

The Evolution of Teleservices:

Developments and Emerging Opportunities

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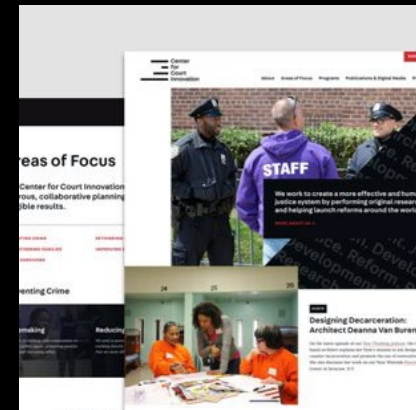


Center for Court Innovation



Center for Court Innovation (The Center)

OUR MISSION is to make the justice system fair, effective, and humane. We create operating programs to test new ideas and solve problems, perform original research to determine what works (and what doesn't), and provide expert assistance to justice reformers around the world.





Statewide Drug Court Technical Assistance Provider

We work primarily through the statewide treatment court coordinators to assist state-level agencies improve or enhance their drug treatment court networks.

Our approach to TA prioritizes a collaborative approach, includes individualized TA work plans, on-site and remote TA, and in-depth needs assessments and recommendations.

First things first...

The opinions, findings, and recommendations expressed in this presentation are those of the authors and do not necessarily represent the positions or policies of the Bureau of Justice Assistance or the Center for Court Innovation State-Based Adult Drug Court Training and Technical Assistance Program.



BJA

Bureau of Justice Assistance
U.S. Department of Justice

Technology Publications



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Opioid Reduction Teleservices Program

Final Report to the Bureau of Justice Assistance
Comprehensive Opioid, Stimulant, and
Substance Abuse Program

by Michael Friedrich, Sheila McCarthy, and Kimberly Schwarz

TREATMENT COURTS AND COVID-19

Beginning in early 2020, the COVID-19 pandemic spread across the United States, upending communities, economies, institutions, and the daily life of millions. Among the most vulnerable were people involved in the criminal justice system, especially those experiencing from mental illness and substance use disorders, who faced the ripple effects of the pandemic as courts abruptly shut down and the virus spread through crowded jails and prisons. Treatment courts were directly affected by these shutdowns. Court shutdowns and stay at home orders made it challenging for drug courts to adhere to best practices such as regular court appearances, referrals to treatment and other social services, and frequent drug and alcohol testing. In the face of these limitations, many courts across the country acted quickly with innovative solutions to meet participants' needs amid new and ever-changing restrictions and court closures. To support these solutions, the Center for Court Innovation's technical assistance team provided a series of weekly webinars and facilitated remote discussion groups between statewide treatment court administrators. During these sessions, Center staff heard inspiring stories from around the country about courts that mobilized quickly and found creative ways to connect with, support, and engage participants remotely. The Center also conducted a national survey of unique strategies that treatment courts implemented to meet the challenges of the pandemic and received 24 submissions from 14 states.

This document highlights some of those efforts. The purpose is to provide a set of themes and lessons on how courts are adapting to better serve the vulnerable populations involved in the criminal justice system and promote improved life outcomes through their programs—even in a moment of national public health crisis.

OVERALL THEMES

Treatment court staff described a range of important measures they took to improve their ability to serve participants and maintain program success remotely at a time of severely limited access. These included efforts to transition to teleservices, expand access to technology, enhance recovery supports virtually, adjust drug testing, and reimagine incentives and sanctions.

Transitioning to teleservices. Treatment court teams and providers around the country used phone, email, text, and virtual platforms to conduct remote treatment, case management, court sessions, clinical assessments,

staff meetings, staff trainings, graduation, medication courts, and supervision. Numerous courts said that communication between participants, staff, and peers not only continued during the COVID-19 pandemic but often occurred more frequently than before, leading to more meaningful conversations.

The transition to virtual court appearances produced some unexpected results. Some drug court teams found that participants were more talkative and open with the judge about their lives and struggles when not in the open courtroom. Some participants reported feeling a stronger connection with the judge and were less overwhelmed by the atmosphere of the courtroom, leading them to speak more freely.

Expanding access to technology. Communication with treatment court participants was a challenge in some areas due to a lack of technology or wireless internet access. To remedy this problem, the New Hampshire judicial branch used general state funding to purchase

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TELESERVICES: HAPPENING NOW!

