

State legislators find out what makes DWI and drug courts unique

by Susan Love, MACM President & Tim Kraus, Training Specialist, Fourth Judicial District Court

The last few people shuffle into the courtroom, still donning their heavy coats and scarves, evidence of the cold Minnesota December weather outside the courthouse. Just as these last few are finding their seats, a court staff person calls the "All Rise" that signifies that the court session has begun. As the first case is called, the respondent is called to approach the bench, a young mother with her daughter in arms, happily bouncing at her hip. The judge leans forward to the two and reaches out his hand to the woman for an unconventional court greeting: a fist-bump, which is followed by an adorable fist-bump for the woman's daughter.

This is the start of a typical update hearing DWI Court in the Fourth Judicial District, where things happen a little differently. Earlier that same morning, on the 8th floor of the Hennepin County



Photo by Nancy Peters

Left to right: Representative Lyndon Carlson; Officer Patrick Windu; Barbara Jacobs, Senate Staff; Brooke Bordson, House Staff; Representative Paul Kohls, Senator Kenneth Kelash, Sharon Gehrman-Driscoll, MN for Safe Driving Back Row: Mark Casagrande, Park Avenue Treatment Center; Julianna Schroeder, Henn. Cnty. Probation

Government Center, Minnesota state legislators arrived bundled in their own long wool coats and scarves to begin their visit to the DWI and Drug Courts.

Ken Bergstrom, Legislative Liaison, greets all of the visitors and finds them a seat on the periphery of the meeting that will shortly commence. Chief Judge James Swenson greeted the distinguished visitors and explained:

"In DWI and Drug Court, you really get to see the fruits of collective efforts in turning people's lives around. These two courts give back to society from a cost savings perspective by getting people on the right track

and making them productive members of society again. We are helping Minnesota citizens and tax payers in this court."

Each morning before the Drug Court calendar begins, the presiding judge sits down with probation officers, prosecutors, public defenders and treatment providers to review the cases that they are hearing that day. This process is part of what makes Drug Court unique. With this approach, the focus is on the progress of each Drug Court participant. The judge gets a perspective about whether

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Photo by Nancy Peters

Front Row Left to Right: Representative Tin Lieblich, Representative Mike Nelson, Representative Carolyn Laine, Senator Rou Latz, Senator Gen Olson, Representative Keith Downey. Back Row Left to Right: Christina Hughes, House Staff; Senator D. Scott Dibble; Senator Terri Bonoff; David Gross, Senate Staff; Senator Warren Limmer; Representative Dan Severson; Representative Kurt Zellers, House Minority Leader

or not they are checking in with their probation officer, attending their treatment appointments, passing their UAs, and general updates about how their life is going.

Changing lives, one fist-bump at a time: The next stop for the legislators was to observe a hearing in action. The DWI Court, which uses a similar model as Drug Court in the Fourth District, began a hearing just next door as the Drug Court team worked away at the case reviews.



This brings us back to the young woman with the bouncing daughter at her hip. Scenes like this are not uncommon in DWI and

Drug Courts; however it is not always the case. Success for par-

ticipants in the DWI and Drug Court programs is possible only through hard work and determination.

The program is offered to non-violent offenders who are chemically dependent and likely to reoffend. As a result of the program's difficulty, many offenders choose to serve their sentences instead.

Remarked Judge Holahan:

"Some people who have failed a UA test come to court knowing they will be taken into custody and they still come because they want to be held accountable. Some people who think the program is too difficult would rather do their time in custody. This program is about changing people's lives."

As the legislators sat shoulder-to-shoulder in the courtroom, participants who have had great success with the program shared

their stories about how DWI/ Drug Court helped them make a needed change in their life. **Mark, sober for 3 years:** "After I spent 18 months in jail for my 5th DWI, I realized I needed to make a change in my life. This court turned my life around. I keep reflecting on where I am at in my program and my life. This court forced me and pushed me to make changes in my life. As a drunk, you don't know what's best for you. I take my sobriety one day at a time. Today, I am going to stay sober. Now I can drive. Everyone here cares about me. I've completed what they asked me to do and it changed my life. Not everything is perfect, but it is a lot easier to get through life when I am not drunk."



