



**X. SPECIALTY AND PROBLEM
SOLVING COURTS**

**PRESENTED BY:
JUDGE MARK A. SPEISER**

I. SPECIALTY COURTS



- **A. HABITUAL OFFENDER COURT**
 - FOCUS ON CAREER CRIMINALS
 - LOWER CASE LOAD
 - HIGH NUMBER OF TRIALS
 - TOUGH SENTENCING
 - DEFENDANT HAS HISTORY OF VIOLENT AND DANGEROUS CONVICTIONS AND PENDING CHARGE IS EQUALLY SERIOUS

• B. DOMESTIC VIOLENCE COURT

- FOCUS ON CRIME ARISING DURING MARITAL OR COHABITATION RELATIONSHIPS
- DEFENDANT MAY NOT POST BOND UNTIL APPEARANCE BEFORE DOMESTIC VIOLENCE JUDGE
- DEFENDANT PROSECUTED EVEN IF VICTIM OBJECTS
 - CRIME AGAINST SOCIETY
 - OFTEN INVOLVES BATTERED SPOUSE OR CHILD SYNDROME



– DEFENDANT, IF GRANTED BOND, NOT ALLOWED CONTACT WITH OR TO RETURN TO RESIDENCE OF VICTIM UNTIL CASE RESOLVED

– USE OF RESTRAINING ORDERS

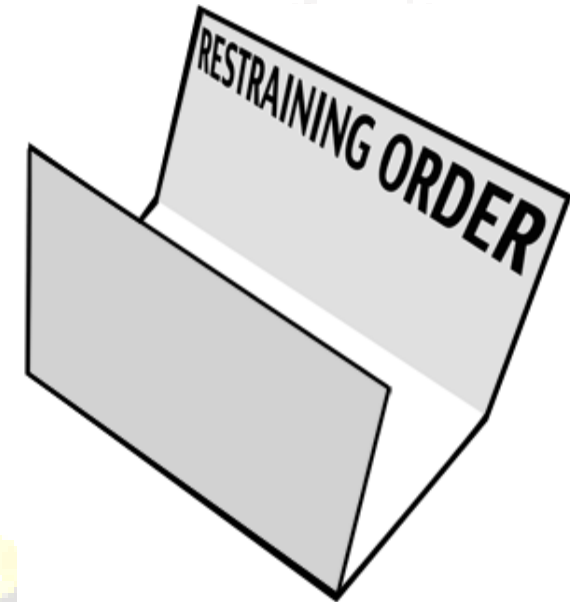
– ANGER MANAGEMENT COURSE REQUIRED

– CASES NORMALLY INVOLVE CHARGES OF:

