

# **SUPREME COURT OF ILLINOIS**



**Administrative Office of the Illinois Courts**

## **PROBLEM-SOLVING COURTS APPLICATION**

County/Judicial Circuit

**PROBLEM-SOLVING COURT CERTIFICATION APPLICATION SIGNATORIES**

**Instructions:** Complete this form and submit it with the Application.

By completing and submitting this Application with the required PSC documents, the Chief Judge certifies that the PSC incorporates the *Problem-Solving Court Standards* in practices, procedures and operations and that the required written materials are attached.

**CHIEF CIRCUIT JUDGE**

As Chief Judge of the \_\_\_\_\_ Judicial Circuit, I hereby approve the Application for Problem-Solving Courts Certification submitted by the \_\_\_\_\_ Judicial Circuit and/or Probation/Court Services Department serving

County/Judicial Circuit.

\_\_\_\_\_  
Chief Circuit Judge

Date: \_\_\_\_\_

**PROBATION/COURT SERVICES**

As Director of Court Services/Chief Probation Officer of the \_\_\_\_\_ Judicial Circuit, serving

County/Countries, I have reviewed the Application for Problem-Solving Courts Certification and confirm that the information is true and correct and the Application is complete.

\_\_\_\_\_  
Director/Chief

Date: \_\_\_\_\_

**LOCAL PROBLEM-SOLVING COURT COORDINATOR**

As the designated Local Problem-Solving Court Coordinator of the \_\_\_\_\_ Court in

County located in the \_\_\_\_\_ Judicial Circuit, I have reviewed the Application for Problem-Solving Courts Certification and confirm that the information is true and correct and that the Application is complete.

\_\_\_\_\_  
Local Problem-Solving Court Coordinator

Date: \_\_\_\_\_

## **PROBLEM-SOLVING COURT CERTIFICATION APPLICATION**

**Instructions:** Complete all required information, check boxes and submit documentation in support. If additional space is needed, please attach additional pages.

Name of Problem-Solving Court:	
Judicial Circuit:	Appellate District:
Location of Court Hearings:	
County(ies):	
Date of Submission:	

Name of PSC Judge:
Address:
Phone:
Email:

Name of Local PSC Coordinator:
Address:
Phone:
Email:

Name and Title of Primary Contact (if other than Coordinator):
Address:
Phone:
Email:

Type of Problem-Solving Court:

- Adult Mental Health Court
- Adult Drug Court
- DUI Court
- Veterans Court
- Other \_\_\_\_\_

Legal Status of Participants:

- Pre-Adjudication
- Post-Adjudication
- Pre- and post-Adjudication

Status of Problem-Solving Court:

- New
- Existing (start date: \_\_\_\_\_)
- Recertification

### **Planning and Administration**

1.  **PSC Standard 4.1(a):** A multidisciplinary stakeholders group has been established that includes representatives from the judiciary, the prosecutor's office, the public defender's office, licensed treatment providers, probation/court services, law enforcement agencies, local government and other relevant agencies/entities (e.g., United States Department of Veterans Affairs).

2.  **PSC Standard 4.1(b):** During the initial planning process, the multidisciplinary stakeholders group completed the following:

- Reviewed statistical data and information to identify a target population;
- Established program goals and objectives;
- Developed eligibility and exclusionary criteria;
- Determined capacity and type of PSC;
- Identified resources for staffing and treatment;

List treatment providers:

- Created a timeline for implementation;

Describe timeline:

- Observed other PSC;

List name of court, location, and date(s) of visit(s):

- Reviewed the Sequential Intercept Model and the Sequential Intercept Model Illinois;
- Completed and executed MOU(s) among the team members' offices or organizations;
- Designated a local PSC coordinator.

3.  **PSC Standard 4.2(a) and (b):** Written policies and procedures have been drafted that comply with the Standards, applicable state and federal laws, applicable Supreme Court policies and procedures, and the policies and procedures of the circuit court in which the PSC operates and contain:

