



# Opioids and the Courts News: October 25, 2019

## National

[Judges on the Frontlines: What Courts and the Criminal Justice System Need to Know](#)

Rockefeller Institute of Government

The criminal justice system is an important part of the push to curb opioid use. As much as state court judges are doing to address opioids, however, they don't always have easy access to the information they need to make decisions. As one judge said to us: "Now I would ask you ... what is the cutting-edge research showing?"

To answer this question, we turned to Indiana Supreme Court Chief Justice Loretta Rush, co-chair of the **National Judicial Opioid Task Force**, who pointed us to open resources for judges at the [National Center for State Courts](#) (NCSC). The center has comprehensive materials for judges on substance-use disorders including briefs showing how [addiction](#) affects the brain and examples of innovative court programs like Buffalo's Opioid Intervention Court, which links participants to treatment within hours of their arrest and subsequently provides additional services to them. The center explains what [medication-assisted treatment](#) is and describes the medications (Methadone, Buprenorphine, Naltrexone) used in treatment as well as its legal implications. It even suggests how to prepare for and what to do in case of an [opioid overdose](#) in the courtroom. It offers options for [how to screen](#) for a substance-use disorder by providing three commonly used screening tools, and shows how two courts (Baltimore, MD, and Yuma, AZ), in particular, use these tools effectively.

## National

[Several states wary of \\$48 billion opioid settlement proposal](#)

Reuters

Several U.S. states that have been ravaged by the opioid epidemic are pushing back on a proposed \$48 billion settlement framework that would resolve thousands of lawsuits against five drug companies accused of fueling the addiction crisis.

The proposal would bring an end to all opioid litigation against AmerisourceBergen Corp, Cardinal Health Inc. and McKesson Corp, drugmaker Teva Pharmaceutical Industries Inc, and Johnson & Johnson.

The companies have proposed paying \$22.25 billion cash mostly over 18 years, while services and drugs to treat addiction valued at \$26 billion by the companies would be provided over the coming decade, mostly by Teva.

Officials in states such as Ohio, New Hampshire and West Virginia — all hard hit by the deadly drug addiction crisis — voiced concerns about the proposal.



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James Boffetti, the associate attorney general for New Hampshire, said in an interview he was troubled that payments were stretched over many years.

“The concern is, I think, the states need money now to create the infrastructure for treatment,” he said.

### National

[Judge Dies From Opioid-Related Overdose: The opioid crisis hits the legal profession.](#)

Above the Law

Today brings us unfortunate news from North Carolina, where a longtime judge was found dead. A recent autopsy reveals that Chief Judge Tom Jarrell, 56, of the Guilford County district court, died from an opioid-related overdose.

Jarrell had served as a judge for more than 20 years, and created the first DWI traffic court in the state. The [Tribune Media Wire](#) has additional information:

According to the autopsy released Thursday, Jarrell’s official cause of death was “fentanyl and heroin intoxication.”

The judge was reportedly found unresponsive on the bedroom floor of his home during a welfare check.

Law enforcement found a plastic baggie with a powder substance in his pocket, as well as a pocket knife and a piece of paper containing a powder substance in the bathroom.

### National

[In Opioid Settlements, Suboxone Plays a Leading Role](#)

Stateline

In this week’s \$260 million settlement between drug companies and two Ohio counties hit hard by the opioid crisis, \$25 million worth of the addiction medication known as Suboxone is a big part of the deal.

Suboxone would make up a much larger share of a proposed national settlement announced shortly afterward by a bipartisan group of state attorneys general: an estimated \$26 billion over 10 years out of a \$48 billion overall settlement.

But addiction experts question whether donated Suboxone — one of three evidenced-based medications used to treat opioid addiction — should be such a huge part of the settlements, because states could make a greater impact by spending the money on other measures.



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## Massachusetts

### [Boston Lawyer Writes 'Serenity Song' To Help People Battle Addiction](#)

WBUR

[Chelsea District Court First Justice Matthew] Machera on using the song in drug court, [and] the role of judges in recovery...

It touches on the feelings that I think every participant in my drug court goes through. So when Ethan [Grove] came out and spoke, he spoke their language. And it's another way for those in recovery to use the arts as another outlet as they continue to rebuild their lives.

I think everybody in the criminal justice system shares the same goal, and that is to make sure that that person never comes back again. And it's easy just to incarcerate someone and then sort of forget about them. But if we don't deal with the underlying issues, which in this day and age — I think everybody is on board — this is a crisis that I don't think anybody has ever seen before.

There is no family, I think, that has not been touched by addiction, and it's everybody's problem. The thing about community courts, the district courts, is that we're part of the solution.