Problem-solving courts are using technology to transform the way they operate. Drug courts, in particular, are embracing technologies like videoconferencing, smartphone apps, portable drug testing devices, and many others to deliver treatment services, supervise clients, and train staff. Collectively, these innovative uses of technology are known as "teleservices." In 2015, the Center for Court Innovation (the Center) published "The Future is Now: Enhancing Drug Court Operations Through Technology," a practitioner monograph that explores emerging uses of technology and highlights some of the early teleservices initiatives in problem-solving courts. The following year, the Center assisted four jurisdictions in planning and implementing pilot teleservices projects. This document offers an overview of the pilot projects, highlights promising practices, and offers recommendations for implementing teleservices initiatives in other jurisdictions.

1. USING TELESERVICES TO SERVE MORE PEOPLE IN NEED



Montana has one of the largest veteran populations in the United States. But the state also has one of the lowest population densities in the country, so these veterans tend to be spread across great distances and often are not within reach of needed services. This geographic isolation poses a challenge to the Yellowstone County Veterans Court—also known as CAMO (Court Assisting Military Officers)—which is one of only three veterans treatment courts in Montana. CAMO sought to use technology to reach more justice-involved veterans who live in isolated parts of the state.

The Center helped to kick off CAMO's ambitious pilot project by facilitating a two-day planning workshop. The CAMO team included the judge, a veterans justice outreach officer, a community outreach worker, and representatives from the prosecutor's office, defense bar,

probation, and treatment providers. The team planned a new teleservices track that allows for remote treatment, court appearances, and supervision. In addition, the team developed a remote screening and referral process for accepting cases from other counties. This process included a questionnaire for assessing potential participants' "technology readiness."

Today, CAMO uses Montana's statewide Polycam videoconference system to facilitate remote participation. When a defendant from another county wishes to be considered for CAMO, the court coordinator administers a comprehensive risk-need assessment via video. Defendants also have the opportunity to observe court proceedings remotely before deciding to enter CAMO. Once a defendant has been accepted into the program, the court uses videoconferencing to conduct regular status hearings, and participants engage in one-on-one counseling sessions by video as well. There is even a Polycam app that allows participants to connect to the court and counselors using their phones. The project has been so successful that CAMO has purchased an additional Polycam unit to begin Moral Reconation Therapy (MRT) classes and statewide mentor training.

To enhance supervision of remote participants, CAMO uses the CheckBAC smartphone app to monitor alcohol use and track participants' location. The app notifies participants when they are required to submit a breath test. Within 20 minutes of receiving an

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10 Principles for Humane Justice Technology

As the use of technology in the justice system becomes more common, it is important that those designing and implementing new systems adhere to principles that support human dignity and advance best practices. These principles were developed by the Center for Court Innovation in collaboration with the Open Society Foundation and Blue Ridge Labs at the Robin Hood Foundation.

- Technology should be humane first**
Technology should consider the people using it and its impact on them.
 - Make technology comfortable, minimally-intrusive, and non-stigmatizing.
 - Ensure technology adds to quality of life rather than diminishes it.
 - To the extent possible, use technology to reinforce positive behavior rather than punish.
- Technology should be inclusive**
Technology should be used to enhance systems, not deepen existing inequality.
 - Defendants should not be charged to use technology.
 - To promote true accessibility, implementors should consider different languages; abilities; levels of technical and language literacy; and access to technology, such as phones, computers, and the internet.
- Technology should be implemented with true consent**
Court-involved individuals are at a vulnerable moment in their lives. Their consent must be truly informed. A consent form must be easy to understand so that individuals know what they are agreeing to, how it will impact their lives, and how their data will be shared and stored.
- Less is more**
Technology should achieve its objectives in the simplest and least intrusive way possible.
 - Make technology flexible and customizable so that users are given and asked to do only what is necessary for their circumstances.
 - Collect only the data required to achieve the end goal—too much data is both inefficient and raises ethical concerns.
- Explain technology to court-involved users**
using simple language—ideally in multiple formats—detailing the impact it will have on their lives.
- Technology should solve problems—rather than be a solution in search of a problem.** It is important to first assess the needs of an organization, team, and potential individual users and then find technologies that help meet these needs.
- Include all stakeholders and roles in defining and implementing technology.**
- Define what success looks like for each stakeholder.**
- Use technology to facilitate and strengthen relationships and processes rather than replacing them.**

COSSAP report

Treatment Courts and
COVID 19

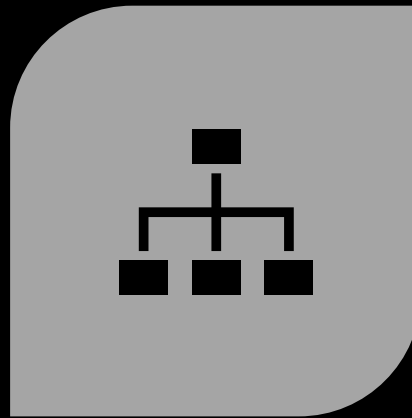
Teleservices: Happening
Now

Principles-humane-
justice-technology

Teleservices = Using Technology for...



