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## Judiciary Committee

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### SB 5797

**Title:** An act relating to specialty courts.

**Brief Description:** Encouraging the establishment of effective specialty courts.

**Sponsors:** Senators Hobbs and Padden.

#### Brief Summary of Bill

- Respectfully encourages the supreme court to take necessary measures to support the establishment of effective specialty courts.
- Recommends methods of acquiring funding and facilitating services for specialty courts.
- Identifies best practices for structuring specialty courts.

**Hearing Date:** 3/27/13

**Staff:** Omeara Harrington (786-7136).

#### Background:

Many courts in Washington have specially designed court calendars or dockets that provide an alternative to traditional court processes in particular kinds of cases. Often called "problem-solving courts" or "therapeutic courts," these alternative courts commonly require intense, judicially supervised treatment with the goal of reducing recidivism. Diversion into an alternative court program is typically voluntary and only open to specific defendants who fit qualifying criteria. If an offender completes the requirements of a particular court, the underlying criminal charge is usually dismissed.

Twenty four counties have established problem-solving courts designed for different issue areas. Examples of these alternative courts include several kinds of drug courts, mental health courts, DUI courts, veterans' treatment courts, community courts, truancy courts, homeless courts,

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domestic violence courts, gambling courts, and Back on TRAC (Treatment, Responsibility, Accountability on Campus) courts, among others.

**Summary of Bill:**

A "specialty court" is defined as a specialized pretrial or sentencing docket in select criminal cases where agencies coordinate to provide treatment for a defendant who has particular needs. Specialty courts do not provide treatment but contract or collaborate with experienced and expert treatment providers.

The Legislature respectfully encourages the supreme court to adopt any administrative orders and court rules of practice and procedure it deems necessary to support the establishment of effective specialty courts. Any jurisdiction that establishes a specialty court may seek state or federal funding as it becomes available to establish and support the court and to furnish treatment to participating defendants by participating agencies. The administrative office of the courts may enter into contracts and cooperative agreements with state or federal departments and agencies to provide treatment and social services to participants. The departments and agencies must collaborate and, to the extent possible, provide financial and other assistance to the judicial branch in order to establish and maintain specialty courts.

Any jurisdiction establishing a specialty court must endeavor to incorporate the treatment court principles and best practices as recognized by state and national treatment court agencies and organizations in structuring a particular program, which may include the following:

- determining the population;
- performing a clinical assessment;
- developing a treatment plan;
- supervising the offender;
- forging agency, organization, and community partnerships;
- taking a judicial leadership role;
- developing case management strategies;
- addressing transportation issues;
- evaluating the program; and
- ensuring a sustainable program.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect on August 1, 2013.