



COUNCIL OF ACCOUNTABILITY COURT JUDGES OF GEORGIA

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The Council of Accountability Court Judges of Georgia

The Council of Accountability Court Judges (CACJ) of Georgia was established in 2015 to provide a unified framework and governance to Georgia's accountability courts. With dedicated support from the Georgia General Assembly, CACJ soon became unique in the nation as to how judges provide support and oversight to accountability courts across the state.

When House Bill 328 established CACJ, it paved the way for the creation of a constitution, bylaws, and rules that would determine how the Council would realize its mission to promote and improve the quality, accessibility, and administration of accountability courts. It would do so through certification, standards, peer review, data collection, training, treatment fidelity monitoring, and grants. Therefore, an Executive Committee was developed, as were Standing Committees, each with their individual focus. An Executive Director position was created to oversee the daily functions. The Executive Director would have all the responsibilities of a statewide coordinator while also being responsible to a council of judges. The Council determined that they, as the experts working in the courts each day, should set the expectations for the programs and acknowledged the existing expertise found among the courts across the state. Therefore, a peer review process was added.

According to the Honorable Kathlene F. Gosselin, CACJ Executive Committee Chair and Chief Judge of the Northeastern Judicial Circuit's Superior Court, CACJ committed to the work of the peer review process to help Georgia courts grow and make CACJ truly helpful to those courts. CACJ became unique in that it had dedicated staff members who attend onsite visits, offer administrative assistance, write the formal reports, and then follow-up with technical assistance, as needed.

"Georgia has not only embraced the concept of peer review, but it has dedicated the resources to execute it effectively," said CACJ Executive Director Taylor Jones. "It's not just a concept. We're making it happen."

But peer review teams cannot evaluate accountability courts without first having uniform standards by which to measure them.

Standards, Certification & Peer Review

Statewide standards allow CACJ to promote researched-based best practices that improve programs and, ultimately, participant outcomes. Standards ensure Georgia accountability court programs operate similarly across the state and maximize the state's investment in these programs. Georgia judges consider the need for standards of utmost importance, and many jurisdictions followed state standards even before the courts were required by statute to be certified and peer reviewed. When they were first drafted, they resembled national materials such as National Drug Court Institute's Key Components. Research was already showing these programs worked, so standards could make them work even better. CACJ judges set the standards for the courts based on research, and since they are based on research in what actually improves outcomes, judges are able to have a solid foundation for building their programs, while still allowing flexibility and some local control. Standards also help ensure programs are maximizing their funds and are truly operating by practices that will improve their participants' lives and increase public safety. CACJ updates standards at least every three years based on new research in the field. If research finds that an old standard is outdated or if new best practices are discovered, CACJ wants to incorporate that into the standards and programs' policies. Additionally, as courts have matured, some standards

moved from optional to compulsory. With the expectation of courts to follow standards comes the need to monitor for compliance. This can be tricky in a state as large as Georgia. That's where certification and peer review come in. Additionally, since Georgia is a non-unified court system, it can be difficult to require courts to follow certain practices. It is helpful for CACJ to be able to tie funding to certification. Programs follow standards so they can be certified and then receive funding. Even for the programs that may have been initially resistant to standards but follow them to receive funding, over time, they begin to realize that the standards are helpful. Georgia's judges are truly invested in doing right by their participants. If a program is found to not be meeting state standards through certification, peer review, or treatment fidelity monitoring, they would be at risk of losing state funding. However, CACJ's leadership is committed to working with programs that are having difficulty in order to keep them on the right track. The goal is to help Georgia's accountability courts achieve and maintain certification. CACJ staff offers opportunities for training and technical assistance, and they work closely with programs to help them meet the standards.

