 case.

### Kentucky

[Chief Justice Minton to give annual State of Judiciary Address on Sept. 13 on range of court programs](#)

Northern Kentucky Tribune

The legislature, public, and media will receive an update on Judicial Branch operations on Friday, Sept. 13, when Chief Justice of Kentucky John D. Minton Jr. gives the annual State of the Judiciary Address.

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The topics will include the move to establish Business Courts, the work of the Civil Justice Reform Commission and the Court Efficiency Committee, progress being made on electronic court records, how the Administrative Office of the Courts is continuing to implement audit recommendations, and how the courts are helping to address Kentucky's opioid epidemic through the Regional Judicial Opioid Initiative and the RESTORE Initiative.



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## North Carolina

[NC Chief Justice visits Randolph County](#)

Courier-Tribune

[Chief Justice Cheri] Beasley also addressed the relationship between the courts and the opioid crisis.

“One of the things we’re trying to do is make sure we have what we call recovery courts, where if someone is charged with a substance abuse offense, like possession of some kind of a drug, that they be allowed to go through the recovery where they will be held accountable for that offense, but also seek treatment. That court would help to monitor that treatment.”

Currently, there are around 23 recovery courts in the state, and while they used to be funded on a state level, they are now all locally funded.

“So if you had a drug court here in Randolph County, it would be funded locally, and we need to change that,” Beasley said. “We need to make sure there is funding whether you live in Randolph or Wake County.”

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“As I was speaking to D.A. Gregson here, he talked about the fact that there was a drug court here years ago, but that they are most successful when there are long-term drug treatment programs in the area.”

She noted that Gregson mentioned there might be some efforts with the local hospital to get a long-term drug treatment program here, as most of the treatment options in Randolph County tend to be more short-term.

“It sounds like D.A. Gregson and your judges are working collaboratively when they’re able to identify someone who has, let’s say, an addiction to opioids,” Beasley said. “If the person who is the abuser is willing to go to a long-term treatment program and be successful in that, it sounds like the district attorney is willing to work with those folks.”

## Nevada

[Nevada Addicted: A look inside ‘drug court’ \(video\)](#)

News 3 Las Vegas

From first-time user to long-time addict—opioids are a ticking time bomb for many Americans.



## Opioids and the Courts News: September 6, 2019

Here in Clark County, drug abusers who commit felonies are often given a choice that keeps them out of prison.

In this week's [Nevada Addicted series](#), we take a look inside drug court.

### New York

[Editorial — Expanding justice: Opioid court program ensures defendants receive treatment](#)

NNY360

A new court program in Watertown allows at-risk individuals to receive treatment for their addiction to opioids before being prosecuted.

The Opioid Intervention Court began a few days ago. It will meet three times each week, and City Court Judge Anthony M. Neddo is leading the new initiative.

In opioid courts throughout the state, defendants will be screened to determine their risk of overdose once they are arrested. Those with the highest risk will be recommended for the program and receive further assessment.

Defendants' criminal cases are suspended while they are in the 90-day program. The opioid court works in conjunction with treatment providers; such groups are receiving state grants to enable them to expand their services. Those in the program must report to court every day to meet with the judge.

For the Opioid Intervention Court in Watertown, Credo Community Center received a \$150,000 state grant. Credo will use the funds to hire two people to provide critical clinical and peer support services to defendants. Randi L. Forbes, Credo's outreach and off-site coordinator, will appear in court Tuesdays, Wednesdays and Thursdays to assist participants.

### Ohio

[Businesses looking for standard addiction approach](#)

Medina Gazette

The local seminar comes days after a screening of "Second Chances: One Year in Ohio's Drug Courts." The hour-long documentary was produced, written and filmed by Anne Fife of Ohio Government Telecommunications.

The Medina County Alcohol, Drug Addiction and Mental Health Board and the Medina County Adult Drug Court showed the film Tuesday at the Performing Arts Center before about 200 people.





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The documentary, produced in conjunction with the Ohio Supreme Court, followed participants of Medina County Adult Drug Court in 2016 through their journey through recovery and other life challenges. The drug courts offer treatment in lieu of conviction, as long as participants graduate from the program.

Chief Justice Maureen O'Connor of the Ohio Supreme Court said then that the documentary was blunt.

“What you see here today is real,” O'Connor said Tuesday. “The road to recovery is not a clear path. There are good, bad, and horrible days.”

### Vermont

#### [State Eyes Mediation In Quest To Reduce Vermont's Child Welfare Case Backlog](#)

Vermont Public Radio

An influx of child welfare cases in Vermont has the Scott administration looking for new ways to resolve allegations of child neglect.

Ken Schatz, commissioner of the Vermont Department for Children and Families, told lawmakers Thursday that family courts across the state have become overwhelmed with child welfare cases. He said he plans to ask the Legislature in January to fund an “alternative dispute resolution” program that could help resolve many of those cases before they get to court.

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“Having the ability to refer families to sustained home visiting is an approach that we believe really can make a positive constructive difference, enabling families to address some issues related to opioids, related to other challenges and barriers, that sometimes lead to abuse and neglect,” Schatz said.

### Vermont

#### [Vermont launches data-driven review of state's criminal justice system](#)

Vermont Business Magazine

The Justice Reinvestment II Working Group, which was created by Governor Phil Scott in Executive Order 03-19 (link is external), held its first meeting on August 26 to begin a data-driven approach to analyze and address challenges in the state's adult criminal justice system. The review is part of Vermont's participation in the Justice Reinvestment Initiative, a federally funded process aimed at helping states get maximum value out of their corrections spending and reinvest in strategies that can reduce recidivism and increase public safety.



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Justice Reinvestment will also examine the intersection of the criminal justice system and the opioid crisis. Like many other states, Vermont has battled significant issues related to overdose deaths. Between 2007 and 2017, the state's drug overdose death rate increased 115 percent—from 10.8 deaths per 100,000 residents to 23.2 deaths. Multiple studies have indicated that people with opioid addictions who are released from prison or jail face a significantly higher risk of overdose and overdose-related death.

“The justice system is at the forefront of the opioid crisis, and every day too many people end up before us as a result of substance addiction,” said Supreme Court Chief Justice Paul Reiber. “If we’re going to make a difference in the lives of people who struggle with addiction, we need to address the challenges at the intersection of the criminal justice system and the opioid epidemic.”

### Wisconsin

#### [The N.E.W. Addiction: Opioid court offers help and hope](#)

Fox 11 Green Bay

There is a treatment court in Brown County that specializes in opioids.

It began in 2014, because the criminal court system was getting clogged with more and more cases that dealt with opioid abuse.

The Opioid Court was a new way to tackle that problem. It offers treatment, instead of punishment.

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“It’s simply... we needed a different outcome. The punishment wasn’t working. The drugs were coming into the community. The problem of opioid abuse, and heroin, was getting worse and worse. And putting people in prison just wasn't solving the problem,” said Judge Thomas Walsh, Brown County Opioid Court.

Judge Walsh runs the treatment court in Brown County.

He says the program can work by getting people a job, a place to live, and into recovery.

“Our treatment court has been working quite well. The majority of people have been getting out. They are staying clean and sober. And they’re remaining employed,” said Judge Walsh.