



BLUEPRINT

for Racial Justice

Directory of Systemic Change Initiatives

First Edition
December 2022





NOTES ON THE FIRST EDITION

The Blueprint for Racial Justice Directory of Systemic Change Initiatives is meant to serve as a resource for state courts that are looking for guidance on the implementation of new racial equity policies, practices, and programs. Courts that are considering a particular initiative can use this Directory to contact their colleagues in other states who have experience with implementation. Our hope is that this Directory will facilitate communication and collaboration across state courts in racial justice reforms.

In Fall 2021, members of the Blueprint's Systemic Change Working Group completed a questionnaire that asked them to outline any systemic change initiatives taking place in their jurisdictions that were aimed at promoting racial equity. Eighteen jurisdictions completed the questionnaire, describing court initiatives across 15 areas of reform.

To compile the First Edition of the Directory, the Action Plan project team of the Systemic Change Working Group selected five high-priority areas of reform from the questionnaire. The project team prioritized initiatives that target areas in which people of color are disproportionately affected or areas in which racial disparities exist. The project team also aimed to select initiatives that covered a range of complexity levels—from relatively straightforward initiatives that a court could implement quickly and at low cost to more difficult initiatives that require significant time, funding, or political support.

The team then identified jurisdictions to feature in the Directory based on their responses to the systemic change questionnaire. For each jurisdiction highlighted, the project team conducted a structured interview with the court personnel most closely involved with the initiative.

Note that this Directory is not meant to be an exhaustive list of racial justice initiatives taking place in state courts across the U.S., and inclusion in this Directory does not necessarily imply endorsement of a particular program by NCSC or the Systemic Change Working Group. There are certainly many state courts doing excellent work in this space that are not included here, and we hope to expand the scope and comprehensiveness of the Directory in future Editions.



In selecting the systemic change initiatives to feature in this Edition, the Action Plan project team drew on a set of [Guiding Principles](#) that had previously been developed by the Systemic Change Working Group. The Guiding Principles are reproduced here for reference:

Systemic Change Guiding Principles

Systemic change within the justice system is key to addressing racial disparities in court user experiences and justice outcomes. Systemic change involves examining the root causes of disparities and seeking reforms at the system level in the policy domains likely to make the biggest impact. To guide courts in their efforts, the Systemic Change Working Group proposes the following “Guiding Principles.”

It is the intent of the working group that the guiding principles be used as a lens to consider potential changes under consideration. This may include using the principles to evaluate a potential area to address, propose policy reforms, or conduct equity impact analyses on proposed rules changes or legislation.

1. Systemic change should be truly systemic

Systemic change requires an analysis of the root causes for the racial disparities that may exist within a given system, even if a race-neutral reason is provided for the practice in question. It is therefore necessary to avoid looking at any proposed reform in isolation. Rather, the courts should try to locate the source of the problem by taking the time to analyze data; review processes, policies, rules, and statutes to come up with solutions that are evidence based and far reaching; and evaluate impacts of disparities across the judicial system to proposed specific reforms.

2. Systemic change should be transparent

Reform efforts should be transparent to the stakeholders and community. While some of the decision-making process may not be fully accessible, courts should make special efforts to ensure that it is clear what is being considered, why it is being considered, how the reform will be implemented, what is ultimately decided, and the extent to which the reform will impact the issue to be addressed. Courts should acknowledge areas that need improvement and describe how they are attempting to resolve those issues.

3. Systemic change should be intentional, purposeful, and dynamic

Systemic change should be done with intentionality, and courts should determine the goals and purposes behind the effort. In addition, courts should be cognizant that the systemic change effort should be dynamic and may need regular adjustment as issues arise or reforms must be altered.



4. Systemic change should be sustainable

Systemic change cannot be a “one-and-done” effort. To undertake an effort at systemic reform that cannot be sustained over time would be harmful to the overall effort of reducing racial disparities. Therefore, courts should establish methods to sustain reforms. This may mean establishing specific employee positions, committees, or data analyses that permit the court to continuously focus on reforms.

5. Systemic change should be stakeholder- and community-inclusive

To ensure that all viewpoints are represented, systemic change should only be undertaken with continuous stakeholder and community input. While the community is certainly a stakeholder in the justice system, for purposes of these principles, stakeholders include those individuals and agencies/entities who have regular and direct involvement in the justice system, such as judges, court staff, attorneys, law enforcement, and court-designated service providers. The broader community that includes individuals who interact with the justice system or that reflect the values of the community should also be involved in the systemic change process.

6. Systemic change should be tailored to the community

It is likely that not every reform effort will be appropriate for every community. The scope and scale may be different in certain reform endeavors. Therefore, systemic change initiatives should be planned in the context of the community to provide a tailored approach. Courts should consider the community that is intended to be impacted by the reform effort and evaluate to see if the desired impacts are realized.

7. Systemic change should be informed by data and evaluated

To determine where action may be necessary, courts should use existing data to evaluate potential disparities or harmful impacts that may exist. Courts should be careful to implement reforms by first determining whether the data support that reform effort.

To evaluate the impact of reforms, systemic change efforts must be evaluated through data collection, measurement, and analysis. Simply enacting a reform does not guarantee that the reform addresses the issue as intended. Therefore, courts should collect data on pre-implementation and post-implementation changes and evaluate that data to determine the impact of the reform.

Courts should incorporate an equity impact analysis when proposing rule, policy, or process changes.



ACKNOWLEDGMENTS

This report was developed by the National Center for State Courts with support from the State Justice Institute (SJI-22-P-006).

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Courts that are interested in submitting an entry for a future edition of the Directory can complete the online [Directory Submission Form](#).



Table of Contents

PART I: ACCESS TO JUSTICE	9
INITIATIVE 1: FORMS AND PROCESS SIMPLIFICATION	10
<i>Iowa Judicial Branch</i>	10
INITIATIVE 2: COURTHOUSE NAVIGATORS AND LEGAL HELP CENTERS	12
<i>Kentucky Courts</i>	12
<i>District of Columbia Courts</i>	13
<i>District of Columbia Courts</i>	15
INITIATIVE 3: INCREASED FUNDING FOR PUBLIC DEFENDERS, LEGAL AID, VOLUNTEER LAWYER PROGRAMS.....	17
<i>Texas Judicial Branch</i>	17
<i>Texas Judicial Branch</i>	18
<i>New Hampshire Judicial Branch</i>	20
<i>New Mexico Courts</i>	21
INITIATIVE 4: COURT-APPOINTED COUNSEL IN ADDITIONAL CASE TYPES	23
<i>Pennsylvania Courts</i>	23
<i>Massachusetts Courts</i>	24
INITIATIVE 5: EVICTION DIVERSION	26
<i>Pennsylvania Courts</i>	26
<i>Michigan Courts</i>	27
<i>District of Columbia Courts</i>	29
PART II: JUVENILE DELINQUENCY	31
INITIATIVE 6: JUVENILE DIVERSION PROGRAMS AND THE JUVENILE DETENTION ALTERNATIVES INITIATIVE	32
<i>Arizona Judicial Branch</i>	32
<i>District of Columbia Courts</i>	33
<i>Iowa Judicial Branch</i>	34
<i>Montana Judicial Branch</i>	35
<i>New Jersey Courts</i>	36
<i>Pennsylvania Courts</i>	37
INITIATIVE 7: DISPARATE RACIAL IMPACT OF DISCRETIONARY REFERRALS TO DIVERSION.....	39
<i>Pennsylvania Courts</i>	39
<i>Iowa Judicial Branch</i>	40
<i>Massachusetts Courts</i>	42
INITIATIVE 8: DECRIMINALIZATION OF TRUANCY AND DIVERSION PROGRAMS FOR SCHOOL ABSENCES.....	43
<i>Oregon Courts</i>	43
INITIATIVE 9: BEHAVIORAL HEALTH SERVICES FOR JUVENILES AND THEIR FAMILIES	45
<i>Michigan Courts</i>	45
INITIATIVE 10: RISK/NEEDS ASSESSMENT FOR JUVENILE SENTENCING.....	47
<i>Arizona Judicial Branch</i>	47



PART III: CHILD WELFARE AND DEPENDENCY COURT	49
INITIATIVE 11: PROBLEM-SOLVING COURTS OR SPECIALIZED DOCKETS FOR CHILD PROTECTION, ICWA, OR FAMILY TREATMENT.....	50
<i>Arizona Judicial Branch</i>	50
<i>Texas Judicial Branch</i>	51
<i>District of Columbia Courts</i>	52
<i>Montana Judicial Branch</i>	54
<i>New Hampshire Judicial Branch</i>	56
INITIATIVE 12: DIFFERENTIATED CASE MANAGEMENT PROGRAMS	59
<i>Pennsylvania Courts</i>	59
INITIATIVE 13: INTERDISCIPLINARY ADVOCACY TEAMS FOR CHILD WELFARE CASES	61
<i>New Mexico Courts</i>	61
<i>Ohio Courts</i>	63
PART IV: LANGUAGE ACCESS	66
INITIATIVE 14: TRANSLATION OF WRITTEN MATERIALS, COURT FORMS, AND SIGNAGE.....	67
<i>District of Columbia Courts</i>	67
<i>Massachusetts Courts</i>	68
<i>Pennsylvania Courts</i>	70
INITIATIVE 15: REMOTE INTERPRETATION SERVICES	72
<i>Texas Judicial Branch</i>	72
<i>District of Columbia Courts</i>	73
<i>Massachusetts Courts</i>	74
INITIATIVE 16: STANDARDS AND CERTIFICATION FOR INTERPRETERS	77
<i>Arizona Judicial Branch</i>	77
<i>District of Columbia Courts</i>	78
<i>District of Columbia Courts</i>	80
<i>Massachusetts Courts</i>	81
<i>Ohio Courts</i>	83
INITIATIVE 17: TRAINING FOR THE COURT WORKFORCE ON LANGUAGE ACCESS NEEDS AND COURT INTERPRETING PROCEDURES	85
<i>District of Columbia Courts</i>	85
<i>Michigan Courts</i>	86
<i>New Hampshire Judicial Branch</i>	87



PART V: CRIMINAL JUSTICE REFORM	89
INITIATIVE 18: BAIL REFORM	90
<i>Michigan Courts</i>	90
<i>New Jersey Courts</i>	91
<i>Pennsylvania Courts</i>	92
<i>Texas Judicial Branch</i>	93
<i>Nevada Courts</i>	94
INITIATIVE 19: INCREASING JURY DIVERSITY.....	96
<i>Arizona Judicial Branch</i>	96
<i>Michigan Courts</i>	97
INITIATIVE 20: PROBLEM-SOLVING COURTS AND SPECIALTY DOCKETS	99
<i>Ohio Courts</i>	99
<i>District of Columbia Courts</i>	101
<i>District of Columbia Courts</i>	102
<i>District of Columbia Courts</i>	104
<i>Michigan Courts</i>	106
INITIATIVE 21: ELIMINATING OR REDUCING INCARCERATION FOR FAILURE-TO-PAY OFFENSES	109
<i>Texas Judicial Branch</i>	109
<i>Michigan Courts</i>	110
INITIATIVE 22: TEXT MESSAGES TO INFORM DEFENDANTS ABOUT HEARINGS	112
<i>New Hampshire Judicial Branch</i>	112
INITIATIVE 23: ELIMINATING MANDATORY SENTENCES	114
<i>Massachusetts Courts</i>	114



Part I: Access to Justice

This section highlights the following initiatives:

Initiative 1: Forms and Process Simplification

Initiative 2: Courthouse Navigators and Legal Help Centers

Initiative 3: Increased Funding for Public Defenders, Legal Aid, Volunteer Lawyer Programs

Initiative 4: Court-Appointed Counsel in Additional Case Types

Initiative 5: Eviction Diversion



Initiative 1: Forms and Process Simplification

Iowa Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

Iowa's Interactive Court Forms aid Iowans who do not have attorney representation in handling their legal needs. The program also provides tremendous conservation of court resources for both judges and court staff across the state.

2. How does this initiative promote racial equity in the courts?

The court forms project is not directed to a specific set or subset of the population. It is intended to benefit all Iowans with legal matters who cannot afford or would have difficulty affording professional legal counsel.

3. What processes and procedures were involved in developing and launching the initiative?

Beginning in 2019, a committee involving judges, clerks of court, private attorneys, judicial branch IT personnel, and supreme court staff has worked to develop the interactive forms. Once the project was underway, an outside developer was brought in for back-end platform development. That person has remained an instrumental member of the team in the continuing development of interactive sets of forms.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The interactive forms project was first proposed by the Iowa Access to Justice Commission. Iowa State Court Administration spearheaded the project with Iowa Supreme Court approval and oversight.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The Iowa Judicial Branch does not have robust statistics on the number of pro se litigants in our court system. However, it is clear that Iowa, like most states continues to see a growing percentage of litigants in its court system without professional legal assistance. The branch, through LawHelp Interactive, tracks the number of forms started and finished for each set of court forms.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The Iowa Judicial Branch contracts with Pro Bono Net, Inc., and LawHelp Interactive for access to HotDocs automated document assembly and the A2J Author guided interviews platform. The annual subscription is approximately \$30,000 per year. The branch also contracts with a third-party



developer integral to the project at a current rate of \$115 per hour. The annual developer cost has ranged from approximately \$12,000 to \$17,000.

7. What is the current status of the initiative?

Ongoing. The branch continues working to develop guided interviews for additional sets of court forms.

For more information, see:

- Iowa Judicial Branch, [Interactive Court Forms](#)
- National Center for State Courts, [Forms Camp](#)



Initiative 2: Courthouse Navigators and Legal Help Centers

Kentucky Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goal of the Legal Help Center is to provide meaningful access to the court for individuals who do not have an attorney either because of choice or economics. Another primary goal was to create a neutral site where people without legal representation can obtain legal information (excluding legal advice) about court procedures and forms which includes helping patrons locate and fill in the correct legal forms on a variety of topics.

2. How does this initiative promote racial equity in the courts?

The Legal Help Center is distinct from other legal assistance programs, economic means and U.S. citizenship are not barriers to service. The Legal Help Center has communicated through outreach efforts to get the word out among communities of color and immigrant communities. There are significant Congolese, Cameroonian and Burundian populations who can find assistance at the Legal Help Center in a neutral environment.

3. What processes and procedures were involved in developing and launching the initiative?

Kentucky's Access to Justice Commission received a grant from the National Center of State Courts to develop a strategic plan in 2018 and the Administrative Office of the Courts were involved in the strategic planning process. The Administrative Office of the Courts has been instrumental in developing guided interviews and forms used by the Legal Help Center.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

In addition to the Administrative Office of the Courts, other active collaborators have included: Fayette County Family Court Judges, the Fayette County Circuit Clerk's Office, the Fayette County Law Library Trustees, the Bar with recruitment efforts, and the pro bono coordinator of the Legal Aid of the Blue Grass. We always have a Commission employee there and the rest are staffed by volunteers including private attorneys who are recruited.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The Commission was aware of the data about self-represented litigants in Kentucky during the strategic planning process. In approximately 80% of family law cases, at least one person is unrepresented by an attorney. In eviction cases, that figure rises to approximately 90% of litigants who are unrepresented by an attorney. In the future, we believe the civil cover sheet (used when



an action is filed with the court) will offer more data on a litigant's representation status in various case types.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

There has been very little cost with establishing the Legal Help Center. The Legal Help Center occupies space in the Circuit Courthouse Law Library. The Administrative Office of the Courts has been instrumental in helping us develop guided interviews, forms and overall technology support. The Legal Help Center received a grant from the Fayette Bar Foundation to buy computers and a printer.

7. What is the current status of the initiative?

There is interest in expanding the operating hours or days of the Legal Help Center to make it more viable for the community. Effort is being made to diversify the information we provide on a range of other legal topics and to recruit law student volunteers. The guided interviews that the Administrative Office of the Courts developed have been extremely helpful to generate pleadings necessary for specific case types. The forms are available in nine different languages. Kentucky has a progressive expungement law. The Commission anticipates more matters with this legal topic will surface with more communication from the legal community on this topic. Recently, there was large public event where we had three Supreme Court justices come out to assist with the public outreach effort.

For more information, see:

- Kentucky Access to Justice Commission, [Kentucky's Justice for All Strategic Action Plan](#)
- Legal Services Corporation, [Kentucky Justice Online](#)
- Kentucky Courts, [Fayette County Legal Help Center](#)

District of Columbia Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The Consumer Law Resource Center provides free legal information to consumers related to: debt collection; home improvement/independent contractor disputes; security deposit refunds, small claims cases; used car or car repair disputes; utility disputes; and consumer protections violations. The Small Claims Resource Center provides legal and procedural information to plaintiffs and defendants involved in Small Claims Court proceedings in the District of Columbia and as well as individuals considering filing actions in the Small Claims Branch. Referrals to lawyers for free representation may be possible for qualifying litigants.



2. How does this initiative promote racial equity in the courts?

Holistically, we promote racial equity by understanding our consumer base and the intersection of race and poverty and wages in the District of Columbia. One of our strategic partners is Tzedek DC and you will find in their 2020-2021 Report it succinctly states and makes the connection that “we pursue our mission of safeguarding the legal rights and financial health of vulnerable DC residents through a racial justice lens because of the massive wealth and opportunity gaps that persist in the District of Columbia and nationwide, reflecting centuries of structural racism.”

3. What processes and procedures were involved in developing and launching the initiative?

The Resource Centers were established in the early 2000s and the DC Courts initiative to Reimagine the DC Courts, has increased remote access to make legal assistance possible during the pandemic and beyond. Recently there have been statutory changes regarding debt cases stemming from credit cards and old debts to make sure that chain of custody was proved as part of the verified complaint. This case type was stayed during the COVID-19 moratorium.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The National Center of State Courts has been conducting a study of the Civil Divisions high-volume calendars which include: Landlord and Tenant, Mortgage Foreclosures and Debt Consolidation. All three case types are susceptible to power imbalances that include heavy representation on the plaintiff’s side and the opposite on the defendant’s side. In addition to the partners stated earlier, other vested strategic partners include: TSDEK DC Collaboration, Catholic Charities, the DC Bar and Legal Aid for Elderly, and Neighborhood Legal Services.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Our case management data has been instrumental in sharing this information with the National Center of State Courts for the high-volume case study. The DC Courts internal Strategic Management Division and the recommendations of the study will be instrumental for future evaluation of the effectiveness of the initiative.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

There has been minimum cost. The Superior Court has made space available for legal service providers to occupy office space and have access to the DC Courts network.

7. What is the current status of the initiative?

Both resource centers are remote with the exception of the debt consumer resource center. The Court is hearing debt calendar matters twice a week and two attorneys are coming onsite on those days in case there is a walk-in member of the public. We have recently amended Small Claims Rule 19 and in the process of amending Civil Actions Rule 40(iii) to mirror the statutory change concerning establishing custody of the debt. The Small Claims Advisory Rules Committee and the Small Claims Working Group remain active.



For more information, see:

- TZEDEK DC, [Pursuing Justice: 2020-2021 Report](#)
- D.C. Courts Press Release, [D.C. Superior Court Opens Small Claims Resource Center](#)

District of Columbia Courts

Contact information: Nicole Stevens
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Program Highlights:

1. What were the primary goals of the initiative?

The Probate Self-Help Center assists the public with matters related to wills, small and large estates and adult guardianship. The primary goal of the Probate Self-Help Center is to provide a free walk-in service for unrepresented people with general legal information in a variety of probate law matters.

2. How does this initiative promote racial equity in the courts?

The Self-Help Center promotes racial equity in that it promotes equity across the board, to all people, regardless of their background, citizenship status or income level.

3. What processes and procedures were involved in developing and launching the initiative?

Through collaboration with stakeholders and listening to the needs of the public, there was a decisive effort to replicate the kind of Self-Help Center that was established in our Family Court. We procured a vendor to assist with creating a guided interview that would help to generate pleadings that met the requirements of the statute and court rules that govern our processes. We also identified support staff that were assigned to other areas in the Probate Division to staff the Center.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The initiative began through court leadership. Judicial and court administrators were opened to stakeholders through listening sessions. The Bench and the Bar, the Access to Justice Commission and the Fiduciary Panel of attorneys (with an obligation to dedicate pro bono hours annually) are our frequent collaborators. The DC Bar has been instrumental in providing a coordinator to assist with recruiting volunteers as the operational hours of the Center has expanded.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

We began with much anecdotal data about what the needs were from stakeholders. The Center's expanded hours began before the pandemic. Now that we have resumed in-person service Monday through Friday, we are collecting data through our: 1) E-Lobby system (that alerts staff regarding who has arrived, their service needs and wait times); 2) Bookings for virtual appointments; and 3) an internal customer service log to track the legal information that is being sought.



6. How much did it cost to launch the initiative? What resources are needed to maintain it?

In 2017-2018, the Probate Division envisioned permanent staff in Building A of the DC Courts campus to help anchor the Self-Help Center in addition to the volunteers who staff the Center. The full-time staff includes: an attorney advisor, two paralegal specialists, a small estates supervisor and three small estates specialists. Technological support is provided by the Information Technology Division.

7. What is the current status of the initiative?

The Self-Help Center has evolved with permanent staff, there is a continuous collaborate with the DC Bar, law schools, and the Fiduciary Panel of attorneys for volunteer assistance. The Center offers free seminars for the public on: 1) Guardianship Orientation seminars and 2) Inventory Preparation When Handling Someone Else's Money seminars.

For more information, see:

- District of Columbia Courts, [Probate Self-Help Center](#)



Initiative 3: Increased Funding for Public Defenders, Legal Aid, Volunteer Lawyer Programs

Texas Judicial Branch

Contact information: Betty Balli Torres
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Program Highlights:

1. What were the primary goals of the initiative?

The Texas Access to Justice Foundation's (TAJF) mission is to fund civil legal services in Texas. It is the largest funder in the state and strives to ensure that everyone in need of civil legal services has access.

