

## LINUS



### LINUS LEGAL INNOVATIONS IN THE U.S. JANUARY 2008

#### Problem-Solving Courts: The U.S. Experience

As a follow-up to the January 2007 issue of LINUS which focused on the establishment of specialized U.S. Drug Treatment Courts, this issue reviews **Problem-Solving Courts** which, aside from Drug Courts, also include Community Courts; Integrated Domestic Violence Courts; Domestic Violence Courts; Mental Health Courts; Sex Offense Courts; and Youthful Offender Domestic Violence. These courts all combine conventional punishments with alternative sanctions and on-site treatment and training in an effort to break the "revolving door" cycle of crime.

LINUS's goal is to examine innovative legal practices, ideas, experiments, and organizations, while providing references for further study. Although the U.S. and Israel have different theories and practices of law, we share many similarities. We hope that the dissemination of information on important developments of U.S. law will raise awareness and encourage openness and debate among those in the Israeli legal community and the population they serve, as well as serve as a springboard for a two-way exchange of information between U.S. and Israeli legal professionals.

Over the last decade, the U.S. Embassy in Israel has brought together American and Israeli legal professionals to share ideas and processes. This exchange continues to enrich both U.S. and Israeli legal professionals, broadening awareness of alternative legal approaches and innovations.

Each bulletin includes a bibliography and list of useful internet sites relating to the issue's central topic. For the latest information on legal issues and back issues of this bulletin, please visit: <http://israel.usembassy.gov/publish/law.html>

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We welcome your feedback and, in particular, any comments on the content of this bulletin.

Please send your emails to [azizfr@state.gov](mailto:azizfr@state.gov).

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*I think the innovation that we're seeing now is the result of judges processing cases like a vegetable factory. Instead of cans of peas, you've got cases. You just move 'em, move 'em, move 'em. One of my colleagues on the bench said: "You know, I feel like I work for McJustice: we sure aren't good for you, but we are fast."*

*Chief Justice Kathleen A. Blatz of the Supreme Court of the State of Minnesota*

*Resoundingly, when you ask questions about the types of services that problem-solving courts provide, there was overwhelming support on the part of the public that, yes, courts should be providing those services . . .because you are the face of justice and the courts are where defendants look for an open and fair forum.*

*Mary Campbell McQueen, President of the National Center for State Courts in Williamsburg, Virginia.*

### Problem Solving Courts: The U.S. Experience – Establishment, Experience and Impact

Today, there are literally thousands of **problem-solving courts** that are testing new approaches to difficult cases where social, human and legal problems intersect. These include community courts that seek to improve the quality of life in neighborhoods struggling with crime and disorder, drug courts that link addicted offenders to treatment instead of incarceration, and domestic violence courts that emphasize victim safety and defendant accountability.

**Problem solving courts** have expanded rapidly across the United States in an attempt to find new solutions to difficult socio-legal problems. These courts have developed in response to the realization that a “one size fits all” approach to criminal justice does not work. The adversarial nature of the traditional criminal justice model cannot effectively handle the complexity of certain human and social problems, where failing to deal with fundamental causes almost guarantees recidivism.

**Problem solving courts** originated with the drug court movement which began in Dade County, Florida, in 1989, at the peak of the crack cocaine epidemic. After judges and other community leaders first learned about the anecdotal successes of drug courts, they applied the same techniques to other types of cases, including mental health, domestic violence, and gun violence. The movement began and flourished at the local level in trial courts and, in 1999, The Conference of State Court Administrators (COSCA) developed a white paper which established a framework for state court leaders to discuss their appropriate role in the administration and expansion of **problem-solving courts**. The most significant aspect of this resolution was the vision and challenge “to encourage, where appropriate, the broad integration over the next decade of the

principles and methods employed in the **problem-solving courts** into the administration of justice.”

Under the leadership of Chief Judge Judith S. Kaye and Chief Administrative Judge Jonathan Lippman, New York State, has been a national leader in adopting a problem-solving model of jurisprudence. New York State is home to dozens of drug courts, community courts, domestic violence courts, and other problem-solving experiments. These include the nation’s first community court, opened in 1993 in the Times Square neighborhood of Manhattan; the first multi-jurisdictional community court, hearing civil, criminal, and family court cases in the same courtroom; one of the largest drug treatment courts in the country in Brooklyn; and several new experiments known as “integrated domestic violence courts,” in which a single judge hears civil, criminal, and matrimonial matters involving a single family.