- **BATTERY OR AGGRAVATED BATTERY**

- **ASSAULT OR AGGRAVATED ASSAULT**

- **ASSAULT OR BATTERY ON A PREGNANT WOMAN**





- **II. PROBLEM SOLVING COURTS:**

- **A. TYPE:**

- **MENTAL HEALTH COURT**

- **DRUG COURT**

- **VETERANS COURT**



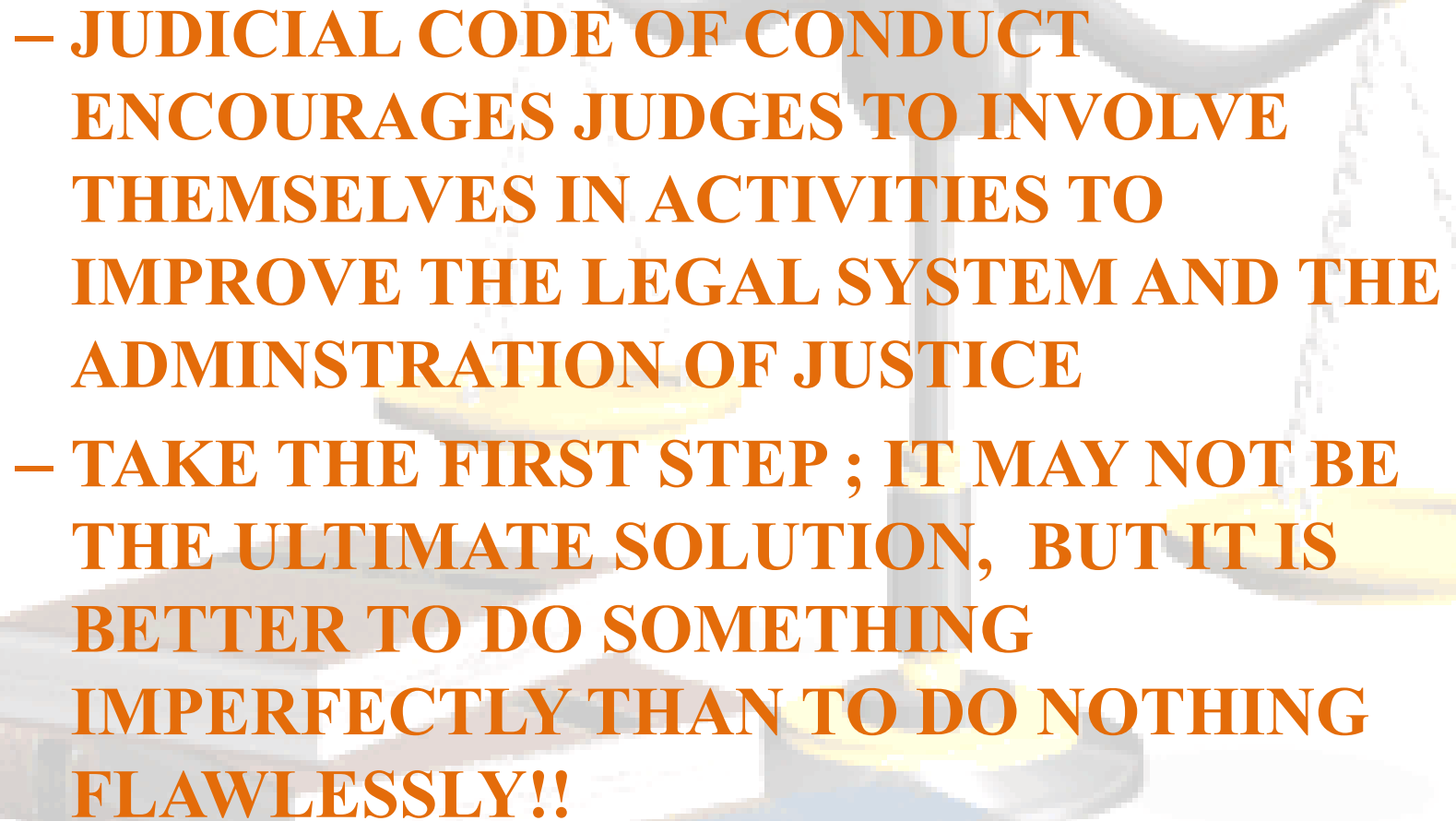


- **B. MISSION:**

- **BRING TOGETHER A COLLABORATIVE, MULTI-DISCIPLINARY APPROACH TO EFFECTIVELY DEAL WITH THE UNDERLYING CAUSES OF CRIMINAL BEHAVIOR**
- **FOCUS IS ON ROOT OF PROBLEM RATHER THAN MERELY REACTING TO THE CONSEQUENCES OF THE PROBLEM**

- REQUIRES THE JUDICIAL SYSTEM TO CHANGE ITS MINDSET**
- INSANITY: DOING THE SAME THING OVER AND OVER AGAIN AND EXPECTING A DIFFERENT RESULT**
- MINDS ARE LIKE PARACHUTES; THEY BOTH WORK BETTER WHEN THEY ARE OPEN**