2. How does this initiative promote racial equity in the courts?

Historically, TAJF has not expressly targeted racial equity in the courts or their client communities. Given that its client communities include a disproportionate number of marginalized communities, their work does have an inherent impact on these groups. However, TAJF has more recently been taking an intentional look at how they can ensure their grant funds support and improve "fairness, inclusion, and respect." As a result, the Board has developed a 3-year plan outlining steps toward this end. TAJF is also using GPS mapping to see if these analyses can assist with this effort.

3. What processes and procedures were involved in developing and launching the initiative?

TAJF was launched in response to civil legal needs studies that identified 20% of people involved in the civil legal system had unmet legal needs. At the time, there were a few states that had established Interest on Lawyers Trust Accounts (IOLTA) programs, providing Texas with examples of how to address this issue. Based on this information, leaders in the Texas Supreme Court and Bar Association created rules that established the foundation. As a result, Texas became the 9th state in the country to establish an IOLTA program.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The key stakeholders in establishing TAJF include the courts, Texas State Bar Association, and existing legal aid providers. When TAJF began, it was largely through the influence of the Texas Supreme Court; however, TAJF exists as a separate 501(c)(3).

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

TAJF conducted a legal needs study about 5 years ago, which identified that 10% of people involved in the civil legal system had unmet legal needs. TAJF collects data from their providers to help constituents understand how their grants are used. Also, TAJF is beginning to use GPS mapping to assist with understanding where the money is going.



6. How much did it cost to launch the initiative? What resources are needed to maintain it?

When TAJF was launched, a total of \$500k in grants was awarded to providers. Last year, a total of \$60 million in grants was awarded to providers. Other resources that help to maintain TAJF include data and relationships with client communities, funders, etc.

7. What is the current status of the initiative?

TAJF will soon celebrate its 40th anniversary, and its funds support pro bono services as well as services for certain case types, such as domestic violence, immigration, and more. It also continues to open offices, such as Uvalde, a low-income community of color.

Texas Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

The Texas Indigent Defense Commission (TIDC) was launched 20 years ago in an effort to protect the right to representation and improve the state's public defender system. TIDC was established in response to a report by Bob Spangenberg that indicated that there was little to no data on public defense and minimum funding available to support indigent defense.

2. How does this initiative promote racial equity in the courts?

Although promoting racial equity in the courts' is an express goal of TIDC, the Executive Director acknowledges that communities of color are disproportionately involved in the criminal legal system. Thus, any improvement in access to counsel will impact racial equity.

3. What processes and procedures were involved in developing and launching the initiative?

TIDC was established in response to a report by Bob Spangenberg that indicated that there was little to no data on public defense and minimum funding available to support indigent defense. Specifically, then State Senator Rodney Ellis and then State Representative Chuy Hinojosa served as champions to introduce legislation ([Fair Defense Act – SB 7](#)) that created the Texas Taskforce for Indigent Defense (renamed TIDC in 2011). This Act also established the board, to include Chief Justices from the Supreme Court and Criminal Court of Appeals, state senators/representatives, Judges, etc. It also allowed the Taskforce to employ five staff. Since the launch, TIDC services can be divided into two main branches of data collection/analysis and funding.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?



In the early years of TIDC, Texas Appleseed (advocacy organization) and the Texas State Bar served as key stakeholders beyond those already associated with the Commission (i.e., board members, judges, legislators, Governor’s Office, etc.). As TIDC has grown, key stakeholders include additional legislators, the Governor’s Office, Texas Rio Grande Legal Aid, Advocacy Organizations, Texas Fair Defense Project, Texas Association of Counties, Chiefs of the Texas Criminal Appellate and Supreme Courts, and Texas A&M Public Policy Research Institute. In the Fair Defense Act, TIDC was established as a permanent standing committee of the Texas Judicial Counsel. Thus, though TIDC has its own funding and board, it is housed within the Texas Judicial Branch as part of the Office of Court Administration.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The lack of data served as the driving force to establishing TIDC. Since then, data collected by the Commission is publicly available on their website (listed below). Data is used to identify where the greatest needs are for expansion of grant funding to counties. It also supports court evaluations consisting of case file reviews and court observation. Data is used to support funding requests to the legislature. Researchers and reporters also use the data for their own projects/reports.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

When TIDC was launched, the budget supported grants to counties to support public defenders (\$5–\$10 million) and staffing (\$500k). Currently, TIDC has a budget of \$93 million for grants and \$1.7 million for staffing. Beyond funding, resources required to support TIDC include strong relationships with key stakeholders (legislators, Governor, counties, judges, etc.). TIDC also contracts with Texas A&M Public Policy Research Institute to assist with a variety of project initiatives, including developing/maintaining the website, data collection/analysis, and drafting mailings/reports.

7. What is the current status of the initiative?

TIDC has grown from a staff of 5 to a staff of 20. Further, the number of counties supported by grants has grown from 5 counties to 254 counties, with the total amount of funding growing from \$5 – \$10 million to \$93 million. During the upcoming legislative session, TIDC plans to request an additional \$25 million to continue expanding grants to other counties to support public defender offices. Data is currently being collected on representation in Child Protective Services cases, and TIDC anticipates a bill being introduced to incorporate these cases into those supported by the Commission. Finally, approximately 32% of TIDC grant funding supports public defense services for defendants in illegal immigration cases via Operation Lone Star.

For more information, see:

- [Texas Indigent Defense Commission](#)
- Texas Indigent Defense Commission, [Indigent Defense Data for Texas](#)
- [Fair Defense Act – SB 7](#)



New Hampshire Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

The main goals for the Consumer Debt Docket were to consolidate the small claims debt cases to one docket as there are a lot of similarities between these cases, from legal intricacies to how a judge handles these cases. Another goal was to ensure litigants had a basic understanding of these cases by providing legal services (e.g., offer information, answer questions, assist with mediation, etc.). The main goals of the simplification project (for processes and forms) were to improve the user experience when accessing the courts and understanding of court processes.

2. How does this initiative promote racial equity in the courts?

For the Consumer Debt Docket, case outcome measures do not include race. However, any time legal information is provided, more informed decisions are made. Further, this docket seeks to truly involve both parties. As a result, this improves access to justice for all, including underserved populations. Although the simplification project doesn't expressly target racial equity, project efforts impact these groups. For example, NH statutes require all filings to be in English. This project supports native English and LEP populations by ensuring forms are in plain language (which makes interpretation easier). Further, court staff will help parties complete forms, answer questions, etc.

3. What processes and procedures were involved in developing and launching the initiative?

For the Consumer Debt Docket, training is provided to pro bono attorneys and mediators. This docket has also been marketed to attorneys as a great opportunity for pro bono work. The attorney and judge provide the same information, thus lending further credibility when hearing the same information from two professionals. The Judge meets with the litigants, then the attorney provides legal information. Parties are then able to meet or go through mediation (paid for by the Courts). After this, the parties come before the judge again with agreed upon conditions or, if no agreement, a hearing is set. As a result, this dedicated docket speeds up the process by providing all needed services/steps at the time the parties come to the courts.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

For the simplification project, several stakeholders are involved, including court users, attorneys in various practice areas, community service providers, key organizations (such as the domestic violence coalition), etc.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

For the simplification project, the courts prioritize which forms/processes to address by identifying with court forms get the most 'hits' on their website (all court forms are available on their site). The



Courts rely on anecdotal feedback from court staff, court users, and service providers to evaluate effectiveness of the simplified forms/processes.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

Strong relationships are key to both initiatives. However, aside from some dedicated staff and committees, there is not a significant cost to run either initiative. For example, the simplification project, the Courts' Forms Committee and the dedicated staff handle this project.

7. What is the current status of the initiative?

The Consumer Debt Project is still going strong. Currently, the process is as follows: The Judge meets with the litigants, and the attorney provides legal information. Parties are then able to meet or go through mediation. After this, the parties come before the judge again with agreed upon conditions or, if no agreement, a hearing is set. As a result, this dedicated docket speeds up the process by providing all needed services/steps at the time the parties come to the courts. The simplification project is beginning the process of reviewing the financial affidavit form and process.

New Mexico Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The Modest Means Program, a part of NM's larger Justice for All initiative, was established to serve court users who cannot afford civil legal services and cannot access Legal Aid services due to conflict of interest or income cutoff. Specifically, it is a civil legal telephone helpline and pro bono referral service for New Mexico residents of modest means. Further, the program provides targeted outreach to rural and underserved communities to assist these court users with identifying and addressing civil legal issues and providing referrals for additional assistance.

2. How does this initiative promote racial equity in the courts?

The Modest Means Program promotes equity by ensuring that services and resources are provided to all regardless of language or other barrier to racial equity. Further, this program includes targeted outreach to underserved communities. Though not expressly part of this program, several other NM initiatives enhance racial equity for the Modest Means Program. A Racial Equity Action Plan was developed (see attached) for the Access to Justice Commission. A scribing pilot was expanded by the Supreme Court as well.

3. What processes and procedures were involved in developing and launching the initiative?

This program was modeled after the key strategies outlined in NM Access to Justice's State Plan and the Justice for All Strategic Action Plan. The Access to Justice Commission worked with the Supreme Court and State Bar Association to establish the program.



4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The key stakeholders in establishing the Modest Means Program include Access to Justice Commission, Supreme Court, Administrative Office of the Courts, State Bar Association, and Legal Aid. Currently, the Administrative Office of the Courts serves as the fiscal agent, but the Program is run by the State Bar Association.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

NM is currently conducting a feasibility study to identify if a portal could be established and maintained. Though the Modest Means Program is not directly involved, results and products derived from this study will likely have a future influence on the program.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The Modest Means Program recently received a \$280,000 appropriation to expand the program. Generally, the program is supported by general funds and grants. Buy-in from legislators and stakeholders is key as funding levels for this project may vary depending on the year.

7. What is the current status of the initiative?

The Modest Means Helpline's two staff attorneys provide legal advice over the phone, and, if appropriate, may refer the case to pro bono attorneys for representation ranging from legal advice up to limited or full representation. The Helpline staff will also work to enable people of modest means or those with Legal Aid conflicts are served at court-sponsored legal clinics around the state.

The program is also seeking to expand participation of private bar members, provide CLEs to attorneys participating in the various clinics, and establish a centralized clearinghouse for legal information to support SRLs navigating court processes. Over the last 6 months or so, NM's Justice for All Program was able to provide 8 webinars to court users and local service providers so they could support their clients with legal needs (e.g., migrant workers, seniors, disabilities, etc.). A study is currently underway to help the project identify areas with legal needs and identify the feasibility of establishing portals. These initiatives have had, and will continue to have, an influence on the Modest Means Program.

For more information, see:

- State Bar of New Mexico, [Modest Means Helpline](#)
- New Mexico Courts, [Directory of Civil Legal Service Providers](#)
- New Mexico Courts, [Justice for All Project](#)
- New Mexico Courts, [Legal Resource Guide](#)
- New Mexico Courts, [Commission on Equity and Justice](#)
- Los Alamos Daily Post, [Access To Civil Legal Resources Improved Through Judicial Partnership With New Mexico State Library](#)



Initiative 4: Court-Appointed Counsel in Additional Case Types

Pennsylvania Courts

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Program Highlights:

1. What were the primary goals of the initiative?

Allegheny County's Safety and Justice Challenge Project is focused on reducing the jail population and disparities in the criminal justice system.

2. How does this initiative promote racial equity in the courts?

They expanded representation at first criminal appearance. Previously, evening and overnight hearings were not covered.

3. What processes and procedures were involved in developing and launching the initiative?

They funded additional attorneys to be available after hours and one manager position.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

They involve every shareholder in the criminal justice system: Probation, Court Administration, Public Defenders Office, District Attorney, Presiding Judge, Pretrial Services. They partnered with the RAND Corporation think tank to have an on/off schedule to study the impact at first appearance. 11% more likely to be released.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Allegheny County has a robust Department of Human Services. They have sophisticated data collection. Data drives a lot of their discipline. They can look at data such as their jail population, individual inmates, and performance at first appearance by public defenders. Data drove the decisions.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

Allegheny County received a grant to participate in the Safety and Justice Challenge from the private John D. and Catherine T. MacArthur Foundation. They fund over 50 counties around the country involving racial and ethnic disparities. They received large project funding of \$2 million and received an additional \$2 million in 2018.



7. What is the current status of the initiative?

The jail population is down 37% from where it started. They are not seeing an increase in recidivism. They are now applying for the final round of funding.

For more information, see:

- [Safety and Justice Challenge](#)

Massachusetts Courts

Contact information: Judge Dina Fein
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Program Highlights:

1. What were the primary goals of the initiative?

The primary goals of the Lawyer for a Day Program, along with other projects with which Judge Fein is involved, seeks to provide access to public civil legal service needs. Specifically, the Lawyer-for-a-Day Program (LFDP) provides advice to all pro se litigants in the Housing Court, tenant or landlord, on a first-come, first-served basis. Since Massachusetts doesn't have mandatory pro bono, this helps provide for "aspirational" pro bono along the continuum of legal assistance with self-help at one extreme and full representation at the other.

2. How does this initiative promote racial equity in the courts?

Since evictions and legal problems regarding housing are often experienced by minorities, LFDP offers access to legal representation for those minority individuals who are disproportionately affected by forced evictions and a number of other problems, some of which have been exacerbated by the pandemic. Individuals who would otherwise be forced to represent themselves pro se are able to be put into attorneys working pro bono for professional legal advice.

3. What processes and procedures were involved in developing and launching the initiative?

When the Housing Court Department was established in 1973, it was statutorily granted subject matter jurisdiction over "all housing problems...which affect the health, safety and welfare of the occupants or owners thereof..." In 2016, the Conference of Chief Justices passed a resolution challenging state courts to provide public access to civil legal service needs. The LFDP arose out of this. Participant organizations are identified and their roles are defined. Then volunteers are sought out.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The key stakeholder is the Housing Court Department. The decision makers involved include working group members who volunteer their time. While this program is under the purview of the



court, there are a number of individual attorneys who are recruited to collaborate and provide their services.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data was used to target and reach out to individuals requiring legal assistance. Data collected through the Housing Court Department would identify those in need and pass that information to the LFDP. LFDP would then work to reach out and/or just simply be available to those in need.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The initiative was a result of the 2016 resolution passed by the Conference of Chief Justices. In order to provide for public civil service needs, Massachusetts was one of seven states that received the Justice for All Grant. A portion of the funds made available by this grant were used to establish the LFDP.

7. What is the current status of the initiative?

The availability of services varies from location to location within the state of Massachusetts. According to Judge Fein, the program seems to be somewhat stagnant. However, it seems that it is still functional to a certain extent, depending on the location.

For more information, see:

- [Massachusetts Access to Justice Commission](#)
- Massachusetts Housing Court, [Lawyer-for-a-Day Program Manual](#)



Initiative 5: Eviction Diversion

Pennsylvania Courts

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Program Highlights:

1. What were the primary goals of the initiative?

Philadelphia's Legal Help Center and Lawyer for the Day Program began with a Mayor's Taskforce on eviction diversion. One of the recommendations that came out of that taskforce was increasing tenant's access to support through the eviction process.

2. How does this initiative promote racial equity in the courts?

In Philadelphia, the vast majority of tenants who go through the eviction system are Black, often single mothers with children. We believe providing representation helps level the playing field by providing access to representation. Access to this information enables tenants to have a better experience in the justice system and better outcomes in court.

3. What processes and procedures were involved in developing and launching the initiative?

This was a city contract that the city put out for an RFP. We are the lead agency within a coalition of six agencies. We work closely with the city and the court since many of the programs exist in the courthouse. We have done trainings with the court staff, we have collaborated online to troubleshoot issues with the court, there is a space for the Lawyer for the Day Program, and we created a script the court uses to introduce the courtroom navigator and the Lawyer of the Day Program so that the tenant knows how to access them.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

We collaborated with city and judicial and court administration. Currently, the Administrative Judge, Matthew Wolf, is the administrative judge for Municipal Court where Landlord and Tenant Courtroom sits. John Joyce is the Court Administrator and we work with the Managing Director's Office for the Mayors of Philadelphia. The city also works directly with the court on this initiative as well. Finally, there are the partner agencies (Tenant Union Representative Network or TURN), which is a housing counseling agency that staffs the hotline, the courtroom navigators, and daily tenants' rights classes. Other agencies include Senior Law Center that works with seniors ages 60+ and the Legal Clinic for the Disabled which works with households that includes someone with a disability. We also work with Philadelphia VIP as a pro bono partner who helps to match tenants with pro bono representation. We have a financial counseling agency called Clarifi.



5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

We have a lot of data and much of what we do is data-driven. We report to the city quarterly and in addition to the eviction Right to Counsel legislation, the city produces an annual report on Right to Counsel regarding tenants and zip codes. The city has also contracted with the reinvestment fund to provide an evaluation of the Right to Counsel program in eviction proceedings.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The first initiative was a city amount of \$500,000; this has grown substantially over the last five years and includes funding for staff, materials, training, and equipment. We submit a budget to the city each year and the contract is renewed on a three-year basis. For personnel staff, the Help Center is staffed by two paralegals, our Lawyer of the Day team (a lawyer and a paralegal team can accept up to five tenants a day) is available in the courthouse. Community Legal Services has 40 members in our agency dedicated to the housing unit, and each of our legal service providers dedicate four to five employees to the initiative.

7. What is the current status of the initiative?

The courthouse opened September 2020, and we have been in person since that time. Intake is all done remotely and we offer a walk-in option for tenants who are unable to reach us remotely through the hotline.

For more information, see:

- [Philadelphia Eviction Prevention Project](#)

Michigan Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The goal of Michigan's Eviction Diversion Program was to create procedural framework to allow the other branches and other social net programs to create the possibility of win-win outcomes in Landlord and Tenant litigation.

2. How does this initiative promote racial equity in the courts?

It is an unfortunate reality, when we look at things that affect the lower social economic strata, we have a high number of People of Color in the landlord and tenant system. We strive for just results for the people included in that strata, including people who may speak English as a Second Language, or others who find themselves with a landlord and tenant matter in disproportionately high numbers. We also work to reduce barriers through interpreter and translation services.



3. What processes and procedures were involved in developing and launching the initiative?

Our first eviction diversion program was created through the local district court which is a court of limited jurisdiction in Kalamazoo County, with philanthropic support. During the pandemic, Administrative Order 2020-17, was created to outline the procedural framework to allow the safety net programs to engage litigants with different types of notice, safeguards on notice, and where everyone would be informed of their rights (right to counsel, opportunities for benefits and essentially an introduction to the social safety net). It is those reforms and answering the heightened need during the pandemic that allowed these reforms to be implemented statewide.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

In addition to the partnership with all three branches of government, there were state-level and local level stakeholders involved. At the state level, the Executive Officer, the governor and legislature were all involved. In addition, the Michigan State Housing Development Authority was a key stakeholder. At the local level, our stakeholders included: the Bench and the Bar; the Housing Assessment Resource Agency (HARA) (which includes a network of non-profit agencies), Health and Human Services, and a network of community philanthropic organizations including churches and other non-profit organizations. All of these stakeholders are important and many offer rich hands-on experience that contribute to the success of the initiative.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Michigan has a non-unified trial court system with 320 trial court units and sixteen case management systems. Early on, with our initial eviction diversion program in Kalamazoo, we had more data that suggested fewer cases defaulted and reached a win-win solution. When the pandemic began, we did not have great statewide data. We have been working with our data consultant through grants, charitable trusts, and our Justice for All Commission, to strengthen our data collection. Now we are noticing that Michigan's default rate is down statewide by 50%.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

Outside of federal funds to assist in providing a win-win outcome, the additional costs included printing additional resources for litigants and the softer judicial and personnel time costs of explaining the information.

7. What is the current status of the initiative?

We are transitioning to a post-pandemic footing. Soon we will publish an amended court rule. Michigan's landlord and tenant cases are governed by the Summary Proceedings Act and we will release our amended court rule 4.2.01 for public comment. It includes many of the procedural elements and framework from Administrative Order 2020-17. At the end of the public comment period, there is a hearing where the public may comment again. Next, the Court may choose to deny the proposed changes, adopt the order as published, or adopt an order which has been informed by the comment period.



For more information, see:

- Michigan Supreme Court, [Order No. 2020-17](#)

District of Columbia Courts

Contact information: Lynn Magee, Esq.
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Program Highlights:

1. What were the primary goals of the initiative?

The DC Courts have been committed to achieve access to justice initiatives to resolve landlord and tenant disputes and to divert eviction when possible. One example has been the established D.C. Bar Pro Bono Center which operates the Landlord Tenant Resource Center (LTRC) and provides legal information to self-represented tenants and small landlords, regardless of their income. The D.C. Bar Pro Bono Center also provided limited scope representation through its Housing Attorneys of the Day in the Landlord and Tenant Branch. Attorneys from Bread for the City, the Legal Aid Society of the District of Columbia and Rising for Justice are situated at the courthouse to meet with and offer free legal assistance to low-income tenants on the same day as their hearings. Attorneys from these organizations assisted tenants with rental housing matters by providing free legal advice or counsel, brief services, limited representation, or full representation through their court-based offices. The primary goals of the extended eviction diversion program were to promote early case resolution, reduce the percentage of cases resolved by judgments, connect litigants to legal, housing, rental assistance and social services providers soon after case filing, increase the availability of educational information for the public and court users about the eviction process and resources for assistance.

