

Opioid-Related News and the Courts

Weekly Review

December 11, 2020



National

[Scientific Evidence Resources: Opioid Crisis](#)

Federal Judicial Center

[Opioid Crisis: The State Court Perspective](#)

Chief Justice Loretta Rush (Indiana Supreme Court) shares her experience as a chair of the National Judicial Opioid Task Force, presenting the findings of the task force as well as new resources and a call for enhanced cooperation between federal and state courts in addressing the opioid crisis.

National

[How court-ordered drug testing poses impossible choices](#)

PBS Newshour

About 100 miles southwest in Walker County, known as the epicenter of Alabama's opioid crisis, Derrick Harden said he was ordered to comply with color code after being arrested and charged with illegal possession of prescription drugs in November 2019. Harden said in addition to taking drug tests about once a week, the program required that he attend classes and Alcoholics Anonymous meetings.

But when Harden, who is 37, got a job delivering pizzas earlier this year, he feared that missing work for his drug tests would get him fired. When his color was called one morning this spring, Harden said, there was no one to cover his shift, so he missed his test and went to work.

Harden said having a job is necessary to pay for the cost of color code—\$30 per test in Walker County. But, Harden said, complying with color code puts his job in jeopardy. “I’ve known so many people that do right, but then it gets too expensive. So you stop going,” he said. “It feels like a Catch-22. The system is made to fail you.”

Mark Jarvis, director of Walker County Community Corrections and Court Referral, said the program was not designed to make people fail...drug testing is just one element of the work his office does. They also connect people with counseling, drug treatment and other services, such as anger management classes, drug education and self-help groups. He said his staff works extra hours—unpaid—to help people meet their color code requirements.

But collecting fees from participants is necessary to fund the office, he said, because there's little government funding for the program. “We might get grants if we're lucky,” he said. “Folks gotta get paid.”

National

[Opioids and the Courts: Difficult Conversations - A Five-Part Webinar Series](#)

National Council of Juvenile and Family Court Judges

The [National Council of Juvenile and Family Court Judges](#) (NCJFCJ) with support from the [State Justice Institute](#) (SJI) is hosting a series of five webinars titled *Opioids and the Courts-Difficult Conversations*. Join NCJFCJ and expert faculty as we explore challenges associated with referring children and families to services in dependency and delinquency cases and how courts and services providers can work together to meet their needs and improve their lives. The five-part series will include conversations on prevention, intervention, harm reduction, reducing overdose and death and recovery.

National

[Whose opinion matters about medications for opioid use disorder? A cross-sectional survey of social norms among court staff](#)

Substance Abuse (journal)

Criminal problem-solving and dependency courts set treatment standards for opioid use disorder (OUD) but sometimes prohibit or limit utilization of medications for OUD (MOUD). Court staff beliefs about MOUD inform court treatment policies. Court staff MOUD policies may also be influenced by social norms, meaning perceptions of opinions of other individuals/entities about MOUD, including opinions of fellow staff in their court, staff in other courts, the state supreme court, other state agencies, the National Association of Drug Court Professionals (NADCP), federal agencies, and local peer support groups. To date, no study has examined social norms among court staff with respect to MOUD.

Methods: We distributed an online cross-sectional survey in 2019 to all criminal problem-solving and dependency court staff in Florida. Respondents were asked to identify the extent to which they cared about different entities'/individuals' opinions about MOUD and the extent to which they perceived each of those entities'/individuals as encouraging MOUD. We hypothesized that court role and court type would be associated with responses. We used descriptive statistics, logistic regressions, and difference of proportions tests to analyze data.

Results: 20% of the population ($n = 119$) completed the survey. Respondents cared most about the opinions of external treatment providers with whom they collaborate, fellow staff in their court, and the NADCP regarding MOUD. Fewer than half felt that any of these entities'/individuals encourage methadone or oral buprenorphine. Additionally, fewer than 11% of respondents felt that local twelve-step peer support groups encourage the use of any form of MOUD.

Conclusions: MOUD education should target all members of court teams, including collaborating treatment providers. Since court staff care relatively little about the MOUD opinions of staff in other courts, changes in opinions in one court may not affect changes in opinions in a neighboring court. The NADCP should more explicitly state its support for MOUD, and specifically oral buprenorphine and methadone treatment.

Tennessee

[Opioid Research Provides Experiential Learning for Students](#)

University of Tennessee – Knoxville News

Back home in West Virginia this past summer, Jason Trautwein was working as a clerk for a circuit court judge not far from where he grew up in Huntington, a city dubbed by the national media as the overdose capital of America.

“I thought I understood the level of chaos opioids had unleashed on southern West Virginia,” says Trautwein, a second-year law student at the University of Tennessee, Knoxville. “I didn’t know a quarter of it.”

Trautwein saw people in the courtroom he recognized from high school. More than 90 percent of the cases, he estimates, had some connection to opioid or substance use. One in particular he cannot shake from his memory: During a custody hearing, a mother struggling with addiction sobbed uncontrollably as she voluntarily relinquished rights to her young daughter. The judge asked questions to make sure she understood the finality of her decision.

Trautwein was struck by the duality: a mother losing her daughter while at the same time saving her from the chaos that might come further down the road.

“It was tough,” he says. “Really tough. I just can’t imagine.”