

Title

Law School 101 for Treatment Court Professionals

Presenters/Bios

Aaron Arnold previously served as director of technical assistance at the Center for Court Innovation, overseeing the Center's national training and technical assistance work in the areas of treatment courts, mental health initiatives, community justice, prosecutor-led diversion, procedural justice, tribal justice, and more. In this capacity, Aaron managed several federally-funded initiatives, including the BJA Problem-Solving Courts Training and Technical Assistance Program and the BJA State-Based Adult Drug Court Technical Assistance Program. Aaron previously served as the Center's director of treatment court programs and as director of the Center's Tribal Justice Exchange. Before joining the Center, Aaron was a prosecutor with the Maricopa County Attorney's Office in Phoenix, Arizona, where he gained first-hand experience working in several problem-solving courts. Aaron is graduate of Cornell University and the University of Arizona College of Law.

Length: 75 min

Session Summary: This session describes the key legal principles that define treatment court practice. The workshop also provides best practices for implementing these legal standards. The session includes confidentiality, ethical boundaries, and avoiding the appearance of Judicial impropriety, as well as due process when using jail as a Sanction and when participants are terminated from the program. The session also discusses the illegality of preventive detention. The role of defense counsel and treatment issues such as MAT laws and the use of prescription medications are reviewed, as are First Amendment rights as concern Alcoholics Anonymous and participant restrictions in treatment courts.

Learning Objectives

Participants will be able to:

1. Identify the key legal principles defining treatment courts.
2. Discuss the constitutional issues impacting treatment courts.
3. Identify concerns and methods to address concerns regarding judicial impropriety.

References

- Adult Drug Court Best Practices: Volume I, Section IV: Incentives, Sanctions, and Therapeutic Adjustments. www.nadcp.org/wp-content/uploads/2018/12/Adult-Drug-Court-Best-Practice-Standards-Volume-I-Text-Revision-December-2018-1.pdf
- The Drug Court Judicial Benchbook, Updated 2017, Chapter 7, Applying Incentives and Sanctions. www.ndci.org/wp-content/uploads/2016/05/Judicial-Benchbook-2017-Update.pdf
- Constitutional and Other Legal Issues in Drug Court By **wpengine** | March 17, 2011; www.ndci.org
- Constitutional and Other Legal Issues in Drug Court: A Webliography; Hon. William G. Meyer (ret.) Senior Judicial Fellow National Drug Court Institute; Updated 12/5/15; www.ndci.org