- PSC mission statement;
- Program goals and objectives;
- Capacity and type of PSC, including designation of the PSC as a Pre-Adjudicatory PSC, a Post-Adjudicatory PSC, or a Pre- and Post-Adjudicatory (Combined) PSC;
- Eligibility and exclusionary criteria for participants, including policies and procedures to prevent discrimination;
- Assessment and enrollment processes, including processes for referral to the PSC, for prompt assessments to determine participant eligibility, and for entry into the PSC, including the signing of a Consent to Participate on the record in open court, and the signing of a release of information form;
- Responsibilities of each PSC team member consistent with the roles and responsibilities set forth in the applicable MOUs;
- Policies and procedures for case management and supervision, including the following:
  - The use of regular team staffings and status review hearings to monitor each participant's performance and progress;
  - Participant responsibilities, including attendance at status review hearings and compliance with the Case Management Plan;
  - A description of the program phases and the requirements for progressing through the phases;
  - The use and administration of incentives, sanctions, and therapeutic adjustments; and
  - Drug and alcohol testing protocol and procedures;
- Program outcomes, including the requirements and procedures for obtaining successful or neutral discharge from the PSC and for voluntarily withdrawing from the PSC, as well as criteria and procedures for unsuccessfully discharging a participant from the PSC;
- Policies and procedures for ensuring compliance with state and federal confidentiality statutes and regulations; and
- Plan for post program aftercare (discharge plan).

4.  **PSC Standard 4.3(a) and (b):** A written PSC participant handbook has been drafted that is consistent with the written policies and procedures and contains the following:

- General information about the PSC, including the purpose of the PSC, the goals of participation in the PSC, and the eligibility criteria for participation in the PSC;
- The PSC team members and their roles, including the non-adversarial nature of the PSC;
- The assessment and enrollment process, including the Consent to Participate, the assessment of a participant's needs, and the development of a Case Management Plan;
- The participant's responsibilities while enrolled in the PSC, including attendance at status review hearings and compliance with the Case Management Plan;

- The program phases and the requirements for progressing through the phases;
- The use and administration of incentives, sanctions, and therapeutic adjustments, including examples of each and examples of conduct that may trigger each;
- The drug and alcohol testing procedures and requirements;
- The possible program outcomes and the requirements for successful completion; the procedures for neutral discharge, voluntary withdrawal and unsuccessful discharge from the PSC; and the participant's rights at a hearing on a petition to terminate from the PSC or to revoke probation.

5.  **PSC Standard 4.4(a):** The target population includes individuals who are moderate-high to high criminogenic risk and have high behavioral health treatment needs as identified using validated risk assessment tool(s) and clinical assessment tool(s).

If target population differs, identify risk level and describe modifications to PSC program to meet the needs of the participants in the separate, defined track :

6.  **PSC Standard 4.4(b):** Legal and clinical eligibility and exclusionary criteria are in writing and have been developed collaboratively and agreed upon by the multidisciplinary stakeholders group.

7.  **PSC Standard 4.4(c):** Eligibility and exclusionary criteria are defined objectively and communicated to potential referral sources, including judges, law enforcement, defense attorneys, prosecutors, treatment professionals, and probation officers.

8.  **PSC Standard 4.5:** List key evidenced-based practices utilized in the PSC:

9.  **PSC Standard 4.6(a):** PSC has established a formal plan for data collection and program evaluation in compliance with AOIC requirements.

Describe:

10.  **PSC Standard 4.6(c):** PSC has established a plan to conduct program operational reviews of the PSC.

Describe:

Where applicable, attach copies of the results of any review conducted in the last 3 years, including evaluations of treatment providers.

11.  **PSC Standard 4.7:** PSC has developed a plan for long-term sustainability, including identifying resources for staffing and treatment and developing a budget.

Describe and include whether grant and/or Probation and Court Services funds are/will be utilized:

### **PSC Judge**

12.  **PSC Standard 5.1:** The assigned PSC judge has experience and/or training in the areas of (1) criminal law; (2) behavioral health; (3) confidentiality; (4) ethics; (5) evidence-based practices; (6) substance use and abuse; (7) mental illness; and (8) co-occurring disorders.
13.  **PSC Standard 5.2:** The PSC judge is assigned to preside over the PSC for a minimum of two years.
14.  **PSC Standard 5.2:** The PSC judge attends PSC team staffings and considers input from team members before making final decisions.
15.  **PSC Standard 5.2:** The PSC judge presides over status hearings in open court on a regular basis and spends sufficient time to review each participant's progress in the PSC program.
16.  **PSC Standard 5.2:** The PSC judge offers supportive comments and/or incentives to reinforce the importance of a participant's commitment to treatment and the participant's ability to improve his or her own health or behavior.
17.  **PSC Standard 5.2:** The PSC judge imposes sanctions and therapeutic adjustments when appropriate.
18.  **PSC Standards 5.2, 5.3 and 6.3(a):** The PSC judge participates in planning and attending interdisciplinary training events with the PSC team focused on topics including, but not limited to, evidence-based screening, assessment and treatment practices, target population, substance use disorder, mental illness, disability, co-occurring disorders, trauma, confidentiality, criminogenic risks and needs, incentives and sanctions, court processes, limited English proficiency and team dynamics.