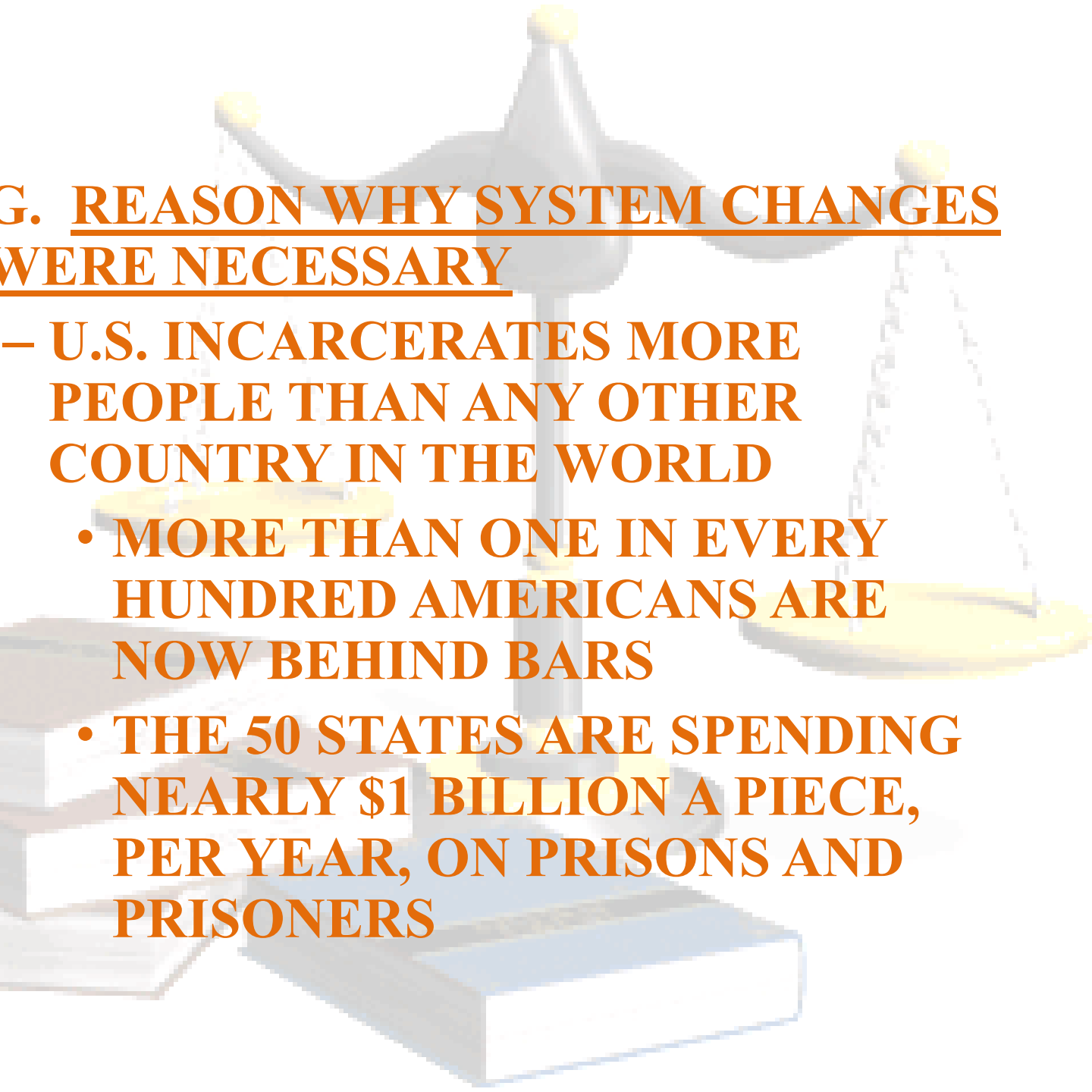
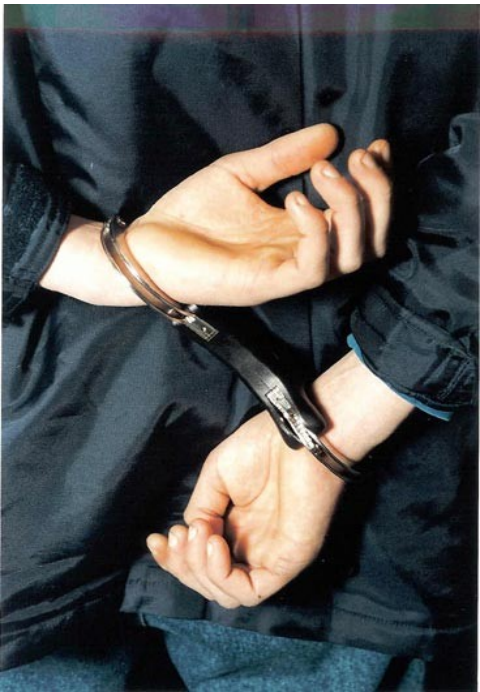
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- JUDICIAL CODE OF CONDUCT ENCOURAGES JUDGES TO INVOLVE THEMSELVES IN ACTIVITIES TO IMPROVE THE LEGAL SYSTEM AND THE ADMINISTRATION OF JUSTICE**
 - TAKE THE FIRST STEP ; IT MAY NOT BE THE ULTIMATE SOLUTION, BUT IT IS BETTER TO DO SOMETHING IMPERFECTLY THAN TO DO NOTHING FLAWLESSLY!!**