2. How does this initiative promote racial equity in the courts?

The rent debt crisis was primarily driven by the economic impact of low-wage workers, who are disproportionately workers of color and hardest hit by Covid-related losses. The pandemic aggravated pre-existing housing insecurity for renters of color. For the District of Columbia, those behind on rent are overwhelmingly low-income households who experienced job and income losses during the pandemic. Undoubtedly, the risk of eviction disproportionately falls on communities of color, and courts play an important role in helping vulnerable communities obtain access to services needed to move toward housing stability. <https://nationalequityatlas.org/rent-debt>.

3. What processes and procedures were involved in developing and launching the initiative?

The Superior Court has an active Landlord and Tenant (“L&T”) Advisory Rules Committee and Civil Division and L&T working group committees comprised by internal and external stakeholders. The Resource Center has evolved into the collaborative Landlord Tenant Legal Assistance Network (“LTRC”) and the connection with stakeholders was leveraged to expand the DC Courts eviction diversion program. The Public Emergency Extension and Eviction and Utility Moratorium Phasing Emergency Amendment Act of 2021, made instrumental changes including, but not limited to: 1)



waivers of notice to quit (found in leases) are no longer valid and all rent cases must start with the issuance of a notice of past due rent; 2) ledgers are required in a nonpayment notice; 3) a photograph is need to prove service of process by posting; 4) translation of notices to the tenant's primary language if other than English or Spanish; and 5) prohibition on nonpayment cases for amounts less than \$600.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

In addition to the partners stated above, our Chief Judge Anna Blackburne-Rigsby of the Court of Appeals and Chair of the Joint Committee on Judicial Administration and Chief Judge Josey-Herring of the Superior Court of the District of Columbia have been instrumental as well as the decision-makers included in the Eviction Diversion Initiative. Also, the DC Courts participates in the White House Working Group which takes on a holistic approach to housing and renter insecurity. Our participants in the White House Working Group includes Judge Epstein, our Acting Executive Officer, Dr. Cheryl Bailey, Clerk of the Superior Court, Zabrina Dempson and other court administrators.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data played a significant role toward expanding our eviction diversion program. The DC Courts made our case management data accessible to the National Center for State Courts as a part of our high-volume court operations study and a recent Georgetown study entitled: "Eviction in Washington, DC: Racial and Geographic Disparities in Housing Instability." The Georgetown Study found that "one out of every nine renter households in DC, is impacted by the eviction process which happens to be in Black and low-income communities." Currently and in the future, evaluations are conducted by the DC Courts internal Strategic Management Division.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

There has been minimum cost. The Superior Court has made space available for legal service providers to occupy office space and have access to the DC Courts network. The DC Courts is in the process of hiring two Civil Case Management Facilitators and two Court Navigator Facilitators through the DC Courts Eviction Diversion Grant with the NCSC.

7. What is the current status of the initiative?

The DC Courts are continuously in review of our court rules to further equity and access to justice initiatives. We are in the process of hiring key personnel as a result of the DC Courts Eviction Diversion Grant with the National Center of State Courts. In the near future, this will involve onboarding two Civil Case Management Facilitators and two Court Navigator Facilitators. The DC Courts also anticipates a public education initiative in partnership with the Greater Washington Urban League.

For more information, see:

- Council of the District of Columbia, [D.C. Act 24-125](#)
- District of Columbia Courts, [Landlord & Tenant](#)
- District of Columbia Courts [Press Release](#)
- McCabe & Rosen (2020), [Eviction in Washington, DC](#)



Part II: Juvenile Delinquency

This section highlights the following initiatives:

Initiative 6: Juvenile Diversion Programs and the Juvenile Detention Alternatives Initiative

Initiative 7: Disparate Racial Impact of Discretionary Referrals to Diversion

Initiative 8: Decriminalization of Truancy and Diversion Programs for School Absences

Initiative 9: Behavioral Health Services for Juveniles and their Families

Initiative 10: Risk/Needs Assessment for Juvenile Sentencing



Initiative 6: Juvenile Diversion Programs and the Juvenile Detention Alternatives Initiative

Arizona Judicial Branch

Contact information: Joseph Kelroy
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Program Highlights:

1. What were the primary goals of the initiative?

The primary goal of the Juvenile Sex Offenders & JDAI (Juvenile Detention Alternative Initiative) is to change the philosophical way in which juvenile sex offenders were handled in court and reduce the number of youth probated and placed out of home, including detention.

2. How does this initiative promote racial equity in the courts?

One of the core principals of JDAI is to address equity in points of contact. Utilizing data allows for stakeholders to evaluate effectiveness of polices. We continued on-going work in developing statewide strategies which benefit youth of color.

3. What processes and procedures were involved in developing and launching the initiative?

Consultation with the National Center was the starting point. A group of 15 Judges and the Probation Department looked at evidence-based practices and developed a strategic plan of action. They paid for an expert study that was then reviewed by Dr. Caldwell. They put together community committees to discuss a philosophical change in dealing with youth charged with sexual offenses and youth detained. They used this information shared by providers to drive decision making.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

Partner agencies such as Law Enforcement, Education, Victim's Groups, and other Community Partners were part of the initial decision-making group. Court personnel, the Chief Justice, and the Justice Counsel also provide oversight related to policy when needed. All work is vetted through committees.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data was the starting point for the conversation. Collecting and then evaluation of the data was first on the table.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The sexual offender work had initial start-up dollars a cost of about \$400,000 to a consulate over a period on 2-3 years. An independent reviewer evaluated that report at a rate of about \$10,000. A



partnership was formed with Georgetown University (8-year period) at \$100,000. The Annie E. Casey work was grant funded. Maintenance after the initial set-up is submitted to the county as a budget item which primarily pays staff salaries.

7. What is the current status of the initiative?

This work has been helpful in creating legislation to reduce and or eliminate fees for juveniles in court. The initiative has changed the language from juvenile sexual offender to juveniles with deviant sexual behavior. The tools developed have allowed for a reduction in out-of-home placement for this population. The initiative reviews data on a regular basis and uses strategic plans that are committee driven to establish policy.

District of Columbia Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goal of the Juvenile Behavioral Diversion Program (JBDP) is to provide a solution court for juveniles and status offenders based on an assessment screener that will expedite accessing behavior services and allow for dismissal of charge with compliance. The initiative also provides a streamlined court process.

2. How does this initiative promote racial equity in the courts?

It reduces number of youth of color that might otherwise be detained. Regarding racial equity, allows for an urban municipality that may not have a large scope of alternatives to provide services otherwise not offered.

3. What processes and procedures were involved in developing and launching the initiative?

JJDP received grant funding with seed start-up. Partners included the Family Court, D.C. Office of the Attorney General, D.C. Public Defender Service, Criminal Justice Act Attorneys, and the Department of Behavioral Health. These parties convened to discuss needs, reviewed data, and agreed they needed a more therapeutic path for juvenile offenders. They used the originating Juvenile Drug Court Model.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

Stakeholders included judge with oversight of the calendar, Family Court Operations, Court Social Services (employed 5 staff with a PHD in psychology to conduct assessments, and 3 interns). Decisions are consensus driven during staffing prior to court.



5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

JBDD is a data driven creation. The starting point was to compare the District of Columbia to national statistics. Nationally 70% of people in the court system have an undiagnosed or untreated behavior issue. In D.C. this statistic was closer to 75-80%. Data also showed the need for programming that was not over-resourced. In drug court many youth choose court as opposed to drug court due to the intensive nature of the program. Data reflected that a better approach would be to migrate those individuals to the behavioral court. This program has been in existence since 2008. The evaluation is based on completion of the program and recidivism (no new offenses within a designated period). They also evaluated recidivism thru harm reduction.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

Unable to answer.

7. What is the current status of the initiative?

The number of incarcerated juveniles has declined during COVID. They have integrated truancy and runaway charges into the court.

Iowa Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

Our juvenile diversion programs are designed to be transfer low risk youth from the formal criminal court system and when possible, utilize restorative justice practices.

2. How does this initiative promote racial equity in the courts?

We seek to achieve diversion for persons of all races and in particular, this programming works to keep people of color who might typically engage with the criminal court system from future criminal involvement.

3. What processes and procedures were involved in developing and launching the initiative?

As a court, we have launched programs in specific counties with larger population centers. The counties and judges involved have been instrumental in developing the process with direction from our leadership about best practices. Each county has its own specific issues and the programs do tailor the work they do to meet those needs.



4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

In these initiatives, the key stakeholders have included our court, particularly juvenile court services, law enforcement, schools, county attorneys, and various agencies focused on mental and public health and wellness.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

We reviewed information about juvenile involvement in the criminal system, how our court services have been strained by that case load, and how long-term, best practices can help alleviate the cost and workload. For the programs that have launched, we keep data to evaluate the success of the programs and the resources used.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

We have juvenile court officers involved with the youth and that is a cost to the court that existed beforehand. It is difficult to pin down a financial cost to the program as it is more that we are better utilizing what services can be provided. Depending on the community, there may be other costs supported by the schools or agencies that are also involved. We cannot quantify these costs at this time.

7. What is the current status of the initiative?

We have a number of these programs operating in several counties with large population centers. Generally, the juvenile court officer identifies the first-time youth offender (typically someone involved in drug or alcohol use, shoplifting or other simple misdemeanor offenses) and offers short-term support services to divert the youth from entering the criminal system or having a juvenile criminal record.

Montana Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goal of juvenile diversion is to eliminate long term incarceration for all youth.

2. How does this initiative promote racial equity in the courts?

This initiative involved all youth entering into the Montana juvenile justice system. This initiative resulted in an overall effect reducing youth, including minority youth, incarceration.



3. What processes and procedures were involved in developing and launching the initiative?

A judicial effort through presentations and involvement of those working within the juvenile justice system were instrumental in developing an alternative to detention for youth through diversionary projects and programming.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

This was a joint effort initiated by the judiciary but involved all those involved with juvenile justice in the state of Montana.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The review of data was vital to monitor and identify the need, as well as providing transparency to the juvenile court process.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

Awarded grants funded a JDAI coordinator position hired to assist in the early stages of the initiative.

7. What is the current status of the initiative?

The initiative is currently active with profound results. Montana's State Youth Correctional Facility, Pine Hills, has repurposed the facility for alternate uses due to a significant decrease in youth incarceration.

New Jersey Courts

Contact information: Amelia Wachter-Smith
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Program Highlights:

1. What were the primary goals of the initiative?

Through commitment of the Supreme Court, all warrants issued to youth for failure to appear that were five years old, for non-violent 4th degree or lesser charges, were annually dismissed. The main goal is to irradicate systemic barriers of disproportionality for youth of color.

2. How does this initiative promote racial equity in the courts?

Most of the FTAs were issued on minority youth living in urban areas.



3. What processes and procedures were involved in developing and launching the initiative?

The initiative required commitment of the NJ Supreme Court as well as community partners and those in positions of working with youth.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

Key stakeholders included: Glenn A. Grant, Director Anna Marie Fleury, Special Assistant to the Director; Lisa Burke, Administrative Specialist; Stacey Gerard, Chief Probation Services; Emily Mari, Attorney, Family Practice Division; Amelia Wachter-Smith, and Chief Family Practice.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Pulling data from FACTS, an automatic data system, directed the initiative and was vital in identifying the area of need.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

There was no extra funding required to launch the initiative. Available resources were used.

7. What is the current status of the initiative?

The initiative is active and progressing through collaboration of all parties. This initiative has allowed minority youth to have their imposed fines and fees to be removed, thus expunging their juvenile court records without petitioning the court. Most of the cases expunged are minority youth living in urban areas. 84% of the FTA cases involve minority youth.

Pennsylvania Courts

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Program Highlights:

1. What were the primary goals of the initiative?

State leaders established a bipartisan interbranch Pennsylvania Juvenile Justice Task Force to conduct a comprehensive, data-driven assessment of PA's juvenile justice system and make recommendations supported by research.

2. How does this initiative promote racial equity in the courts?

Pew reported that Black and non-Hispanic youth make up 14 percent of the statewide population and 38 percent of the written allegations coming into the system. Yet they represent 62 percent of the youth held in detention and 47 percent sent to residential placement. Task Force recommendations included the following related to equity: reinvest in non-residential evidence-based practices including increased to the Juvenile Court Judges' Commission Grant in Aid funding;



Amend the Human Service Code to provide funding for indigent defense services; employ evidence-based practices at every stage of the juvenile justice process; expand services as alternatives to arrest and court referral; Reserve out of home placement of the most serious cases that pose a threat to community safety; eliminate the use of fines and fees; create a statewide expungement process.

3. What processes and procedures were involved in developing and launching the initiative?

The processes included discussion among the Juvenile Court Judges' Commission, Pennsylvania Council of Chief Juvenile Probation Officers, Pennsylvania Commission on Crime and Delinquency, PA legislators, etc.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

As mentioned above, the Task Force was an interbranch effort and members were appointed by all three branches of government.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data was provided to PEW by the Juvenile Court Judges Commission whose Juvenile Case Management System is used by all 67 counties in PA. Data was provided and discussed at each Task Force meeting. Several issues related to discrepancies in practice and outcomes among the 67 counties were highlighted. Our juvenile justice system is committed to continuous improvement, so we welcomed the scrutiny.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

I do not know if monies were paid to Pew for their services. Members of the Task Force were not paid for their service.

7. What is the current status of the initiative?

Legislation is now being considered based on several Task Force Recommendations. For example, SB 1226 would develop a statewide process for expunging cases; SB 1227 would amend the Human Service Code to include the goals of juvenile justice. Other legislation pertaining to the Task Force recommendations is expected to be introduced as well. In addition to the pending legislation, the juvenile justice system is committed to continuous improvement. Our Juvenile Justice System Enhancement Strategy (JJSES) continues to improve outcomes, increase diversion for low-risk offenders, and save millions in reduced residential placement costs.

For more information, see:

- [Pennsylvania Juvenile Justice Task Force](#)



Initiative 7: Disparate Racial Impact of Discretionary Referrals to Diversion

Pennsylvania Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The state embraced a Juvenile Justice System Enhancement Strategy with the goal of continuing to implement and support a balanced approach to restorative justice. The three key elements are central to this continuing work include: evidence-based practices, enhanced collection and analysis of data, and quality assurance.

2. How does this initiative promote racial equity in the courts?

These initiatives respond to the historic disparities that exist and adapt over time and in specific locations to particular disparities and the longstanding challenge of disproportionate minority contact (DMC). The combination of evidence-based practices, enhanced collection and analysis of data; and quality assurance that ensures that intentions and outcomes align together work to sustain positive impacts on racial equity in the courts for system-involved youth.

3. What processes and procedures were involved in developing and launching the initiative?

There were several key processes and procedures that have remained essential components of the PA approach to juvenile justice reform: (1) review and analysis of data; (2) stakeholder engagement; (3) strategic planning with measurable goals; and (4) evaluation of effectiveness of efforts (i.e., alignment of intentions with actual outcomes).

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

These initiatives engage the full spectrum of the juvenile justice system with significant leadership by the Judiciary, Administrative Office of the Courts, and related leaders. Stakeholders include judges, chief juvenile probation officers, law enforcement, community partners, and youth and families. Representatives of these stakeholder groups as well as other system partners are involved in this collaborative work. The Pennsylvania Commission on Crime and Delinquency is a partner and technical assistance is provided by Georgetown University's Center for Juvenile Justice Reform. The work that is currently in progress includes county teams in these areas (Allegheny, Chester, Lancaster, Lehigh, Montgomery, Philadelphia, and York) and one statewide team. Using data from the Pennsylvania Commission on Crime and Delinquency, the 20 counties with the worst disparities were identified. The counties were invited to respond to these data and seven counties responded with proposed action items.



5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data has been and remains essential to these efforts. This work continues to be data-informed and evidence-based. Data from multiple sources, including from the Pennsylvania Commission on Crime and Delinquency, continues to inform these efforts and guides adjustments to the strategic plans that have been developed.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

This work began with legislative changes that provided the framework for these undertakings. The initial participation in the MacArthur Foundation initiative provided the foundation. From there, the ongoing work is integrated into routine court operations and funded by the Judiciary’s operating budget. There have been a few grant opportunities along the way, but there is no reported additional cost to systemizing these system reforms. In addition, there is an annual grant available to the Council of Juvenile Probation Officers to support certain goals and expectations.

7. What is the current status of the initiative?

This work continues as part of routine Judiciary operations. Three particular focus areas statewide form current priority focus areas include: (1) continuing capacity building for juvenile probation officers; (2) refining risk assessment tools; and (3) expanding engagement in evidence-based behavioral interventions.

For more information, see:

- [Pennsylvania Council of Chief Juvenile Probation Officers](#)

Iowa Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

The Community and Strategic Planning Project (CASP) developed from an action plan to reduce youth of color in the juvenile justice system. CASP implements and provides support to sustain the goal to reduce overrepresentation and disparate impact with a statewide strategy.

2. How does this initiative promote racial equity in the courts?

The overarching goal of the project was to reduce overrepresentation of youth of color in the juvenile justice system. Much of the resulting recommendation and changes were focused on diversion and screening for this purpose. The task force focused on overrepresentation of youth of color, disparate treatment of youth of color, and unnecessary entry/movement deeper into the justice system. The common theme is to adopt a light touch, address it early and with alternatives to detention, for low risk, minor offenses to avoid penetrating the juvenile justice system.



3. What processes and procedures were involved in developing and launching the initiative?

Under the initiative, a statewide detention screening tool was developed. It was initially piloted for use in three jurisdictions but was recently implemented in the past year. The tool calculates the category of risk or reoffense within 30 days and assists in decision making abilities. Also under this initiative, was the expansion of diversion efforts. Partnering with local stakeholders, they have developed pre-arrest diversion options. Before being referred to Juvenile Court Services, a youth may be referred to a diversion partner. This means that there is no complaint, no case processing for a juvenile.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The committee was chaired by a Chief Justice of the 3rd Judicial district. Representative members included: Iowa and Nebraska Branch of The NAACP, juvenile Court Services Staff, judges from judiciary, Public Defenders Office (State), County Public Attorneys, Commissioner for Iowa Commission on The Status of African Americans, Chair Of Iowa Disproportionate Minority Contact Subcommittee, State Court Administration, provider agencies, police/ law enforcement, Juvenile Detention Facility Director, Human Rights and Education Department, school district, and the Iowa Department of Education.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

CJJDP reporting included the overall population, statistics surrounding school suspension and expulsion data, complaints captured by race and then ethnicity. Each quarter, CJJDP provides each district a scorecard to evaluate how their rates compare. This permit working groups to compare almost in real time the impact of efforts and how they have impacted these systems. Overtime, they have expanded the information to capture complaints, diversions, youth detained pretrial, youth in secure confinement, and youth transferred to the adult system. Then, each jurisdiction develops plans to address each area. Finally, goals and plans for addressing are set each year which are measured against the report cards at each stage, and again in review of the prior year when setting new ones.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The initiative was originally funded through the OJJDP. There were costs to develop the screening tool, but now has been absorbed by the judicial branch, Iowa owns the system.

7. What is the current status of the initiative?

The initiative has fundamentally changed how Iowa Juvenile Courts work. Though the committee is not active, those in the positions that originally participated remain engaged in the conversation and project. Further, the work that was started has allowed them to turn their attention to developing a statewide diversion policy and practice.



Massachusetts Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The goal of this data analysis and visualization project was to provide transparency to the Juvenile Court System, and to make more data available to the public. It was important to disaggregate data by gender, race, ethnicity in order to allow the court and others to examine disparity in our system.

2. How does this initiative promote racial equity in the courts?

This initiative allows the court, news media, public, and others to examine court data in a way that disaggregates race and ethnicity. This data can then be used to drive further initiatives aimed at reducing disparity.

3. What processes and procedures were involved in developing and launching the initiative?

The Juvenile Court engaged in detailed analysis of the case processing system to identify the business rules necessary to analyze and report data on the identified process points. This included a state-wide analysis of the data collection and input practices across the various divisions of the Juvenile Court.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The data dashboards were a joint effort of the Massachusetts Trial Court's Department of Research and Planning and the Administrative Office of the Juvenile Court.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

This initiative grew from the need for data, and the desire to provide transparency to the juvenile court process.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The Trial Court leveraged existing staff and Tableau licenses to build these data bases.

7. What is the current status of the initiative?

Data is refreshed on an annual basis and publicly available on the Trial Court's web page. We continue to develop new data points for publication.

For more information, see:

- Massachusetts Trial Court, [Delinquency Dismissals and Dispositions](#)
- Massachusetts Trial Court, [Applications for Delinquent Complaint](#)



Initiative 8: Decriminalization of Truancy and Diversion Programs for School Absences

Oregon Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The juvenile delinquency improvement program (JDIP) is a newly developed courts program division within the Oregon Judicial Department (OJD). The primary goals of JDIP are to engage stakeholders and system reform through communication models, policies, and best practices to improve outcomes for youth, and provide training, resources, and materials to improve outcomes for justice-involved youth.

2. How does this initiative promote racial equity in the courts?

JDIP creates training opportunities, provides tools and resources, and opportunities for judges, court staff, and juvenile justice partners to be informed and culturally responsive while addressing youth, families, policies, and system reform.

3. What processes and procedures were involved in developing and launching the initiative?

Oregon's 2020 – 2022 Strategic Agenda launched the strategic plan to develop JDIP. JDIP was then funded by the legislature. A judicial steering committee was developed to oversee the development to create a system-wide vision and an advisory committee to address the implementation of the new program. New positions were created for the JDIP program.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The key stakeholders involved in the strategic plan included: Chief Justice Walters, Judicial Steering Committee, Stakeholders Advisory Committee, and Judges. The initiative was under both the sole purview and required collaboration. OJD initiated JDIP through the Oregon Strategic Agenda and Judicial Steering Committee. Development and especially implementation were needed to collaborate with justice partners. The Stakeholder Advisory Committee is comprised of: Oregon youth authority, ODHS, Juvenile Dept Directors, Treatment Provider, Parent, DA, Defense, OPDS, Victim Advocates, Youth development division (education but would like more educators involved), Judge Chair, JDIP program staff host and facilitate.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data was not used in identifying the needs for the initiative but the general idea that things are not as good as they could be according to the juvenile judges. Juvenile delinquency data is not as robust



as juvenile dependency and JDIP is working on creating a dashboard to provide more robust data. Data will be captured to develop and refine the JDIP program going forward.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The cost to launch the JDIP initiative was \$682,500 which includes additional staff. OJD was awarded a grant for \$1.2 million from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) for additional staff and program maintenance.

