



Opioids and the Courts News: July 3, 2019

National

[Special Report: How judges added to the grim toll of opioids](#)

Reuters

In practice, secrecy has become so ingrained in the system that judges rarely question it. In 85 percent of the cases where Reuters found health and safety information under seal, judges provided no explanation for allowing the secrecy.

[Circuit Court] Judge [Booker T.] Stephens was bound by West Virginia law to weigh secrecy against transparency and provide in the court record his reasoning. Like many judges in his position, he did neither. “This case was sealed because both sides agreed and asked me to seal it,” he told Reuters.

...

A few courts, recognizing the breadth of the opioid crisis, have recently signaled a less tolerant stance on secrecy, putting them at odds with [Opioids MDL Federal Judge Dan] Polster.

Massachusetts Superior Court Judge Janet Sanders was presiding over a hearing in January on Purdue’s request to maintain hundreds of redactions in a lawsuit filed against it by the state. News organizations, including Reuters, had petitioned Sanders to lift the redactions.

Sanders reminded the lawyers that they were in the courthouse where records of child sexual abuse by Roman Catholic priests had been sealed – until the Boston Globe petitioned the court here for their release.

That case, she said, showed that even if the litigants on both sides want to keep evidence secret, the “court has to separately make a determination.”

National

[Judges and Courts Respond to Opioid Litigation Engulfing U.S. Court Systems](#)

International Journal for Court Administration, Vol. 10, No. 1, 2019

This editorial summarizes the epidemic in the U.S. of opioid addiction, its lethality in the addict community, and its impact on the justice and social-services sectors. It focuses on the pursuit by federal, state, and local court systems of innovative alternatives to traditional models of civil and criminal litigation. Judicial officials are determined to save lives by expediting case processing, compelling settlements from prescription manufacturers and distributors, and orchestrating a range of social services to detour addiction’s lethal path. The urgency of settlement is exacerbated by the need to reimburse





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an array of treatment-oriented public-sector institutions for the enormous costs they are incurring.

National

[US government seeks part of Oklahoma's \\$270M opioid deal](#)

Associated Press

The U.S. government wants a portion of Oklahoma's \$270 million settlement with Purdue Pharma that stemmed from the state's ongoing lawsuit against opioid makers.

The U.S. Centers for Medicare and Medicaid Services wrote to the head of Oklahoma's Medicaid agency that it has determined the federal government is entitled to part of Oklahoma's proceeds.

The June 12 letter from CMS' regional director Bill Brooks also seeks detailed information from the Oklahoma Health Care Authority and warns that failure to return a portion of the settlement money could result in the withholding of federal funds. Medicaid is jointly funded by the federal government and states.

California

[Marin agencies receive \\$500,000 for opioid addiction treatment](#)

Marin Independent Journal

Marin Health and Human Services used its \$135,000 to promote collaboration between the county jail, adult drug court, Marin County public health and behavioral health, Marin City Health and Wellness, and Bay Area Community Resources.

Montana

[Gazette opinion: Billings court steers offenders, veterans to sobriety](#)

Billings Gazette

Rimrock provides the chemical dependency treatment, including medication-assisted treatment that has been shown most effective for opioid addictions. Alcohol is most frequently the primary drug abused by court participants, with meth a close second, [Judge Mary Jane] Knisely said, but opioids abuse is increasing. The medications used to help opioid abusers are being tested for effectiveness on meth addictions.



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Tennessee

[Slone recognized by National Center for State Courts](#)

Citizen Tribune

Fourth Judicial District Circuit Court Judge Duane Slone, whose groundbreaking work in the courtroom has given new hope to many battling addiction issues, was recently awarded the National Center for State Courts Distinguished Service Award.

NCSC President Mary McQueen presented Judge Slone with the award during the recent Tennessee Judicial Conference.

“He’s been an innovator, an initiator, a visionary at the national, the local, and the regional level,” McQueen said.

In particular, she cited Judge Slone’s close involvement with the NCSC-coordinated, multistate Regional Judicial Opioid Initiative.