In recent years, many in the field have sought to “go to scale” with problem-solving justice, introducing key problem-solving principles outside of the specialized court context. The following principles embody the collective experience of thousands of practitioners working to test new ideas and address chronic problems in the field of problem-solving justice. Over time, these principles have found their way into problem-solving initiatives in both big cities and small towns, in initiatives that address low-level offending and more serious crimes, and in projects that work with first-time offenders and with chronic recidivists returning from prison.

Numerous social and historical factors have been documented as giving rise to problem-solving innovation in the United States. These include:

- Rising caseloads and increased frustration by both the public and the legal community with the standard approach to case processing and outcomes;
- Advances in the quality and availability of therapeutic interventions, which have given many within the criminal justice system greater confidence in using certain forms of treatment (particularly drug treatment) in an effort to solve defendants’ underlying problems;
- A large increase in the United States’ incarcerated population and the resulting prison overcrowding;
- Research that has facilitated documentation and analysis of court outcomes;
- Shifts in public policies and priorities – for example, the influence of the feminist movement has increased awareness regarding domestic violence and demanded that the courts find long-term solutions.

## Principles of Problem-Solving Courts

### Enhanced Information

Better staff training about complex issues like domestic violence and drug addiction combined with better information about litigants, victims, and the community context of crime can help improve the decision making of judges, attorneys, and other justice officials. High-quality information—gathered with the assistance of technology and shared in accordance with confidentiality laws—can help practitioners make more nuanced decisions about both treatment needs and the risks individual defendants pose to public safety, ensuring offenders receive an appropriate level of supervision and services.

### Community Engagement

Citizens and neighborhood groups have an important role to play in helping the justice system identify, prioritize, and solve local problems. Actively engaging citizens helps improve public trust in the justice system. Greater trust, in turn, helps people feel safer, fosters law-abiding behavior, and makes members of the public more willing to cooperate in the pursuit of justice (as witnesses, jury members, etc.)

### Collaboration

Justice system leaders are uniquely positioned to engage a diverse range of people, government agencies, and community organizations in collaborative efforts to improve public safety. By bringing together justice partners (e.g., judges, prosecutors, attorneys, probation officers, court managers) and reaching out to potential stakeholders beyond the courthouse (e.g., social service providers, victims groups, schools), justice agencies can improve inter-agency communication, encourage greater trust between citizens and government, and foster new responses including new diversion and sentencing options, when appropriate to problems.

### Individualized Approaches

Using valid, evidence-based risk and needs assessment instruments, the justice system can link offenders to individually tailored community-based services (e.g., job training, drug treatment, safety planning, mental health counseling) where appropriate. In doing so (and by treating defendants with dignity and respect), the justice system can help reduce recidivism, improve community safety and enhance confidence in justice. Links to services can also aid victims, improving their safety and helping restore their lives.

### Accountability

The justice system can send the message that all criminal behavior, even low-level quality-of-life crime, has an impact on community safety and has negative consequences. By insisting on regular and rigorous compliance monitoring and clear consequences for non-compliance, the justice system can improve the accountability of

offenders. It can also improve the accountability of service providers by requiring regular reports on their work with participants.

### Outcomes

The active and ongoing collection and analysis of data—measuring outcomes and process, costs and benefits—are crucial tools for evaluating the effectiveness of operations and encouraging continuous improvement. Public dissemination of this information can be a valuable symbol of public accountability.

## The Unique Role of Judges in Applying Therapeutic Jurisprudence

The rise in the United States of therapeutic jurisprudence in specialized courts raises questions regarding the role of judges. The judicial role has been transformed from detached, neutral arbiter to the central figure in a team. The judge has been described as “both a cheerleader and stern parent,” encouraging and rewarding compliance, as well as tending to lapses.

For many judges this cultural reality may seem counterintuitive. For example, a team based approach to decision making requires a judge to abdicate sole responsibility in determining the outcome of a case. Though some suggest that therapeutic jurisprudence is what good judges do on a daily basis, it may be that a traditional legal background alone is ineffective training for judges playing an active role in the problem solving process that requires, in addition to analytical skills and legal knowledge, effective communication and creative thinking.

**Problem-solving courts** also raise concerns with respect to the independence of the judiciary. The U.S. constitutional principles that require judges to be independent and separate from other branches of government could be seen as being replaced by a new therapeutic approach that is inimical to the judicial function.

