



**2011 NATIONAL FORUM**  
ON  
**CRIMINAL JUSTICE & PUBLIC SAFETY**





# VETERANS COURT

Problem Solving Court

# What are Problem Solving Courts?

Examples: Drug Court  
Mental Health Court  
DUI Court  
Veterans Court

# PROBLEM SOLVING COURT

The background features a light blue gradient. In the center, there is a faint, stylized illustration of a judge wearing a black robe and a white mask. To the right of the judge is a large scale of justice. At the bottom of the image, there is a silhouette of a city skyline with various buildings of different heights.

WHY?

SAVE \$ ?

EFFECTIVE ?

The background features a light blue illustration of a judge with long hair and glasses, holding a gavel. To the right, there are scales of justice. At the bottom, there is a silhouette of a city skyline.

**PROBLEM SOLVING COURT (Non-Traditional)**

Vs.

**TRADITIONAL COURTS**

**HORIZONTAL (Team Approach)**

Vs.

**VERTICAL (Traditional Approach)**

# VETERANS COURT TEAM MEMBERS



Judge

District Attorney

Public Defender/Office of Conflict Counsel

VJO

Justice Related Services

Mentor

Probation Officer

Veterans Leadership Program

## **A Comparison of Transformed and Traditional Court Procedures**

### Traditional Process

Dispute resolution

Legal outcome

Adversarial process

Claim- or case-oriented

Rights-based

Emphasis placed on adjudication

### Transformed Process

Problem-solving dispute avoidance

Therapeutic outcome

Collaborative process

People-oriented

Interest- or needs-based

Emphasis placed on post-adjudication and alternative dispute resolution

Traditional Process  
(cont'd)

Interpretation and  
application of law

Judge as arbiter

Backward looking

Precedent-based

Transformed Process

Interpretation and  
application of social  
science

Judge as coach, social  
worker, cheerleader, case  
manager or risk manager,  
member of treatment or  
therapy team, listener,  
translator, lead actor in  
courtroom drama

Forward looking

Planning-based

Traditional Process  
(cont'd)

