



# Opioids and Courts: What Chief Justices Are Saying

## [Georgia/Chief Justice P. Harris Hines](#)

The increase in the number of children in foster care has been fueled in part by illegal drug usage, including illicit use of opioids. Nationally, the number of children in foster care has tripled since 2012.

## [Indiana/Chief Justice Loretta H. Rush](#) (January 2018)

In preparing these remarks, I asked your leadership what you would like included in this address. Thank you, Governor Holcomb, President Long, Speaker Bosma, Leaders Pelath, Goodin, and Lanane, for your time and input. There was a common theme to your responses: how is the judiciary addressing the opioid crisis?

Addiction has swept into every community and is flooding every court—and not just in Indiana, but across our country. This past year, I was appointed co-chair of the National Judicial Opioid Task Force.

People often ask me the same question they are asking you: what can we do about this crisis? I have only one answer: together, we must do everything. This is a situation where well-reasoned, evidence-based judicial interventions can get people to treatment, give consequences, cut the supply, support families, and save lives.

## [Iowa/Chief Justice Mark S. Cady](#) (January 2018)

One challenge can be seen in the growing signs that the opioid crisis has reached Iowa. While this will be a challenge for all, Iowa courts must prepare to respond now. Court services will be an essential part of the collective effort to minimize the loss of life and the devastation inflicted on families in our state. Fortunately, we know that family treatment courts and drug courts are up to the task. These courts, however, must be expanded and retooled to address the myriad issues families and children confront when affected by opioid addiction. This is what the process of justice must be.

## [Kentucky/Chief Justice John D. Minton, Jr.](#) (October 2017)

As the opioid epidemic ravages lives across the state, the court system has become ground zero for the resulting criminal and civil cases. While criminal cases related to substance abuse are to be expected, it's incredibly disheartening to see the explosion in family law cases as well. Dependency, neglect and abuse case fill our dockets as daily reminders of the grim toll the epidemic is taking on Kentucky families and children.



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[Maine/Chief Justice Leigh I. Saufley](#) (February 2018)

The stark reality is:

People are dying; families are hurting; communities feel helpless.

We know that we are not alone—this is happening in many other states.

But we should not sugar-coat it. What we—in government—are doing

**IS NOT ENOUGH.**

We have to try harder.

[Massachusetts/Ralph D. Gants](#) (October 2017)

I hope that in the future we will be able to continue to expand these specialty courts so that, as is now true of our Housing Court, they will be available to all who need them, wherever they live in the Commonwealth -- especially our drug courts, which are so desperately needed at a time when we are losing more than five people every day to opioid overdoses.

[Missouri/Chief Justice Zel M. Fischer](#) (January 2018)

The second area where our work together can pay off is in the use of treatment courts to help break the cycle of crime, and to respond to the opioid crisis now plaguing Missouri and our entire nation.

Drug overdose is now the leading cause of accidental death in the United States, with the rate of overdose deaths involving opioids continuing to climb. Our state mirrors the national statistics, as opioid use disorder has taken an enormous toll on Missouri. Missouri lost 1,066 people in 2015 and 1,371 people in 2016 to a drug overdose. This is a staggering increase in deaths.



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[New York/Chief Judge Janet DiFiore](#) (February 2018)

## The Opioid Crisis

I think everyone assembled here would agree that justice must be tempered by compassion and a thoughtful approach to the societal problems reflected in our court dockets. This is especially true for the many New Yorkers who have fallen victim to the tragic and frightening consequences of the opioid epidemic. Here in New York State we are adjusting our court processes to reflect our belief that justice without compassion can be unacceptably cruel.

According to the latest numbers from the Centers for Disease Control and Prevention, over 64,000 people died from drug overdoses in the United States in 2016, more than the number of American lives lost during the entirety of the Vietnam War.

In response, we have opened our first Opioid Intervention Court – the first of its kind in the nation – in the City of Buffalo, a City hit hard by this national public health crisis.

