



Opioids and the Courts News: October 4, 2019

National

[Johnson & Johnson Reaches \\$20.4 Million Settlement in Bellwether Opioids Case](#)

New York Times

Johnson & Johnson announced Tuesday that it had reached a \$20.4 million agreement to settle opioid claims brought by two Ohio counties, becoming the fifth drugmaker to avoid the first federal trial that attempts to hold the pharmaceutical industry accountable for the drug scourge.

The company — which made a fentanyl patch and two versions of an opioid tablet — did not admit wrongdoing. It said in a statement that it was settling “to avoid the resource demands and uncertainty of a trial as it continues to seek meaningful progress in addressing the nation’s opioid crisis.”

The division of Johnson & Johnson that made the opioid products, Janssen Pharmaceuticals, has said that those products accounted for less than 1 percent of total opioid prescriptions written in the United States.

The settlement was not nearly as sizable as the tentative agreement reached by Purdue Pharma with opioid plaintiffs last month, but that deal was intended to release the company from all federal litigation and many state cases as well.

National

[The Health 202: Now there are just six opioid companies on trial](#)

Washington Post

There were seven companies until Johnson & Johnson announced yesterday it reached a \$20.4 million settlement with Ohio’s Cuyahoga and Summit counties, saying it can now “avoid the resource demands and uncertainty of a trial,” my colleagues Scott Higham, Sari Horwitz and Lenny Bernstein report. The remaining companies include manufacturer Teva Pharmaceuticals, distributors McKesson, Cardinal Health, AmerisourceBergen, and Henry Schein, and the pharmacy Walgreens, from whom the counties are seeking billions of dollars in damages and financial contributions for addiction treatment, emergency services, and health care for people affected by opioid abuse.



Opioids and the Courts News: October 4, 2019

Arkansas

[Opioid summit to be hosted in Fort Smith](#)

Fox 24 – KFTA

Opioid use and abuse is affecting many Arkansans.

Most overdose deaths within the state have involved opioids, according to the National Institute on Drug Abuse.

Arkansas is second in the nation for over-prescribing opioid medications, according to Arkansas Take Back.

In 2017, Arkansas providers prescribed more than 105 opioid prescriptions for every 100 people, which is nearly two-fold greater than the average U.S. rate, according to the Centers for Disease Control and Prevention.

A recent national study shows a five-fold increase among babies born with opioids in their systems.

The Sebastian County Opioid Task Force is hosting an opioid summit: “In Our Own Backyard... Addressing Opioids in Our Community.” It will be at Grace Community Church on Brooken Hill Drive in Fort Smith between 12:00 p.m. and 5:15 p.m. Friday, Oct. 11.

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Featured speakers include Sebastian County Sheriff Hobe Runion; Sebastian County Judges David Hudson and Jim O’Hern; Dr. Cheryl May, director of the Arkansas Criminal Justice Institute; and Tabitha Fondren. Dr. Gary Hawthorne will host a panel discussion at the summit.

Minnesota

[Incoming members, state leadership have high hopes for Minnesota’s Opioid Advisory Council](#)

Minnesota Post

Judicial advocate: Korey Wahwassuck

Opioid addiction creates a vicious circle. At least that’s what Korey Wahwassuck, a justice in Minnesota’s ninth judicial district, has seen over her long history of guiding people through the state’s legal system. A former tribal attorney and associate judge for the Leech Lake Band of Ojibwe, she’s seen history repeat itself more times than she cares to count.



Opioids and the Courts News: October 4, 2019

“I have seen what problems with addiction have done in the tribal communities and for other people in the state,” Wahwassuck said. “Here, in Greater Minnesota, I’m seeing the same kids that were involved in child protection cases when I was in Leech Lake now appearing in front of me on their own delinquency matters. And I am also now seeing them in court in their own child protection cases.”

The impact of the opioid crisis runs deep in northern Minnesota’s Native population, Wahwassuck said. As a tribal attorney specializing in child protection cases, she saw firsthand how addiction tears families apart and creates trauma that reverberates across generations.

Wahwassuck, who has a family member who has struggled with opioid addiction but is now in recovery, helped to form the state’s first joint-jurisdiction wellness courts, in Leech Lake and Cass County and Leech Lake and Itasca County. These courts, often referred to as drug or DWI court, work to find humane legal options for individuals facing addiction and their families. The goal, Wahwassuck explained, is to find solutions that work for everyone. The name change is intended to reflect that.

“We try to take a holistic approach,” she said. “These are the first courts in the nation where we have had a tribal court justice and a state court justice take the bench together and address these issues jointly.”

Wahwassuck said that she was encouraged to apply for a position on the council. “I was originally contacted by DHS,” she said. “They got my name from someone and thought my experience working in trial court and with tribes and my work as a judge would [be] beneficial.”

She’s enthusiastic about the opportunity to serve. She hopes that council members will be able to gain strength from their differences and bring that united power to their decision-making.

“I really think this council is going to give us a chance to take a comprehensive look at this crisis from different perspectives,” Wahwassuck said. “There is a great cross-section of experience from different members of this task force. I’m impressed with the cross-section of people who have been selected.”

Because the state’s tribal communities have been so negatively impacted by the opioid crisis, Wahwassuck thinks the voice of the council’s Native representatives will be key.

“Having this tribal voice at the table is very important,” she said. “I think this diversity on the council is so important because of the disparate impacts and the disparities we



Opioids and the Courts News: October 4, 2019

have in the state right now. Tribal communities are being hugely impacted by the opioid crisis, but we are not always at the table. Decisions get made and we aren't always well-informed about them. It is important that the tribes have a voice in this process so that the cultural aspects can be brought in to help our people heal.”

Pennsylvania

[‘Drug Court Changed My Life.’ Counties Turn To Courts As One Way To Battle Opioids](#)

WPSU

President Judge Pamela Ruest is the judge for the drug court. Centre County has had a DUI court for several years. She said they decided to have a drug court because of the seriousness of the opioid epidemic.

She went to the DUI court program and the participants gave her advice.

“So some of the advice that I’ve received is that I should be open, honest and willing to work with the people involved, that I should have patience. Not one of my virtues, but I am working on that,” she said. “Recognize that they’re all individuals, even though they’re all addicts. It was wonderful; I got wonderful advice.”

Ruest said her father was an alcoholic who got treatment, and that helps her cut through some of the stories.

“I’ve heard them. I’ve grown up with them. I’ve heard the excuses. And, I’ve seen the struggles. I’ve seen how you can go a month without drinking and then relapse, or even longer,” Ruest said. “It’s a difficult process, but I’ve also seen that it can be done.”