Once the court programs know the standards by which they should operate, they have the opportunity to apply for certification. Certification was created as part of criminal justice reform to ensure programs were meeting state standards. Certification allows CACJ leadership to review programs' policies and materials to ensure that they are meeting state standards. Programs complete a certification application that includes questions about policies and procedures. They submit the application along with supporting documentation like policy and procedure manuals, participant handbooks, Memorandums of Understanding (MOU), case management forms, participant contracts, etc. CACJ staff perform a first-round review of the submissions and make recommendations to the Standards and Certification Committee. The Committee then meets to discuss the courts and make final decisions regarding certification status. Full certification is good for two years. If a program is found to not be fully adhering to standards, they may be provisionally certified for a shorter amount of time, usually 90 days. This allows them the opportunity to make programmatic adjustments and seek technical assistance. Currently, there are 53 Adult Felony Drug Court, 35 Mental Health Court, 21 Veterans Treatment Court, 23 Family Treatment Court, and 21 DUI Court programs certified through CACJ. Only courts certified by CACJ are eligible to receive state funding and attend CACJ sponsored trainings.

Also stemming from criminal justice reform and just like certification, peer review follows the state standards and nationally researched best practices. It consists of a two-day, in-person site visit conducted by a judge, coordinator, and treatment provider from a similar court, along with a CACJ Certification Officer, to provide administrative support and ensure fidelity to the peer review model. Peer review teams are selected and trained based on tenure and program performance. During the visit, the peer review teams observe staffing and court hearings, interview all team members, and conduct a focus group with some participants. The peer review team provides some initial feedback at the end of the second day and then draft a full report following the visit. The report contains recommendations that follow state standards, along with some suggestions to improve general workflow and processes. It is a great, two-way learning experience for both the court being reviewed and the team conducting the visit. The biggest challenge of peer review is scheduling. It can be difficult to coordinate so many different schedules to allow for a two-day visit. Judges are especially difficult to book due to their court calendars often being set a year in advance. Travel can also be costly. Additionally, keeping enough peer teams trained can be a struggle due to turnover. In response to the COVID-19 pandemic, peer reviews are conducted virtually until further notice. That means all observations and interviews are conducted via web conference using a virtual platform like Zoom or WebEx. While this is not ideal, it has allowed the process to continue and has generally received positive feedback. Virtual peer reviews have had the added benefit of being less costly.

While there are other states that conduct peer reviews, Georgia may be one of the only states that ties peer review to funding, said Josh Becker, CACJ Assistant Director who is responsible for managing the certification and peer review programs, as well as serving as CACJ staff to the Standards and Certification Committee. "Many states also don't have the benefit of dedicated staff that can assist with and attend all peer reviews," he said. "This takes some of the workload off our peer review teams so they can focus on being the experts on the ground during the visit and then get back to their own dockets once the peer review has concluded."

In addition to the information gathered from peer review audits and certification applications, CACJ collects data on court programs in order to communicate their effectiveness to stakeholders.

Data Collection

CACJ is statutorily mandated to collect data around target populations (risk/need levels), drug testing (frequency, results, substances), exit status (completion, graduation, termination), and recidivism (new arrest during program participation and after exit). However, over time CACJ has improved business rules related to what data elements are required for active participants to reinforce the importance of data collection of treatment, supervision and monitoring, medical, participant demographics, and other data that can be used for analysis to determine program and participant outcomes. Data collection has a multi-faceted purpose. For the court program, for example, data should be used for self-evaluation, to determine program effectiveness and needs for changes in policy and practice, and as a resource for community engagement. For CACJ, data collection allows the state to understand the nature and scope of accountability courts and the populations they serve, determine funding needs based on participant data, and inform research projects on the effectiveness of accountability courts. Data allows CACJ to see what works, what does not work, and to what funding efforts should be prioritized in order to remain good stewards. To do this, CACJ funds a case management system for each grant-funded court. Courts are required to enter specified performance measures in their system and submit these data quarterly. There are over 150 data elements in the system, but CACJ only requires a portion of those to be submitted. The case management system is also meant to serve as a resource for courts to monitor case flow and participant progress.

CACJ partners with the Georgia Administrative Office of the Courts (AOC) to monitor data quality and provide technical assistance. Every quarter, CACJ and AOC engage in a lengthy quality assurance protocol to which they monitor the required performance measures, as well as some additional elements of interest. CACJ also recently implemented a quarterly program report that summarizes data received for courts to then check against their system reports to ensure data received is accurate and complete. However, any primary data collection efforts have their challenges. CACJ's biggest challenge is ensuring all required data is entered accurately and timely. Because they rely heavily on technology, they also experience challenges in system bugs, transmission issues, and other general technical issues. Strong data collection practices must start at the local court level and carry all the way to the state offices that receive the de-identified data on the backend through a state repository. Any breakdown, whether user entry error or system bug, can disrupt the process. They also recognize that courts function differently, and practices and processes are not always translatable through data elements and definitions. Despite the COVID-19 pandemic, data reporting is still ongoing, and CACJ is considering adding new data points to the system that reflect the change in operations, such as virtual attendance for treatment, case management, and court hearings.