## **PSC Team**

19.  **PSC Standard 6.1:** The PSC team includes the judge, a prosecutor, a public defender, probation officer(s), licensed treatment provider(s), the local PSC coordinator, and, where applicable, private counsel of record.

PSC Team Members information is required, See Attachment 4.

20.  **PSC Standard 6.2(a):** The roles and responsibilities of each PSC team member are clearly described in the MOU(s) and the PSC's written policies and procedures.
21.  **PSC Standard 6.2(c):** All PSC team members commit to serving on the team for a minimum of one year.
22.  **PSC Standard 6.2(d):** All PSC team members regularly attend and participate in team staffings.
23.  **PSC Standards 6.2(d) and (e):** At team staffings, PSC team members collaboratively share timely and accurate information and discuss participants' progress in treatment and compliance with program requirements, as well as whether participants should be rewarded, sanctioned or terminated.
24.  **PSC Standards 6.3(a) and 7.4(e):** PSC team regularly participates in interdisciplinary trainings, webinars, events, and other educational opportunities on topics that are essential to the effective planning, implementation and operation of the PSC and to ensuring that the PSC maintains fidelity to the PSC model, including training on applicable federal and state confidentiality statutes and regulations.

List trainings planned for the next 12 months and, if applicable, trainings attended during past 12 months:

## **Referral, Entry and Participant Rights**

25.  **PSC Standard 7.1(a):** Individuals referred to the PSC are promptly assessed for eligibility using validated risk-assessment tool(s) and clinical tool(s) administered and scored by a trained and/or licensed professional.

Describe procedure for making eligibility decisions, including how decisions are made and by whom:



Name of validated risk assessment tool(s):

Name of clinical assessment tool(s):

26.  **PSC Standard 7.2(g):** Eligibility decisions are made objectively and personal impressions or subjective views are not used to determine an individual's eligibility for the PSC.
27.  **PSC Standard 7.1(c):** Potential participants are required to sign a release of information form that provides for communication of confidential information, participation and progress in treatment and compliance with program requirements.
28.  **PSC Standards 7.2 (a) and (d):** An individual's formal entry into a PSC is voluntary and done on the record and in open court with the individual and his or her counsel present.
29.  **PSC Standard 7.2(e):** As part of the individual's formal entry into the PSC, the judge explains the Consent to Participate and the program requirements and gives the individual the opportunity to confer with counsel prior to signing the Consent.
30.  **PSC Standards 7.2(e) and 7.3:** As part of the individual's formal entry into the PSC, the PSC participant handbook is delivered to the individual, and the individual acknowledges in writing receipt of the handbook at the time of its delivery.
31.  **PSC Standard 7.2(f):** PSC does not require as a condition of entry the waiver of appellate rights or of any rights with respect to a petition seeking unsuccessful discharge of the participant from the PSC or revocation of probation, as set forth in Standard 9.3.
32.  **PSC Standard 7.2(g):** PSC has policies and procedures to prevent discrimination that would keep any individual from being unfairly excluded from the PSC based upon gender, race, nationality, ethnicity, limited English proficiency, disability, socio-economic status or sexual orientation.
33.  **PSC Standard 7.4(b), (c) and (d):** PSC complies with federal and state confidentiality laws and regulations to prevent the unauthorized disclosure or redisclosure of information regarding participants.
34.  **PSC Standard 7.4(d):** Case management plans, clinical treatment plans, reports, drug test results and other information disseminated to the PSC team are not placed in any part of a court file that is open to examination by members of the public.

## **Case Management and Supervision**

35.  **PSC Standard 8.1(a):** An individualized Case Management Plan is developed and presented to each participant enrolled in the PSC and is updated regularly in consideration of the participant's progress.
36.  **PSC Standard 8.1(b):** Team staffings and court status review hearings are used to monitor each participant's performance and progress.