## Domestic Violence Courts

In 2001, President George Bush proclaimed October as National Domestic Violence Awareness Month. He stated that “..a comprehensive, coordinated approach must shape our strategy to reduce domestic violence...” These efforts include specialized units in police departments, and prosecutors’ offices that work with local victims’ advocates to make the criminal justice system more responsive to victims and more retributive to their abusers...”As a Nation, we must prioritize addressing the problem of domestic violence in our communities every day of the year. National Domestic Violence Awareness Month provides us with a special opportunity to emphasize that domestic violence is a crime, to warn abusers that they will be prosecuted, and to offer victims more aid and support.”

Just as the need to re-examine the criminal justice system as it deals with drug cases is obvious to many stakeholders within the justice system, so too is the need to improve the handling of domestic violence cases.

Absent from the traditional court process was understanding of the complexities of domestic violence, especially the social and economic ties that bond victims to their abusers. The problem solving response is to consider the special characteristics that domestic violence cases present including:

- Domestic violence does not involve violence between strangers;
- Victims under the influence of their abusers are isolated, particularly vulnerable and reluctant to prosecute;
- The repetitive nature of domestic violence.

In the U.S. there are over 300 courts that have special processing mechanisms for domestic violence cases. Considerable emphasis is placed on early and prompt intervention in domestic violence cases because it enhances victim safety, sends a message to the defendant that the case is being taken seriously, and signals to the victims that their suffering will not be ignored. Hence these courts are designed to improve victim safety and enhance defendant accountability. At the Brooklyn Felony Domestic Violence Courts, for example, complainants are given the choice of an advocate from either the Attorney General's office or "Safe Horizon," an independent victim advocacy organization.

### Specialized Domestic Violence Court Systems

The efficacy of combining civil and criminal jurisdiction in one court has also been debated. Advocates of such an approach argue that combined courts allow victims to obtain all of the relief they need at once and in one place. For example, allowing victims to testify for the prosecution and obtain child support in one proceeding, for example, can greatly enhance the accessibility of the court; it can be difficult for women to get time off from work, to travel, or to find child care in order to make multiple appearances. Judges who hear both the civil and the criminal sides of a case develop extensive expertise about domestic violence issues and are better informed about the case. Finally, combining courts can ensure that civil and criminal orders do not conflict.

### Mental Health Courts

The emergence of specialized courts geared toward serving people with mental health issues stems from the view that the criminal behavior of mentally ill people is a health

issue rather than a criminal law matter. The first mental health court in the United States opened in June 1997 in Broward County, Florida.

In the traditional court system, people with mental illness are not treated in a manner appropriate to their illness and many are incarcerated. Prisons, however, are not typically institutionally equipped, trained, or staffed to address the treatment needs of people with mental illness. Mental health courts require collaboration and consideration from practitioners in both the criminal justice and mental health fields. Mental health courts typically involve judges, prosecutors, defense attorneys, and other court personnel who have expressed an interest in or possess particular mental health expertise. The courts generally deal with nonviolent offenders who have been diagnosed with a mental illness or co-occurring mental health and substance abuse disorders. More than 150 of these courts exist in the United States, and more are being planned.

### Community Courts

Community Courts combine conventional punishments with alternative sanctions and on-site treatments and training in an effort to break the “revolving door” cycle of crime. They represent collaboration between traditionally separate entities, including citizens, criminal justice agencies, businesses, local civic organizations, government entities, and social service providers resulting in neighborhood-focused problem solving.

Community Courts address local concerns in a way that:

- Strengthens the court’s relationship with the community;
- Increases community confidence in the criminal justice system;
- Enhances appreciation of how crime affects victims and communities;
- Provides faster dispositions and innovative sanctions;
- Shows visible compliance with court ordered sanctions and sentences;
- Increases community access to the criminal justice system; and
- Improves the quality of life for the entire community.

As mentioned above, New York City is a national and international leader in the development of community courts. The Midtown Community Court, located in Manhattan, was the first community court to be established in the United States (in 1993), while the Red Hook Community Justice Center in Brooklyn was the national’s first multi-jurisdictional community court, with a single judge to hear criminal, housing and family cases.

Community Courts must devote significant resources to learning about the unique problems of a neighborhood. Solutions to neighborhood problems need to be derived from input from community members, acknowledging that even so-called victimless crimes harm to the community.