TREATMENT



SUPERVISION &
MONITORING

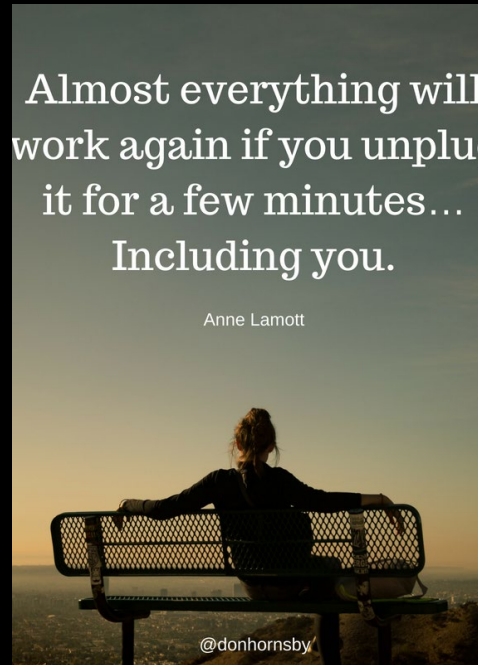


TRAINING



Almost everything will
work again if you unplug
it for a few minutes...
Including you.

Anne Lamott



Self-care

Overview



10 principles for humane justice technology



Benefits and Opportunities



**Enhancing Best Practice Standards through
Teleservices**



**Considerations and assessment of
organizational and client readiness**



Participant feedback/research

The 10 Principles of Humane Justice Technology

10 Principles for Humane Justice Technology

1) Technology should be humane first

2) Technology should be inclusive

3) Technology should be implemented with true consent

4) Problems should drive technology

5) Less is more

10 Principles for Humane Justice Technology

6) Technology should be sustainable

7) Work with vendors with a common vision

8) Start small

9) Know what technology does and doesn't do

10) Be prepared to pivot

Benefits and Opportunities

Benefits we know



Provides a broader client reach



Overcomes treatment barriers



Expands the arsenal of available services and specialties



Can alleviate strain on provider caseloads



Saves travel time and money



Can be used as an incentive and phase advancement



Not a replacement for current practices/interventions; rather an enhancer for service gaps

Teleservices opportunities

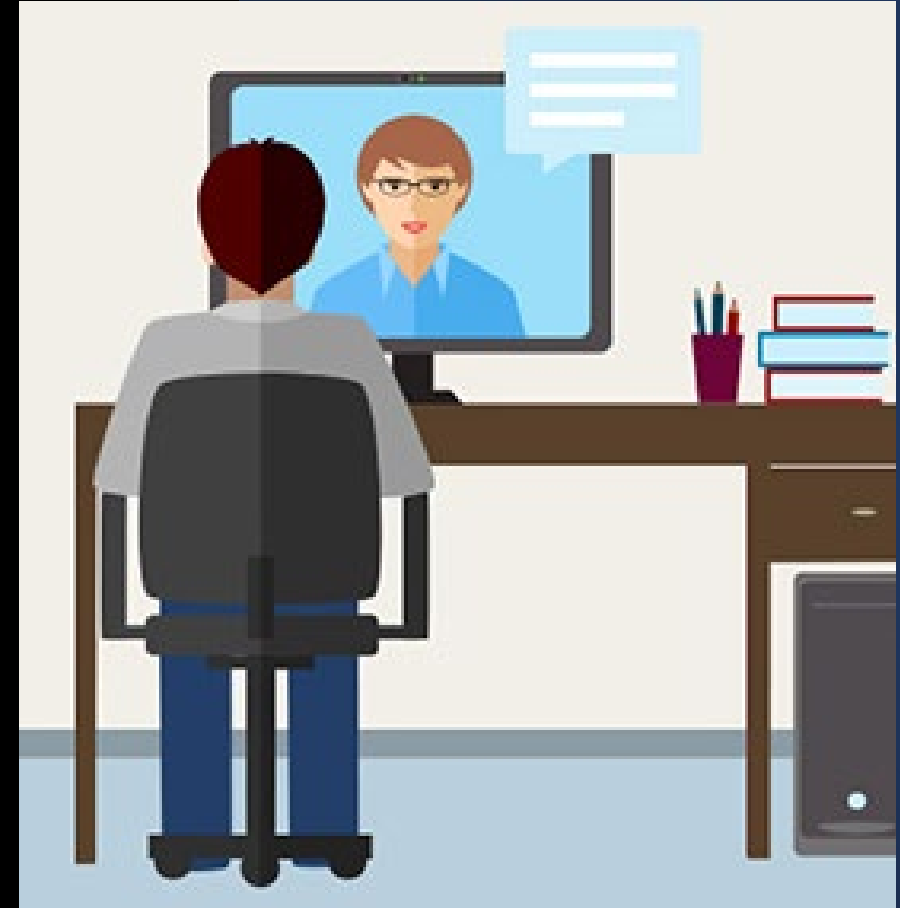
**In alignment with state and local directives,
use technology for:**