Frequency of team staffings, including time and day of the week:

Frequency of court status review hearings, including time and day of the week:

37.  **PSC Standard 8.1(c):** A participant's program phase progression is determined by the achievement of skills and completion of program goals.
38.  **PSC Standards 8.1(d) and 8.2(b):** Incentives, sanctions and therapeutic adjustments are discussed by the PSC team and utilized by the PSC judge in monitoring a participant's progress and compliance with program requirements.
39.  **PSC Standard 8.2(a):** Incentives, sanctions and therapeutic adjustments utilized by the PSC are predictable, fair, consistent and without regard to gender, race, nationality, ethnicity, limited English proficiency, disability, socio-economic status or sexual orientation.
40.  **PSC Standard 8.2(b):** Incentives, sanctions, and therapeutic adjustments are administered to motivate a person to comply with the PSC program requirements and to successfully complete the PSC program.
41.  **PSC Standard 8.2(c):** Prior to the administration of any sanction, incentive or therapeutic adjustment, the judge advises the participant in open court of the sanction, incentive or therapeutic adjustment and the reason for the administration, and gives the participant the opportunity to address the court.
42.  **PSC Standard 8.1(e):** Drug and alcohol testing protocol are utilized in case management and supervision of PSC participants.
43.  **PSC Standard 8.1(f):** PSC team develops and provides participants with a discharge plan prior to being successfully or neutrally discharged from the program.

## **Program Outcomes**

44.  **PSC Standard 9.1:** The PSC program outcomes include those listed in Standard 9.1.

45.  **PSC Standard 9.2:** Successful and neutral discharge decisions are made collaboratively by the PSC team.
46.  **PSC Standard 9.3(a):** Prior to unsuccessful discharge from a PSC, a participant is served with a petition to terminate the participant from the PSC or to revoke the participant's probation, which sets forth the claimed violations of PSC program requirements or probation, together with the relief sought.
47.  **PSC Standard 9.3(a):** When a participant becomes subject to a proceeding that could result in unsuccessful discharge from a PSC, the PSC judge advises the participant in open court of the rights set forth in Supreme Court Rule 402A, including but not limited to the right to counsel and a hearing.
48.  **PSC Standard 9.4(b):** Prior to allowing the participant to withdraw from the PSC, the PSC judge ensures that the participant has the right to consult with counsel; admonishes the participant in open court as to the consequences of such withdrawal; and determines in open court that the withdrawal is made voluntarily and knowingly.

### **Access to Justice**

49.  **PSC Section 1.6:** For limited English proficiency participants and/or participants with disabilities, the PSC is aware of available interpreter and/or other resources and attempts to provide reasonable accommodations to those individuals when referred to the PSC.

The following items must be submitted with the Completed Application:

- |               |   |
|---------------|---|
| Attachment 1: | PSC Signatories page  |
| Attachment 2: | Copies of MOU(s) among the PSC team members' offices or organizations, which have been signed           |
| Attachment 3: | PSC Written Policies and Procedures   |
| Attachment 4: | PSC Team Members (Complete Attached Form)   |
| Attachment 5: | PSC Participant Handbook  |
| Attachment 6: | Copies of any forms signed by participants or individuals being considered for participation in the PSC |
| Attachment 7: | PSC budget  |
| Attachment 8: | If applicable, reports of internal or external reviews of PSC   |

The completed Application, Attachments and Signatories page can be mailed through the United States Postal Services directed to:

Administrative Office of Illinois Courts  
Problem-Solving Court Coordinator  
Probation Services Division  
222 N. LaSalle Street  
Chicago, IL 60601  
(312)793-3050

The completed Application, Attachments and Signatories page may be submitted electronically through the email address: [Problemsolvingcourts@Illinoiscourts.gov](mailto:Problemsolvingcourts@Illinoiscourts.gov)

## PSC TEAM MEMBERS

Copy form to provide information about each team member

**Name and Title:**

**Role/Function on Team:**

**Agency/Office:**

**Address:**

**Phone:**

**Email:**

**Name and Title:**

**Role/Function on Team:**

**Agency/Office:**

**Address:**

**Phone:**

**Email:**

**Name and Title:**

**Role/Function on Team:**

**Agency/Office:**

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**Role/Function on Team:**

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## PSC TEAM MEMBERS

Copy form to provide information about each team member

**Name and Title:**

**Role/Function on Team:**

**Agency/Office:**

**Address:**

**Phone:**

**Email:**

**Name and Title:**

**Role/Function on Team:**

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