From the data that is collected, CACJ is able to report to stakeholders on the effectiveness of Georgia's accountability court programs. CACJ, with support from the AOC and Metrics and Measures Subcommittee, release the statewide report every year. The Economic Impact Study and Processes & Outcomes Study were completed by the Carl Vinson Institute of Government (CVIOG). Also of note are the recidivism studies completed by Applied Research Services.

According to Rachel Gage, CACJ Certification and Special Projects Officer, "Georgia has embraced the importance of data collection from the inception of CACJ and is continuously working to improve data collection practices. We've commissioned several important research projects where our data has been instrumental in the efforts to show accountability courts work in Georgia."

Another way to gauge what is working with Georgia's accountability courts is to ensure treatment professionals are providing evidence-based programming and following the curricula as designed.

Treatment Fidelity Monitoring

CACJ developed the treatment fidelity monitoring program in 2017 in order to monitor evidence-based curricula that were being utilized by treatment providers working directly with accountability courts throughout the state. Georgia courts utilize evidence-based treatment because it reduces recidivism if done properly and effectively helps to treat those suffering from substance-use and co-occurring disorders. In order to assist court programs in this way, CACJ has dedicated staff through a Treatment Fidelity Manager and a Treatment Fidelity Monitor who determine if court programs are following the treatment curricula as intended. They do so by observing the program's evidence-based treatment groups and utilizing a scoring guide to determine if the facilitator adhered to the fidelity of that manualized curriculum. Feedback is provided to the treatment provider immediately after group. Once the visit is completed, the treatment fidelity support team creates a formal report that is sent to the court team indicating their score, what the facilitator is doing correctly, what changes need to be made, and whether a technical assistance visit needs to be scheduled. If a court program fails to adhere to treatment fidelity visits or does not adhere to the fidelity report, the court is considered in violation of the CACJ grant conditions. The Funding Committee is alerted, and if a program's deficiency implicates a significant failure to meet standards, staff may refer the matter to the Standards and Certification Committee where CACJ has a set of rules that outlines the process if courts fail to adhere to treatment fidelity procedures.

While evidence-based treatment utilizes skilled and trained treatment professionals, a challenge CACJ faces is the high turnover associated with treatment providers. Many providers are trained in highly efficient treatment modalities through CACJ only to leave in a year or two. To try and alleviate this issue, the Training Committee created a MOU. Specifically, the challenge the court programs face is finding qualified treatment professionals who are licensed, certified, and trained to deliver evidence-based treatment to participants. Additionally, COVID-19 has caused courts to become creative as it relates to providing treatment on a virtual platform. Several participants in the state's rural areas, as well as treatment providers, have struggled with internet connections and the ability to ensure that all participants have access to internet, cell phones, and laptops in order to actively participate in group and individual therapy. CACJ has continued to play an active role with the courts during this difficult time and created COVID-19 weekly newsletters, which helped court teams with national and local resources to continue treatment to the participants.

An important way CACJ supports Georgia's court programs with treatment fidelity is through regular and extensive training of treatment providers, judges, coordinators, law enforcement, attorneys, peer specialists, and case managers. "Our training calendar is very robust, and the Training Committee and CACJ staff does an excellent job ensuring that all roles within the accountability courts are knowledgeable as it relates to treatment and what is expected of treatment providers," said Lasheika Kassa, CACJ Treatment Fidelity Program Manager. "Georgia not only provides treatment fidelity monitoring but also offers technical assistance to our courts related to any treatment issues or concerns they may be facing."

But courts cannot offer the best programming and follow best practices without first making sure their team members are educated on the latest trends and research.