- Remote court appearances
- Individual clinical check ins
- Staffing participation with treatment providers
- Evidence-based interventions
- Screening/assessment to treatment
- Monitoring/compliance
- MOUD
- Connection with peers/alumni
- Part of aftercare plan
- Staff and multi-disciplinary training

Long-term planning

- **Use screening tools to assess appropriateness**
- **Create written protocols for all remote procedures**
- **Legal and privacy issues**
- **Consent**
- **Expectations**
- **Guidebook/instructions for participants**
- **Engage more frequently, incentivize**
- **Flexibility!**



Considerations for Teleservices Planning

Potential barriers



Cost



Access to
technology



Regulatory issues



Insurance coverage



Use comfort and
experience with
technology



Quality control

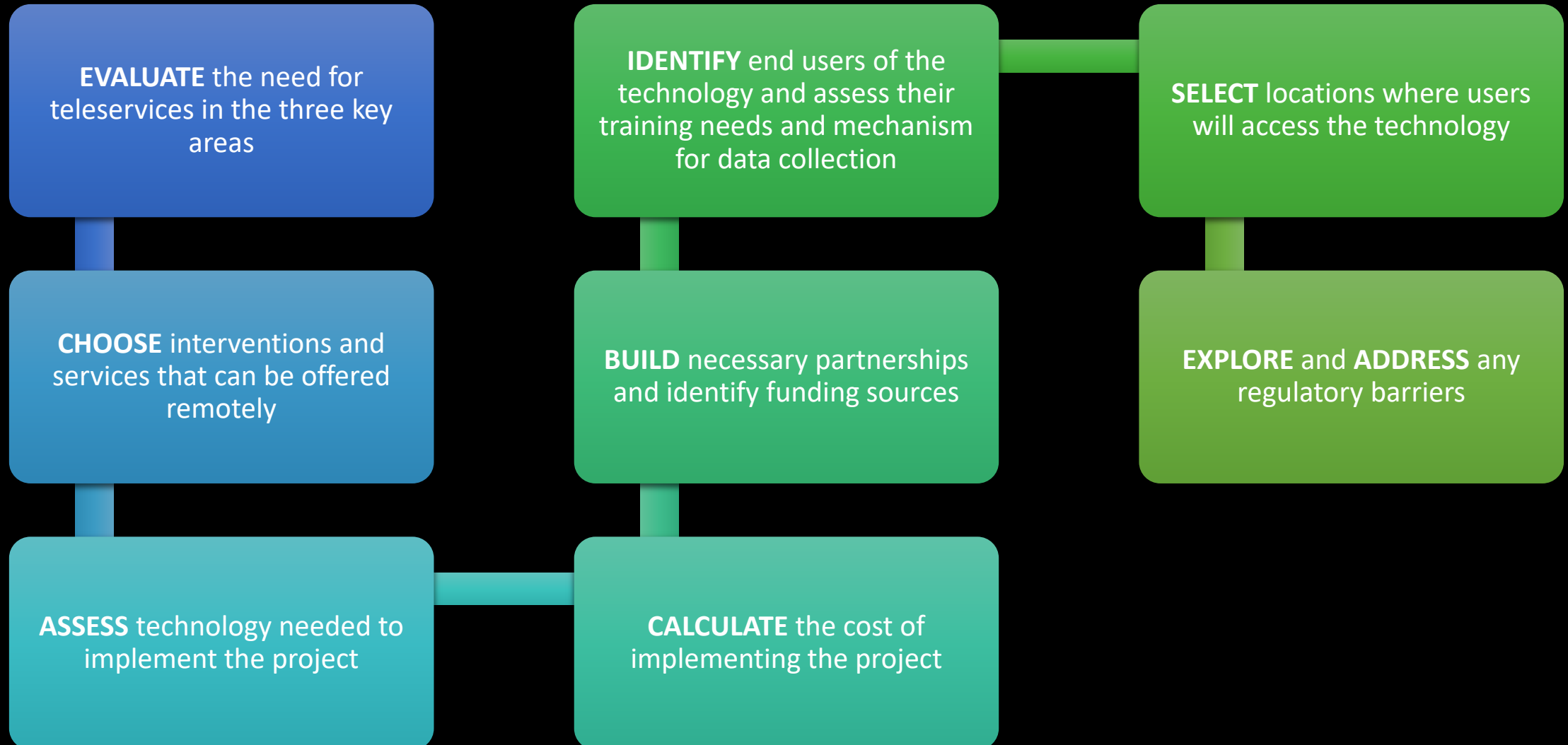


Fidelity to
evidence-based
practices



Legal and privacy
issues

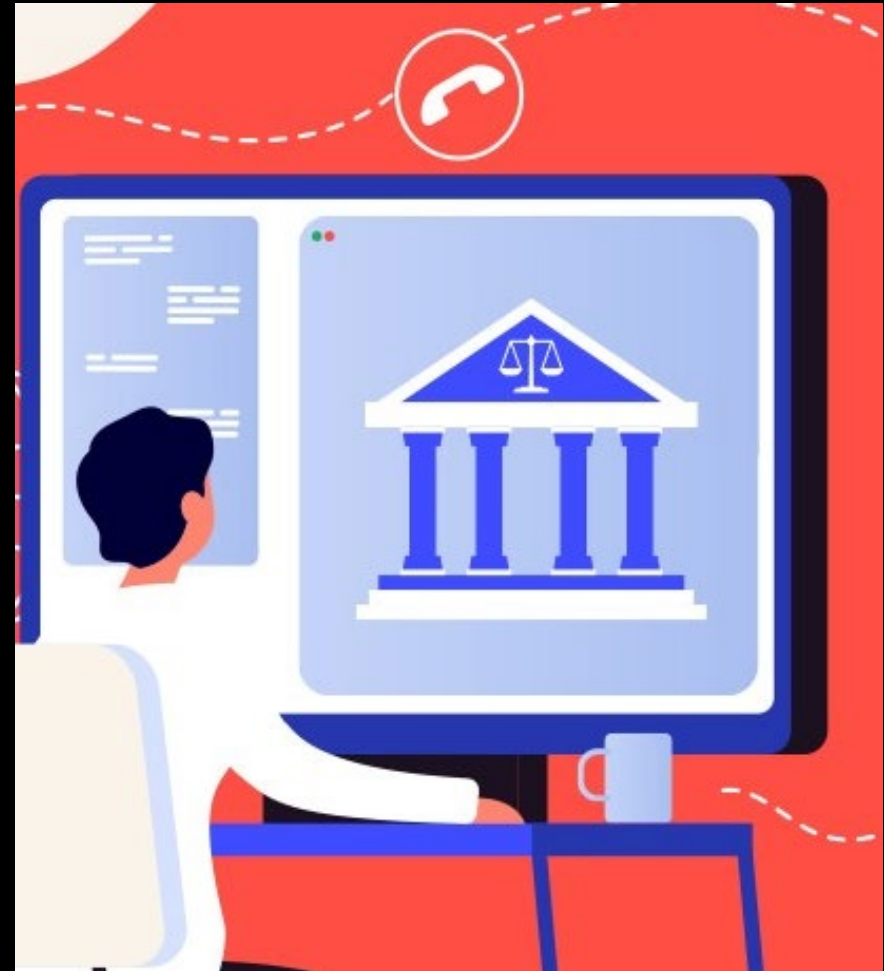
Recommendations



Enhancing Best Practice Standards through Teleservices

Standard I: Target Population

- Organizational /agency readiness
- Client readiness
- Identify technology needs and barriers



Assessing Client Readiness

- Develop a client readiness assessment
 - Identify client interest and need
 - Technological proficiency
 - Equipment accessibility
 - Internet or broadband accessibility
 - Privacy accessibility
 - Expectations/etiquette



Teleservices Assessment

- How comfortable are you with technology?
- Do you live alone?
- Do you know someone who could assist with technology needs?
- Are you comfortable with the internet?
- Would your employment need to be modified if you enter the court?
- Do you travel for work?
- What is your work schedule? Breaks/Lunch hour?
- Is there a quiet place you could call from work, if necessary?
- Do you know how to take a picture with your phone and email/ text the image?
- Do you know how to play a video?
- Can you join a meeting on the internet?

Reassess Client Engagement

- Treatment needs
- Treatment progress
- Access to technological equipment
- Access to WIFI/broadband
- Privacy and confidentiality concerns
- Survey clients for opportunity to improve services





Tips for Participants

- Plan Ahead
- Considerations for space/people around you
- Test the platform in advance
- Show up and connect
- Progress, not perfection!

Standard II: Equity and Inclusion

Teleservices increase access to care, which in turn reduces health disparities

Systems of care must be designed with input, involvement, and guidance from the clients we serve

Reach underserved groups.

Consider race, gender, sexual orientation, distance from court.