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John, sober for 19 months:

"I have been attending support groups and driving with the inter-lock system. I am doing great. This is the longest I have ever been sober in my life. I drove for 20 years without a license and without insurance. I've had 10 DWI's. Now I can drive with a valid license, and I am sober."

Rachel, a newcomer to the program, sober for 4 months:

"I have had a difficult time getting sober. My family is full of lawyers who would pull me out of every jam. Then Judge Holahan told me he was going to send me to the workhouse for two weeks. I knew when I decided to be a part of this program that I wanted to turn my life around, but I didn't know how to. All of the people in this program helped me get back on track. You have to be willing to change your whole life, and it is hard. I am really grateful and lucky to be here. If it weren't for this program, I would be back out being the old me and ending up in jail."

Elizabeth, celebrating 20 months of sobriety:

"Judge Holahan and everyone involved in this program is so significant in my life. I had received 4 DWI's. My attorneys got me out of situations so I could continue on the wrong road. Judge Holahan gave me a choice – prison or this program. Prison would not have changed my life. Everyone



Legislators observe Judge Cahill meeting with probation officers, prosecutors, public defenders and treatment providers to review the cases that they are hearing that day.

in this court and this program watched over me and cared for me. They say it takes 28 days to form a habit, well it took me longer. As I participated in this program a day at a time, it changed my life. I look back on the way I was living, and I can't relate to it at all. I was just getting through life. This program and everyone here became such an integral part of my life, and it changed me."

Drug Court graduation is a success story: When participants have been through all three phases of the DWI or Drug Court program, paid all fines and costs, performed all community service and met all stipulations laid out by the court, they are ready for graduation from the program.

At the graduation ceremony held in a courtroom in the Hennepin County Government Center, each graduate is introduced by their

probation officer, presented with their certificate and invited to share his or her own success story.



Current participants in the program are invited to attend these graduation ceremonies and during their visit, the Minnesota legislators were invited as well. Judge Peter Cahill, past Presiding Judge of Drug Court, began the ceremony by reflecting:

"So often we see people in court only when they screw up, but it is so nice to see them when they do well."

As each graduate stood in front of the group, it was easy for the legislators and everyone else in the

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courtroom to see the real difference that DWI and Drug Courts can make in the lives of the participants, and as a result, the community. Remarkd one graduate:

“When I first came [to Drug Court] I was mad at everybody. Then change began to take place and the court gave me the chance to really look at myself. Drug Court, thank you for giving me my life back.”



An invitation to the capitol: The six visits of legislators to the Hen-

nepin County DWI and Drug Courts from July through December 2009, resulted in an invitation to the DWI Court team to brief the Senate-House Working Group on Impaired Driving Offenders on February 3rd.

The purpose of the group (established by Laws 2009 c 59 art 5 s 23) is “to review and potentially propose changes to the state's policies and laws regarding impaired driving offenders.”

The 10 members of the group are Sen. Mee Moua, Sen. Linda Scheid, Sen. Ron Latz, Sen. Linda Higgins, Sen. Julie Rosen, Rep.

Karla Bigham, Rep. Debra Hilstrom, Rep. Dave Olin, Rep. Joe Mullery and Rep. Ron Shimenski. Seven of them have visited the Hennepin County DWI and Drug Courts.

In 2009, there were 59 visitors to the DWI and Drug Courts in the Fourth Judicial District Court, including members of the Minnesota House and Senate, legislative staff, and others (see below).

