



Justice Speakers Institute

PROMOTING JUSTICE WORLDWIDE

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Enhancing Team Functioning

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Objectives

- Review basic concepts of Accountability Court Functioning (Mental Health)
- Review Accountability Court team roles
- Discuss the stages of team development
- Review barriers to team functioning and identify strategies to address them
- Discuss Collaborative Case Management/Staffing Fundamentals

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Goals of Accountability Courts

- Accountability courts have become an important part of the criminal justice system
- Accountability courts offer a non-traditional approach to integrating treatment provision and criminal justice case processing
- Rely on close collaboration by multidisciplinary teams, including members from the judicial and treatment communities
- Provide both accountability and treatment and services to justice involved
- To support mental health, reduce substance use and recidivism

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Team Roles

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In the accountability court model, rather than abandoning traditional roles, the involved disciplines expand them. The disciplines collaborate on a single mission to collectively protect and serve the community and improve outcomes for a justice involved population.

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Problem Solving Court Team Roles

- Court
- Prosecutor
- Defense
- Probation/supervision
- Treatment
- Coordinator
- Law Enforcement

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Additional Team Roles

- VJO- Veterans Justice Outreach- Veterans Court
- Mentor Coordinator- Veterans Court
- Guardian ad litem- Family Court
- Parents Attorneys- Family Courts
- Education Representative- Juvenile Problem Solving Courts
- Recovery Coaches

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Judge

- Leader of the team
- Adjudicates legal matters
- Final authority on program decisions
 - Admission to program
 - Sanctions/incentives- responses to participant conduct
 - Termination
 - Phase advancement
 - Commencement
- Participates in staffing
- Presides over status hearings
- Program advocate

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Coordinator

- Serves as a liaison between, the court, the team, community and participants
- Oversees program budget, grant management
- Preparation and management of program dockets
- Attends staffing sessions
- As required or directed by the court, collects and maintains program data, i.e. participant progress, sanctions incentives, phase advancements, etc.
- Schedules team meetings, assist with agenda preparation
- Facilitates new team member orientation

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Prosecutor

- Advocates for public safety, justice, and participate rehabilitation
- Screens candidates for legal eligibility (per program eligibility guidelines)
- Shares candidate criminal history information for candidate evaluation
- Participates as a team member, attend staffings for: 1) candidate evaluation, 2) participant progress, 3) responses to behavior, 4) phase advancement, 5) commencement, termination
- Works to achieve program mission and goals

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Defense

- Evaluates candidate's legal situation and advises in pursuit of best interest
- Identifies and refers eligible candidates
- Engages with prosecutor on candidate eligibility
- Advocates for the candidate/participant at every stage
- Ensures the protection of candidate/participant constitutional rights
- Participates as a team member, attends staffings for: 1) candidate evaluation, 2) participant progress, 3) behavior responses, 4) phase advancements, 5) commencement, termination
- Works to achieve program mission and goals

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Treatment

- May include LCSWs, psychologists, addiction counselors, etc.
- Conducts SUD/MI screening
- Conducts clinical assessment/determines diagnosis
- Creates and shares treatment plan, contributes to developing a coordinated case plan
- Responsible for direct service intervention to address, substance use disorder (SUD), serious mental illness (SMI), co-occurring disorders, etc.
- Provides updates and information to the team sufficient inform and influence: 1) evaluation, 2) participant progress, 3) responses to behavior, 4) phase advancement, 5) commencement, termination
- Works to achieve program mission and goals

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Supervision

- May be performed by probation, case manager position, community supervision officer, etc.
- May provide background and criminal history information for screening and assessment
- Conducts risk needs assessment
- Monitors day to day activities of the participant
- Monitors compliance with program rules and supervision terms
- Develops a supervision plan based on assessment, and contributes to coordinated case plan

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Supervision

- Pursuant to assessed needs and the case plan, makes referrals to appropriate programs/services, facilitates enrollment/engagement and monitors progress
- Conducts random drug testing
- Conducts periodic home visits to assess home environment and monitor progress pursuant to case plan
- Attends staffing to discuss: 1) evaluation, 2) participant progress, 3) response to behavior, 4) phase advancement, 5) commencement, termination
- Works to achieve program mission and goals

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Law Enforcement

- Participates fully as a team member to support achieving program mission and goals
- Refers or recommends potential participants
- Provides relevant background information in support of screening and assessment process
- Assists in supervision of participants, provides up to date information
- Advocates for prompt incentives and sanctions

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Law Enforcement

- Processes and serves warrants
- Acts as a liaison to police agencies, providing program information and training on the contribution of the problem solving court to community safety and participant rehabilitation

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Role Clarification Exercise

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Team Development

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Stages of Team of Team Development

- Forming
- Storming
- Norming
- Performing

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Forming

- The team comes together, members may be polite and congenial time is spent getting to know each other
- A “feeling out stage”
- Communication may be guarded, cautious
- As the group starts to familiarize themselves, roles and responsibilities will begin to form. It is important for team members to develop relationships and understand the part each person plays
- This stage focuses more on people that work, it may not be the most productive

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Storming

- Initial feelings of excitement and the need to be polite may wear off
- Personalities may clash
- There may be confusion, disagreement and misinformation about team goals, and responsibilities
- Conflict and communication breakdowns may emerge or surface
- “Mission creep” may occur by accident or design
- Productivity is adversely impacted

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Norming

- During the norming stage, members start to notice and appreciate and understand their team members' strengths. Everyone is contributing and working as a cohesive unit
- Members begin to settle into definitive roles (by design or accident)
- Ground rules become more clear and or are formed by agreement, or practice
- Disagreements and conflicts may still occur, but are more efficiently resolved

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Performing

- The highest level of the performance for a team
- Each team member's role is well defined, understood and respected by all members
- Effective communication practices are in place
- Effective conflict resolution practices are in place
- There is a good understanding of the team's goals and priorities.
- Productivity is high

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Team Development

- At what stage is your team?
- Why do you think so?
- If not at “Performing,” identify one step that can be taken to advance your team.