Standard III: Roles and Responsibilities of the Judge

- Consent
- Virtual engagement
- Legal/confidentiality issues
- Engage more frequently
- Increased access to individuals in residential treatment



Standard IV: Incentives, Sanctions and Therapeutic Adjustments

- Increased opportunity for monitoring remotely can reduce need for sanctions
- Programs reported participants more forthcoming with use when jail was not imposed
- Incentivize/reward

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Standard V: Substance Use Disorder Treatment

- Screening and Assessment
 - MOUD
- Clinical case management
 - CBT4CBT



Standard VI: Complementary Treatment and Social Services

- Numerous options for connection to recovery services
 - Clinical case management sessions
 - Crisis intervention
 - Recovery apps
 - Online networks
 - Connections with peers and alumni

Standard VII: Drug and Alcohol Testing

- Adjusting drug testing
- Video supervision
- Reporting virtually

START Court Recovery Challenge

Below is a list of incentivized activities you can participate in while START Court is impacted by COVID-19. We want to encourage and support you while you continue working on your recovery. Please ask your PO for details. Stay in contact with your PO to track owed incentive cards:

Probation:	
<input type="checkbox"/> Check-in as directed by probation officer for one week	\$5 incentive card
<input type="checkbox"/> Complete two assignments with probation officer	\$5 incentive card (for each assignment)
<input type="checkbox"/> Complete more than two assignments from probation officer	\$5 of supervision fees waived per additional assignment
<input type="checkbox"/> Call the UA line and text the color code to your PO each day for one week	\$5 off supervision fee coupon
Community:	
<input type="checkbox"/> Join the START/STOP Each One Teach One Facebook group	Fastpass
<input type="checkbox"/> Attend first online recovery support meeting and write to counselor or PO about the experience	\$5 incentive card
<input type="checkbox"/> Attend the START/STOP Each One Teach One Facebook Group virtual alumni group	Fastpass
<input type="checkbox"/> Attend daily online recovery support meetings for one week with documentation per PO	\$5 incentive cards
<input type="checkbox"/> Reach out to a fellow START client and complete an online meeting with them. Documentation per PO.	\$5 incentive card
Treatment:	
<input type="checkbox"/> Daily phone (voice) contact with recovery mentor for one week	\$5 incentive card
<input type="checkbox"/> Daily check-in with treatment counselor for one week	\$5 incentive card
<input type="checkbox"/> Complete two elective treatment assignments	\$5 incentive card
<input type="checkbox"/> Complete more than two elective treatment assignments	\$5 of supervision fees waived per additional assignment

If the court determines at the conclusion of the COVID-modified START operations that the START participant has been in "very substantial compliance" with the START program during the period of modified operations, the court will reward the participant with a reduction in the probation term of up to 6 months.

Name: _____ **Week** _____

Next virtual court date: _____

Supervision (check if attended)

☐ Officer: _____ Day/Time: _____
Information Learned: _____

Treatment Groups (check if attended)

☐ Counselor: _____ Day/Time: _____
Information Learned: _____

☐ Counselor: _____ Day/Time: _____
Information Learned: _____

☐ Counselor: _____ Day/Time: _____
Information Learned: _____

☐ Counselor: _____ Day/Time: _____
Information Learned: _____

Peer Recovery Groups (check if attended)

☐ Group: _____ Day/Time: _____
Take Away: _____

☐ Group: _____ Day/Time: _____
Take Away: _____

☐ Group: _____ Day/Time: _____
Take Away: _____

Weekly Goal: _____
How did I meet my goal? _____

Highlight from Week: _____

TURN IN SHEET TO COURT COORDINATOR ON MONDAY BEFORE COURT

Phase 1 Weekly Reporting

Standard VIII: Multidisciplinary Team

- Staffings
 - Operational Meetings
 - Court staff connecting on video with treatment providers
- Opportunity to have a physician/nurse more actively involved

Standard IX: Census and Caseloads

- Better manage caseloads
- Establish hub treatment courts:
 - Identify counties without a treatment court and ones that are at maximum capacity and work with them on a referral process to the nearest appropriate treatment court.



Standard X: Monitoring and Evaluation

- Technology helps to coordinate data collection and analysis
- Measure and evaluate outcomes and effectiveness for teleservices participants
 - Create teleservices performance measures
- Provide training and guidance on data collection and how to use performance measures for program improvement

Sustainability: Monitoring and Evaluation

- Keep data.
- Measure virtual track against in-person track.
- Develop comparison group.
- Conduct focus groups of teleservices participants.
- Administer graduation survey.
- Check for need to modify participant program frequently.

