

# Opioid-Related News and the Courts

## Weekly Review

January 27, 2023



### National

#### [State Laws Directing Opioid Litigation Proceeds](#)

Temple University's Beasley School of Law - Center for Public Health Law

This dataset is cross-sectional and displays key features of laws that direct the use of opioid litigation proceeds across all 50 states and the District of Columbia in effect as of August 1, 2022. These data can be used to assess states' progress in enacting the Opioid Litigation Proceeds Model Act, identify gaps in existing state laws, and demonstrate the utility of policy surveillance methods for assessing adherence and diffusion of model legislation. The United States record in the dataset represents the elements of the model state legislation previously referenced.

### Georgia

#### [The faces, the families, and the fallout of fentanyl](#)

Gwinnett Citizen

"I think she got her first taste of opiates when she was cheering, as the result of an injury," Kathy said. Kathy Schrader is a former Gwinnett County judge who became nationally known for her innovative and effective Drug Court, even featured on A&E's popular television show Intervention. Schrader is passionate about addressing the problem of addiction as a disease, not a crime. Her involvement with youth in crisis and advocating for the struggling population came well before her daughter was ever introduced to any addictive substance.

### Indiana

#### [Opioid settlement money helping fund new Turning Point office in Elwood](#)

Herald Bulletin

Turning Point [which provides guidance, emergency assistance and ongoing to support to people needing help with opioid and other addictions] has set up a temporary office at Harmony House, a mission offering free meals, clothing, and other necessities to the homeless population. The partnership will benefit both organizations and let them pool resources to help similar client bases, officials said.

"Unfortunately, there's a lot of business to go around," Lewis, a peer recovery coach with Turning Point Madison County said. "But we can help (a nonprofit health clinic such as) Aspire, which is stretched out — with things like drug court, probation cases. We can take a lot of loads off the plates of everybody else."

### Kansas

#### [City, county notified of second opioid settlement installment](#)

Abilene-RC

[County Administrator Janelle Dockendorf] speculated they could spend some of the money for drug court, or possibly the sheriff's department might put together a program in the jail.

"That would be way down the road though," she said. "It is something we need to sit down and get a plan in place for. We need to determine where the greatest need is and where we can best spend the money."

When the money is banked, she anticipates opening a conversation with the county commissioners and those who can benefit most from the funds.

### Kentucky

#### ['Kentucky shouldn't wait.' What the state is doing to address the opioid epidemic](#)

Lexington Herald Leader

[Senate Bill 90](#) aims to reduce incarceration by implementing an 11-county, four-year pilot "conditional dismissal" program that diverts people with mental health and substance use disorders who qualify based on medical assessments by providing support and services in the community.

Individuals can receive treatment for a behavioral health disorder instead of going to jail. With an agreement between the defendant and prosecutors, their charges are dismissed if they complete the treatment program.

The option is only available to defendants charged with crimes less than a Class D felony. They also can't have a previous conviction for a higher felony or be charged with violent offenses or sex offenses.

The project began in January with Kenton, Greenup, Fletcher, Clark, McCracken, Daviess, Pulaski, Madison, Oldham, Hopkins, and Christian counties participating.

The counties were chosen by former state Supreme Court Chief Justice John Minton, but [State Sen. Whitney Westerfield (R-Crofton), chairman of the Kentucky Senate Judiciary Committee] asked they consider criteria of geographical diversity, willing county participants, and counties where medical providers are easily accessible.

Senate Bill 90 also requires that clinical assessments be conducted by a medical professional. At present, the treatment decisions are done by non-clinicians through pretrial services staff.

Money from the [\\$28 billion opioid settlement](#) awarded in February 2022 will help finance this program with \$10.5 million allocated each year, Westerfield said.

### Ohio

#### [Marion drug court aims to save lives, help people return to place in community](#)

Marion Star

The court staff and local drug treatment providers in that gathering spoke honestly about and advocated passionately for the people they are serving through the drug court program operated by Judge Teresa L. Ballinger.

The judge started the specialized docket programs after an encounter with a man suffering from mental health and substance abuse issues appeared in her court after a run-in with local law enforcement. It came to light that the man had not received his medicine or treatment for some time and suffered a breakdown that resulted in his negative encounter with law enforcement.

“At that time, I didn’t know a lot about mental health issues, but when the situation was explained to me and how it happened, I determined that the court needed to do something to help that individual,” Ballinger said. “It wasn’t his intent not to get his medicine. Something in the system prevented him from getting it. That’s when I started the docket.”