



Opoids and the Courts News: August 30, 2019

National

[Tennessee judge receives highest judicial honor for his work on the opioid epidemic](#)

National Center for State Courts

Tennessee Judge Duane Slone is the 2019 recipient of the National Center for State Courts' (NCSC) William H. Rehnquist Award for Judicial Excellence, one of the highest judicial honors in the country. Judge Slone, of the Circuit Court in the Fourth Judicial District, is being recognized for his ground-breaking work helping people with opioid use disorder. The award will be presented to Judge Slone by the Chief Justice of the United States John G. Roberts, Jr. during a ceremony at the U.S. Supreme Court November 21.

The Rehnquist Award honors a state court judge who demonstrates the qualities of judicial excellence, including integrity, fairness, open-mindedness, knowledge of the law, professional ethics, creativity, sound judgment, intellectual courage, and decisiveness.

Judge Slone possesses each of those qualities, and more, said Tennessee State Court Administrator Deborah Taylor Tate. "Judge Slone has demonstrated outstanding judicial leadership, personal and professional integrity, and pure heart in using his platform as a judge to combat the opioid crisis ... He has been an innovator, an initiator, a collaborator, and a visionary ... and most importantly, his numerous systemic changes have saved lives."

National

[Johnson & Johnson Ordered To Pay Oklahoma \\$572 Million In Opioid Trial](#)

NPR

An Oklahoma judge has ruled that drugmaker Johnson & Johnson helped ignite the state's opioid crisis by deceptively marketing painkillers and must pay \$572 million to the state.

Oklahoma sought \$17.5 billion, blaming Johnson & Johnson for fueling the crisis that has claimed the lives of more than 6,000 people in the state.

It's the first ruling to hold a pharmaceutical company responsible for one of the [worst drug epidemics](#) in American history.

Judge Thad Balkman delivered his decision from the bench, after presiding over a seven-week civil trial in the college town of Norman, Okla.

"The defendants caused an opioid crisis that is evidenced by increased rates of addiction, overdose deaths, and neonatal abstinence syndrome in Oklahoma," Judge Balkman said in a statement.



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National

[Judgment After Non-Jury Trial \(State of Oklahoma v. Johnson & Johnson et al.\)](#)

District Court of Cleveland County (OK)

Introduction

Findings of Fact

Conclusions of Law

Abatement of Nuisance

National

[Oklahoma State Abatement of Nuisance Plan](#)

Oklahoma Attorney General

Opioid Use Disorder Prevention, Treatment & Recovery Services (TREAT) - Specialty Courts (COURT)

Service: Specialty Courts (COURT)

Description: Develop 60 family drug courts in Oklahoma to divert non-violent eligible offenders from prison to structured, court-supervised treatment services.

2018 Costs Service Cost Develop and maintain 60 specialty courts \$15.5 million

Total: \$15.8658 million (2019\$)

National

[Oklahoma Wanted \\$17 Billion To Fight Its Opioid Crisis: What's The Real Cost?](#)

NPR

But the state had asked for much more: around \$17 billion. The judge found the drugmaker liable for only about 1/30 of that.

“The state did not present sufficient evidence of the amount of time and costs necessary, beyond year one, to abate the opioid crisis,” Judge Thad Balkman [wrote in his ruling](#).

That’s the big reason for the discrepancy. The judge based his decision on one year of abatement. [The state’s plan](#) — and the basis of that \$17 billion ask — was looking at abatement for the next three decades.

That 30-year plan was authored by [Christopher Ruhm](#), a professor of public policy and economics at the University of Virginia. He says you can easily get into the billions when you consider the costs of dealing with this epidemic in the long term.



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National

[Purdue Pharma Offers \\$10-12 Billion To Settle Opioid Claims](#)

NBC News

The maker of OxyContin, Purdue Pharma, and its owners, the Sackler family, are offering to settle more than 2,000 lawsuits against the company for \$10 billion to \$12 billion. The potential deal was part of confidential conversations and discussed by Purdue's lawyers at a meeting in Cleveland last Tuesday, Aug. 20, according to two people familiar with the mediation.