7. What is the current status of the initiative?

The JDIP is 1 year into the program and is waiting on the evaluation from the Partnership Council for State Government. JDIP is in the foundational phase and has plans for additional implementation.



Initiative 9: Behavioral Health Services for Juveniles and their Families

Michigan Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goal of both adult and juvenile mental health courts was to reduce recidivism and get participants linked to treatment as quickly as possible. The juvenile mental health courts in particular are focused on linking juveniles to treatment more quickly than mainstream courts are capable of. The reasoning behind separating the adult and juvenile mental health courts was to make the initiative more specific and responsive to the general juvenile laws.

2. How does this initiative promote racial equity in the courts?

Nothing in the statutes that apply to mental health courts in Michigan specifically address racial equity. However, a certification program exists for Michigan's problem-solving courts that contains a diversity, equity, and inclusion component. This program has standards based upon state and federal law that all problem-solving courts must comply with, as well as a set of requirements based on best-practices specific to different program types. When the certification program staff go on-site to certify courts, they work with the courts to ensure that they are meeting all benchmarks. All team members are interviewed to ensure that everyone understands the standards. Certification staff sit in on team meetings and hearings, and give teams all of the feedback, trainings, and resources necessary for them to effectively meet the benchmarks laid out by Michigan.

3. What processes and procedures were involved in developing and launching the initiative?

The development and launch of the initiative occurred before the interviewees worked for Michigan's Judicial Branch. The overall process involved the creation of drug courts. Within these courts a mental health track was started. Michigan expanded this into a full mental health court, which involved the creation of statutes and resources for the court. Later, the juvenile mental health court was separated from the adult mental health court.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The key stakeholders and decision-makers included the State Court Administrative Office, the Department of Health and Human Services, court administrators, treatment providers, and local Community Mental Health service providers. These stakeholders participated in the various working groups involved in the development of the juvenile mental health court program.

The State Court Administrative Office still oversees the program. Every county has some form of mental health treatment services available for Medicaid recipients, who are overseen by the



Department of Health and Human Services. Michigan’s juvenile mental health courts are required by statute to work with these local Community Mental Health service providers.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The interviewees were unable to find out the role data played in launching the initiative and how it is used to evaluate the juvenile mental health courts current effectiveness.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The initial cost of the initiative was not known by the interviewees. Regarding resources, however, they noted that for individual courts, the availability of local services is an issue. While every county has access to a Community Mental Health service provider, the juvenile side of these providers generally has more staffing issues than the adult side. At the state level, funding is an important resource for maintenance. This funding is included in the early state budget and hasn’t yet been an issue for the initiative.

7. What is the current status of the initiative?

The initiative is ongoing. One current issue for the courts involves trying to get participants to voluntarily use the service. Getting the appropriate number of participants to use the court and enter treatment has become more difficult due to juvenile files in Michigan becoming private when they were previously public. Due to this, the ability for juveniles to have their records expunged if they join the program can no longer be used as a draw for convincing families and youth to participate.



Initiative 10: Risk/Needs Assessment for Juvenile Sentencing

Arizona Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

The goal of the sentencing matrix was to develop a tool for probation officers (PO) to look at risk in relation to the offense to determine the level of supervision based on the most serious adjudicated offense. Within the matrix different levels of supervision from least serious to most serious. Research validates that staying within the matrix guidelines gets the best outcomes.

2. How does this initiative promote racial equity in the courts?

When using a tool on decisions it minimizes disparity. Additionally, decision points are made by various juvenile justice stakeholders and developed work groups to address system reform.

3. What processes and procedures were involved in developing and launching the initiative?

We first partnered with Georgetown and experts in Florida to create a validated matrix tool. The AZYAS (risk assessment tool) validated tool and re-evaluated for AZ to develop the matrix. We also used data to review current AZ data for risk and offense to see what supervision was used. We then reviewed data over two years and create the current matrix. The Working Group vetted and added codes in the Code of Judicial Administration. Finally, we developed trainers to assist state and ongoing training for new PO and Judges. Probation Officers, Judges, Attorneys (County Attorney, Public Defender, Private Attorney, etc), and court staff were given training on the matrix and how to use it. Then we created a call-in center for support and held weekly meetings to staff how to score (FAQ) the matrix.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The key stakeholders included: AZ AOC, Chief Justice, Local Court Leadership, PO Director, Georgetown, Judges, County Attorney, Public Defender, Judicial Council for final approval to get into the code, and The Community on Juvenile Court. The process consisted of a top-down approach. This included a strategic plan with the Chief Justice and embedded into the 5-year plan. The initiative was under the sole purview of the Court.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The matrix was created from the analysis of data. AZ worked with the automation (data team) and IT to develop how to track data in CMS. They built a platform in JoltsAZ (juvenile CMS) to collect data on the program. Evaluation of the matrix is underway. Additional evaluation includes listening



to stakeholders on what is working and not working. Currently, we are waiting to have significant data and looking at other ways to incorporate the matrix.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

AZ contracted for about 8 years with Georgetown University Center for Juvenile Justice Reform. The cost over 8 – 10 years was roughly about \$300,000. To maintain the matrix, the AZ AOC research team coordinates with three other researchers in three large county courts to maintain data collection. There is no cost to maintain the initiative since able to allocate work to current research/data analyst positions.

7. What is the current status of the initiative?

The matrix was deployed on July 1, 2021. AZ has technical assistance available to counties for staffing cases. Additionally, ongoing training on the matrix tool was added to the new PO training curriculum. The automation team reviews data input to assure the accuracy of data collection for valid data. The tool will be evaluated once sufficient time has lapsed to review data.

For more information, see:

- Arizona Judicial Branch, [Juvenile Justice Services](#)



Part III: Child Welfare and Dependency Court

This section highlights the following initiatives:

Initiative 11: Problem-Solving Courts or Specialized Dockets for Child Protection, ICWA, or Family Treatment

Initiative 12: Differentiated Case Management Programs

Initiative 13: Interdisciplinary Advocacy Teams for Child Welfare Cases



Initiative 11: Problem-Solving Courts or Specialized Dockets for Child Protection, ICWA, or Family Treatment

Arizona Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goals of the Dependency Alternative Program involve diverting families to prevent children/families from entering dependency and keeping children/families out of dependency for over one year.

2. How does this initiative promote racial equity in the courts?

The initiative creates a consistent process utilized to evaluate prospective Dependency Alternative Program (DAP) clients and to implement DAP solutions. This is irrespective of race or ethnicity. However, often dependency occurrences are higher in minority populations.

3. What processes and procedures were involved in developing and launching the initiative?

Based upon Pima County, The Juvenile Court implemented DAP and demonstrated successes. The Chief Justice recognized its value and success and called for the education of other Arizona counties on the process. The Court Improvement Program Development Specialist planned and implemented several virtual meetings featuring an expert panel from Pima County presenting to pre-registered county teams.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

This initiative was under the purview of the court but CI staff fostered communication between individual county teams and partners valuable to the success of local efforts, including local child welfare representatives.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

A small amount of data was provided to counties attending each meeting. This data focused on those dependency cases filed in their county that were closing quite early in the hearing process.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The Pima County Juvenile Court showed that the local cost of this process was negligible. Court Improvement utilizes a portion of its federal and state monies to support the Program Development Specialist position responsible for the rollout and support of DAP efforts statewide.



7. What is the current status of the initiative?

In addition to Pima County, several counties have implemented DAP and are seeing clients and additional counties are preparing to implement their program soon. The State Justice Institute is funding a project to replicate DAP nationally.

For more information, see:

- National Center for State Courts, [Innovation Spotlight on Pima County Dependency Alternative Program](#)
- National Association for Court Management Presentation, [Preserving Families: The Dependency Alternative Program](#)
- National Center for State Courts, [Tiny Chat on Pima County Dependency Alternative Program](#)

Texas Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

The Equity Working Group seeks to remove barriers of access to justice and advance the ultimate progression to fair and equitable systems that are accountable to the communities they serve. Members strive to engage in critical self-evaluation and data-informed systemic review to create projects, training, and tools that assist the judiciary and child welfare system in addressing disproportionality and disparities within the system.

2. How does this initiative promote racial equity in the courts?

The Equity Working Group reviews court data, as well as state child welfare agency data, reports on specific outcomes broken down by race and ethnicity (for example, permanency outcomes by race and ethnicity). The Working Group has helped write and update a chapter and bench card on equity for the Children's Commission primary judicial resource, "Texas Child Protection Law Judicial Bench Book." Past iterations of the Working Group have organized trainings on implicit bias and presentations presented at the Texas judicial conferences as well as hosting an Implicit Bias Conference several separate years.

3. What processes and procedures were involved in developing and launching the initiative?

For the current Working Group, Commission staff identified Working Group leadership and interested Working Group members dedicated to addressing these issues in child welfare.



4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

Children’s Commission leadership and staff including the Commission Jurist in Residence are involved at various points in time. Additionally, existing collaborative relationships are leveraged including those with Texas Department of Family and Protective Services, Health and Human Services, Casey Family Programs, and members of the judiciary.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Disproportionality and disparity data released by the Texas Department of Family and Protective Services each year has informed this work over the years. A large part of the work has been showing judges their community level data to assist judges and community leaders with working on the issue in their communities.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

No costs associated with starting the Working Group. There is a small budget to accommodate one in person meeting for the coming fiscal year. Resources needed to maintain are dedicated staff and/or Working Group chairs to facilitate meetings and projects as well as interested and engaged Working Group members.

7. What is the current status of the initiative?

The Working Group will meet again in December 2022 and is working on next steps for this initiative.

For more information, see:

- Texas Children's Commission, [Texas Child Welfare Law Bench Book and Bench Cards](#)
- Texas Judicial Branch, [Beyond the Bench: Law, Justice, and Communities Summit](#)

District of Columbia Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The goal of the Multi-Disciplinary Representation Project is to produce better outcomes for parents in dependency hearings by providing parent attorneys with social workers to support and assist parents. Currently, government social workers are spread thin and, as a result, cannot give parents the full amount of support they need. If parent attorneys had their own team of social workers focused specifically on supporting parents in these cases, parents would be more likely to become connected to services and more able to overcome barriers to access. This would allow for them to become better engaged in their cases, which should produce improved outcomes.



2. How does this initiative promote racial equity in the courts?

This jurisdiction is demographically diverse, and the Family Treatment Court provides all people, regardless of background, an equal opportunity to retain custody of their children and receive substance dependency treatment. With that being said, the majority of participants in the Family Treatment Court are Black women. This is because, as with most urban/metropolitan jurisdictions, the District of Columbia's Black population is disproportionately affected by poverty and substance use. This initiative, then, is directly helping marginalized groups by providing a multi-disciplinary approach to their cases that is focused on keeping families together. Staff are interested in expanding data collection to learn more about the relationship between race and the program's effects on outcomes. The Multi-Disciplinary Representation Project also helps promote racial equity in the courts by providing additional assistance and resources to marginalized communities who have less access to services that meet their needs because of poverty and structural racism.

3. What processes and procedures were involved in developing and launching the initiative?

This launch involved the collaboration of many different stakeholders. It was developed and launched after the need for more intensive treatment programs for families involved in dependency cases was realized. Many of the stakeholders still work in partnership today to keep the Family Treatment Court functional. The Multi-Disciplinary Representation Project was started by a now retired leader who was passionate about improving services for parents in dependency cases. She researched programs in other states, such as New York, and modeled the initiative after these, using other programs best practices to guide development. The Court Improvement Project listserv was also essential to the process, as court staff across the country with experience in such programs provided feedback and resources to D.C.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The Family Treatment Court required the collaboration of the Mayor's Office, the Office of the Deputy Mayor for Health and Human Services, Department of Health and Human Services stakeholders, the District Court, and the Family Court, as well as treatment and service providers.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The Family Treatment Court's launch was not driven by quantitative data, but instead motivated by feedback provided from families, judges, and attorneys. These stakeholders saw the need for a specialized substance use treatment program in the court, as they desired to prevent greater familial divides from growing due to substance use. The program is based on the needs of the individual clients going through treatment, with around 15 parents completing the program per year. The results of treatment for these parents and their families are the main measures used to evaluate effectiveness. Data has driven the development of the Multi-Disciplinary Representation Project, with particular focus being paid to utilizing data in order to identify where delays are appearing for neglect cases and the quality of service could be improved.



6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The Multi-Disciplinary Representation Project has cost around \$200,000 dollars and will require continued funding to fund social workers for parents and project coordinators. The Family Treatment Court has not directly cost the Court much money. The majority of funds come from a grant, which will pay for peer mentors, a wellness coach, and increase the number of parents who can go through the programs. The Court directly pays for a Family Treatment Court Coordinator. The current grant will fund the initiative for three years.

7. What is the current status of the initiative?

The Family Treatment Court is fully operational and has weekly hearings and meetings. It is looking to expand to serve more people in the near future. Over the life of the Court, nearly 200 participants have graduated from the program through commencements they host for the 5-8 participants who complete treatment each year. The Multi-Disciplinary Representation Project is still in the process of being developed and is currently working to hire a head social worker. This staff member will help design the project and find additional social workers to serve parents directly.

For more information, see:

- [National Association of Drug Court Professionals](#)

Montana Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

As the Court Improvement Program is a continuous project, the goals evolve over time. Currently, Montana is working through the Court Improvement Program to advance their child welfare work with the "Moving the Dial" program. With this, they are working to educate all stakeholders so that they are on the same page, using the same language, making the same arguments, and hearing the same arguments. The goal of the "Moving the Dial" program is to build a network of stakeholders who will work better together, continually improve their knowledge of new developments in child welfare, and utilize evidence-based practices.

2. How does this initiative promote racial equity in the courts?

This initiative is continually working to promote racial equity in the courts. Judicially led teams across the state, comprised of judges, attorneys from their courts, social workers, and CASA workers, have gotten together for trainings, where the topic of how courts can have disparate impacts on people according to their race and ethnicity. For example, Montana, 6.9% of the population is Native American, but Native Americans make up 37% of the foster care population. To address this, the trainings are first working to educate stakeholders, examining their data and trying to determine why it is this way. Recently, as part of this work, the initiative managed a two-day



training on the Indian Child Welfare Act (ICWA), examining how it works, what its purpose is, and what disparities exist. Another component of training is being developed to focus on building such relationships, and staff are also in the infancy of developing double blind studies to gather data on removal as it relates to race and ethnicity.

3. What processes and procedures were involved in developing and launching the initiative?

This initiative came about organically as part of a revamp of Montana’s Court Improvement Program. Around 6 years ago, the Children’s Bureau began to assist with the program more, and the program began to work as a partner in driving child welfare improvement work. A major factor in the program’s expansion was Justice Gustafson’s appointment to Montana’s Supreme Court, which opened up avenues for bringing more resources to this work and getting buy-in statewide.

Initially, the program began to set-up pilots across the state to test out new practices. This started with testing out pre-hearing conferences, court status meetings, and “Moving the Dial” trainings, which then began expanding into other jurisdictions. Now, an established core group manages the Court Improvement Program, meeting regularly to determine where they will go next. Important assistance for the program also comes from the Children’s Bureau and Casey Family Programs, which has been crucial to its development and growth.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The management of the program has been a collaborative process. The Children’s Bureau and Casey Family Programs are essential stakeholders. The core group of key decision-makers include CASAs, attorneys, and the Child and Family Services Division department head.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Justice Gustafson’s department physically reviewed 5 years’ worth of files to determine their termination rate, finding that it was around 50%. They also found that the average time to Effective Resolution was over 600 days. The department piloted changes that included facilitated pre-hearing conferences and regular status hearings. The data from this pilot showed a reduction in termination rate to 16%, and a reduction in average time to Effective Resolution down to 323 days. The lessons learned from these experiences guided the Court Improvement Program’s later work.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

Everything launched through the Court Improvement Program has been funded by Federal grants. Most of these funds have been used to hire neutral facilitators for pre-hearing conferences, which has had a significant positive impact. Most of the other aspects of the initiative have not been funded, and instead have been done voluntarily by different professionals and organizations. Casey Family Partners has also helped fund education and speakers for trainings. Their data system, which is essential to the program, is being provided at a very low rate due to connections that program members had to the system’s creator.



7. What is the current status of the initiative?

The initiative is active and ongoing. Currently, the program is running 2 to 4 quality trainings on child welfare issues per year. They are working in areas where they see child welfare issues pop-up, putting on pilots in response. As a statute mandating pre-hearing conferences becomes active in 2023, staff are examining how they can best expand the current pre-hearing conference program statewide. Additionally, Montana’s legislature is actively working to address the high removal rate through new laws, which is impacting the program’s current work.

For more information, see:

- Montana Judicial Branch, [Court Improvement Program](#)

New Hampshire Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goal of the Family Treatment Court pilot program in New Hampshire is to improve outcomes for families involved in abuse and neglect cases where substance dependency or abuse is a major factor. The most significant way that Family Treatment Court intends to improve these outcomes is by reducing the amount of time it takes for a parent to be assessed for substance abuse and placed within a treatment program that corresponds to the appropriate level of care recommended by their ASAM Criteria assessment results. The Family Treatment Court also intends to ensure that children involved in its cases receive all of the beneficial services they can during separation and reunification.

2. How does this initiative promote racial equity in the courts?

People involved in Family Treatment Court cases are more likely to get into a treatment program and follow through with treatment when they are supported by peers, particularly if these peers have lived experience with substance use disorders. By leveraging peer supports, the Family Treatment Court has a better chance of getting people into appropriate treatment programs that they will stick with. This may help reduce the racial and socio-economic discrepancies typically visible in which people receive treatment and which do not. Sullivan County, where this program is being piloted, is 94% white, and as such the extent to which this initiative could provide beneficial effects to racial equity in courts has not yet been fully realized. Further expansions of Family Treatment Courts into more racially diverse counties could show greater effects.

3. What processes and procedures were involved in developing and launching the initiative?

The process of developing and launching the Family Treatment Court program in New Hampshire first involved receiving a large grant from the Office of Juvenile Justice and Delinquency Prevention, an office of the United States Department of Justice. To receive this grant, the New Hampshire



Judicial Branch completed an extensive grant application that required them to obtain support letters from state-wide partners, including the New Hampshire Bureau of Drug and Alcohol Services, the Department of Children, Youth, and Families, and CASA of New Hampshire.

Launching the initiative required an extensive process. In order to centralize all abuse and neglect cases to one judge for a region, an administrative order was required. A policy and procedures manual for the Family Treatment Court was developed to clarify and guide its actions. An extensive MOU, with a major focus on policies and procedures for information sharing between all collaborators, had to be developed for the Court to launch and continually operate effectively. A parent handbook was also created to explain what the Family Treatment Court is and how it would process their cases.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

An extensive number of justice partners collaborated with the court to develop and launch the Family Treatment Court program, and the input and cooperation of key stakeholders and decision-makers including government agencies, attorneys, judges, substance use treatment facilities, police, and non-profits were vital to the process. For the initiative to operate, continued buy-in from the Department of Children, Youth, and Families is necessary. The Court requires CASAs and parent attorneys who are willing to devote longer than average periods of time to cases, which also required the Judicial Council to agreeing to pay parent attorneys beyond the previously set caps. Statewide and regional treatment facilities needed to learn about the court and agree to assist with treatment placement. Court clerks needed to learn the processes of the Family Treatment Court and devote time to scheduling appointments.

Local and regional police must be involved, as sometimes relevant criminal cases need to be addressed as part of the scheduling and treatment process. Schools need to participate in some Family Treatment Court meetings if children are involved. State prisons and local jails need to cooperate with the court so that parenting time can happen if someone involved in the case is currently incarcerated. Agreements had to be made with local mental health providers so that people who did not have insurance could still receive treatment. Local housing supports and medical providers are also required for the process to be successful. Additionally, Children and Family Futures and the National Association of Drug Court Professional are key partners who provide technical assistance to the Family Treatment Court.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data played a substantial role in identifying needs prior to launching the Family Treatment Court program. Data scientists identified that Sullivan County's two courts had a higher percentage per capita occurrence of abuse and neglect cases than other regions, and this information was vital in the decision to choose Sullivan County as the location for the pilot program. Since there are only two courts for the county, hand counting was performed to evaluate microdata and assess how many cases in the jurisdiction per year may involve substance abuse. This allowed program staff to evaluate the capacity the Family Treatment Court required for it to be able to handle all relevant cases.



Collaborators with the initiative enter progress into a centralized database weekly to help staff continually assess the progress of the Family Treatment Court. Additionally, this data will be used for evaluating the initiative, a process that is currently being negotiated with NCSC.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The initial Office of Juvenile Justice and Delinquency Prevention grant that launched the Family Treatment Court program was \$3 million and is to be used over the course of three to four years. This is the primary funding resource for the initiative. A major resource needed to maintain this program is people. Over 20 people dedicated to spending large amounts of time to ensure the Court runs smoothly are required, and these staff are paid by their respective organizations despite the fact that they would usually not be spending their time in court. A Family Treatment Court coordinator is necessary for its continued operation, and funding is required to pay this position. Additional resources are needed to invest in the program’s expansion. Program staff are working to determine how much funding each Family Treatment Court will require to launch and where this funding will be sourced from.