Few participants and stakeholders

Individualistic

Legalistic

Formal

Efficient

Transformed Process

Wide range of participants  
and stake-holders

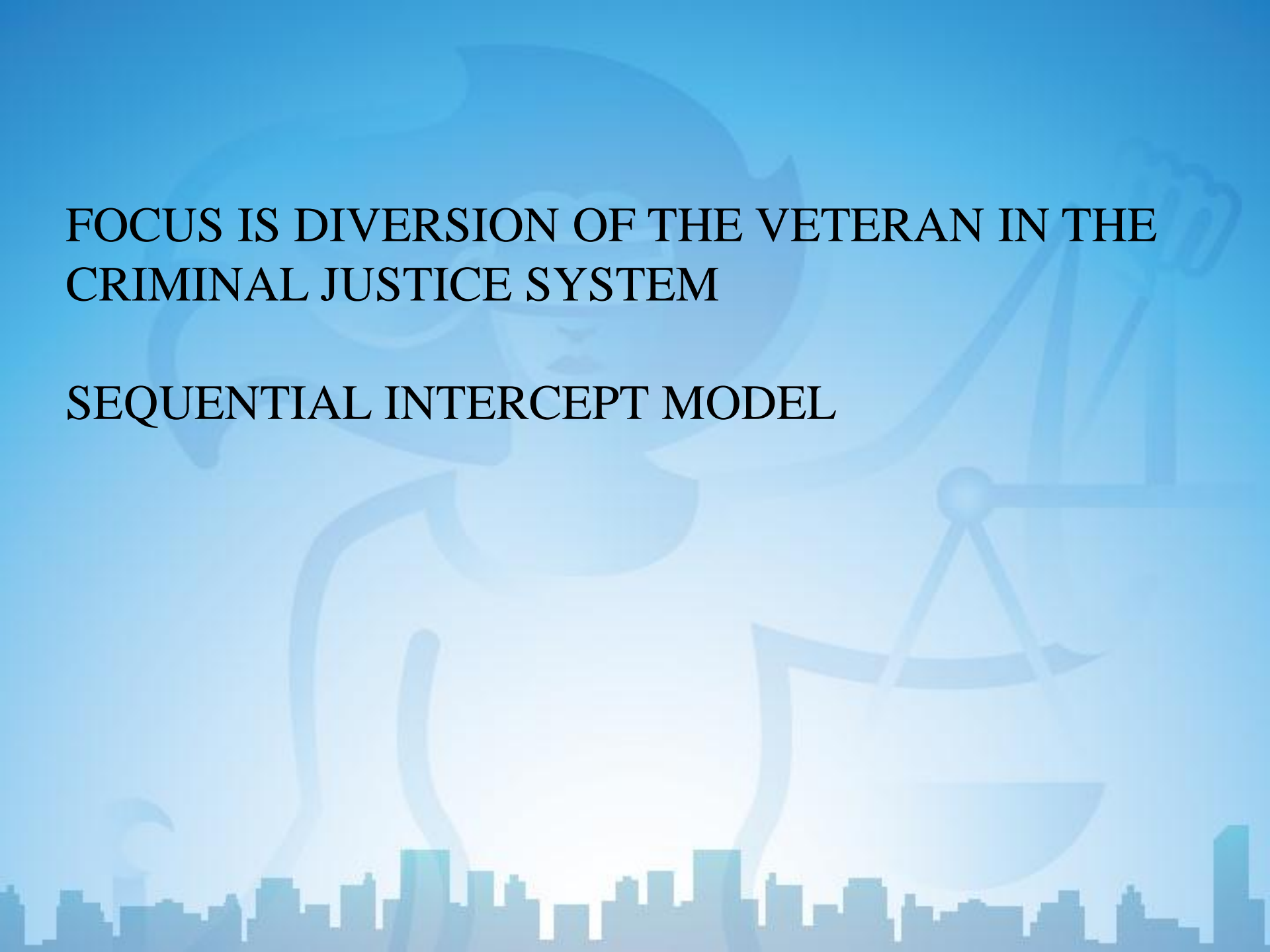
Interdependent

Common-sensical

Informal

Effective

Judge Roger K. Warren, President of the National Center for State Courts.



**FOCUS IS DIVERSION OF THE VETERAN IN THE  
CRIMINAL JUSTICE SYSTEM**

**SEQUENTIAL INTERCEPT MODEL**

## PROCESS OF CASE REFERRAL TO VETERANS COURT

- All VC referrals must be made in writing using the VC referral forms
- The VA assesses each Defendant to determine qualifying military service, Axis 1 diagnosis Defendant's consent to the program is verified
- VA or JRS/OBH begins support and preliminary treatment or placement referral
- The Defendant and/or defendant's attorney are informed of the acceptance/rejection
- After the Defendant pleads/is convicted NJ in VC and sentenced into the program, the Defendant will receive a Reinforcement Hearing Date and will be assigned a Probation Officer, as well as a VC Mentor

## Criteria for Eligibility:

- ❖ Defendant is 18 years or older and a current military member in good standing or a member of the military who was not dishonorably discharged.
- ❖ Documented qualifying Axis 1 diagnosis.
- ❖ Voluntary participation by a defendant.
- ❖ The victim consented to the case proceeding in VC.

# CRIME ELIGIBILITY

The background features a stylized illustration of a woman with a raised fist, symbolizing justice or protest. She is holding a pair of scales of justice. The entire scene is set against a light blue background with a silhouette of a city skyline at the bottom.

- Most misdemeanors and felonies.
- Exceptions:
  - Homicide
  - Sexual Offenders
  - Drug Trafficking