Training

Since inception, CACJ has offered a variety of trainings to certified accountability court programs across the state not just because they are statutorily required to do so or just because their rules indicate that court programs shall attend trainings or just so the court team members can satisfy continuing education requirements for their professional licenses and certifications. They do it because they know training helps courts stay current with research and evidence-based practices and allows team members to return to their court programs to implement what they learned to become more effective programs. Opportunities CACJ provides courts include role-specific training such as the New Coordinator Orientation and the New Judges Orientation. CACJ joins with other state organizations and national partners to host trainings such as operational tune-ups and implementation training for new accountability court programs and facilitator trainings for treatment providers to become certified in evidence-based curricula. Recently, CACJ implemented an extensive professional development certification

program for court coordinators. The biggest undertaking for the Training Committee and CACJ staff is planning and executing the annual training conference where each court program can bring up to eight team members to benefit from renowned speakers, informative plenary sessions, numerous breakout presentations, networking opportunities, vendor interactions, and awards ceremonies. In 2019, over 1,150 professionals attended the three-day training conference in Athens, Georgia. And while the in-person conference had a threshold for registrations, the COVID-19 pandemic created an opportunity for CACJ to expand its invitation to those who wanted to attend. The 2020 conference was virtual, and CACJ hosted 1,396 attendees while also offering the ability to record sessions for on-demand viewing.

Funding for the annual conference and other training opportunities comes from the state legislature appropriation, and the CACJ Executive Director, Training Committee, and Funding Committee determine how much is budgeted each year for training. Once the budget is set, CACJ staff assigned to the Training Committee make recommendations for needed training based off surveys, assessments, research trends, and best practices. The training calendar is set for the year and reviewed quarterly. But the challenge to providing training to over 160 accountability courts will always be resources. Additionally, turnover creates the need for additional and more frequent training, said Kimberly Howard, CACJ Operations Administrator.

In addition to needing training on best practices, Georgia's court programs require funding to operate effectively. CACJ provides this resource through annual grant opportunities.

Grants

CACJ began offering grants to accountability court programs in FY2016 to carry forth their statutory charge to further the improvement of Georgia's accountability courts. The majority of the funds are appropriated from the state legislature, and each year CACJ works with the Governor's Office of Planning and Budget (OPB) to determine funding projection amounts to support accountability court programs. CACJ, through its partnership with the Criminal Justice Coordinating Council (CJCC), also seeks out federal funding to support the courts. While CJCC manages the funding within their budget, CACJ directs the funding. While both agencies work together to ensure that Georgia courts are good stewards of state funds, they also work together to ensure transparency and consistency with how the funding is distributed to the courts. Georgia's accountability court programs apply for competitive grants annually. CACJ's Funding Committee directs all grants and funds on behalf of the Council, and CJCC administers the funds as directed by the Council. Additionally, the Funding Committee is responsible for administering the budget and payroll of the Council.

Currently, one of the big challenges for the Funding Committee is finding creative ways to fund new implementation courts with current grant fund amounts. Georgia does not anticipate budget increases for any state agency for the upcoming fiscal year. This is also the challenge for court programs who are determining how to sustain program operations funded with federal grants. According to Ms. Jones, "We are facing a flat budget year in FY2022 (due to COVID-19) and working to fund previously federally funded program operations will be a challenge. It is anticipated that local revenue sources will also not be as readily available due COVID-19 related budget shortfalls."

Prior to the pandemic, Ms. Jones has seen funding increase as Georgia's accountability courts have continued to expand, both in terms of courts added and participants served, since she was hired as Executive Director. "Between FY2013 and FY2020, Georgia has served 26,673 participants through its accountability courts," she said. Because adequate funding levels help make accountability courts accessible to all eligible Georgians and allow courts to divert moderate-to-high risk eligible offenders to treatment in lieu of incarceration, which, in turn, reduces recidivism rates and saves the state money, grant opportunities will remain a high priority for CACJ. According to Ms. Jones, an analysis of 11,000 Georgia accountability court participants (from FY2013 – FY2019) determined that those that graduated from an adult felony drug court only reoffended at the rate of 22%. Additionally, in FY2019, for every \$1 state dollar invested into a Georgia drug court, there was \$8.59 saved.

Another area where grant funding is aiding Georgia's accountability court participants is through the priority placed on MAT.