7. What is the current status of the initiative?

The Family Treatment Court program is currently fully operational with two courts operating full time. They are moving into the third year of the program and are working to figure out how to both make this program sustainable and expand it into other regions across New Hampshire.



Initiative 12: Differentiated Case Management Programs

Pennsylvania Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The goal of the Dependency Caseload Project is designed to improve case-flow. While partnering with NCSC, they performed a data overhaul and clean-up. A curriculum was also developed through trial and error to improve judges' case-flow. The initiative translated data into tableau dashboards for ease of interpretation by judges not familiar with complex data. Specifically, this was implemented in the Child Welfare & Dependency Court.

2. How does this initiative promote racial equity in the courts?

Filters based on race can be placed on the dashboard. This allows the user to look at outcomes of cases based on the race of the child in an effort to compare results of judicial rulings.

3. What processes and procedures were involved in developing and launching the initiative?

The data overhaul and dashboard development were crucial. Judges were also presented these models and provided instruction on how to navigate and utilize the dashboard system.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

Ms. Goodrich and her team partnered with NCSC and NCJSCJ. They also met regularly with the Children's Roundtable Initiative, their stakeholders, Court Relations Work Group, and CYF. The Children's Roundtable's Racial Equity Work Group sought to highlight how implicit bias plays a role in judicial decisions.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data was used to roll out filters on the dashboard in an effort to improve outcomes for children of all races. This is accomplished by judges being able to see trends in rulings based on race. This enables them to identify and deal with implicit biases as they may become evident.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

All of the work was done in-house, so there was not necessarily any cost associated with the initiative. Ms. Goodrich already had the data for the dashboard and uses CPCMS through the state. The only other step was pulling the data through licenses, which is information that they already had.



7. What is the current status of the initiative?

The project's status is "in-progress." Ms. Goodrich and her team have completed the portion with NCJ, NCSC, and NCJSCJ who created the data overhaul and clean-up. However, the dashboard is live and constantly filtering. It generates a report "once weekly, or every couple of days."



Initiative 13: Interdisciplinary Advocacy Teams for Child Welfare Cases

New Mexico Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goals of the New Mexico Family Advocacy Program (NMFAP) are to raise the level of representation for parents and better serve children's and families with an anticipated goal of shortening time to permanency, as well as increasing reunifications along the way. However, if those cases aren't reunifying, then we help the parent to process that and make it a more positive life event. The initiative supports the parent because we have seen that parents typically do not get the support that they probably need in this really difficult time/process that they are going through. We want to show that parents do have strengths and help others within the system such as the agency and the courts to understand and have a better perception of parents who are going through this process. We work to improve the training and education for our attorney pool. Using this team concept, the client not only has high-quality legal support through the program's goal of increasing legal representation with higher training and more focus on client representation, but they will also have the master level social worker supporting them by helping them to set out both what the agency sets forth as the treatment plan to the court, and helping to address any underlying or unidentified barriers that the parent might have. The parent mentor is a person with lived experience who can take that lived experience that they've had and assist the parent in processing the case practice.

2. How does this initiative promote racial equity in the courts?

Many of the parents that we are seeing are low income, have substance abuse and or mental health issues, or combinations of the three. While poverty in and of itself is not sufficient for CYFD (CPS) to take a child into custody, that doesn't mean that poverty does not lead to a bigger eye on these families. Parents that have means, parents that have support systems, are less likely to come under the scrutiny of the state. So, the program is providing support to low income, disenfranchised clients who might not normally have access to that caliber of legal representation and that caliber of support. This program seeks to make the system more equitable, so that whoever the client is coming into our program is getting that same high-level quality and team support to that network. It is gender neutral, can be mom or dad, it doesn't matter what the background of the client is, we striving to ensure that regardless of where you're in the state and what your economic level is and what your gender, racial background is, that you have that access to quality legal representation.

3. What processes and procedures were involved in developing and launching the initiative?

NMFAP started in our Children's Court Improvement Commission. Before the initiative took off as NMFAP, it was a smaller initiative, a pilot program called the Family Support Services. The program was primarily in one county in the state, heavily driven by some of the social workers that worked in



that county and saw this gap. One of the processes that was a catalyst for all of this started with The New York Center for Family Representation. They created an interdisciplinary model of the attorney, social worker, and parent mentor to help support parents in child abuse and neglect cases. A small team from NM that included a judge, a representative from the state agency, attorneys, and social workers, went to New York to learn about the model and what they do and then came back to NM and adapted it so that it could be applied to the specific situation or dynamic of our state. Part of our difference was that we went with master level licensed social workers as part of the team.

The pilot program ran for about 3-4 years and the Administrative Office of the Courts worked closely with the state agency to write the grant proposal that was funded by the Children’s Bureau and now we have this 5-year grant. We have spent a great deal of time under this grant. We created an entire implementation plan that reviewed data, overall program structures including stakeholders and teaming groups, and developing best practices as part of our practice guide. We continue to update and refine as we move along with this program.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The CCIC has stakeholders from the agency, from the courts, from the service providers, etc. It is a court program, but given the nature of what we do, there’s no way we couldn’t collaborate with other partners, and other stakeholders involved in the system. We are constantly reaching out, touching base, and doing trainings with the state agency. The teams work very closely with CUYFD (Children Youth and Families Department) workers on the ground. We also have an MOU with CYFD, the state agency, to share data.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Once we learned that we received the grant from the Children’s Bureau, we learned that we needed to do other things before we could officially get going with the program. One of those things was creating an implementation plan, and the very first piece of that was doing a lot of data mining around all things related to what we were doing. We looked at times to permanency, permanency outcomes, levels of reentry into care, etc. The data was used to set the stage and to make sure that what we were doing was really addressing these root causes of what we had always anticipated the program to address but wanted to see if it was showing in the data. We went back and looked at the pilot initiative to see if it truly was showing shorter times to permanency and how it varied across the different counties that the pilot initiative was in to help further support why we thought that this program was working and why we assumed that the program under the grant would show the same thing. As far as how it’s being used now, we are using NCSC as our contracted evaluator team. We have an evaluation plan that’s been created by that team to look at many different components.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

Our grant is just under 8 million dollars for the five years. However, the program launched with less funding prior to the grant. In the spring legislative session, New Mexico passed the Office of Family Representation and Advocacy Act, which will create a standalone agency that will assume the representation of parents and children in child welfare cases with interdisciplinary aspects built in.



We are a small group. There are three of us on staff at AOC that work on the program, we have eight social workers, two parent mentors, and about 15 attorneys. We work in six counties in the state, so it is a small team for an expansive area. We have also found that there is a shortage of master level social workers statewide.

7. What is the current status of the initiative?

We are in year five of the grant, our final year. The grant is phasing out, but hopefully aspects of the program will continue. The funding of it won't be supplemented by the grant, but we are in a really good position because we have the Office of Family Representation and Advocacy that will start next July. It won't be exactly the same model, but will take over this interdisciplinary practice, among other things, to improve the support and representation of families in the state. Right now, we are looking at what is needed in our 5th year, which is continuing to work in the counties we do work in, but also acknowledging that we are needing to wind down. We've developed a transition team that will work with the office of Family Representation and Advocacy director when they come on board to think about transition of services to parents on the cases we currently have. We are in a spot with our data collection where we are in the final stages, so we will have a report at the end of this that outlines and reviews everything.

For more information, see:

- New Mexico Courts, [New Mexico Family Advocacy Program](#)

Ohio Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goals of the multi-disciplinary legal representation project were to increase legal representation, divert families out of the child welfare system, improve time to permanency, and use data to demonstrate the outcomes of the work of a multidisciplinary team. A contract with Action Research out of New York City to conduct a 4-year evaluation of the project works with sites to help collect data on the outcomes. The initiative works to improve the outcomes of cases and places a focus on preventing cases from coming to juvenile courts. Teams consist of a child welfare attorney, a social worker, and a person with lived experience that works with families as they address the complex issues that have brought them into the child welfare system.

2. How does this initiative promote racial equity in the courts?

Race and ethnicity data collected are provided as a first step in helping courts and child welfare agencies identify when disproportionalities may exist within their child welfare systems. There is a disproportionate number of families of color in the system. Promoting racial equity starts in the child welfare system. If the initiative can divert families coming into the system, or reduce the number of children in foster care, then racial equity is being promoted. Part of the initiative is to train staff in



how they approach families and influence child welfare agencies. Many people of color in the system are poor, however, this is not an automatic reflection of their parenting. The initiative strives to recruit a more diverse workforce. Training and hiring staff who look like their clients can increase family engagement. Even if the workforce is not always matched to their clients by race or ethnicity, there is a certain amount of training provided to uphold a culturally competent workforce to adapt services to meet culturally unique needs.

3. What processes and procedures were involved in developing and launching the initiative?

There were discussions internally and with external partners that came as a result of going through the CSFR (child & family services reviews). The conclusion after reviewing the CSFR was that better legal representation was needed. The initiative was based on an existing model that had strong research behind it and exposure through different events. The initiative worked with three different funding streams: Ohio's Court Improvement Program Grant, Ohio's children's Justice Act Grant, and Ohio's Children's Trust Fund. The executive branch also supported the project. An additional \$500,000 has been allocated to the project by the Governor's office, but we are having difficulty accessing the funds due to fiscal procedures. This will hopefully be remedied in the near future. Collaborative Funding was crucial to the success of launching, maintaining, and growing the initiative.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

Collaboration from other partners was key to the success of the initiative. The team has already put together a collaborative, including an advisory committee on children and families, and a work group that has some involvement. With the support from others, the initiative continues to grow at a larger scale and replicate its model in other counties.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data from the CSFR (child and family services reviews) showed that there was a concern that needed to be addressed in Ohio. Part of the outcome of the review of the CSFR was to create the initiative. National data was saying that if this model was used, it could reduce the length of stay and could prevent children from going into care. And, even if they do go into care, they have a better chance of coming out with a relative. Data was showing that this model could work in Ohio. Currently, Ohio is the only state piloting this initiative in six counties at the same time, including rural, suburb and urban locations. The team can collect data across the six counties, starting from year 1 to monitor the outcomes of each model.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The cost of launching the initiative is \$150,0000 per county per year for first 2 years. There is not a cost per client to do the work. Successful models will drive down costs in the child welfare and juvenile court systems. Regarding resources needed to maintain it, we are looking to identify a vehicle to bring in a title IV-E. We will be able to demonstrate savings in the expenditure of systems and create a cost benefits analysis model.



7. What is the current status of the initiative?

We are in year 2, just starting with six pilots all funded at \$150,000. In year 1 of the project, you plan and prepare. Year 2 you look at how you can build. When we meet with pilot sites, we focus on making sure they have sufficient caseloads, and that they are serving people appropriately. If there are issues, we identify ways to improve and grow from that. This gives us more information about the program and how we can grow their case load. We build off of each year. In year 3 and 4 we are looking at how to sustain the project. Summit county was the first site and is further along, as other counties have a year under their belt and are still trying to establish themselves.

For more information, see:

- Ohio Office of Children Services Transformation, [Final Recommendations of the Children Services Transformation Advisory Council](#)



Part IV: Language Access

This section highlights the following initiatives:

Initiative 14: Translation of Written Materials, Court Forms, and Signage

Initiative 15: Remote Interpretation Services

Initiative 16: Standards and Certification for Interpreters

Initiative 17: Training for the Court Workforce on Language Access Needs and Court Interpreting Procedures



Initiative 14: Translation of Written Materials, Court Forms, and Signage

District of Columbia Courts

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Program Highlights:

1. What were the primary goals of the initiative?

It is the Court's policy to provide translation services free of charge to assist LEP persons doing business with the Court. This includes the translation of vital documents, notices, and court orders. The Court provides translations of vital documents into Spanish and English. Vital documents may also be provided in additional languages based on demonstrated need by the division responsible for creating or distributing the vital document. Court notices and orders issued in a case contain critical information and are translated into any language upon request by the judge or the director of the division where the case is filed.

2. How does this initiative promote racial equity in the courts?

The Court's free of cost translation service ensures the availability of professionally translated vital documents, notices and court orders to effectively serve the Court's diverse population.

3. What processes and procedures were involved in developing and launching the initiative?

According to the U.S. Department of Justice LEP Guidance, the Court is to provide translations of vital documents for each eligible LEP language group that constitutes five percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translations are completed by staff at the Office of Court Interpreting Services (OCIS), contract interpreters hired directly by OCIS, or outsourced to a translation agency.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

A driving force behind the vision and commitment to the Court's Language Access Program is the Court's leadership. The Court's leadership team supports initiatives such as its translation services and allocates its own resources to improve and enhance language access services to ensure meaningful access for LEP individuals to the judicial process and court services.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data maintained by the Office of Court Interpreting Services consistently identifies Spanish as the most requested language for translation services at approximately 70% and Amharic at approximately 7%.



6. How much did it cost to launch the initiative? What resources are needed to maintain it?

In FY 2021, the Court translated 467 court orders, notices, summons, handbooks, forms, and tip sheets into other languages for court users. Outsourcing costs annually approximately \$40,000. Resources needed to maintain it are staff interpreters, contract interpreters and translation agencies.

7. What is the current status of the initiative?

In FY 2021, the Court translated 467 court orders, notices, summons, handbooks, forms, and tip sheets into other languages for court users. This represents a 68% increase in translation services from FY 2020. Improving and expanding translation services will continue to be a priority for the DC Courts.

Massachusetts Courts

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Program Highlights:

1. What were the primary goals of the initiative?

Translation Services' north star is a robust and agile solution to language access matters concerning written materials issued by, or in conjunction with, the Massachusetts Trial Court. A major component of this is providing timely professional translations optimizing talent and resources. Achieving this status quo requires completing many smaller goals pertaining to different aspects of the Office of Language Access (OLA) as a whole, the Translation Committee, and the translators themselves. The goal of the Translation Specialist is to develop teams of translators and reviewers dedicated to expediently producing translations befitting the Trial Court's caliber.

2. How does this initiative promote racial equity in the courts?

Translation Services, as part of OLA, represents the Trial Courts' commitment not to discriminate based on national origin. The decisions to timely request translations of materials, to offer documents of all types in the languages of the communities and court users served, to consult with Translation Services on best practices ahead of rolling out initiatives, etc. stem from an awareness that Limited English Proficient (LEP) and low-literacy LEP individuals have the same rights to access the justice system as their peers who don't face the same challenges, as well as to expect the same level of service. Translating materials promotes racial equity as a parallel effect of promoting linguistic equity: by making translated materials available, the courts facilitate access for people from all over, regardless of level of English. The side impact is the promoting of racial equity in the courts by enabling LEP and low-literacy LEP populations to access the courts through providing the needed resources, from the translators to the sanctioned translations.



3. What processes and procedures were involved in developing and launching the initiative?

Since 2019, the Translation Specialist began assessing what was in place, how the Translation Committee worked, who its members were, etc. Then the pandemic of 2020 began, and Translation Services rushed to provide services in different ways in OLA, assigning per diem interpreters translations to supplement the scant interpreting work due to court closures. Prior, only staff interpreters did translations for the Translation Committee and the occasional per diem would assist with a language not represented on the Translation Committee.

By April 2020 and in 2021, sans precedents at the Trial Court, the Translation Specialist established protocols for how to begin translating for the Trial Court's Translation Committee, covering translations of noneditable documents, translations of correspondence for Trial Court Offices, and more.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The key stakeholders are the requesters, the Court Users, and the Trial Court personnel/ departments impacted by Translation Services. The Translation Specialist is the key decision-maker. At its core, the Translation Specialist makes key decisions, and as needed consults with the Director for Language Access and Court Records Department and the Senior Manager of the Office of Language Access. Translation Services are under the sole purview of the Translation Specialist. The Translation Specialist collaborates with other justice partners to enhance the quality of the work in several facets, from design to execution by regularly making use of Trial Court resources, such as the law librarians, and consulting with colleagues in the field.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The Translation Specialist currently tracks turnaround times and other metrics that speak to translator/ proofreader abilities and skills. There's significant difficulty in determining translation effectiveness amongst court users. In 2019, OLA began using a scheduling software that was designed for MA Trial Courts that captures data around what language is being used in various regions and courts. This empowered the team to determine when services would be needed, schedule and hire interpreters, recruit subcontractors, determine days of services, all through the software. The data integrates directly with MassCourts so that any court event scheduled that requires an interpreter is automatically populated once the request for an interpreter is entered into the software. The data is now used in the diversity report that comes out every year.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The Massachusetts Trial Court fully covers the operational costs of the Translation Specialist, Translation Committee, translators, technological software and vendor contractor resources. There is no set budget for running translation services. The 2019 investment into the scheduling software cost about \$140,000. (The team is happy to share their RFP upon request.)



7. What is the current status of the initiative?

Translation Services is in the first full year of its hybrid model service provision and actively working to meet the Trial Court's demands. The Translation Specialist remains committed to advancing Translation Services through the many strategies and partnerships mentioned and continues to keep data, both quantitative and qualitative, on operations to continually improve services.

For more information, see:

- Massachusetts Trial Court, [Annual Diversity Report \(FY 2020\)](#)
- Massachusetts Trial Court, [Annual Diversity Report \(FY 2021\)](#)
- Massachusetts Access to Justice Commission, [Annual Reports](#)

Pennsylvania Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The policy of the Unified Judicial System ("UJS") is to provide meaningful language access for all individuals who are Limited English Proficient ("LEP") to ensure that all persons have due process and equal access to all judicial proceedings, court services, programs and activities.

2. How does this initiative promote racial equity in the courts?

The majority of the LEP population that lives in Pennsylvania also represents a marginalized community. The translation initiatives provide greater language access to the courts and, thereby, enable LEP populations to fully participate in judicial proceedings and court services, programs and activities in which their rights and interests are at stake.

3. What processes and procedures were involved in developing and launching the initiative?

Several years ago, PA worked with the National Center for State Courts (NCSC) to develop a translation manual to better assist the Administrative Office of Pennsylvania Courts (AOPC) with translating court forms and documents. To prioritize what forms should be translated, they established a translation committee that consists of judges, court administrators, interpreters, language access coordinators, legal advocates, and translation experts. This group determines which forms are vital documents. Once the forms are identified, they then work with a translation firm to carry out the translation in accordance with the UJS Translation Manual. The translations of the forms are into plain language, and the format of the form is bi-lingual, displaying both English and the second language on the same form.

Finding the right translation group to work with was a learning process. The process consisted of putting out bids to firms that they have previously worked with in protection of sexual violence. They found that during the pandemic there was a high turnover and so finding a firm with



experience in legal translation services specifically was a requirement. Just a translation firm would not be the right partner, there is a requirement for knowledge and experience with the specific lingo of the legal work. A list of trusted vendor firms was compiled and they recommend having a firm on retainer.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The key stakeholders and decision-makers included the translation committee and the AOPC court access and interpreter teams. This project was under the sole purview of the Courts, but included collaboration with justice partners to identify forms that should be slated for translation. Those charged with monitoring and evaluating these efforts included judges, court administrators, translation advocates, and legal services advocates who represented legal aid networks.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

We collected data on the most frequently requested languages in our courts, and used that data to determine which languages to translate the forms. PA continually monitors the most frequently requested language in their courts so that they can be adaptable and responsive the needs of our court users, and continually promote the usage of forms by judges and court staff along with advocates. PA has the ability to monitor how often the court forms are being clicked on to determine the usage.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

PA received a State Justice Institute (SJI) grant to launch this project which totaled \$60k. With that they were able to translate 48 court forms into 13 different languages. In the process of retaining a translation firm to assist as they continue with translation of vital court forms and documents and who will also be available to assist in updating already translated forms, when necessary. We created a glossary of legal terms and the translated definitions (for their internal use only) ensured that the court is not paying for the same term already translated. Usually, cost is based on pay per word, the rate fluctuates based on the language. Additional cost considerations included the requested or required turnaround time

7. What is the current status of the initiative?

The SJI grant is complete, but our translation initiatives are an ongoing process.



Initiative 15: Remote Interpretation Services

Texas Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

Texas courts needed interpreting services, especially for Spanish-speakers, but funding was limited. The OCA decided to pursue/use their legislative appropriation to provide remote services for the state courts; to use their resources to help courts throughout the state. The initiative started in 2014 with a legislative appropriation but prior to the 2014 funding the OCA had been offering very limited remote interpreting services.

2. How does this initiative promote racial equity in the courts?

The staff view this program in terms of the equity it provides court users. This initiative helps to address discrimination based on national origin by ensuring court users have the language access services to navigate the judicial system.

3. What processes and procedures were involved in developing and launching the initiative?

Most of the development occurred internally, administrative processes were used to start the program and develop guidelines for when courts could request and schedule services. Rules and legislation were already set and clear regarding interpreting services, their certification and provision.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The judicial council, a statewide policy making body comprised of judges, citizens at large, attorneys, and legislative officials. The OCA did not move forward with this program without the prior support of this body.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The need for the program and focus on Spanish was identified, at first, anecdotally. Unfortunately, in Texas it is difficult to capture language access data. For example, the Clerks are not required report which cases have an LEP participant or require/ed interpreting services. Internally, the interpreting program does an excellent job of capturing and retaining language access data recording requests for services, population of jurisdictions where services are provided, case type, and day and time of service provision. With this information the program is able to provide an estimate to leadership and stakeholders a dollar amount of how much the remote interpreting program saves the state, the need and demand for the services.



6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The initial appropriation was to help fund 2.5 FTEs. The lead interpreter, who has been with the program since its inception works remotely, never has required office space. Since then, the program has expanded. Interpreters are required to reside in Texas and have access to the internet, but otherwise work remotely. They have invested in equipment. High quality headsets and cameras as sound cannot be an issue and high-quality video is now expected. Staff noted interpreters work on a contract basis and can earn substantially so they made sure that their staff interpreters were compensated fairly but competitively given this landscape.