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Improving Team Functioning

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Barriers to Effective Collaboration

- Historical independence of operations
- Ineffective communication
- Lack of information or misunderstanding about the roles mission, limitation and duties of involved disciplines- “mission creep”
- “Old school thinking,” “we have never done that before”
- Failure to expand
- Lack of clarity re: goals
- Historical distrust between disciplines
- Frequent turnover of team members

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Focus on Core Team Functions

- Be clear on, focused and committed to program mission and goals
- Communicate: consistently, timely and with relevant information
- Know program policies and procedures

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Communication

- Communication Practices
 - Avoid Ego-centered Communications
 - Avoid downward communication
 - Practice active listening
 - Reinforce others statements
 - Find common ground
 - Reframe statements naturally
 - Ensure inclusiveness
 - Show understanding
 - Engage in empathetic listening
 - Sum-up

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Staffing

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Pre-Court Staffing Purposes

- Evaluate eligibility of Problem Solving Court candidates
- Develop initial case plan
- Review participant progress on case plans/goals
- Determine responses to behavior (incentives, sanctions, therapeutic)
- Consider phase advancement/termination/graduation

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Collaborative Case Management

- Collaborative case management is the process by which all members of the team join in the effort to manage the progress of the participants through the program
- The practices of assessment, planning, treatment, engagement, monitoring and advocacy are coordinated

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Collaborative Case Management

- The process involves:
 - An assessment to identify, risk, needs, and diagnosis.
 - The creation of a comprehensive case plan that includes both clinical/treatment and supervision goals (short/long term)
 - Case plan also includes steps or activities to achieve the goals

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Pre-court staffing script

- Every staffing for progress reviews should address at a minimum:
 - Risk level
 - Targeted need areas (criminogenic/clinical)
 - Case plan goals Proximal / Distal (immediate/long term)
 - Activities to achieve goals (updates)
 - Treatment/supervision update
 - Review phase level
 - Consider any behaviors or activities that may require a response (incentives/sanctions/therapeutic adjustments)

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Information Sharing

- Ensure appropriate releases are in place:
 - HIPPA
 - 42 CFR
 - CORI
 - MOU/MOA
- Identify/clarify information to be shared
- Time frames for information sharing

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Supervision/Treatment Relationship

- Relation must be as seamless as possible
- Establish and maintain regular communication
- Ensure appropriate release of information forms are place
- Have a general understanding of the treatment modality (harm reduction vs. abstinence)
- Agree on the information to be exchanged, (i.e. drug tests, general progress in treatment, criminal history, etc.)
- Must present a “united front” to the participant

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Information Sharing- Treatment to Supervision

- Examples of information treatment may provide to supervision:
 - Clinical diagnosis
 - Treatment attendance
 - Treatment engagement (active participant, non-engaged, disruptive)
 - Behaviors to monitor
 - Relapse triggers
- Negotiate information to be exchanged

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Information Sharing-Supervision to the Treatment

- Examples of information supervision to provide to treatment:
 - Criminal/arrest history
 - Employment history
 - Condition of home environment
 - General demeanor during contacts (engaged, evasive general mood, etc.)
 - Progress towards goals
 - General compliance with program rules/supervision terms
- Negotiate Information to be exchanged

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New Team Member Orientation

- Create New Team Member Checklist. The Checklist should include:
 - A meeting with the program judicial officer
 - Judicial officer discussed program purpose, goals, expected role, and contribution of new team member
 - A meeting with each other team member
 - Each team member discuss their respective, role, duties, ethic and statutory obligations
 - Review program Policy Manual and Participant Handbook

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New Team Member Orientation

- Review any additional problem solving court material as predetermined by the team. That may include:
 - NADCP Publications
 - Online trainings (i.e. team roles, Incentive sanctions, addiction, drug testing, etc.)
- Completed checklist is submitted to program coordinator within a predetermined time frame

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Summary

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Practices to Support Team Development and Functioning- Action Steps

- Develop a metrics to track team progress to goals and objectives and communicate regularly to team members
- Commend and reward team members for exceptional work
- Formerly incorporate a new team member orientation process into team operations

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Practices to Support Team Development and Functioning- Action Steps

- Collectively revisit program purpose, mission, and goals. Review at least annually
- Clearly establish and formalize team member roles and responsibilities, document include in manual and share
- Ensure each member is aware of individual agency purpose, statutory and administrative obligations and expectations
- Dedicate time to team review functioning. Conduct a retreat at least annually

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Thank You For Your Kind Attention
Mack Jenkins

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