CHAPTER 8

SUBSTANCE USE DISORDER TREATMENT PROGRAMS

§421. Establishment

1. Programs. The Judicial Department may establish substance use disorder treatment programs in the Superior Courts and District Courts and may adopt administrative orders and court rules to govern the practice, procedure and administration of these programs. Substance use disorder treatment programs must include local judges and must be community based and operated separately from juvenile drug courts.
[PL 2017, c. 407, Pt. A, §2 (AMD).]

2. Goals. The goals of the substance use disorder treatment programs authorized by this chapter include the following:

A. To reduce substance use and dependency among criminal offenders; [PL 2017, c. 407, Pt. A, §2 (AMD).]

B. To reduce criminal recidivism; [PL 1999, c. 780, §1 (NEW).]

C. To increase personal, familial and societal accountability of offenders; [PL 1999, c. 780, §1 (NEW).]

D. To promote healthy and safe family relationships; [PL 1999, c. 780, §1 (NEW).]

E. To promote effective interaction and use of resources among justice system personnel and community agencies; [PL 2023, c. 522, §1 (AMD).]

F. To reduce the overcrowding of prisons; and [PL 2023, c. 522, §2 (AMD).]

G. To ensure that substance use disorder treatment programs are available statewide and accessible to residents in rural areas of the State. [PL 2023, c. 522, §3 (NEW).]
[PL 2023, c. 522, §§1-3 (AMD).]

3. Collaboration. The following shall collaborate with and, to the extent possible, provide financial assistance to the Judicial Department in establishing and maintaining substance use disorder treatment programs:

A. District attorneys, the Department of the Attorney General and statewide organizations representing prosecutors; [PL 1999, c. 780, §1 (NEW).]

B. Defense attorneys, including statewide organizations representing defense attorneys; [PL 1999, c. 780, §1 (NEW).]

C. The Department of Corrections; [PL 1999, c. 780, §1 (NEW).]

D. The Department of Health and Human Services; [PL 1999, c. 780, §1 (NEW); PL 2001, c. 354, §3 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

E. The Department of Public Safety; [PL 1999, c. 780, §1 (NEW).]

F. The Department of Education; [PL 1999, c. 780, §1 (NEW).]

G. The business community; [PL 1999, c. 780, §1 (NEW).]

H. Local service agencies; and [PL 1999, c. 780, §1 (NEW).]

I. Statewide organizations representing drug court professionals. [PL 1999, c. 780, §1 (NEW).]
[PL 2017, c. 407, Pt. A, §2 (AMD).]

SECTION HISTORY

PL 1999, c. 780, §1 (NEW). PL 2001, c. 354, §3 (AMD). PL 2003, c. 689, §B6 (REV). PL 2017, c. 407, Pt. A, §2 (AMD). PL 2023, c. 522, §§1-3 (AMD).

§422. Programs

1. Coordinator of Diversion and Rehabilitation Programs. The judicial branch shall employ a Coordinator of Diversion and Rehabilitation Programs. The Coordinator of Diversion and Rehabilitation Programs is responsible for helping the judicial branch establish, staff, coordinate, operate and evaluate diversion and rehabilitation programs in the courts.
[PL 2003, c. 711, Pt. A, §1 (RPR).]

2. Pass-through services. The Administrative Office of the Courts, with the assistance of the Coordinator of Diversion and Rehabilitation Programs, may enter into cooperative agreements or contracts with:

A. The Department of Health and Human Services or other federal-licensed treatment providers or state-licensed treatment providers to provide substance use disorder services for substance use disorder treatment program participants. To the extent possible, the substance use disorder treatment programs must access existing substance use disorder treatment resources for substance use disorder treatment program participants; [PL 2017, c. 407, Pt. A, §3 (AMD).]

B. The Department of Corrections, Division of Community Corrections or other appropriate organizations to provide for supervision of substance use disorder treatment program participants; [PL 2017, c. 407, Pt. A, §3 (AMD).]

C. The Department of Corrections or other appropriate organizations to provide for drug testing of substance use disorder treatment program participants; [PL 2017, c. 407, Pt. A, §3 (AMD).]

D. Appropriate organizations to provide for a drug court manager at each substance use disorder treatment program location; [PL 2017, c. 407, Pt. A, §3 (AMD).]

E. Appropriate organizations and agencies for training of substance use disorder treatment program staff and for evaluation of substance use disorder treatment program operations; [PL 2017, c. 407, Pt. A, §3 (AMD).]

F. Appropriate local, county and state governmental entities and other appropriate organizations and agencies to encourage the development of diversion and rehabilitation programs; and [PL 2003, c. 711, Pt. A, §2 (NEW).]

G. Appropriate organizations and agencies for the provision of medical, educational, vocational, social and psychological services, training, counseling, residential care and other rehabilitative services designed to create, improve or coordinate diversion or rehabilitation programs. [PL 2003, c. 711, Pt. A, §2 (NEW).]

[PL 2017, c. 407, Pt. A, §3 (AMD).]

SECTION HISTORY

PL 1999, c. 780, §1 (NEW). PL 2001, c. 354, §3 (AMD). PL 2003, c. 689, §B6 (REV). PL 2003, c. 711, §§A1,2 (AMD). PL 2011, c. 657, Pt. AA, §2 (AMD). PL 2017, c. 407, Pt. A, §3 (AMD).

§423. Reports

The Judicial Department shall report to the joint standing committee of the Legislature having jurisdiction over judiciary matters by February 15th annually on the establishment and operation of substance use disorder treatment programs in the courts. The report must cover at least the following:
[PL 2019, c. 501, §1 (AMD).]

1. Training. Judicial training;

[PL 1999, c. 780, §1 (NEW).]

2. Locations. Locations in which the substance use disorder treatment programs are operated in each prosecutorial district;
[PL 2017, c. 407, Pt. A, §4 (AMD).]

3. Participating judges and justices. Judges and justices participating in the substance use disorder treatment programs at each location;
[PL 2017, c. 407, Pt. A, §4 (AMD).]

4. Community involvement. Involvement of the local communities, including the business community and local service agencies;
[PL 1999, c. 780, §1 (NEW).]

5. Education. Educational components;
[PL 1999, c. 780, §1 (NEW).]

6. Existing resources. Use of existing substance use disorder resources;
[PL 2017, c. 407, Pt. A, §4 (AMD).]

7. Statistics. Statistical summaries of each substance use disorder treatment program;
[PL 2017, c. 407, Pt. A, §4 (AMD).]

8. Collaboration. Demonstration of the collaboration required under section 421, subsection 3, including agreements and contracts, the entities collaborating with the Judicial Department, the value of the agreements and contracts and the amount of financial assistance provided by each entity; and
[PL 1999, c. 780, §1 (NEW).]

9. Evaluation of programs. Evaluation of substance use disorder treatment programs individually and overall.
[PL 2017, c. 407, Pt. A, §4 (AMD).]

SECTION HISTORY

PL 1999, c. 780, §1 (NEW). PL 2013, c. 159, §8 (AMD). PL 2017, c. 407, Pt. A, §4 (AMD). PL 2019, c. 501, §1 (AMD).

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