7. What is the current status of the initiative?

The initiative is ongoing. Well established, stable and expanding. They plan on reassessing their capacity to provide services now that the program has grown to 5 FTEs. They plan to consider if they can provide services for more types of hearings, for longer hearings and translation services with their larger complement of staff.

For more information, see:

- Texas Judicial Branch, [Interpretation & Translation](#)

District of Columbia Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goals are to provide excellent and comprehensive language access services to the LEP, deaf, hard-of-hearing public, and court consumers as the DC Courts pivot to remote operations during the COVID-19 pandemic.

2. How does this initiative promote racial equity in the courts?

It ensured continuity of the DC Courts' provision of excellent and comprehensive language access services to the Courts' diverse population when the DC Courts pivoted to remote operations during the COVID-19 pandemic.

3. What processes and procedures were involved in developing and launching the initiative?

The DC Courts upgraded all courtrooms and offices to provide technology such as monitors and video remote platforms such as Webex and zoom to enable the remote participation of internal and external stakeholders when the DC Courts pivoted to remote operations during the COVID-19



pandemic. OCIS staff interpreters were provided with laptops to provide uninterrupted remote language services to LEP and deaf and hard-of-hearing public and court consumers.

The DC Courts converted office space across the city and at the courthouse to remote hearing stations with computers and video remote platforms to provide access to remote hearings for DC Court consumers. This enabled the LEP and deaf and hard-of-hearing court consumers to access remote interpretation services if they did not have the requisite technology at home. As the Courts increased onsite operations, OCIS converted two office spaces into VRI onsite rooms for onsite interpreters to interpret remote hearings for LEP and deaf and hard-of-hearing public and court consumers.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The key stakeholders included, court leadership, division leadership, courtroom technology department, interpreters, members of the public, and court consumers. This program was under the sole purview of the court.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The OCIS' Web Interpreter and Translator System produces and maintains performance data on interpretation events.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The cost for OCIS onsite VRI rooms was approximately \$1,000. The rooms and three computers were repurposed. Maintenance requires three computers in good working condition with uninterrupted access to the internet.

7. What is the current status of the initiative?

Currently interpretation services are provided in hybrid mode. Services are provided in person and onsite when parties are in person and onsite, and remotely when parties are participating remotely. OCIS interpreters work remotely from home, remotely onsite and in person and onsite.

For more information, see:

- District of Columbia Courts, [Language Access Services](#)

Massachusetts Courts

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Program Highlights:

1. What were the primary goals of the initiative?

During the pandemic of 2020 and 2021, the Trial Court sought to expand its in-person hearings, proceedings, trials, etc., by utilizing video conferencing platforms, e.g., Zoom, WebEx, Polycom, etc., and by telephone. In alignment with the Trial Court, the Office of Language Access (OLA) pivoted and innovated as needed to provide interpretation and translation services for Limited English Proficient (LEP) individuals appearing for court events, programs, and services.

2. How does this initiative promote racial equity in the courts?

Limited English Proficient (LEP) individuals appearing for court events, programs, and services were provided interpretation and translation resources in-person, by video conference, and by phone so they could appear, understand the court proceedings, be able to communicate effectively, fully participate, and navigate the judicial process successfully.

3. What processes and procedures were involved in developing and launching the initiative?

The Trial Court issued Standing Orders by court department to determine protocols for launching remote interpretation services.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The Chief Justice of the Trial Court and the Court Administrator received guidance from the Governor, the executive branch and issued Standing Orders by court department, for the First Justices and Clerk Magistrates of court divisions to implement.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The Trial Court is data-informed through its Research Department, Judicial Information Services Department (JISD) MassCourts case management system, and for the Office of Language Access (OLA) through TeamWork, the interpreter scheduling software that was launched in November of 2019. The software is cloud-based and allows interpreters to receive their schedule to serve the courts by mobile device, laptop, or desktop. Interpreters can post their availability to be scheduled, and can accept or decline their scheduled court assignments, and also invoice for services. Data regarding interpreter requests, interpreter service, and invoicing is readily available through TeamWorks reporting system.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

Video remote interpretation resources included technology, e.g., Zoom, WebEx, Polycom, and personnel, e.g., staff employed interpreter's salaries, per diem vendor contractor interpreters' compensation.

7. What is the current status of the initiative?

During the pandemic of 2020 and 2021, the courts requests in-person interpretation services for 65% of court events, and video remote interpretation services for 35% of court events. The courts opened



fully in 2022 and currently court requests in-person interpretation services for 87% of court events, and video remote interpretation services for 13% of court events.

The Trial Court continues to utilize video remote interpretation services, and will be expanding services for civil case types, e.g., motor vehicle infractions, show cause, and small claims. Court users are opting in for video remote interpretation service as an efficiency of service.



Initiative 16: Standards and Certification for Interpreters

Arizona Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

The AZ Language Access initiatives' primary goals are to increase the availability and quality of court interpreters by establishing statewide standards and improving interpreter competency in ways that deliver meaningful access to justice.

2. How does this initiative promote racial equity in the courts?

Language access is tied to racial equity because limited English litigants are often racial minorities. Language access addresses racial inequity by establishing an equal footing for LEP litigants. The adoption of statewide standards ensures LEP individuals regardless of national origin have access qualified interpreters and have the same access to the courts as an English speaker.

3. What processes and procedures were involved in developing and launching the initiative?

In 2015, the Arizona judiciary established the Court Interpreter Program Advisory Committee. They began internal discussions to understand the needs of the AZ courts and LEP litigants. The Committee conducted site visits in other states and online research to learn more about credentialing programs. Using these sources as input, the Committee proposed the AZ Court Interpreter Credentialing Program (ACICP). After factoring in stakeholder requirements, the AZ Supreme Court adopted ACICP. The next phase required a revamp of the Interpreter Database to create a helpful online tool for both courts and interpreters. After looking at similar systems in HI, CA, NM, and CO, the working group developed core requirements for the system. The National Center for State Courts Council for Language Access in the Courts (CLAC) and other stakeholders (court leadership, IT, interpreter associations, the state procurement office, and the AZ Commission for the Deaf and Hard of Hearing) weighed in on the requirements. The result -- the AZ Court Interpreter Registry is a web-based database of interpreters who either work or are available to work in the Arizona courts. Courts search the registry when looking for interpreters to employ.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The decision-makers involved include the Chief Justice and the AOC Director. AZ is a non-unified state; however, they have a robust statewide committee structure. This framework addressed local-level concerns and ensured the court's policies, processes, and procedures worked. The working group took time to gain understanding and garner consensus.



5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Before this program it was hard to get data from Arizona courts on the number, location, and requested language for interpreting services. Individual courts may have had this data, but the Language Access Coordinator was unable to access it. The data landscape is different now. Courts are now required to collect and provide data on interpreting events and requests along with associated case data elements. This data will be used to better understand interpreting needs across the state and to help courts justify funding requests for additional language access resources as needed.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

Costs were not tracked as the Program utilized existing in-house resources. The largest expense is staff time (\$250,000 - \$300,000 per year) which is included in the operating budget. Candidate fees cover interpreter testing expenses for the exam. AZ conducted a cost analysis to establish a realistic fee structure.

7. What is the current status of the initiative?

The certification program served as the cornerstone for a slate of language access programs tied to and evolving naturally from this initial initiative: a code of professional conduct for interpreters, a statewide video remote interpreting system, continuing education program to serve as a resource for interpreters to develop and advanced interpreters to maintain their skills. The program is stable, effective and now continuing to build on the interpreting capacity and infrastructure its developed in the state.

For more information, see:

- Arizona Judicial Branch, [Arizona Court Interpreter Credentialing Program](#)

District of Columbia Courts

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Program Highlights:

1. What were the primary goals of the initiative?

Spanish, American Sign Language, and Amharic are the top 3 languages for which interpretation services are requested at the DC Courts. All Spanish and ASL interpreters on the DC Courts Interpreter Registry are certified. The Amharic interpreters on the Interpreter Registry are qualified to provide interpreting services. None, however, are certified because before the development of the Amharic Court Interpreter Certification exam in 2021, there was no certification standard that existed for the language. The goal was to provide the Court's third most requested language interpreters the opportunity to become certified, to ensure that the Court is providing the best possible service to the Amharic-speaking public, and to establish a standard of excellence for



Amharic interpreters consistent with those set by the NCSC and other interpreter testing authorities like the Registry of Interpreters for the Deaf.

2. How does this initiative promote racial equity in the courts?

The Amharic Court Interpreter Certification exam ensures the availability of certified language interpreters to effectively serve the Court's diverse population.

3. What processes and procedures were involved in developing and launching the initiative?

The Court applied for and was awarded grant funds from the State Justice Institute to partially pay for the development of the Amharic court interpreter certification exam. The Court contracted with the NCSC to design all the sections of the exam, develop an Amharic legal glossary, recruit Amharic subject matter experts to rate the exam, and train staff in the Office of Court Interpreting Services (OCIS) to proctor the exam. To support the Amharic interpreters' path toward certification, the OCIS developed an Amharic skills-building workshop that provides the interpreters with instruction, materials, and practice exercises.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The Clerk of the Superior Court and the Executive Officer of the DC Courts approved the project proposal submitted by the Director of the Special Operations Division to apply for grant funds through the State Justice Institute to offset costs to develop the Amharic Court Interpreter Certification exam. The Court partnered with the National Center for State Courts.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data maintained by the Office of Court Interpreting Services consistently identifies Amharic as the second most requested spoken language. The Certification process ensures the provision of the best possible service to the Amharic-speaking court users.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The total cost for the development of the Amharic Court Certification exam was \$128,712. The SJI matching grant of \$66k, was for half of the total cost estimated at the time the grant application was submitted and additional monies for the development of the DC Courts Interpreter Registry (total cost \$4000). The DC Courts administers the exam at no cost to the candidates. The DC Courts contracts with an NCSC approved exam rating company and pays \$680 per exam. The DC Courts contracts with interpreter trainers to facilitate the annual skills building workshop. The annual cost to facilitate the workshop is approximately \$4000.

7. What is the current status of the initiative?

The DC Courts through the Office of Court Interpreting Services has offered the Amharic Court Interpreter Certification exam annually in June 2021 and June 2022. The Amharic Skills-Building Workshop, which focused on sight translation between English and Amharic, consecutive interpretation between English and Amharic, and simultaneous interpretation from English to



Amharic, was held in April 2021. A skills building workshop that focused on language neutral methodology and practice in all three interpretation modes was held in April 2022. The Court donated the exam to the National Center for State Courts.

District of Columbia Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goal is to ensure the Courts' stakeholders that freelance interpreters working at the court have the training, knowledge, skills, and abilities to overcome linguistic barriers in a court setting, meet the highest industry standards, and provide superior language services to Limited English Proficient (LEP) and deaf and hard-of-hearing individuals doing business at the Court.

2. How does this initiative promote racial equity in the courts?

It ensures the availability of highly qualified interpreters to provide language services to the Courts' diverse population.

3. What processes and procedures were involved in developing and launching the initiative?

In October of 2019, the DC Courts implemented the DC Courts Interpreter Registry. Under this program, all freelance interpreters are required to meet certain minimum requirements before they may provide interpreting services at the Court. One of the key requirements to remain in good standing with the DC Courts Interpreter Registry is to comply with the Continuing Education policy. The Continuing Education policy requires Registry interpreters to complete 12 hours of continuing education credits every two years. The Office of Court Interpreting Services (OCIS) facilitates courses every year to train the DC Courts Registry interpreters and assist them in complying with the continuing education requirements. OCIS also provides a 4-hour orientation workshop for new interpreters to provide an overview of the DC Courts, an overview of the DC Code of Ethics and Code of Conduct, and an overview of practice standards.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The key stakeholders include: court and division leadership, OCIS, State Justice Institute, freelance interpreters, members of the public, and court consumers. The court collaborated with the State Justice Institute for this initiative.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The Web Interpreter and Translator System (WITS) produces and maintains data on the number of qualified and certified freelance interpreters on the Interpreter Registry.



6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The costs included a \$4,000 matching grant from the State Justice Institute helped launch this initiative. Maintenance of the program includes a staff Program Officer at OCIS to assist the Language Access Coordinator manage the continuing education policy, requirements, and compliance. Additional costs are \$13,000 a year in continuing education courses.

7. What is the current status of the initiative?

The initiative is on-going.

Massachusetts Courts

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Program Highlights:

1. What were the primary goals of the initiative?

In 2022, the Human Resources Department in collaboration with the Office of Language Access (OLA) updated the position description for Court Interpreter I, that made a requirement, any person employed by the Trial Court as a court interpreter would have two/2 years to take and pass the National Center for State Courts (NCSC) court interpreter written and oral certification examinations. The goal is to ensure all newly employed interpreters attain certification. This initiative also includes court interpreter's requirement to complete at least 22.5 hours of continuing education units to retain their certification.

2. How does this initiative promote racial equity in the courts?

Since the goal is to have all court interpreters attain NCSC certification, the initiative promotes access to justice by ensuring the quality of delivered services is high. The more qualified and skilled the interpreter is in delivering interpretation and translation services, the better experience Limited English Proficient (LEP) individuals will have.

The Trial Court places a large emphasis on the overall theme of court user experience, including the ability to communicate effectively with culturally/racially diverse populations. The language access program also looks to adopt interpreters that speak multiple languages or languages other than the most used in that geographic region, e.g., Spanish or Portuguese. Language access and equity is achieved in accommodating all LEP court users with various backgrounds and native languages. In FY 2022, the Trial Court provided language access for over 110 languages.

3. What processes and procedures were involved in developing and launching the initiative?



For several years, former Chief Justice of the Trial Court Paula Carey, chaired the Language Access Advisory Committee responsible for reviewing and updating the Office of Language Access (OLA) Standards and Procedures of 2009. 12 years later, in January of 2021, Chief Justice Carey promulgated the OLA Standards and Procedures of 2021. Now, there are three/3 categories of per diem vendor contractor interpreters: Proficient 1, Proficient 2, and Certified. There are two/2 categories of staff interpreter: Interpreter 1 and Interpreter 2. The Standards has established a framework and guidelines for interpretation certification, ethics, operations, and service delivery. The Standards has provided the much-needed structure that ensures a high quality of service delivery by interpreters to ensure equity and access is being upheld.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The most influential individuals involved in establishing/maintaining the Standards and Certification of Interpreters are the former Chief Justice of the Trial Court Paula Carey, who chaired the Language Access Advisory Committee and each Chief Justice of the seven court departments in Massachusetts: Boston Municipal Court (BMC), District Court, Housing Court, Juvenile Court, Land Court, Probate and Family Court, and the Superior Court. Additionally, representatives from every Chief Justice's office served on the committee as well as representatives of the EOTC (Executive Office of the Trial Court) and OCM (Office of Court Management). The Office of Language Access (OLA) management team ensures court interpreters serve in compliance with the Standards and the Certification of Interpreters.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Metrics are utilized for this initiative through TeamWork, the interpreter scheduling software system that collects interpreter data, e.g., service by case type, court department, language, regional county trends, etc. This ensures that adequate staffing resources are provided to respective court locations and languages in need of service. Additionally, field data is collected by both staff and per diem court interpreters who are responsible for submitting daily, weekly, and monthly reports to project future service needs and trends. This data also informs on which regional counties require additional interpreters and how interpreters can more effectively serve. Data is also collected by the Research Department through court user surveys that provide feedback about their experience with interpreter services which helps leadership determine the strengths and weaknesses of the existing structure.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The budget is inclusive of salaries for the Office of Language Access (OLA) court interpreter personnel and for training sessions hosted by the Trial Court. The goal in FY 2023 and 2024 is to contract with interpreter certification trainers and to provide more in-depth trainings on the written and oral certification examination. Costs are mainly comprised of salaries and training resources for the continued education units for interpreters and to sustain interpretation certification.

7. What is the current status of the initiative?

The initiative is in progress, and OLA is always looking to improve efficacy and quality of services delivered.



Ohio Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The program was established as a result of the report of The Commission on Racial Fairness that was published in 1999. Translator services were identified as a need in that report. A subsequent task force was assembled after the release of the report with more specific recommendations in what the Supreme Court should do to address the identified needs.

2. How does this initiative promote racial equity in the courts?

It does so by providing the most qualified interpreters to be able to convey information that might be needed from a court (e.g. general and legal proceeding information) to individuals whom do not speak English. The litigants who require these translations services come from all over the world such as China, Asia, Africa, Latin America, etc. Interpreter services in the courts provides equal access to racially/culturally diverse litigants which allows them to make the most informed decisions with provided court information.

3. What processes and procedures were involved in developing and launching the initiative?

The springboard for the development of the program was the initial report released in 1999 by the Commission on Racial Fairness. From that report, the interpreter services program was created by a number of steps that were taken. Two years after the program was created, the Supreme Court of Ohio created an Advisory Committee for Interpreter Services that consisted of judges from all jurisdictions, court administrators, interpreters, defense attorneys and various other academic individuals. That group, in conjunction with the program, began to put the pieces together in creating resources, proposed court rules and a handbook for Judges on how to work with interpreters. Training is also offered to local courts, the BAR, other attorney associations and interpreters on how to prepare for the exam as both an in-person and online approach.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The Advisory Committee for Interpreter Services is comprised of judges from all jurisdictions, court administrators, interpreters, defense attorneys and various other academic individuals. The critical piece is the leadership of the Supreme Court because they are the ones that decide how this program is formulated and where it goes (Court Administrators and Chief Justice). Other entities were reached out to such as legal aids, the private BAR, the BAR association, interpreting associations and universities to examine the feasibility of establishing an interpreter services program.



5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The initial report by the Commission of Racial Fairness had public hearings around the state and established anecdotal evidence because data collection in the early 1990's was not a popular tool. From that standpoint, that is the information that funneled through the Supreme Court to establish the program. In terms of measuring qualitative effectiveness, the participant was unsure how to answer. The challenge in collecting mass data in this regard is that Ohio is a home rule state. There is no statewide connectivity where information is shared freely in one report, one data collection method, etc.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

When the initiative was initially launched it was \$150,000/ year, excluding salaries. After 20 years of evolving, the budget is currently \$300,000 including salaries with continued funding. The Supreme Court also funds free telephonic interpretation to local courts for legal proceedings and ancillary court services. The resources needed to maintain the program are monetary, personnel, and expertise.

7. What is the current status of the initiative?

The current status of the initiative is that it has been institutionalized.



Initiative 17: Training for the Court Workforce on Language Access Needs and Court Interpreting Procedures

District of Columbia Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goals are to provide judicial officers and court employees a comprehensive understanding of their legal and ethical obligations, as well as current best practices serving limited English and non-English speaking customers and deaf and hard-of-hearing customers to improve the quality of language access services in and outside the courtrooms in the DC Courts.

2. How does this initiative promote racial equity in the courts?

The initiative ensures that judicial officers and court employees are better able to identify and serve the needs of the Courts' diverse population.

3. What processes and procedures were involved in developing and launching the initiative?

The Office of Court Interpreting Services (OCIS) Language Access Coordinator designs and implements training programs for: new judicial officers, new court employees, courtroom and clerk office supervisors, law clerks. OCIS maintains a language access intranet toolkit of resources for internal stakeholders such as judicial officers and courtroom clerks, and an internet webpage of information and resources for external stakeholders such as attorneys and members of the public.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The key stakeholders included court and division leadership, OCIS, Center for Education and Training, Information Technology, judicial officers, court personnel. The initiative was under the sole purview of the court.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The Web Interpreter and Translator System (WITS) produces and maintains data on interpretation and translation events. WITS data on interpretation and translation events can assist in evaluating the effectiveness of the initiative.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The initiative has no cost. The Language Access Coordinator maintains the design, development, and implementation of the training programs.



7. What is the current status of the initiative?

It is ongoing.

Michigan Courts

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Program Highlights:

1. What were the primary goals of the initiative?

A major goal was educating judges and court staff and standardizing the statewide process for the appointment of interpreters on cases. A second goal was ensuring all interpreters are thoroughly qualified through a testing and certification process. The State Court Administrative Office tests and certifies all interpreters who appear in Michigan's trial courts.

2. How does this initiative promote racial equity in the courts?

The initiative raises awareness of the issue of language access. Historically, people with limited English language skills might be viewed as less intelligent or less knowledgeable. This levels the playing field for LEP litigants.

3. What processes and procedures were involved in developing and launching the initiative?

This work began with the creation of a steering committee comprised of 12 members from various courts who looked at access as a whole and then created the needed language resources. The committee met several times for nearly a year and began the work of creating court rules. Court analysts then drafted a language access plan and the rules which were submitted to the Supreme Court for approval, ultimately becoming an administrative order. Only once this was all approved could the training material be created. Interpreters were being tested prior to the certification process, however, NCSC provided training how to develop the additional layer of certification.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

There were no language access firms or anyone from the interpreter network involved in this initiative, though they were grateful there would be a rule. Internal stakeholders were the 12 members of the steering committee made up of employees from different court locations. External feedback was received when the rules were posted for comment, which is part of the standard process for all rules in Michigan.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Due to being a decentralized state, data has not been available historically. Michigan courts use more than twenty different CMS and not all have language indicators. Due to the difficulty in



identifying the main languages needed from the CMS data, the state instead used census data to identify 20+ languages spoken in Michigan as a primary language. This provided the necessary information, but was not real time data. Courts now keep track of the languages associated with interpreter requests so data is more attainable than in the past. This information can be used in conjunction with census data to monitor and ensure language needs are being met by the courts.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

From the SCAO perspective, there was no cost. The salaries and the time of steering committee members dedicated to this initiative was not specifically tracked. Maintenance costs include paying interpreters, which is the responsibility of the trial courts through their local funding units.