MAT Expansion

Medication used to treat substance/opioid use disorders is an underutilized resource, although there is an endless amount of research identifying this type of addiction as a brain disease. In 2017, fewer than 30,000 Georgians received MAT with methadone and buprenorphine. This number is comparably small to the estimated 180,000 Georgians who suffered from a diagnosed opioid use disorder during the same year, many of whom ended up in accountability court programs (Georgia Department of Audits and Accounts Performance Audit Division, Performance Audit Report No. 17-11, November 2017). While there has been sporadic use of MAT in the form of naltrexone, the overall use of medication to treat addiction is still not as common or understood as medications used for mental health disorders or other diseases.

In 2018, CACJ began supporting efforts to offer MAT through a pilot program in two of Georgia's judicial districts. Due to its success and the rising need for this type of treatment, CACJ committed resources to expand the utilization of MAT by creating a Statewide MAT Coordinator position as a part of the FY2019 Bureau of Justice Assistance (BJA) Adult Drug Court Discretionary Grant Program, in partnership with CJCC. Unique to Georgia, this dedicated position was needed to provide trainings and technical assistance that will improve, enhance, and ultimately expand medication assisted treatment services to courts all over the state. As many remain skeptical of MAT, the Statewide MAT Coordinator's work involves affecting a shift in mindset so those individuals begin to view the medications used to treat substance/opioid use disorders through the same lens that is used to view medications used to manage mental health disorders or any other disease for which a medication regimen is prescribed. Secondly, program expansion involves ensuring that courts receive adequate training and education from subject matter experts on MAT as an effective, evidenced-based treatment for substance use/opioid use disorders. And finally, the Statewide MAT Coordinator's work to expand means continuously being a liaison between courts, treatment providers, and other stakeholders to help to identify and mitigate barriers to ensure accessibility to medications, behavioral therapies, and medical treatment for those participants who demonstrate a need. This is especially important in more rural areas where medical providers and transportation is limited.

CACJ has recently developed new data points in the case management system to be able to accurately capture the number of Georgia courts who are currently providing MAT to their program participants. Under the current BJA grant, there are seven courts that applied for and are receiving funding specifically for MAT for medical screening, medication administration, nurse/doctor fees, drug testing, medication costs, medical personnel fees, and lab work. The challenge to courts offering MAT are the same as those mirrored across the nation as identified by the National Association of Drug Court Professionals (NADCP): attitude, access, and awareness. One of CACJ's challenges is to address those of the courts. According to Tara Zellous, CACJ Statewide MAT Coordinator, one goal of accountability courts is to instill hope and encourage compliance with the treatment regimen. "Courts are better equipped to accomplish this goal when they offer and encourage MAT," she said. "The utilization of MAT instills hope for recovery for participants with a need and who struggle to comply with his or her treatment regimen. I am fortunate to be able to utilize my clinical background in a way that is helpful to identifying needs and solutions that will help our courts with their response to those participants who present with a medical need for MAT. I am here to assist and provide technical assistance to the courts at any point, from inception to graduation."

In addition to dedicating staff to MAT, there are many ways that CACJ provides assistance to Georgia's 169 accountability court programs.

Technical Assistance

Through the establishment of CACJ, Georgia's judges gave accountability court professionals a centralized place to go for support and created statewide efficiencies through its technical support program. Technical assistance

allows CACJ to help programs improve participant outcomes while being fiscally responsible, as opposed to hiring outside facilitators or allowing programs to suffer from too much trial and error. When working with programs statewide, there is no need for new or existing programs to reinvent the wheel when it comes to program design or policy development. Technical assistance allows CACJ to match programs and team members with the appropriate resources needed to improve. Additionally, CACJ requires programs to follow standards and best practices, and it is in everyone's interest if they help programs meet those standards. A first responsibility of CACJ staff is to serve the judges; however, CACJ provides technical assistance to any program or team member as needed.

