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SB-910 Treatment court program standards. (2023-2024)

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Senate Bill No. 910

CHAPTER 641

An act to amend Section 11972 of the Health and Safety Code, relating to courts.

[Approved by Governor September 27, 2024. Filed with Secretary of State September 27, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

SB 910, Umberg. Treatment court program standards.

Existing law states the intent of the Legislature that drug court programs be designed and operated in accordance with specified standards developed by the National Association of Drug Court Professionals and Drug Court Standards Committee. Existing law further states the intent of the Legislature that key programs of the drug court programs include, among other things, integration by drug courts of alcohol and other drug treatment services.

This bill would instead require, for counties and courts that opt to have treatment court programs, that the treatment court programs be designed and operated in accordance with state and national guidelines incorporating the "Adult Treatment Court Best Practice Standards" and "Family Treatment Court Best Practice Standards" developed by All Rise, with consideration for the court system within which the program operates. The bill would revise the above-described statement of legislative intent regarding key components to be included in criminal adult treatment court programs, including requiring a system of incentives, sanctions, and service adjustments to achieve participant success. The bill would require the Judicial Council, no later than January 1, 2026, to revise the standards of judicial administration to reflect state and nationally recognized best practices and guidelines for collaborative programs including those described in these provisions.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 11972 of the Health and Safety Code is amended to read:

11972. (a) Counties and courts that opt to have treatment court programs shall ensure the programs are designed and operated in accordance with state and national guidelines incorporating the "Adult Treatment Court Best Practice Standards" and "Family Treatment Court Best Practice Standards" developed by All Rise (founded as the National Association of Drug Court Professionals), with consideration for the distinct court system within which the program operates. It is the intent of the Legislature that key components of the criminal adult treatment court programs include:

- (1) Integration by treatment courts of behavioral health treatment services with justice system case processing.
- (2) Promotion of public safety, while protecting participants' due process rights, by prosecution and defense counsel using a nonadversarial approach.

(3) Early identification of eligible participants from the appropriate high-risk and high-need target population and prompt placement in the treatment court program.

(4) Access provided by treatment courts to a continuum of substance use and other behavioral health treatment and social services that are evidence based and meet the specific needs of the participant.

(5) Frequent alcohol and other drug testing to monitor abstinence.

(6) A system of incentives, sanctions, and service adjustments to achieve participant success.

(7) Ongoing judicial interaction with each treatment court participant at the needed frequency to meet the needs of the participant.

(8) Monitoring and evaluation to measure the achievement of program goals and gauge effectiveness.

(9) Continuing interdisciplinary education to promote effective treatment court planning, implementation, and operations.

(10) Forging partnerships among treatment courts, public agencies, and community-based organizations to generate local support and enhance treatment court program effectiveness and to coordinate access to needed complementary services outside the program.

(11) Working to ensure equitable access, services, and outcomes for all sociodemographic and sociocultural groups.

(b) No later than January 1, 2026, the Judicial Council shall revise the standards of judicial administration to reflect state and nationally recognized best practices and guidelines for collaborative programs, including those described in subdivision (a).