7. What is the current status of the initiative?

The initiative is ongoing. The Foreign Language Board of Review provides quality control, both if there are any problems identified with a court or with an interpreter's skill level. This work is constantly evolving as language access plans change and get replaced. One rules change has been submitted and another will be presented to the Supreme Court for consideration.

For more information, see:

- Michigan Courts, [Foreign Language Interpreter Certification Program](#).
- Michigan Courts, [New Judges Seminar bench card on Interpreters](#)

New Hampshire Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

While updating the current Language Access plan, New Hampshire reached out to NCSC to evaluate current practices and identify areas for improvement. Those recommendations included the build out of new trainings for existing and new court employees. The pandemic also contributed to the need for new trainings regarding interpretation services due to remote hearings and access to online court services.

2. How does this initiative promote racial equity in the courts?

The program symbolizes access to justice by providing services to court users with language barriers. The courts must provide every service that they have, equally to everybody, and if language barrier is an impediment than they are not accomplishing that goal. Finding as many tools as possible to ensure the court is accomplishing access to justice is the highest priority.



3. What processes and procedures were involved in developing and launching the initiative?

This was a three-part process. The first part being the evaluation of current materials for adequacy. The second part is working with NCSC to develop electronic materials identified in the evaluation of the program. Third, is meeting with judges about their experience with remote interpretation services. Then, general counsel and government affairs work together to identify training opportunities as a result of what these judges have learned in the past couple of years.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

MaryAnn Dempsey of General Council and Richard of Government Affairs are the two primary leads of the initiative. Newly developed materials are sent to a group called the Administrative Council for approval which is made up of the Chief Justice of Supreme Court, Chief Justice of the Superior Court, two administrative judges of the Circuit Court and the Director of the Administrative Office of Courts. Training events are coordinated with the court administrators for the superior and circuit courts. The courts have interacted with the Access to Justice Commission and their language access subcommittee for feedback on updating the current language access plan. Public defenders have also been reached out to regarding what types of languages they are interfaced with most frequently in a court setting.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The initiative was not data-driven. One of the data points that requires improvement is gathering feedback from users of the language access program to assess the effectiveness of the initiative. The need has been driven by perception rather than data as well as the input received by NCSC and what NCSC sees nationally.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

Contract with NCSC is \$57,000 to contribute to the updated needs and provided resources of the language access program. Vendor cost to help provide translation services is absorbed by internal budgeted costs. Internal costs and staff time is not quantified separately. Language access plan is re-evaluated every two years. Maintenance costs are mostly internal with addition to review of the plan every couple of years.

7. What is the current status of the initiative?

Targeting live in person trainings to occur in February 2023. Electronic training materials completed by December 2023. Existing new employee training will be updated and implemented in early 2023 through the Spring.



Part V: Criminal Justice Reform

This section highlights the following initiatives:

Initiative 18: Bail Reform

Initiative 19: Increasing Jury Diversity

Initiative 20: Problem-Solving Courts and Specialty Dockets

Initiative 21: Eliminating or Reducing Incarceration for Failure-to-Pay Offenses

Initiative 22: Text Messages to Inform Defendants about Hearings

Initiative 23: Eliminating Mandatory Sentences



Initiative 18: Bail Reform

Michigan Courts

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Program Highlights:

1. What were the primary goals of the initiative?

To maximize release, public safety, and increase court appearances.

2. How does this initiative promote racial equity in the courts?

The proposed legislation would reduce the economic disenfranchisement caused by an all-cash bail system as risk is fairer and more equitable.

3. What processes and procedures were involved in developing and launching the initiative?

The Michigan Joint Task Force recommended the legislation. The Task Force is bipartisan, interbranch and is a county/state partnership.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The Courts played a major part, however, it was a true collaborative effort with many stakeholders including Judges, state and local elected officials, state and local prosecutors, the criminal defense bar, law enforcement, corrections, victims, returning citizens and pretrial services.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Arrest, jail and Court data collected by the Pew Foundation was critical because it informed all of the proposed legislative bills.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

Pew made an in-kind contribution. 1-2 full time staff members were needed.

7. What is the current status of the initiative?

The below referenced proposed legislation is pending.

For more information, see:

Michigan provided the following pretrial reform bills which are linked below:

- [HB --5436](#) implements a tiered framework for judges to consider pretrial release based on risk, reserves cash bail for people with more serious offenses, and requires data collection to improve processes.



- [HB 5437](#) allows defendants to request review of deficient bail decisions and of restrictive release conditions after they've complied for 60 days, with some offense restrictions.
- [HB 5438](#) requires that detained people be seen by a judge within 48 hours of arrest and ensures that cases go to trial within 18 months of detention in most cases.
- [HB 5439](#) requires that for non-serious misdemeanor defendants safe to release on interim bond, their release is not tied to paying money.
- [HB 5440](#) implements a process for review and approval of pretrial risk assessment tools by the State Court Administrative Office.
- [HB 5441](#) eliminates a duplicative section of statute to reduce confusion for judges and practitioners.
- [HB 5442](#) eliminates driver's license surrender as a pretrial release condition.
- [HB 5443](#) ensures people detained on child support cases receive the same pretrial release considerations as others.

New Jersey Courts

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Program Highlights:

1. What were the primary goals of the initiative?

To create an equitable evidence based standardized statewide bail process.

2. How does this initiative promote racial equity in the courts?

Studies showed that many low-risk incarcerated pretrial detainees were of lower socio-economic status with bails they could not afford. Changing the bail system has made release decisions more equitable and less subjective.

3. What processes and procedures were involved in developing and launching the initiative?

A number of things came into play regarding launching this bail reform, however, a 2012 Study, the 2014 Constitutional Amendment, along with strong leadership at the highest level of the judiciary, appear to be paramount to its success.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

Chief Justice Stuart Rabner and AJ Glenn Grant provided clear and consistent leadership and collaborated with key stakeholders through a Joint Committee comprised of members of all three branches of government including the AG, the NJ Defender, local prosecutors, Wardens and the NJ Bar Assn and various affinity bar groups.



5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

From the beginning data was key to launching this initiative and it remains so today.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

These costs were not available at the time of the interview. NJ will provide the initial administrative cost to work on the initiative at a later date.

7. What is the current status of the initiative?

It is fully implemented throughout NJ.

For more information, see:

- New Jersey Courts, [Criminal Justice Reform](#)
- Drug Policy Alliance, [New Jersey Jail Population Analysis](#).

Pennsylvania Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goals included implementing a revalidated county-specific risk assessment.

2. How does this initiative promote racial equity in the courts?

It gives the Judges and MDJs throughout Allegheny County a less subjective means of making bail determinations which reduces bias.

3. What processes and procedures were involved in developing and launching the initiative?

Allegheny County has relied on data from 2006 to the present.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

Starting with past President Judge McDaniel and the current President Judge Berkeley-Clark, the process has been Court-driven with collaboration from the DA, the Chief Public Defender and DHS to name a few.



5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data has played a major role and it is analyzed monthly by a full-time dedicated Data Manager and via dashboards.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

7. What is the current status of the initiative?

The risk assessment was revalidated in April 2022 and was restarted in September 2022.

Texas Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

In Texas, judges previously had wide discretion determining bail. This discretion was decreased through legislative reforms. The law designed to amend these issues established the Public Safety Report System, which provided a summary of the defendant's criminal history to the judge, tell the judge whether an individual is eligible for a bond, whether the individual has been convicted of violent offense in the past, and whether the individual has been convicted of an offense against a police officer. The bill also requires that judges consider the following when determining bail: ability to pay, citizenship status, the aforementioned Public Safety Report, and the defendant's criminal history. Additionally, the goal of the bill was to increase accountability for the Texas judiciary.

2. How does this initiative promote racial equity in the courts?

The focus of the bail reform bill was on public safety and not keeping people in jail because they cannot afford their bond. Incidentally, many believe these goals will have broad and impactful benefits to racial and economic equity. Texas plans to implement studies to see if their bail reforms truly promote/result in racial and economic equity, but at the time this interview was conducted, the program had only been in place for six months.

3. What processes and procedures were involved in developing and launching the initiative?

The bail reform bill passed the Texas legislature in September 2021. It began its implementation in April 2022. Implementing the Public Safety Report System involved a major technological endeavor to implement it in all 254 counties in Texas. Additionally, all judges in the state of Texas were required to complete eight hours of training on bail. And they will have to complete an additional two hours of training every other year.



4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The idea for this reform began with Texas Judicial Council. The Texas legislature then passed the bill that contains these bail reforms in September 2021. The implementation of the law has been done by the OCA. They have had to work with sheriff's offices, judges, police officers, bondsmen, and advocacy groups to implement it.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The state initiated a study from an outside group that found that judges in Texas do not have the tools to hold individuals that they think are a danger to the community or have a flight risk and that people were being held in jail because they couldn't afford their bond for low level offenses. This report used data to determine its findings. One of the key tenets of the initiative is to provide more data. It gives judges more data when determining bail, and it gives the public more data about the bail process by posting each bail amount that is set on a publicly available website.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

Funding the Public Safety Report System and its necessary staff costs a few million dollars. At the local level, there has been a significant cost because they have had to hire a lot of staff to do data entry in order to populate the Public Safety Report System.

7. What is the current status of the initiative?

The initiative started in April 2022. It has been fully implemented.

Nevada Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goals of Nevada's 2015 bail reform were to implement the Nevada Pretrial Risk Assessment (NPRA) tool. The goal of the NPRA is to address the risk of individual's failure to appear or commit new offenses while out on pretrial. Washoe County is the only county in Nevada to no longer have a uniform bail schedule. This action and the implementation of the NPRA tool in Washoe County is for the expressed purpose of promoting fairness.

2. How does this initiative promote racial equity in the courts?

Use of a pretrial tool like the NPRA was not found to be racially biased. The National of Pretrial Services Association (NAPSA) commissioned a study to review actuarial tools used to determine bail.



They meta-analysis completed in the study found there was no racial bias. Bail reform like this improve socio-economic equity, and as a result improves racial equity.

3. What processes and procedures were involved in developing and launching the initiative?

The Nevada Supreme Court formed a committee led by Associate Chief Justice James W. Hardesty to study evidenced-based pretrial release. The committee collected data on how a pretrial release system might work in Nevada. This committee helped implement a pilot program in a few different locations across the state (Las Vegas, White Pine, and Washoe County). The committee talked with justice stakeholders and people in all different levels of the courts. In 2016, they issued a final report on the development of the NPRA System.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The committee formed by the Nevada Supreme Court and chaired by Justice Hardesty was the chief decision-maker in this initiative. They engaged with employees at all levels of the Nevada Courts and the pretrial services manager for the state. A unanimous vote by the committee led them to moving forward.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The Supreme Court Committee collected a large amount of data in order to determine they needed to use an actuarial tool to conduct a pretrial risk assessment and then they used data to validate that tool before unanimously voting to implement it. Data was also used to conduct a study to review whether or not an actuarial tool like the NPRA was racially biased or not. A key tenet of using the NPRA is to give judges more data when making the decision of what to set bail at.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The total cost to launch the initiative is unknown, but it takes a significant number of staff to maintain. In Washoe County, they have staff at the jail 24 hours a day, 365 days a year to conduct interviews to complete the NPRA tool at all times. There was a significant upfront cost in staff but, it saves the county money by reducing the amount of people in jail during pretrial.

7. What is the current status of the initiative?

The initiative is active in all counties in Nevada, but Washoe County is the only county to have eliminated its uniform bail schedule.

For more information, see:

- Desmarais, et al., [The Empirical Case for Pretrial Risk Assessment Instruments](#)



Initiative 19: Increasing Jury Diversity

Arizona Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goals are to improve the public's understanding and perception of jury service, maximize the use of summoned jurors and ensure courts collect and analyze data to verify that summoned jurors represent a fair cross-section of the community, overcome barriers to jury service, and minimize the potential for discrimination in the jury selection process.

2. How does this initiative promote racial equity in the courts?

The initiative looked closely at known issues for situations that result in a citizen's inability to serve as a juror, some of which disproportionately affect many cross-sections of the community. We acknowledge these issues, documenting steps the courts can take to address them, and implementing the steps via the processes as recommended promotes racial equity in the courts.

3. What processes and procedures were involved in developing and launching the initiative?

Arizona's efforts were prompted following the issuance of Resolution 1 In Support of Racial Equality and Justice for All -proposed by the CCJ/COSCA Access and Fairness Committee and the CCJ/COSCA Public Engagement, Trust, and Confidence Committee at the CCJ/COSCA Annual Meeting on July 30, 2020. In November 2020, Chief Justice Robert Brutinel invited the Commission on Diversity, Equality and Justice (CODEJ) to attend a special session to discuss what the Arizona court system could do to improve racial equality and equal justice in our courts with Arizona Judicial Council (AJC) members. The discussion session was held prior to the start of the official December 17, AJC meeting.

The purpose was to discuss specific strategic actions that we could consider in our justice system. Some of these efforts included bail reform, ensuring fair plea bargaining, and more. This session produced concrete ideas that were the foundation for further discussion during other court leadership meetings to follow.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The Chair of the Jury Task Force and Statewide Jury Selection Working Group was Honorable Pamela S. Gates, Civil Presiding Judge, Superior Court in Maricopa County. Judge Gates is now the Associate Presiding Judge, Superior Court in Maricopa County.



5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

As referenced in AO 2021-35, data identifying backlogs of jury trials pending in the Arizona trial courts due to COVID-19, played a role in the launch of this initiative.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The majority of resources needed to maintain the initiative would be staffing related in addition to relying heavily on jury case management systems.

7. What is the current status of the initiative?

The initiative is ongoing.

Michigan Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goal of this initiative is to increase minority representation on juries across the state to better reflect a cross-section of the communities the jurors come from.

2. How does this initiative promote racial equity in the courts?

First, this initiative ensures jury members are more representative of their community. Second, when case parties “see” themselves in the jurors it increases their comfort and trust in the judicial process. Third, research shows when there is a person of color on a jury that outcomes are fairer due to having different perspectives during jury deliberation.

3. What processes and procedures were involved in developing and launching the initiative?

The courts had to negotiate with the Michigan Secretary of State’s Office and the University of Michigan to have access to data and come to consensus on the data sharing rules. It was important to outline the technical details of what would or would not be shared. There was also some limited contact with the National Center for State Courts to determine how to advance work in this area, especially without previously expected supporting legislation.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

Key stakeholders from within the court system include State Court Administration, the Statistics and Information Technology Departments, and the Jury Management Analyst. External stakeholders collaborated with include the Secretary of State and the University of Michigan, Criminal Justice Department.



5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Addressing a lack of data was actually one of the driving forces behind this initiative. Data used to generate juror lists comes from the Secretary of State's Office and doesn't have race attached to it. The juror questionnaire does not ask for race. Some courts asked for race when jurors appear, but this was not done at the state level for purposes of jury service. Generally speaking, courts had no way to identify a person's race. Once the data analysis is completed by the University of Michigan and the courts are satisfied it's accurate, that will inform next steps.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

There was no direct cost to the court system for this initiative. The University of Michigan reached out about doing this analysis and is receiving no payment from the Judicial Branch. Juror lists are required by statute to be provided to the Judicial Branch by the Secretary of State's Office free of charge each year. There is a third-party contractor, Optum, working on behalf of the courts with the University of Michigan, however the client-vendor relationship existed prior to this initiative with the vendor doing a lot of other work on projects for the Judicial Warehouse. The time they spent dedicated to this initiative alone is unknown, but thought to be minimal. Court time and labor resources required and any associated costs for ongoing work are TBD.

7. What is the current status of the initiative?

Information gathering and data comparison is ongoing. Once that is complete, they can move forward in addressing any identified underrepresentation.



Initiative 20: Problem-Solving Courts and Specialty Dockets

Ohio Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The goal of Ohio's problem-solving courts is to identify individuals, both adults and juveniles, involved in the court system who are suffering from a substance abuse disorder or a mental health disorder. Ultimately, the goal is to utilize and follow the best practice standards to assist these individuals to gain personal strength, engage in treatment and wrap around services, such as housing, employment, skills development, etc. so that they do not reoffend and return to the criminal justice system.

2. How does this initiative promote racial equity in the courts?

While research has shown that programs such as specialized dockets help individuals on the path to recovery, trends also show that disparities may exist when it comes to who has access to such programs, completion rates, the administration of sanctions and incentives, and recidivism outcomes. Utilizing the Racial and Ethnic Disparities Program Assessment Tool (RED tool) results from the pilot project conducted with 30 of Ohio's specialized dockets in 2020, the tool serves as a guidance tool for Ohio's problem-solving courts. The tool focuses on eight primary areas: court information, intake, assessments, demographics, team members, education, drug choices and treatment/support services, and evaluation and monitoring. Using the tool, American University provides individual and overall feedback to the local courts on their drug and veterans dockets, with a focus on eliminating obstacles that impede underserved populations to enter these dockets. Opting into this partnership is voluntary to the individual courts.

3. What processes and procedures were involved in developing and launching the initiative?

The Ohio Courts have developed 13 specialized docket standards to guide courts in the planning and implementation of their specialized dockets. These standards seek to create a minimum level of uniform practice while still allowing for the local courts to tailor their dockets to respond to local needs and resources. The Rules of Superintendents are the governing rules of Ohio courts. Rules complete a vetting process, starting with the Commission of Specialized Dockets, followed by the Commission of the Rules of Superintendents, then the justices, lastly going out for public comment. Once the timeframe for public comment is closed, the process repeats including the vetted comments. Local courts are asked to apply and submit documentation. A documentation review called initial certification, along with a site observation, is conducted. The site observation includes observing the judge presiding over the specialized docket. The local court is then recommended for certification to the Commission of Specialized Dockets.



4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The specialized dockets utilize a comprehensive and collaborative planning process that includes an advisory committee of key officials, policymakers, and other relevant parties representing criminal justice representatives, treatment representatives including mental health, substance abuse, medical and other treatment areas, and community stakeholders. Relevant parties may include but are not limited to the specialized docket judge, the court, the prosecutor, defense counsel, licensed treatment providers, children services for family dependency treatment dockets, the probation department and parole authority for criminal and juvenile dockets, law enforcement agencies, the Veteran's Administration for veterans' dockets, funding authorities, and community-based service providers. The Department of Mental Health and Addiction Services are guests at every meeting and provide the local courts with federal and state grant funding. Also, the specialized dockets also utilize peer support and have partnerships with community-based peer support agencies.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Standard 12 of Ohio's specialized docket standards states that a specialized docket judge shall evaluate the effectiveness of the docket by doing each of the following: reporting data as required by the Supreme Court, including information to assess compliance with these standards; engaging in on-going data collection to evaluate whether the specialized docket is meeting its goals and objectives; establishing a data collection plan, specifically identifying who is collecting the data, how the data is collected, and the timeframes for conducting program reviews based on the data. Added in or around 2019, the courts collect approximately 56 elements of data. They aggregate the data they receive from the local courts and use it in conversation with the Chief Justice and executive leadership, internal problem solving, etc. The aggregate data is used to help local courts maintain fidelity to the national drug court model and ensure that programs are providing access to the court users appropriately.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The local court pays for their programs, including but not limited to staff, treatment, and drug screens. The local courts have discretion in allocating their resources, for example they may choose to provide courts users with funds for transportation and/or additional services such as medical appointments.

7. What is the current status of the initiative?

Ohio has recently received a Bureau of Justice Assistance grant to expand the tool to veterans and drug court, which will help to ensure fidelity to the specialized docket model. In addition, Ohio is working to expand to a pre-plea/pre-trial model.

For more information, see:

- The Supreme Court of Ohio, [Racial and Ethnic Disparities Guidance for Specialized Dockets](#)
- The Supreme Court of Ohio, [Specialized Dockets](#)



District of Columbia Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The DC Superior Mental Health Diversion Court program (MHDC) was designed to increase public safety and reduce recidivism by identifying mentally ill offenders charged with misdemeanors early in the criminal justice process and connecting them to mental health and substance abuse treatment services within the community. In April 2011, the program was renamed the Mental Health Community Court program (MHCC) to reflect the community-based approach. A voluntary program, in addition to accepting individuals charged with misdemeanors, MHCC also accepts defendants charged with non-violent felonies, domestic violence offenses, and traffic cases. MHCC also serves a small population of individuals on probation.

2. How does this initiative promote racial equity in the courts?

Most individuals served by the MHCC are people of color, reflecting the population of the city it serves. The MHCC program also serves many homeless individuals. Because no payment is required from the individuals receiving services, the MHCC program creates opportunity for those qualified to participate without financial burden. The MHCC program allows individuals who may be otherwise barred from obtaining services such as mental health treatment or attorney representation access to these resources. By removing the financial burden, MHCC helps to level the playing field for those involved in this specialty docket.