Minnesota Senate:

- ◆ Committee on Judiciary
- ◆ Judiciary Budget Division
- ◆ Public Safety Budget Division

Minnesota House of Representatives:

- ◆ Committee on Public Safety Policy and Oversight
- ◆ Public Safety Finance Division

The Office of Governor Tim Pawlenty

Hennepin County legislative delegation

Ken Bergstrom, Legislative Liaison, Fourth Judicial District Court

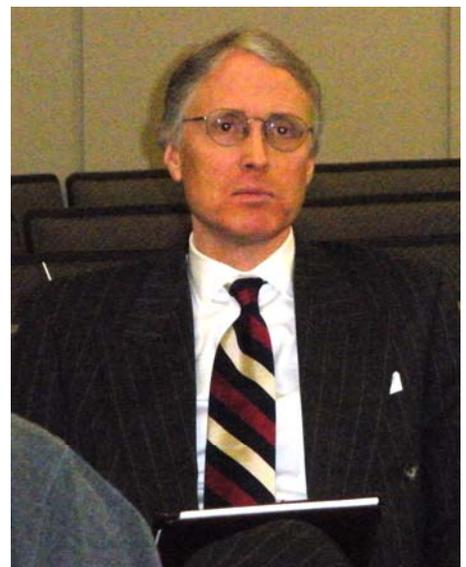
by Tim Kraus, Training Specialist, Fourth Judicial District Court

Does Ken Bergstrom's name sound familiar? This isn't the first time that Ken has been recognized by MACM for his outstanding efforts advocating for the courts with the Minnesota Legislature.

In fact Ken was honored in 2007 with MACM's **Best Achievement in Coordinating Legislative Efforts Award** and again in 2009 with the **Best Informant Award**.

Ken is also the recipient of the esteemed **Anne V. Simonett Excellence in Service Award** in 2008, among others.

Ken has been with the Fourth Judicial District since 1996, and previously spent 10 years working on strategic and capital budget planning at Hennepin County. Ken's interest in the legislature had modest beginnings, however, when he interned with his local member of the Minnesota House of Representatives in 1980.



Ken Bergstrom

Minnesota State Court News From The Land of 10,000 Lakes

First Judicial District

by Brenda Koenig, Dakota County Court Operations Manager

In tough economic times the volume of cases handled by the courts typically rises. In spite of an increase in workload, staffing level reductions, and budget cuts, the court system continues to provide services to the public as efficiently and effectively as possible.

Scheduling cases in a timely manner has been difficult with the increase in the number of cases combined with staffing shortages and lack of judges. This had resulted in a backlog of criminal cases scheduled for jury trials in Dakota County.



In response, Dakota County judges and administrators attempted a rather unique project of setting up mass jury trial calendars during the weeks of September 8 and November 30, 2009. The goal was to address increasing delays in scheduling of criminal trials in gross misdemeanor and felony cases by limiting other nonessential calendars and scheduling additional jury trial calendars during those two weeks.

Typically, the average number of criminal jury trials scheduled per calendar in Dakota County is 25 cases. During the clean up period, 112 cases were set for trial, 87 cases were settled, 16 cases were continued to a later date, and in 9 cases the defendant failed to appear. Ultimately, none of the cases went to trial.

As a result of this project, Dakota County is now scheduling felony jury trials 2 months from the omnibus hearing and gross misdemeanor jury trials are scheduled 4 months from the omnibus hearing. Prior to this clean up period, both case types had a 6 month time period between the omnibus hearing and jury trial.

Dakota County continues to search for innovative ways to provide the same quality of service in an effort to keep pace with increased case loads and staffing shortages. A mass jury trial calendar is merely one example of a creative approach to caseflow management.



Fourth Judicial District

by Aaron Williamson, Hearing Officer & Emerging Leader's Network Graduate

On January 6, 2010, the Fourth Judicial District's Education and Organizational Development celebrated the graduation of fourteen district court employees from the 2009 Emerging Leaders Network (ELN) program.



2009 Emerging Leader's Network

The group's members each went through a rigorous application

process which included first a written application, a letter of recommendation, and finally a presentation given to a selection committee made up of members of court administration.

The ELN group was made up of many different court employees, from various years of service,

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Fourth Judicial District

by Aaron Williamson, Hearing Officer & Emerging Leader's Network Graduate



Fourth Judicial District Court, 2009 Emerging Leader's Network Program Participants

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including senior court clerks, lead-workers, supervisors, hearing officers, paralegals, and guardians ad litem.