- **G. REASON WHY SYSTEM CHANGES WERE NECESSARY**

- **U.S. INCARCERATES MORE PEOPLE THAN ANY OTHER COUNTRY IN THE WORLD**

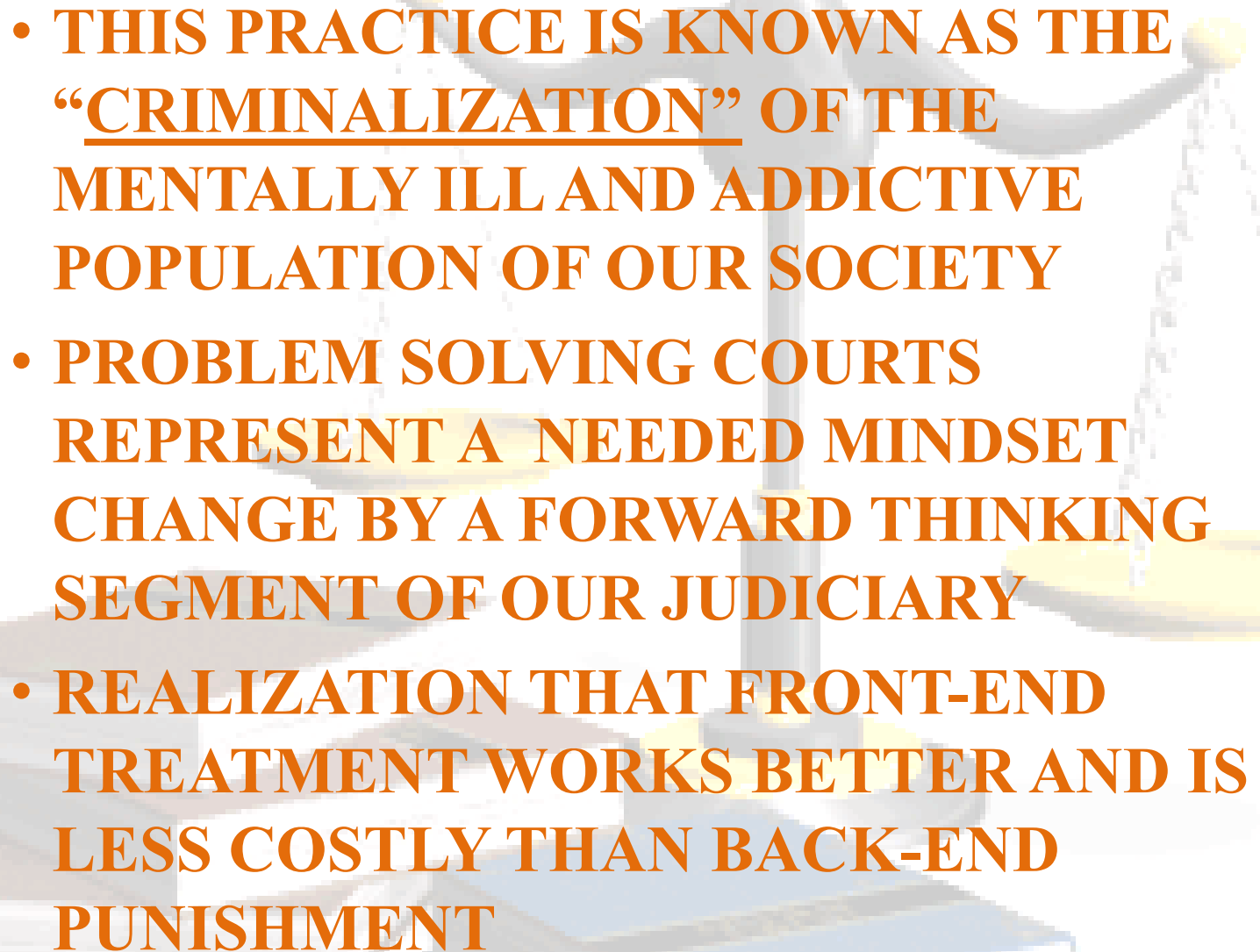