3. What processes and procedures were involved in developing and launching the initiative?

Prior to creating the MHCC program, DC developed and launched East of the River Community Court, located in the heart of the community it served. The presiding judge witnessed mentally ill defendants cycling through the community court and began speaking to stakeholders about creating this specialty docket. Through these meetings, the DC Superior Mental Health Diversion Court program (MHDC) was created as a one-year pilot program in collaboration with the DC Pretrial Services Agency (PSA), the United States Attorney's Office (USOA), the Criminal Justice Act Bar, the Public Defender Service (PDS), and the DC Department of Mental Health. In 2011, MHDC was renamed the Mental Health Community Court program (MHCC). Both USAO and PSA screen individuals under consideration for participation in the MHCC program. Eligibility is dependent on the defendant's criminal history, pending charges, and public safety concerns. Qualified individuals must agree to participate.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The MHCC program team includes a presiding judge and program coordinator. MHCC also works closely with the Pretrial Services Agency for the District of Columbia (PSA), the United States Attorney's Office for the District of Columbia (USAO), Defense Counsel, the DC Department of Behavioral Health (DBH), the Court Services and Offender Supervision Agency for the District of



Columbia (CSOSA), the Urgent Care Clinic, and community treatment partners. The DBH contracts with community-based agencies to provide mental health treatment for MHCC participants. The MHCC program also utilizes an Urgent Care Clinic (UCC), which is a collaborative effort between the Superior Court, DBH, and Pathways to Housing DC. Pathway's provides housing, mental health treatment and other supportive services to homeless DC residents.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data did not play a significant role in identifying the need to launch this program, as the need for this service was evident to the presiding judge of the community court. Currently, the MHCC uses performance measurements to monitor the success of program objectives and to provide insight as to any necessary program modifications and implementations. Data collection is ongoing. Currently, the MHCC collects data including but not limited to race, gender, marital status, employment status, education, mental health program, diversion agreements entered, admissions, graduations, involuntary discharges, and revocations. Outcomes are discussed, and updated data on enrollment, admissions, and graduation is distributed to the MHCC stakeholders on a quarterly basis.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The most significant cost to the court system in launching this initiative was time and investment in training; there was no additional funding used to launch the initiative. The court leveraged its existing resources, such as assigning a judge to the MHCC. External stakeholders volunteered to participate. Currently, the only dedicated staff assigned to MHCC are the judge and program coordinator.

7. What is the current status of the initiative?

The MHCC program serves an average of about 400 participants a year. Prior to the Covid-19 pandemic, MHCC operated 4 days a week. Services were reduced to twice a week in response to the pandemic. As of July 2022, MHCC is operating under a hybrid model. Future goals of the program include expanding to include more high-risk/high-need participants, such as those charged with violent felonies. The program is currently working closely with DBH to assess how best to expand the program, including visiting Florida's Miami-Dade mental health court to observe how that jurisdiction is providing services to high-need/high-risk individuals.

District of Columbia Courts

Contact information: Rita H. Blandino
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Program Highlights:

1. What were the primary goals of the initiative?

The Domestic Violence Division was officially launched in 1996 with the primary goal of bringing all the domestic violence cases, formally housed in Criminal and Civil/Family, together under one



umbrella. The division consisted of four judges that were specially trained in the dynamics of domestic violence.

2. How does this initiative promote racial equity in the courts?

In 2002, the Domestic Violence Division launched an intake center housed in southeast DC, an impoverished and marginalized community consisting mostly of people of color, to provide more paths and access to justice for community members.

3. What processes and procedures were involved in developing and launching the initiative?

At its conception, judges who were interested in joining the Domestic Violence Division, along with court administrators and the Committee, created a memorandum of understanding which is used to guide the Committee. Judges joining the Domestic Violence Division received training on the dynamics of domestic violence, such as dealing with both parties in the courtroom and how to spot abuse and manipulation in the moment, such as gaslighting. The Committee also created the Domestic Violence Intake Center, a one-stop-shop adjacent to the Clerk's office that allows complainants to meet with an advocate before filing. Advocates help victims find the best course of action and navigate the legal process. The committee also implemented an attorney negotiation process.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The Presiding Judge of the Domestic Violence Division functions as the Chair of the Committee. The Committee works proactively and collaboratively with both internal and external stakeholders, and decisions are made collaboratively. Some justice partners, such as the U.S. Attorney's Office, Court Offender Services, Defense Counsel, and the DC Police Department, upon learning that the courts created a Domestic Violence Division also created specific domestic violence groups to work in tandem with the courts.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The courts have a research team that collects data. One data point that is analyzed to evaluate the effectiveness of the initiative is number of filings. Increased filings indicate that the services, such as the intake centers, are accessible to the community. Local law schools are analyzing patterns of specific complainants and respondents, for example their number of filings, violations, etc. This analysis is still in its infancy and the Committee is deciding how the data will be analyzed.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The Judiciary pays rent for the satellite intake center, which is funded through a STOP (Services, Training, Officers, and Prosecutors) Violence Against Women Formula grant. The STOP grant also pays for training. Partner agencies, such as nonprofits and victim advocates, provide staff for the intake centers.



7. What is the current status of the initiative?

The Domestic Violence Division is currently working in a hybrid model. Hearings that do not need to be in person, such as status hearings, are held virtually, as there are still concerns around the spread of Covid-19 and to make the parties more comfortable. For some hearings, the judge will see the defendant in person while allowing other parties to join virtually. Cases happening in person adhere to social distancing requirements and other recommendations by the staff epidemiologist. Currently, the plan is for judges to rotate being on site starting in September of 2022.

District of Columbia Courts

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Program Highlights:

1. What were the primary goals of the initiative?

DC's drug court has several goals. First, drug court seeks to increase public safety by reducing recidivism. To this end, this specialized docket addresses the treatment needs of defendants under the courts' supervision while planting a seed to build the foundation for long term recovery. Part of that goal is ensuring that everyone receives a thorough assessment to ensure that each participant receives the appropriate treatment. Another goal of drug court is to create partnerships in the community to assist participants with their needs both during and after their completion of drug court, such as employment and housing services, mental health services, and substance abuse counseling.

2. How does this initiative promote racial equity in the courts?

The District of Columbia's Drug Court (DC) predominately serves underserved populations. It is estimated that over 90% of participants are Black/African American. DC seeks to address this discrepancy within drug court by leveling the playing field and providing resources for participants that might otherwise not be attainable due to finances. DC ensures that drug court participants have access to opportunities and resources that are historically tied to finances, such as treatment services, detox, opportunity to have support post relapse, and access to an attorney. Participants also have access to bilingual treatment services, including ASL. In addition, DC has their own intensive outpatient services, PSA STARS (Support, Treatment and Addiction Recovery Services), designed to utilize a trauma-informed approach in serving the population. By reducing recidivism and helping individuals achieve long term sobriety, DC's drug courts are helping to ensure that participants have an increased chance of not reoffending and obtaining and retaining employment, obtaining housing, etc. with the overall goal of reintegrating into the community.



3. What processes and procedures were involved in developing and launching the initiative?

Prior to the establishment of drug court, DC utilized a community treatment court called East of the River. Once the decision was made to expand, a committee was established to discuss its feasibility and sustainability. After the committee officially decided to expand, Pre-Trial Services began to run and fund the program for DC Superior Court. Once established, a committee was developed consisting of DC Superior Court, Pre-Trial Services, the US Attorney's Office for the District of Columbia, the Office of the Attorney General for the District of Columbia, Public Defender Services, and the Criminal Justice Act Defense Bar. The stakeholders in this original committee laid out the initial policies and procedures for drug court. The committee is still in existence today and is now called the Drug Court Steering Committee. The committee usually meets monthly to address any issues or concerns.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The key stakeholders include DC Superior Court, Pretrial Service Agency for the District of Columbia, the US Attorney General for the District of Columbia, the US Attorney's Office for the District of Columbia, Public Defender Service, and the Criminal Justice Act Defense Bar. Drug court's key community partner is the Department of Behavioral Health (DBH), which provides comprehensive case management and connects participants to community resources through their case manager. Case managers help keep participants alerted and connected to free services within the community as well as opportunities such as job fairs. In addition, drug court operates an annual job fair in partnership with the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA).

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

DC decided to explore and implement drug court due to the growing body of research continually showing that treatment could reduce crime and that reoffenders were crowding the courts and the judicial system while not getting connected to treatment. Research across the treatment and criminal justice community pointed to the need for a treatment-based approach. Some factors that the courts consider when evaluating the effectiveness of drug court include but are not limited to graduation rates, re-arrest rates, failure to appear rates, and recidivism rates. In addition to these factors, DC drug court partners with the Northwest Professional Consortium Inc. (NPC Research), the primary evaluators of drug court. NPC Research has evaluated DC's drug court on several occasions and has made recommendations to enhance the program.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

DC currently has a \$2 million treatment budget. Staff include eight pre-trial service officers dedicated to drug court, a supervisor, a coordinator, contractors that manage the PSA STARS program, representatives from toxicology (when appropriate), and a psychiatrist working with participants receiving outpatient treatment. The budget also supports additional services including but not limited to residential treatment, detox programs, and temporary housing.



7. What is the current status of the initiative?

After resuming services that were temporarily shut down due to the Covid-19 pandemic, DC drug court is now operating under a hybrid model. Treatment groups are starting to return to in-person but are also held virtually. Treatment, including residential, supervision, and drug testing are intact. Participants can report to community centers to appear virtually if needed, and DC is working to create a virtual residential outpatient treatment program. Court hearings are also operating under a hybrid model depending on the needs of the participant.

Michigan Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goal of Michigan's problem-solving courts, which include Drug and Sobriety Courts, Mental Health Courts, and Veterans Treatment Courts, is to enhance public safety through rehabilitation. Michigan's drug courts include adult drug courts, sobriety courts, juvenile drug courts, and family treatment courts. Michigan's mental health courts target individuals diagnosed with a serious mental illness, serious emotional disturbance, or a developmental disability. Michigan's mental health courts include both adult and juvenile courts. Lastly, Michigan's veterans' treatment courts serve veterans suffering with mental illness, substance use disorders, and traumatic brain injuries.

2. How does this initiative promote racial equity in the courts?

Problem solving courts contribute to greater racial equity in the courts because people of color were disproportionately represented in the types of matters now handled through the Problem-Solving Courts. An example presented was that in a Michigan jurisdiction of 125,000 people, 4% of the population was Black/African American while in that same jurisdiction approximately 40% of the individuals in case types now handled by Problem Solving Courts were people of color. The race of court users involved in a problem-solving court is tracked, but race is not a criterion for acceptance.

3. What processes and procedures were involved in developing and launching the initiative?

Michigan's PSCs must be certified by the State Court Administrative Office (SCAO) as per statute. To achieve certification, all PSC programs must comply with set standards, which are established in part by statutes, federal and state laws, case law, and best practices supported by research and data to be proven methods to produce better outcomes. Best practices were established through collaboration with the Michigan Association of Treatment Court Professionals and are based on the National Association of Drug Court Professionals (NADCP) research and publication [Adult Drug Court Best Practices Standards Volumes I and II](#). SCAO has also published Standards, Best Practices, and Promising Practices manuals for [adult drug courts](#), [adult mental health courts](#), and [veterans](#)



[treatment courts](#). SCAO's certification process includes a review of the program's operations, a site visit and observation consisting of one or more days, interviews with all team members, a review of the policy and procedures manual and an evaluation of program data. Once certification is granted, programs are reviewed every four years.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The Michigan judicial system, which is a non-unified court system, includes the district court for misdemeanor charges and the circuit court for felonies. While the initiative is court-led pursuant to statutes, it involves a collaborative team approach. Team members typically include judges, treatment providers, prosecutors, defense attorneys, program coordinators, probation officers, case managers, and law enforcement. Court personnel and therapists work together as a team to bridge the gaps between by regularly communicating with one another to ensure that participants are compliant and progressing in their treatment. Treatment providers, therapists, and peer recovery coaches work closely with the court to report treatment engagement, progress, struggles, and to advocate for the participant.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Once launched, the programs consisted of a pilot phase, and data was collected (i.e., recidivism rate) in order to gauge the successfulness of the pilot. Currently, the PSC programs use various data to evaluate program success. Drug court monitors its success rate, determined by the percent of participants who successfully complete the program, consecutive sobriety days, employment status, improved education level, and recidivism rates at specific yearly targets. Drug court also collects and monitors other various data points as well, including but not limited to average number of treatment hours, average number of alcohol/drug tests per participant, and average number of sanctions per participant.

Mental health court collects and analyzes various data points, including but not limited to success rate, employment status, improved education level, improved mental health and medication compliance, improved quality of life (includes connecting participants to community-based treatment, housing, medical doctors, and other services), and recidivism rates at specific yearly targets. Veterans court collects and analyzes various data points, including but not limited to the success rate of completing a program, number of sobriety days achieved, improved quality of life, employment status, and recidivism rates at specific yearly targets.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

Michigan is a non-unified court system. Each location that houses problem-solving court(s) applies for an annual grant through the state court administrator's office. The funding covers some aspects of court operations, but not all. Some locations may partner with community organizations, such as local medical facilities, housing agencies, and universities, to provide additional staff and resources. Michigan's problem-solving courts are funded by mix of state appropriations, federal grants, and local funding. Michigan's State Court Administrative Office is responsible for managing the state's problem-solving courts appropriations, and awards it to the courts in the form of grants.



Additionally, SCAO administers four federal grants that fund problem-solving courts. The breakdown of how much was awarded to the courts in fiscal year 2022 is as follows: Drug Court (includes Adult Drug, Hybrid Drug/DWI, DWI, Family Treatment and Juvenile Drug): \$10,993,527, Mental Health Court (includes adult and juvenile): \$5,230,346, Veterans Treatment Court: \$1,034,400.

7. What is the current status of the initiative?

As of August 9, 2022, Michigan has a total of 203 problem-solving courts. Of those 137 Drug/Sobriety Courts, 42 Mental Health Courts for both adults and juveniles, and 29 Veterans Treatment Courts. These courts are continuing to work closely with participants toward sustained recovery and stability. As the courts continue to navigate the Covid-19 pandemic, the teams remain flexible with new ways to reach their participants to provide support and proactive services. By addressing the underlying causes of crime, Michigan's PSCs are preventing participants from returning to crime.

For more information, see:

- Michigan Supreme Court, [Problem-Solving Courts Annual Report](#)
- Michigan Courts, [Resources and Training](#)
- Michigan Courts, [Problem-Solving Courts](#)



Initiative 21: Eliminating or Reducing Incarceration for Failure-to-Pay Offenses

Texas Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

The primary goal is to give judges the discretion to waive all or some of Defendants' costs based on a determination of their ability to pay.

2. How does this initiative promote racial equity in the courts?

By taking into account one's ability to pay it benefits everyone in the Criminal Justice system.

3. What processes and procedures were involved in developing and launching the initiative?

Senate Bill 1913 and HB 351 were passed and signed into law by the Governor.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The Judicial Council recommended it in 2016 and collaborated with several advocacy entities such as the Harris County Public Defender's Office, the ACLU, the County Clerks organization and the Justice of the Peace organization.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Texas already required that data be collected at the County and District Court levels and so it was easy to gather the statistics for jail time for non-payment which were analyzed.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

There has been no quantification of costs. Judges are being educated via Bench Books (See below) and CJE.

7. What is the current status of the initiative?

It is on-going.

For more information, see:

- Texas Office of Court Administration, [Bench Card on the Collection of Fines and Costs](#)



Michigan Courts

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Program Highlights:

1. What were the primary goals of the initiative?

To ensure that citizens were not arrested and imprisoned based solely on their inability to pay.

2. How does this initiative promote racial equity in the courts?

It was determined that minorities had significantly higher rates of arrest and licenses lost than whites and therefore, passing laws and regulations to address this disparity it promotes equity.

3. What processes and procedures were involved in developing and launching the initiative?

A joint task force chaired by the Michigan S Ct. Chief Justice spearheaded this initiative.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

It was a collaborative effort with many stakeholders including Judges, state and local elected officials, state and local prosecutors, the criminal defense bar, law enforcement, corrections, victims, returning citizens and pretrial services.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

The joint task force in 2019 relied heavily on the police and court data compiled by the Pew Charitable Trust which provided technical assistance. Wayne State University is currently engaged in a follow up study of the Pew Report.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The State of Michigan has expended the equivalent of 1-2 FTEs.

7. What is the current status of the initiative?

It remains a priority for Michigan as evidenced by Wayne State's follow up study. Michigan also has a second initiative regarding driver's license suspensions. As to the second initiative, linked below is the final report of the Michigan Joint Task Force on Jail and Pretrial Incarceration. This report contains data compiled by the Pew Charitable Trusts as well as recommendations for jail reform. Not all the recommendations pertain specifically to the ability to pay; however, the recommendations regarding driver's license suspensions likely pertain most directly to users' ability to pay.

For more information, see:

- Michigan Supreme Court, [Ability to Pay Working Group](#)



- Michigan Courts, [Bench Card on Determining the Ability to Pay](#)
 - Michigan Joint Task Force on Jail and Pretrial Incarceration, [Report and Recommendations](#)
 - Michigan Joint Task Force on Jail and Pretrial Incarceration, [Legislative Analysis](#)
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Initiative 22: Text Messages to Inform Defendants about Hearings

New Hampshire Judicial Branch

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Program Highlights:

1. What were the primary goals of the initiative?

Studies from the 90's show that the reason that most people miss court is simply because they forgot or mixed up the days. We receive reminders for most other appointments, it makes sense to also receive reminders regarding court hearings. Most defendants have not secured counsel prior to arraignment and defendants without counsel are more like to fail-to-appear. Although, reminders are sent through the duration of the proceedings, the arraignment is particularly important and set the tone for the rest of the process.

2. How does this initiative promote racial equity in the courts?

The initiative is not directly aimed at promoting racial equity but everyone with a criminal case receives reminders. Failures-to-appear are across the board and there is not a racial disparity observed but the reminders are not limited to any particular type of case.

3. What processes and procedures were involved in developing and launching the initiative?

We decided to launch the program in the court with the highest number of criminal cases so that in 2 months we will have a large amount of data. I collaborated with the developer directly. It is very straightforward technology. We had to decide on how often we wanted data to be pulled, did we want it to be pulled constantly? We decided that twice a day work be sufficient to pull data from new cases. The system pulls the information then puts it in a bank for the texts to be scheduled.

It is imperative that we have accurate contact information. When a person is arrested in New Hampshire, there is a bail commissioner that fills out a form with your contact information. The form was updated and bail commissioners were trained to get cellphone numbers and advise defendants of the text message program. When defendants are advised of the text message reminders, they have been more likely to provide a cellphone number.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The initiative is under the sole purview of the courts, but we collaborated with public defenders and bail commissioners by sharing information. The public defenders' office is a statewide office and 85% of defendants are represented by public defenders. We let public defenders know what we would be sending their potential clients and let bail commissioners know what information was needed and why.



5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

To prepare for the initiative, a hearing cheat sheet was created and court monitors that are responsible for reporting the results were trained to only list failure-to-appear if the defendant did not appear for any reason. A report is run monthly, and courts are required to have at least 95% of their court cases results recorded, if they do not, they must go back and key in the missing cases. Since implementing this change all eleven courts are reporting at 95% or more. This ensures that we will have accurate data when the initiative launches and can see the difference in the percentage of failures-to-appear before and after the initiative.

6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The initiative has not been launched yet, so we do not have the cost yet. The system is self-sufficient, and any glitches can be fixed by our IT department. The only issue that was experience in the mediation pilot was an occasional wrong number being entered. Once we have this information, we can send it over.

7. What is the current status of the initiative?

We are currently preparing to launch, there is not a set date.



Initiative 23: Eliminating Mandatory Sentences

Massachusetts Courts

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Program Highlights:

1. What were the primary goals of the initiative?

The elimination of Mandatory Minimums was one part of a comprehensive strategy by the Massachusetts Court System at all levels to reform policies and practices that had a demonstrably ineffective impact at promoting public safety, generally, and were applied in a manner that had a disproportionate impact on a number of populations – lower socio-economic individuals generally, racial and ethnic minority populations and juveniles. The objective is Criminal Justice Reform (CJR) and reduce racial disparity & balance public safety. The ultimate goal is to eliminate minimum mandates.

2. How does this initiative promote racial equity in the courts?

Reduction in reliance on the mandatory minimum sentencing led to greater due process protection for defendants beginning with police practice and extending to prosecution and the courtroom. It also led to reductions in fines & fees, time served credits while serve & on probation.

3. What processes and procedures were involved in developing and launching the initiative?

Court leadership from the treatment court (TC) worked with a coalition of legislators, advocates, several county prosecutors and the defense bar to make the case publicly and to the other branches on the disproportionate use and impact of mandatory minimum sentencing practices.

4. Who were the key stakeholders and decision-makers involved? Was this initiative under the sole purview of the court, or did the court collaborate with other partners?

The key stakeholders were CJ, SJC, and TCs. The Court needed the legislature to change statutes and the Governor to sign legislation into law. All this required education and negotiation.

5. What role did data play in identifying needs prior to launching the initiative? How will data be used (or how has data been used) to evaluate the effectiveness of the initiative?

Data demonstrating the disproportionate application of the minimum mandatory to leverage a plea was crucial as was data showing no significant gain in deterrence, rehabilitation, or public safety as a result of a strictly punishment-oriented approach to weapons and drug offenses. FBI Uniform Crime Data already bears out that weapons and drug offenses/arrests have continued to decline in Massachusetts at the same time the elimination of mandatory minimums took effect. Police dept on board to use Fingerprint ID to collect data to manage system and for Probation to use DNA collections to track new cases.



6. How much did it cost to launch the initiative? What resources are needed to maintain it?

The only identifiable cost was the commissioning the HKS (Harvard Kennedy School) research project. The TC is working to improve its data systems and data quality to be able to further confidence and capability to support future research on effective sentencing.

7. What is the current status of the initiative?

The Trial Courts in Massachusetts have continued the comprehensive strategy. This includes securing bond funding to build a new court information system. Including a case management system for the MPS all with a goal of better management of the courts but also more efficient and effective sentencing practices and probation practices. The TC has invested heavily efforts to increase cultural competence, diversity of its staff, enhanced supported access to justice through investments in translation services, etc. The Court has worked to use evidenced based practice research to inform sentencing best practice guidelines for each trial court department as well as significant investment in education and training for all staff including judges. The TC in partnership with the other branches of state government brought in CSG to conduct a “Justice Reinvestment” review of the MA CJ system. It was used as the vehicle to build consensus on the elimination of certain mandatory minimums but also to launch a series of investments in the CJ system.



State Justice Institute

This report was written with support from the State Justice Institute under grant number SJI-22P006. The points of view expressed are those of the author and do not necessarily represent the official position or policies of the State Justice Institute.

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Updated 12-22-22