“Drug Courts are approximately 65% more cost effective when they enter standardized information concerning their services and outcomes into an Electronic Management System (MIS) which is capable of generating automated summary reports”

(Source: Carey et al., 2008, 2012)

Monitoring and Evaluation: Data Elements to Consider

- Referral cohort
- Motivation scale
- Distance from court
- Number of days in program/ Length of stay
- Number of days in phases (advancing at same rate as in-person track?)
- Number of treatment sessions and hours
- Sobriety days
- Number of drug and alcohol tests submitted
- Test results
- Retention rate
- Recidivism
- Impressions of connection to recovery community
- Pro-social outcomes compared to in-person track participants
- Probation contacts



Pros

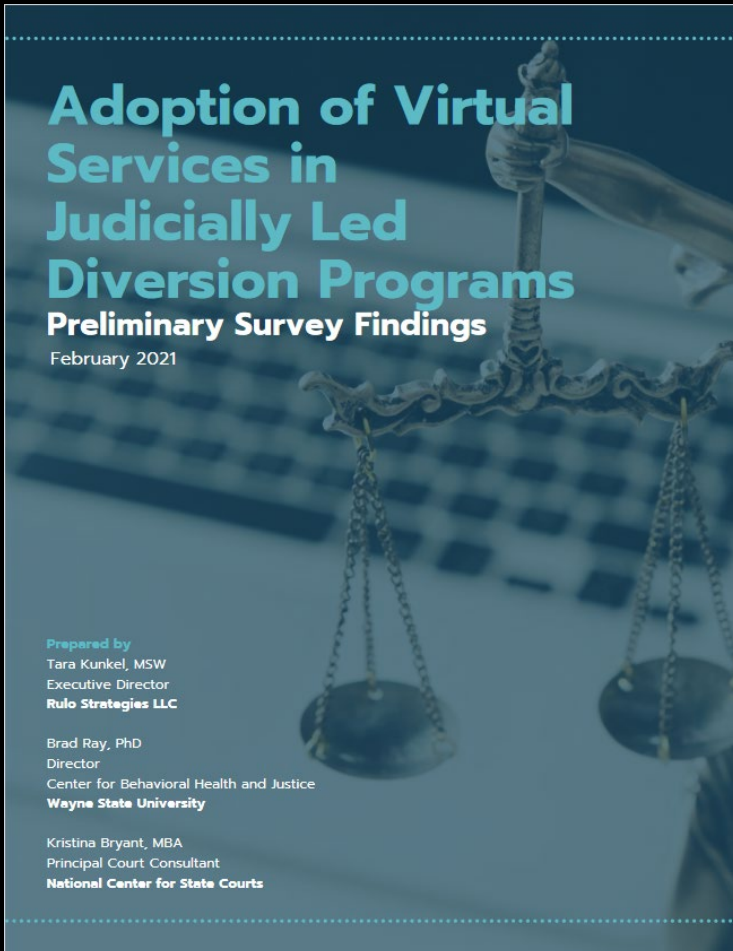
- I couldn't have engaged in person before; it takes the bus 2 hours to get there
- Being able to video from my home means I can be with my family more
- It's great to not spend so much time commuting
- Email is impersonal, but now with video I still feel like I'm connecting directly with you
- I like the options, video isn't for me, but being able to use call and messaging is important
- Having flexible appointments means everything. I work 12-hour shifts

Cons

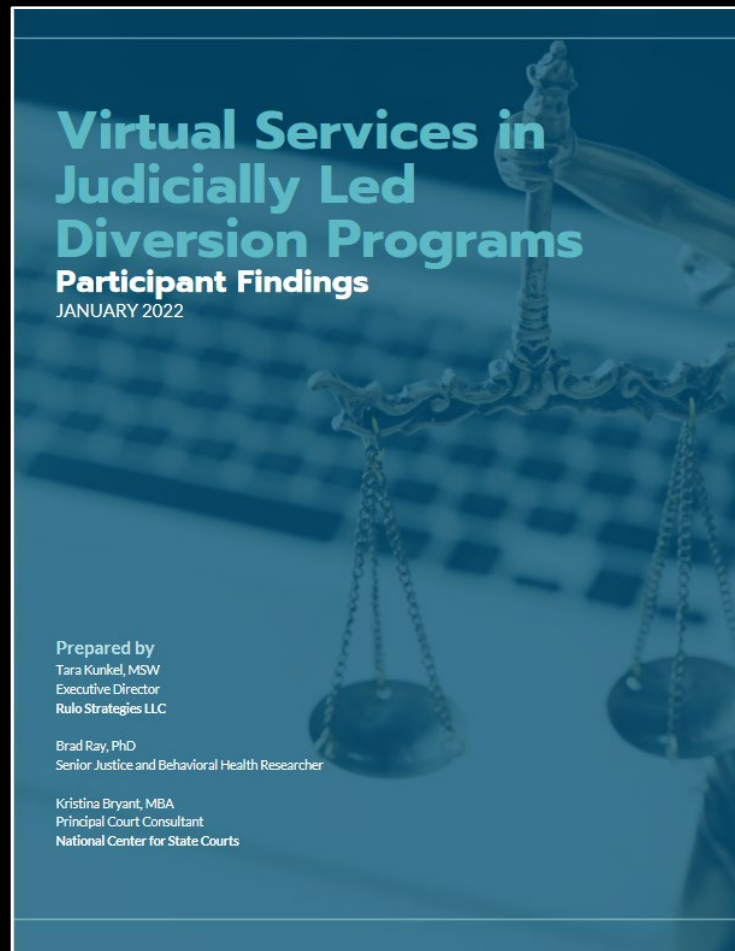
- Sometimes I feel like I'm competing for attention with all the things on the screen
- I feel like I'm missing out on community sometimes. It's great to connect, but I want to see people in person
- Sometimes I run out data and it can be tough
- The internet company in my area doesn't offer enough speed for a price I can afford
- How do I know I can trust someone I've never met