[North Carolina/Chief Justice Mark Martin](#) (June 2017)

The Judicial Branch has joined the fight against drug overdose and opioid addiction, which claimed the lives of almost 1,500 North Carolinians just last year. This epidemic has hit our State hard, and the statistics are staggering. Drug overdose deaths have increased by 350% since 1999. Heroin-related deaths have increased by 884% since 2010. And drug overdoses now cause more deaths than either firearms or motor vehicle accidents, and result in over 20,000 ER visits per year. According to a CBS report, four North Carolina towns—

Wilmington, Fayetteville, Hickory, and Jacksonville—are among the nation's top 20 areas that have been hardest hit by the opioid abuse epidemic. Many of you have witnessed the tragic consequences of this epidemic in your local communities. Now, the legal community must do its part to address this crisis.



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[Ohio/Chief Justice Maureen O'Connor](#) (August 2017)

Why do I raise this issue [opioids]? For two reasons. First, to use whatever pulpit I have to call us all into action. We are not just judges. We are also community leaders. We cannot sit behind the bench thinking this is someone else's problem to deal with. Judges – you and I – have a special place in our communities. We are “looked at” and “looked up to” for leadership in times of crisis. And make no mistake, we are in crisis.

Secondly, over the last few months, I've been meeting with sub-sets of Ohio judges to gauge how their work has changed. The opioid crisis is just one of several examples of what I have heard over the last few months. But it is an important indicator of how society changes and problems impact our work.

We all know that as case numbers have fallen, the amount of work involved in individual cases have risen however. Anyone who thinks otherwise should sit down with a judge running a special court docket -- a juvenile judge, a probate judge, or any other judge. They should sit down with judges confronting human trafficking. Or judges that are dealing with mental health crises, veterans in turmoil, juveniles who have lost their parents to opioid poisoning. The fact is that the judiciary is often the best opportunity for many.

[South Dakota/Chief Justice David Gilbertson](#) (January 2018)

While South Dakota's fatalities are much lower in number, they still more than doubled between 2007 to 2015. The statistics for opioid abuse are somewhat surprising to me. This is not exclusively a youthful addiction. The South Dakota Department of Health reports that a majority of people addicted to opioids are between 40 and 64 years old. The second highest bracket of addiction is the 25-39 age group. Eighty percent of the cases involve Caucasians and 57% are women. When we started the drug court pilot program in 2008 we never dreamed that the evolution of society would present us with such monumental problems. We certainly had a drug problem in those days, but we considered it “manageable.”

Now it is everywhere and despite our best efforts we once again are playing “catch-up.” As President Franklin D. Roosevelt observed: “There are many ways of going forward, but only one way of standing still.”



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[Virginia/Chief Justice Donald W. Lemons](#) (May 2017)

This past November, the Governor declared Virginia's opioid addiction crisis to be a public health emergency. Drug overdose deaths in Virginia in 2016 topped 1,400. Overdoses have outpaced motor vehicle accidents and gun-related incidents as the leading cause of unnatural death in the state. Experts predict this crisis will get worse before it gets better. These are scary statistics. But we must never forget that behind each statistic is a person whose life has been destroyed by addiction, and whose families and communities will never be the same after losing a loved one to addiction. No family or community is immune from this crisis, including me. A few years ago, my cousin, who proudly served in the Air Force as a nurse, died from a heroin overdose. She was found in a bath tub with a needle in her arm. This crisis is personal to many of us in this room.

We are in the midst of a public health crisis and there is a role the judiciary can play. We can support the creation of specialty dockets, like drug court dockets, to help people fighting addiction get the help they need.

[Wisconsin/Chief Justice Patience Drake Roggensack](#) (November 2017)

The scourge of opioid addiction cuts across all races and economic levels. Opioid addiction does not discriminate based on marital status or gender.

Opioid addiction clogs our courts as we address law violations for which addiction is a contributing factor. It cripples our families when parents become addicted and no longer provide a stable and safe home for their children. It also shatters families when children become addicted and parents try and try to help them overcome the problems that accompany addiction.