- **MORE THAN ONE IN EVERY HUNDRED AMERICANS ARE NOW BEHIND BARS**

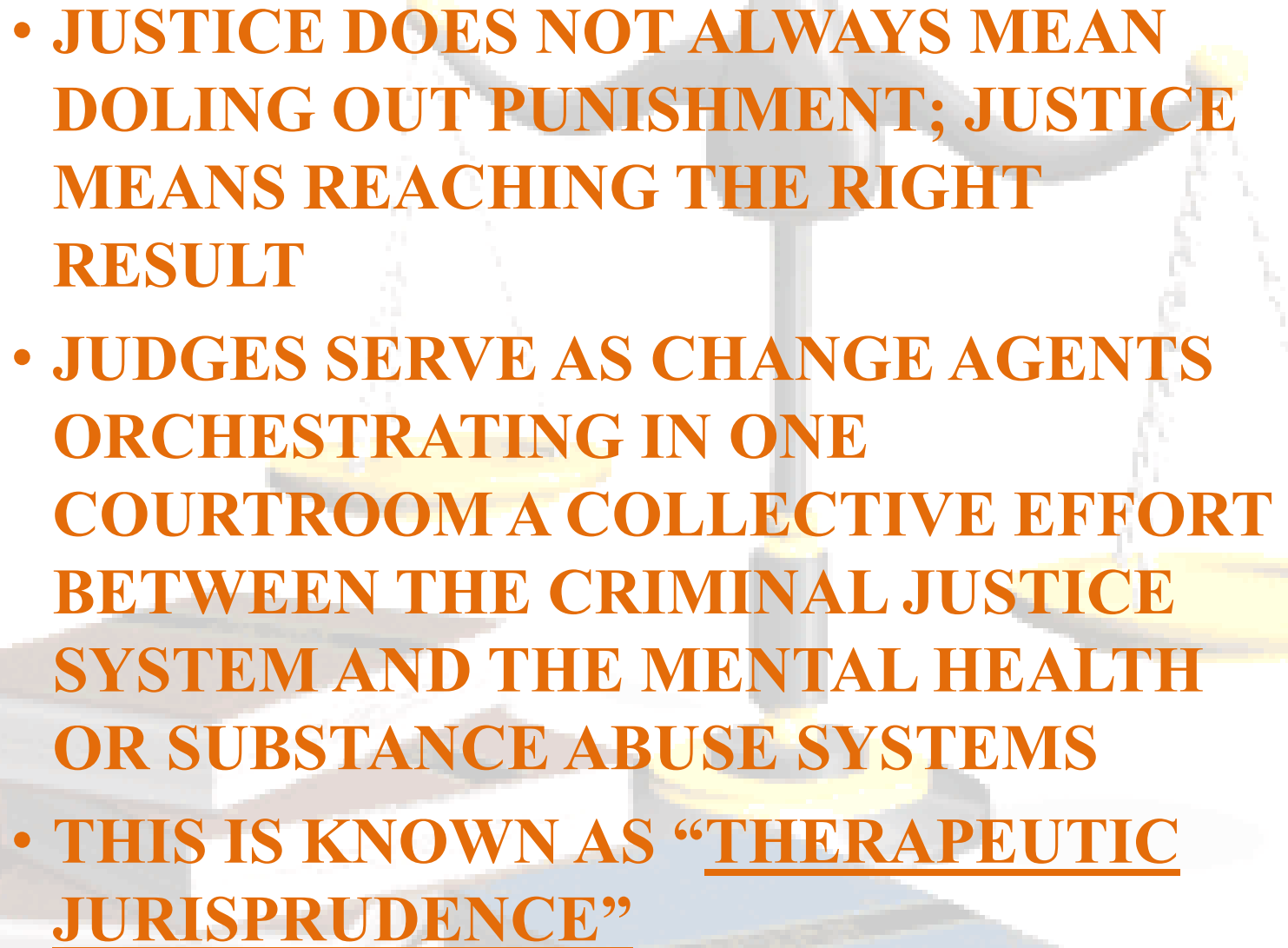
- **THE 50 STATES ARE SPENDING NEARLY \$1 BILLION A PIECE, PER YEAR, ON PRISONS AND PRISONERS**