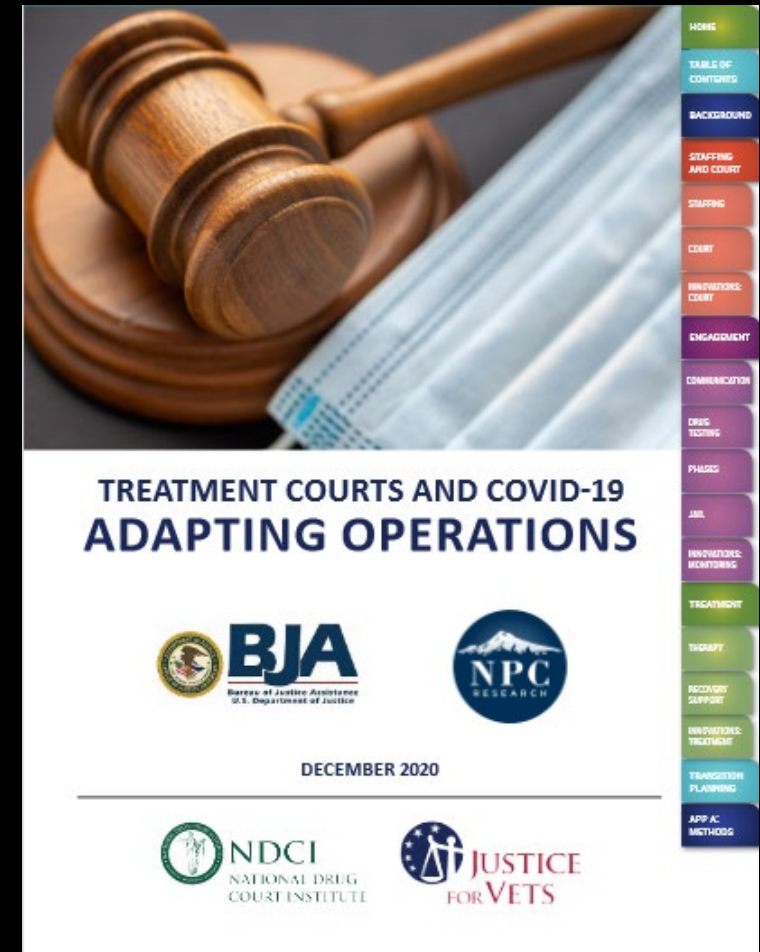
National surveys



[Adoption of Virtual Services in Judicially Led Programs](#)



[Virtual-Services-in-Judicially-Led-Diversion-Programs-Participant-Findings](#)



[Adapting Operations](#)



Literature Review

Court Appearances in Criminal Proceedings Through Telepresence

Camille Gourdet et al

Report from NIJ's Priority Criminal Justice Needs Initiative (2020)

The Impact of Video Proceedings on Fairness and Access to Justice in Court

Alicia Bannon & Janna Adelstein

Report from the Brennan Center for Justice (2020)

Remote Criminal Justice

Jenia I. Turner

Article in Texas Tech Law Review (2020)

How Video Changes the Conversation: Social Science Research on Communication Over Video and Implications for the Criminal Courtroom

Lisa Bailey Vavonese et al. (2020)



Virtual
supports



Stay connected: Supports for SUD

[In the rooms](#)

[SMART Recovery](#)

[Unity Recovery](#)

[Medication-Assisted
Recovery Anonymous
\(MARA\)](#)

Group Discussion

What teleservices are you still using at your court? Treatment?

What lessons have you learned since 2020?

What challenges are you having with implementation or buy-in?

Questions

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