The program took place throughout 2009 and included over one hundred hours of training, specific to leadership and career growth.

The Emerging Leader's Network participants met monthly for training presented by Minnesota Judicial Branch staff as well as several leadership speakers from around the state, such as Jack Mateffy, Tom Burns, Alanna Moravetz, and John Busaker. The program utilized several training materials such as Stephen Covey's *7 Habits of Highly Effective Individuals* and *Leading at the Speed of Trust*, as well as the Gallop Organization's *Strength Finder Assessment*.

In addition to the monthly training, group members were required to give five presenta-

tions throughout the year, which pertained to the materials presented as well as their own leadership lessons.

An additional component of the program was that each member of the ELN was assigned a mentor from within the district to gain advice and career coaching along the way. Mentors were encouraged to meet with their mentees monthly and set goals for what each hoped to get out of the mentorship.

Fourth District Court Administrator, Mark Thompson, was at the graduation ceremony to congratulate the group for investing their time and passion in becoming leaders in the Minnesota Judicial Branch.

Each ELN member gave a ten-minute presentation to the group of mentors and supervisors and managers that assembled at the commencement. The presentations offered a summary of what each group member got out of the year-

long courses and what had become their own philosophy on leadership. Many of the ELN members gave special thanks to their mentors, as well as to Deb Morse, Fourth HR Manager, and Susan Love, Fourth EOD Manager, who organized and led the ELN group throughout the year.

The 2009 class was the second to have graduated from the Fourth Judicial District's program. Many of the graduates from the prior class have been promoted or moved to other areas within the court.

A similar leadership group, called the Leaders Excelling and Developing (LEAD) program, has been assembled this year, to provide leadership training specific to current supervisors and managers. The Fourth District hopes to continue the ELN program in 2011.

The Fourth Judicial District encompasses Hennepin

Sixth Judicial District

by Judy Isaacson, Carlton County Court Administrator

The Minnesota Supreme Court heard arguments this year in the Hibbing High School auditorium on October 14, 2009. This outreach activity has become very popular since the first one was held also on The Range in Virginia in 1995.

This year the case was the State of Minnesota vs. Adolphus Brown. The murder case originated in Hennepin County District Court and was appealed by the defendant in an effort to seek a new trial.

The Sixth District management team has been testing new ways of doing business across county lines. The Sixth District has been leading the way in the use of Webcams in conjunction with WebEx.

Webcams are being used to conduct weekly management meetings. This has allowed managers to attend meetings from their offices rather than traveling to

the District Office. This has proven efficient as it has reduced travel time and travel expenses.

Judges are now experimenting with the use of these webcams in conducting their Administration Meetings.



The Sixth is working to meet the staffing levels of the lowest norm. One approach is to share work across county lines. Examples of that work include Duluth Default judgment paperwork being com-

pleted in Grand Marais, Trust and Conservatorship accounts, Virginia answering Duluth Criminal office phone calls on heavy arraignment days, Financial Month-end duties being completed outside of the county for both staffing reasons and to ensure internal control, Jury Questionnaire Processing.

Another approach is the reassignment of supervisory staff between courthouses. This also allows us to support court staff's transition to workforce reductions and to the implementation of new technology.

In November, we invited Connie Gackstetter to the Sixth to provide all managers and supervisors a Goals Development workshop. We are now emphasizing the use of Halogen as a goal setting tool for supervisors.

The Sixth Judicial District encompasses Carlton, Cook, Lake, and St. Louis counties.



Fifth Judicial District

by Connie Belgard, Martin County Court Administrator

A \$350,000 federal grant was awarded to the Fifth Judicial District Court for adult drug court implementation. The funds were awarded by the Bureau of Justice Assistance – Office of Justice Programs. The award will go to the Southwest Community Drug Court to serve residents of Lincoln, Lyon and Redwood (LLR) counties.

Under the leadership of Judges Leland Bush, David Peterson and Senior Judge George Harrelson, two planning teams for the new court have been meeting for the past year. The teams are comprised of representatives from LLR county and state agencies including the county attorney's offices, sheriff's department, local police, public defenders, probation and treatment providers.