Although low-level crime garners few headlines, offenses such as public intoxication, shoplifting, truancy, prostitution and vandalism undermine the quality of life. These quality-of-life crimes have a serious and long lasting impact on a neighborhood. In a centralized court, low-level crimes may be sandwiched between more serious offenses, or may even be perceived as isolated incidents rather than an ongoing, quality of life impairing condition. A Community Court is expressly designed to address these and other neighborhood problems.

The Community Court combines punishment and assistance and draws upon local resources to develop a broad menu of constructive responses to low-level or quality of life crime. The Court combines punishment and assistance designed to solve the root cause of the problem by sentencing offenders to perform community restitution in the neighborhood they have harmed. The Court also provides a variety of social services which may be utilized by non-offending individuals.

### Juvenile Justice

In recent years, a number of innovative approaches to juvenile justice have emerged, including youth courts that use positive peer pressure to encourage young people who have engaged in wrongdoing to repay the community; youthful offender domestic violence courts that address relationship abuse among teenagers; and juvenile drug courts that work with young people arrested for drug offenses and other low-level delinquency charges. Some family courts, like the Bronx Juvenile Accountability Court, require that offending juveniles appear regularly before a judge and imposes community service and other sanctions as alternatives to confinement. Programs like the Harlem Juvenile Reentry Network attempt to rehabilitate juveniles leaving state placement, out-of-state placement of juveniles, to prevent future delinquent behavior. Finally, programs like the Youth Justice Board give young people a voice in the crafting of juvenile justice policy.

### Brooklyn Youthful Offender Domestic Violence Court

Key features of the Youthful Offender Domestic Violence Court include:

- *Victim Advocacy:* One of the Court's central missions is to enhance collaboration among criminal justice agencies and community-based groups that offer social services and assistance to adolescent domestic violence victims. The Court also has a dedicated teen victim advocate— employed through the counseling

services unit of the District Attorney's Office—who is able to devote the time and energy, and has the unique social work skills, to engage teen victims and offer referrals to additional services. The victim advocate is responsible for communicating with victims to explain the criminal justice process and provide counseling, safety planning, and links to services.

- *Accountability:* As part of a plea, adolescent perpetrators of relationship violence are required to attend a free 12-week program—provided through a partnership with STEPS ( Screening and Treatment Enhancement Part, to End Family Violence)—designed to intensively re-educate juvenile batterers and prevent them from continuing the cycle of violence into adulthood. A STEPS group facilitator is in court to provide immediate on-site interviews for program eligibility. A court-employed resource coordinator monitors defendants' compliance with all programming. Perpetrators appear in court once a month for monitoring purposes, and sanctions for noncompliance include community service and extended time in the program.
- *Specialized Attention:* Informed judicial decision making based on knowledge of adolescent development and relationship violence among teens is a crucial aspect of the Court. A single Criminal Court Judge presides over all teen dating violence cases in the jurisdiction, thus ensuring consistency in decisions. A dedicated and informed District Attorney is also assigned to the Court; previously, teen domestic violence cases were farmed out to non-specialized Assistant District Attorneys who lacked the programs and resources to deal with the unique needs of this defendant population.
- *Evaluation:* The Court has a research and evaluation plan that tracks the number and types of cases heard, dispositions, the number of defendants ordered into the adolescent batterers' program, the percentage of victims meeting with the teen victim advocate, and overall compliance rates. The goal is to gather comprehensive previously unknown information about adolescent victims and perpetrators of domestic violence, and to track case outcomes under the Youthful Offender Domestic Violence Court model. The court regularly reviews and analyzes these statistics and modifies the program accordingly.

Though the problem solving model has seen a proliferation of specialized courts as a means of addressing the underlying socio-legal needs of participants in the justice system, judges are not prevented from using the principles of therapeutic jurisprudence in existing court systems to better meet the needs of accused people.

Perhaps the greatest contribution that specialized courts can make is as agents of change. There is great potential for a natural process of diffusion in which drug treatment court and other special court judges take the benefit of their experiences with them when they return to regular civil and criminal dockets.

There is little doubt that problem solving courts and the theory of therapeutic jurisprudence have revolutionized the workings of the criminal justice system in the United States. They offer a ray of hope for ending “revolving door justice,” in which the defendants are recycled through the court system time and time again.