National

[Opioid Courts and Judicial Management of the Opioid Crisis](#)

Seton Hall Law Review

- I. INTRODUCTION: THE OPIOID EPIDEMIC AND SPECIALIZED "OPIOID COURTS"
- II. THE DRUG COURT MODEL
- III. USING DRUG COURTS TO MANAGE OPIOID-ADDICTED OFFENDERS
- IV. DRUG COURTS AND RACIAL JUSTICE
- V. THE OPIOID COURT ALTERNATIVE

National

[Seattle Has Figured Out How to End the War on Drugs](#)

New York Times

The number of opioid users has surged, and more Americans now die each year from overdoses than perished in the Vietnam, Afghan, and Iraq wars combined. And that doesn't account for the way drug addiction has ripped apart families and stunted children's futures. More than [two million children](#) in America live with a parent suffering from an illicit-drug dependency.

So Seattle is undertaking what feels like the beginning of a historic course correction, with other cities discussing how to follow. This could be far more consequential than the legalization of pot: By some estimates, nearly half of Americans have a family member or close friend enmeshed in addiction, and if the experiment in Seattle succeeds, we'll have a chance to rescue America from our own failed policies.

In effect, Seattle is decriminalizing the use of hard drugs. It is relying less on the criminal justice toolbox to deal with hard drugs and more on the public health toolbox.



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Kentucky

[‘It’s ruining everybody we know.’ One Kentucky town’s battle with meth’s resurgence.](#)

Lexington Herald-Leader

Yet while the spotlight has burned brightly on opioids, methamphetamine use has metastasized in the shadows. Aside from fentanyl and its analogues, which played the biggest part in last year’s overdose deaths — 786 of the total, 1,333 — meth is the only other drug that grew in prominence across Kentucky. Though the overall overdose rate dropped 15 percent, use of meth in overdose cases rose by nearly 20 percent.

Nationwide, the U.S. Dept. for Health and Human Services reported that [meth now outnumbers fatal fentanyl overdoses in at least a dozen states](#).

In 2018, meth arrests outpaced all other drug arrests except fentanyl, according to the annual crime report from the Kentucky State Police. Of the more than 107,300 drug arrests statewide, [the 2018 report](#) shows law enforcement made 25,766 meth arrests, compared with 21,130 arrests for opiates, and 32,276 for fentanyl.

Kentucky

[This court battles child abuse with praise and celebration. Kentucky needs more of them](#)

Louisville Courier-Journal

The door swings open to Jefferson Family Recovery Court and there stands Judge Denise Brown, wearing a black robe and a big smile as she waves people into the courtroom. “Y’all come on in,” she says to the dozen men and women who enter laughing, talking and clutching homemade artwork, personal essays and bundles of paperwork known as the “recovery binder.”

It’s a sharp contrast to the scenes that typically play out in Kentucky courtrooms, where parents accused of child abuse or neglect often are angry and crying, and the hearings can devolve into bitter confrontations.

Louisville’s family recovery court is different. Financed with private donations, it’s the only such court in a state desperately looking for solutions to its nation-leading rates for child abuse and neglect.

The family recovery court’s main objective isn’t to resolve criminal charges but rather to find ways to reunite addicted parents with the children they have lost because of abuse or neglect.



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New York

[Watertown starts opioid court program](#)

NNY360

Opioid users going through the criminal justice system can now receive immediate treatment through a new program in Watertown City Court.

Officials announced that the Watertown Opioid Court program began this week, thanks to a \$150,000 state grant that the Credo Community Center received this year.

The new court will meet three times a week.

Judge James P. Murphy, the new administrative judge for the Fifth Judicial District, said opioid court was initiated by Janet DiFiore, Chief Judge of the Court of Appeals and of the state of New York.

“Our goal is to get them treatment and out of the criminal judicial system,” Judge Murphy said.

Ben Cobb, who oversees the city court, said Tuesday a couple of opioid users have already been identified to go through the opioid court.

City Court Judge Anthony M. Neddo is leading the new initiative.

“The goal of this court is to save lives and not worry about the criminal proceedings until we can help participants stabilize and get to a better place,” Judge Neddo said.