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- **STATES ARE UNDERFUNDING TREATMENT FOR INDIVIDUALS WITH MENTAL HEALTH AND SUBSTANCE ABUSE ISSUES**
 - **INDIVIDUALS WITH THESE ISSUES ARE BEING INCARCERATED AT ALARMINGLY HIGH RATES**
 - **INCARCERATION IS A COSTLY UNDERTAKING THAT YIELDS FEW MEASUREABLE RESULTS**



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- THIS PRACTICE IS KNOWN AS THE “CRIMINALIZATION” OF THE MENTALLY ILL AND ADDICTIVE POPULATION OF OUR SOCIETY
 - PROBLEM SOLVING COURTS REPRESENT A NEEDED MINDSET CHANGE BY A FORWARD THINKING SEGMENT OF OUR JUDICIARY
 - REALIZATION THAT FRONT-END TREATMENT WORKS BETTER AND IS LESS COSTLY THAN BACK-END PUNISHMENT

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- **JUSTICE DOES NOT ALWAYS MEAN DOLING OUT PUNISHMENT; JUSTICE MEANS REACHING THE RIGHT RESULT**
 - **JUDGES SERVE AS CHANGE AGENTS ORCHESTRATING IN ONE COURTROOM A COLLECTIVE EFFORT BETWEEN THE CRIMINAL JUSTICE SYSTEM AND THE MENTAL HEALTH OR SUBSTANCE ABUSE SYSTEMS**
 - **THIS IS KNOWN AS “THERAPEUTIC JURISPRUDENCE”**



- **D. HOW COURTS WORK**

- **DIVERSION FROM JAIL; DISCHARGE PLANNING; TREATMENT**
- **MONITOR COMPLIANCE WITH PSYCHOTROPIC MEDICATION AND ABSTINENCE FROM DRUGS THROUGH STATUS CONFERENCES**
- **NONADVERSARIAL COURTROOM CLIMATE**



– TEAM APPROACH TO TREATMENT WITH REPRESENTATIVES FROM VARIOUS DISCIPLINES PRESENT IN THE COURTROOM

– STATISTICALLY PROVEN THAT PROBLEM SOLVING COURTS WORK TO SIGNIFICANTLY REDUCE RECIDIVISM

• E. BRIEF DISCUSSION ON HOW THESE COURTS OPERATE



THE END