## The following Websites provide information on the subject of Problem-Solving Courts: The U.S. Experience.

### Center for Court Innovation

<http://www.courtinnovation.org/index.cfm?fuseaction=page.viewPage&pageID=471>

Founded as a public/private partnership between the New York State Unified Court System and the Fund for the City of New York, the Center for Court Innovation is a non-profit think tank that helps courts and criminal justice agencies aid victims, reduce crime and improve public trust in justice. The Center combines action and reflection to spark problem-solving innovation both locally and nationally.

The Center for Court Innovation grew out of a single experiment in judicial problem solving. The Midtown Community Court was created in 1993 to address low-level offending around Times Square. The Midtown Court combines punishment and help, sentencing offenders to perform community service and receive social services. The project's success in making justice more visible and more meaningful led the court's planners, with the support of New York State's chief judge, to establish the Center for Court Innovation to serve as an engine for ongoing court reform in New York.

The Center's mission quickly grew to include consulting work with jurisdictions across the country and the world. The Center has received numerous awards for its efforts, including an Innovations in American Government Award from Harvard University and the Ford Foundation, and the Prize for Public Sector Innovation from the Citizens Budget Commission.

Above are a number of sample documents—everything from consent forms and intake assessments to program descriptions and brochures—used every day by problem-solving initiatives around the country. These may be helpful for your program as guides or templates.

### National Center for State Courts

[http://www.ncsconline.org/D\\_Research/ProblemSolvingCourts/Problem-SolvingCourts.html](http://www.ncsconline.org/D_Research/ProblemSolvingCourts/Problem-SolvingCourts.html)

The mission of NCSC is to improve the administration of justice through leadership and service to state courts, and courts around the world.

Through original research, consulting services, publications, and national educational programs, NCSC offers solutions that enhance court operations with the latest

technology; collects and interprets the latest data on court operations nationwide; and provides information on proven "best practices" for improving court operations.

### The Current State of Domestic Violence Courts in the United States, 2007

Hon. Donald E. Shelton

[http://www.ncsconline.org/WC/Publications/KIS\\_FamVioDVCtsNatl.pdf](http://www.ncsconline.org/WC/Publications/KIS_FamVioDVCtsNatl.pdf)

The general idea of the *Domestic Violence Courts with Related Caseload* model is to merge the civil proceedings related to divorce/custody cases and protection orders related criminal proceedings such as domestic assault. However, this model can take at least three separate forms. In an *Integrated Domestic Violence Court* model, one judge handles criminal domestic violence cases and the accompanying civil matters. In a *Unified Family Court* model, no criminal matters are assigned separately but all civil matters involving the same family are assigned to a single judge. In a *Coordinated Court* model, both criminal domestic violence and related civil matters are assigned to the same court division, but not to the same judge.

### Specialist Domestic Violence Court Systems

Stop Violence Against Women: Minnesota Advocates for Human Rights

[http://www.stopvaw.org/Specialized\\_Domestic\\_Violence\\_Court\\_Systems.html](http://www.stopvaw.org/Specialized_Domestic_Violence_Court_Systems.html)

Establishing specialized courts or court processes for domestic violence cases is another way to increase the judiciary's responsiveness to domestic violence. Levels of specialization vary widely in those jurisdictions that have adopted this approach. Some jurisdictions have created courts that handle only domestic violence cases; others have altered court processes to ensure more effective processing of domestic violence matters; yet others have specialized staff that provide support to victims. Dedicating part of the court system to domestic violence issues sends a message to the community that violence will not be tolerated.

### Problem-Solving Courts: New York State Unified Court System

[http://www.courts.state.ny.us/courts/problem\\_solving/](http://www.courts.state.ny.us/courts/problem_solving/)

Problem-solving Courts in New York State include: Integrated Domestic Violence Courts, Domestic Violence Courts, Drug Treatment Courts, Mental Health Courts, Sex Offense Courts, Youthful Offender Domestic Violence Courts and Community Courts.