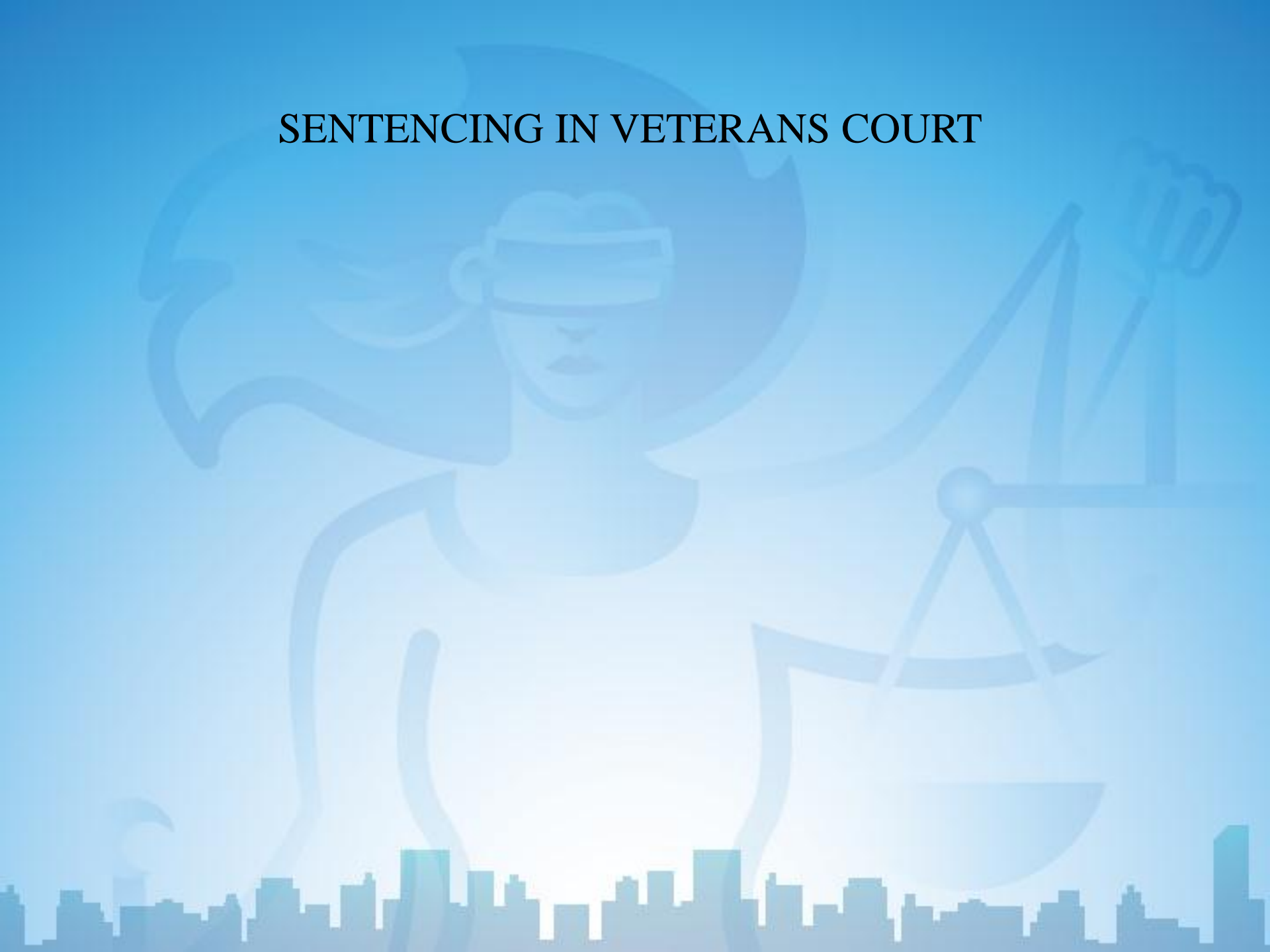
## CONDITIONS OF SENTENCE

- Comply with all aspects of individualized service plan.
- Must take prescribed medications.
- Attend all recommendation/ordered treatment.
- Refrain from use of illegal substances, alcohol.
- Urine & drug screen – routine but random.

This Service Plan might include requirements such as:

- Comply with the plan put in place by Veterans Justice Outreach.
- Anger Management
- Drug & Alcohol Evaluation, Treatment, & Random Testing
- Inpatient Drug Treatment
- No contact or no violent contact with the victim or witness
- Restitution
- Electronic Monitoring
- Parenting Classes
- Any other course of treatment as determined by the Court

# SENTENCING IN VETERANS COURT



## CONTINUUM OF SANCTIONS AND REWARDS

### Negative Sanctions:

- Increased reporting to probation
- Increased drug screening
- Defendant may be sent to jail for an afternoon or may remain incarcerated for longer periods up to several months depending on the severity of the violation
- Defendant may be remanded to an inpatient treatment program
- Defendant may be placed on Electronic Monitoring
- Defendant may have the current probationary period revoked, and an extended period imposed
- Defendant may incur a curfew or loss of liberties

## REWARDS

Increase in length between reporting to Court and probation

Loosening of restrictions as part of Service Plan, ie, curfew, house arrest, treatment meetings

Eligible for graduation after 1/2 completion of probation

Graduation and Challenge coin



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