Technical assistance can take many forms. CACJ staff may visit programs as part of the peer review process to conduct strategic action planning with an entire team or they have model courts and the coordinator mentor program that allows them to connect teams, or specific team members, to their counterparts in other jurisdictions. Other examples of technical assistance that CACJ provides include:

- Document development can be time consuming, and there is no reason for programs to start from scratch when they could benefit from another program's materials. Additionally, templates and samples help to ensure that programs are hitting all the areas they need to consider. For example, standards require specific elements to be located in a program's policy manual. By using a sample, the court can more easily make sure they cover the required elements.
- The new coordinator and new judge trainings first give the opportunity to introduce staff and put faces with names. It also allows judges and coordinators to meet one another and benefit from each other's experiences. The trainings cover the backbone of the Council and its requirements for programs, such as CACJ rules, standards, certification, peer review, data collection, grants, budgets, and sustainability. These are the cornerstones of every program that CACJ wants to help the programs get right from the start.
- The coordinator mentor program began in 2018. The program allows seasoned coordinators to apply to be a mentor. They can then be paired with new or existing coordinators who request assistance. The mentor program is beneficial because there are fundamental aspects of accountability courts that affect all programs, even if they may vary slightly across jurisdictions. Coordinators can get assistance with budget preparation and grant writing, certification, policy and materials development, or general assistance with day-to-day functions.
- Model courts are programs that were reviewed, scored, and selected by the Nominations Committee to provide assistance to other programs across the state. CACJ currently has model courts for adult felony drug courts, adult mental health courts, and DUI courts. All programs are scored on objective criteria like program age, judge and coordinator tenure, certification and peer review results, and other metrics. Once selected, they are notified and asked if they are willing to provide assistance to other programs for a term of three years. Model courts provide support from simple calls and emails to more involved interactions where they host visitors who want to observe their accountability court processes firsthand. It is a great way to provide low-cost technical assistance to new and existing teams.
- The coordinator certification program was developed, in partnership with the CVIOG, to give coordinators the tools they need to succeed. With courses on topics like communication, conflict management, grant management, procurement, and succession planning, coordinators should be able to gain a firm foundation for managing the variety of day-to-day activities required by the role. The coordinator role requires a broad skillset, and the certification program can help them gain those skills to improve their courts. Many of the topics are also applicable in other jobs and areas of life and should be beneficial to coordinators beyond their time with the court. Additionally, CACJ's goal is to reduce turnover in the courts, and giving coordinators the skills, they need to succeed may also help with this goal.

- The coordinator liaison gives the coordinators a voice at Executive Committee meetings. The liaison can share concerns and can provide a sounding board when CACJ leadership is considering new policies or changes. Additionally, the liaison can assist with getting information to the coordinators.
- CACJ has standards that outline how drug testing should be performed to maximize resources and improve participant outcomes. Additionally, CACJ worked to release an RFP to secure statewide contracts to lower the prices of lab equipment and reagents. CACJ has also promoted state resources for low-cost supplies.
- CACJ has worked closely with the Department of Community Supervision, the Department of Community Affairs, and CJCC on the reentry housing partnership to secure low-cost housing for accountability court participants. This effort has led to the development of agreements around the state where new providers become state approved housing providers.
- CACJ manages the case management system contracts to ensure courts have access to new technology that improves data collection.
- CACJ also connects courts with materials like the LS/CMI assessments and curricula handbooks.

According to Mr. Becker, the greatest challenge to providing technical assistance is the resource costs, both time and money. “There are 169 accountability courts in Georgia and all of them have some level of technical assistance need,” he said. “Resources must be allocated and efficiently used to ensure that programs receive the support they need.”

In addition to securing funding and ensuring sustainability, Georgia’s courts are committed to the further development of accountability courts for the people they serve. And it would not be possible without the Georgia General Assembly’s dedicated support of CACJ and the accountability court programs across the state. “We need to cement our place in the budget of the executive branch,” said Judge Gosselin. “The Council was started when Governor Deal was a big proponent of criminal justice reform and the accountability court model, but we need to make sure we maintain the level of services and resources we have now through future administrations. We need to stay on top of what works. The more research that is done, the more we learn. We want to continue to provide high quality programs so we can continue to demonstrate how accountability courts are effective, how they treat people with dignity. Through accountability courts, you can see others become who they were meant to be. It’s the most rewarding thing I can do.”

Ms. Jones added that most of Georgia’s citizens still do not know about accountability courts, and it is a goal of CACJ to make sure these programs are the rule, not the exception. “I want to see our court programs engrained in the judicial system,” she said. “That is when we will fully achieve sustainability.”