### Red Hook Community Justice Center

<http://www.courtinnovation.org/index.cfm?fuseaction=Page.viewPage&pageID=572>

Launched in June 2000, the Red Hook Community Justice Center is the nation's first multi-jurisdictional community court. Operating out of a refurbished Catholic school in the heart of a low-income Brooklyn neighborhood, the Justice Center seeks to solve

neighborhood problems like drugs, crime, domestic violence and landlord-tenant disputes. At Red Hook, a single judge hears neighborhood cases that under ordinary circumstances would go to three different courts—Civil, Family and Criminal. The goal is to offer a coordinated, rather than piecemeal, approach to people's problems. The Red Hook judge has an array of sanctions and services at his disposal, including community restitution projects, on-site educational workshops and GED classes, drug treatment and mental health counseling—all rigorously monitored to ensure accountability and drive home notions of individual responsibility. But the Red Hook story goes far beyond what happens in the courtroom. The courthouse is the hub of an array of unconventional programs that engage local residents in "doing justice." These include mediation, community service projects that put local volunteers to work repairing conditions of disorder and a Youth Court where teenagers resolve actual cases involving their peers. The purpose is to engage the community in aggressive crime prevention, solving local problems before they even come to court.

### Community Courts: An Evolving Model

Bureau of Justice Assistance, U.S. Department of Justice  
<http://www.ncjrs.gov/pdffiles1/bja/183452.pdf>

The community court movement has come a long way since the first court opened in midtown Manhattan in 1993. The concepts pioneered by that court have taken root across the country. Nearly a dozen community courts are now open in Connecticut, Florida, Georgia, Minnesota, New York, Oregon, Tennessee, and Texas. Another 13 communities plan to open courts in the near future.

Midtown Manhattan Community Court has succeeded by asking a new set of questions about the role of the court in a community's daily life: What can a court do to solve neighborhood problems? What can courts bring to the table beyond their coercive power and symbolic presence? What roles can community residents, businesses, and service providers play in improving justice?

### Youth Dating Violence: Can A Court Help Break the Cycle

<http://www.courtinnovation.org/index.cfm/fuseaction/Page.viewPage/pageId/608>

Launched in late 2003, Brooklyn's Youthful Offender Domestic Violence Court is the first court to address exclusively misdemeanor domestic violence cases among teenagers between the ages of 16 and 19. Despite statistics showing that women between the ages of 16 and 24 experience the highest rate of domestic violence and sexual assault nationwide, overwhelmed court systems have not been able to respond effectively to the problem. Defendants usually receive no targeted services aimed at preventing further abuse, and victims receive little in the way of services and counseling. The Youthful Offender Domestic Violence Court addresses, for the first time, the needs of teen victims and abusers. A dedicated judge and court room staff are equipped to address

the unique needs that teen complainants bring to court. And by linking victims to specialized services and offering a free 12-week program to teen batterers, the Court attempts to engage teenagers and provide services designed to meet the needs of adolescent domestic violence victims and perpetrators.

### Mental Health Courts

Bureau of Justice Assistance

<http://www.ojp.usdoj.gov/BJA/grant/mentalhealth.html>

The Bureau of Justice Assistance (BJA) is a component of the Office of Justice Programs, U.S. Department of Justice, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime.

### The Role of Mental Health Courts in System Reform

Judge David L. Bazelon Center for Mental Health Law's

<http://www.bazelon.org/issues/criminalization/publications/mentalhealthcourts/#about>

In a report based on two years of study and meetings of hundreds of individuals involved in criminal justice or mental health systems at the state and local levels, the Council of State and Local Governments ("CSG") found that "people with mental illness are falling through the cracks of this country's social safety net and are landing in the criminal justice system at an alarming rate." The report noted that many people with mental illnesses are "overlooked, turned away or intimidated by the mental health system" and "end up disconnected from community supports." As a result, and "not surprisingly, officials in the criminal justice system have encountered people with mental illness with increasing frequency."

### Does Effective Therapeutic Jurisprudence require Specialized Courts (and Do Specialized Courts Imply Specialist Judges)?

David B. Rottman, National Center for State Courts

<http://aja.ncsc.dni.us/courtrv/cr37/cr37-1/CR9Rottman.pdf>

This essay offers a deliberative answer to the question of whether therapeutic jurisprudence requires specialized courts and judges by tracing the paths of three powerful contemporary trends: the new special court movement; the logic of American court reform; and the changing role of judges.

## National Association of Specialized Court Judges

American Bar Association

<http://www.abanet.org/jd/ncscj/>

The principal role of the NCSCJ is to work to instill public trust and confidence in the judicial system. The conference is committed to judicial outreach to the community, and has presented programs in traffic safety, domestic violence protection orders, military justice, juvenile delinquency, child abuse and domestic violence, and many other areas, drawing on the specialized expertise of conference members.

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