Earlier this year, the planning teams were awarded a federal scholarship in order to attend a week long drug court training conducted by the National Drug Court Institute in Oklahoma City, OK.

Drug court is a nationally recognized program that offers judge-supervised alternatives to jail or

prison for many felony level offenders. It is a non-traditional approach to defendants who are substance abusers. Rather than focusing only on the crime and punishment, drug courts attempt to address the underlying conditions which lead to criminal behavior such as addiction, lack of job skills and thinking errors.

The goal is to keep offenders sober by providing long term treatment and directing them to education, employment and other options that may keep them from re-offending.

Drug court programs are designed to fit the unique characteristics and needs of their jurisdictions, but generally involve quickly identifying substance abusing offenders and placing them under strict court monitoring and community supervision coupled with effective, long-term treatment services.

The drug court plans to start operations in December or January 2010.

“We have a good drug court team including law enforcement, probation, prosecution, and defense. We are all excited

about the opportunity to give non-violent persons in the community an option for drug court.

Participation has the prospect for allowing them to become drug free, working, contributing members of the community. When they finish this program they will have demonstrated an ability to care for themselves, their children, and family. Over time everyone should win with the reduction in crime and community service needs.” Honorable Leland Bush, Fifth District Court Judge Lincoln/Lyon County

For more information, regarding this press release please contact:

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The Fifth Judicial District encompasses Blue Earth, Brown, Cottonwood, Faribault, Jackson, Lincoln, Lyon, Martin, Murray, Nicollet, Nobles, Pipestone, Redwood, Rock, and Watonwan counties



Seventh Judicial District

by Jan Cossette, Becker and Clay County Court Administrator

Kathy Ouren, Otter Tail/Wadena County Court Administrator, is leaving the Minnesota Court System on January 28, 2010, after 29 years of dedicated service.



Kathy has accepted the Clerk of Court position for Cass County District Court in Fargo, ND. Her new office has 22 staff and 8 chambered judges. Her first project when she arrives is helping to plan an addition to the existing courthouse. Construction of the addition is scheduled to begin this spring.

Cass County has implemented e-citations, electronic files and beginning Jan. 20th, will accept e-filings from attorneys. Cass and Traill counties are also currently piloting Odyssey. We

wish her all the best in her new endeavor!

Rhonda Bot will be covering Wadena County and Jan Cossette will be covering Otter Tail County. These appointments are temporary, lasting up to 8 months.

On December 7, Lesa Kramer, lead worker from Stearns County, joined the Finance Division at State Court Administrative Offices as a Financial Analyst. It's an 18-month mobility assignment and her primary responsibility will be to work with counties that are implementing the auto referral to collections project.

Lesla will also provide support to the other collections projects such as transitioning to the new collections vendor on July 1 and implementing the automated payment file. She brings 23 years of court experience to this temporary position. Congratulations Lesla!

There are four individuals from the seventh participating in the Management EDGE Foundations Series. They are: Shelly Jeffers from Becker County, Cheryl Woehler from Benton County, Lesa Kramer from Stearns, temporarily with SCAO and Mary Stock from District

Administration. They began their endeavor with a kickoff event at State Court Administrative Offices on October 9, 2009, and will end with graduation on June 10, 2010.

The EDGE nine month program is designed to prepare mid-level organizational leaders with critical foundational and specialized knowledge and skills to effectively manage and lead their staff. Congratulations on being selected to participate in this program.

Morrison County has e-citations up and running with three law enforcement agencies: Little Falls, Randall and Royalton. Otter Tail, Wadena and Clay counties are continuing to move forward with implementing e-citations. Benton, Mille Lacs, Morrison, Todd and Douglas counties are on schedule for auto assess.

The Seventh Judicial District encompasses Becker, Benton, Clay, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, and Wadena counties.



Tenth Judicial District - Washington County Moves to New Courthouse

by Annette Fritz, Washington County Court Administrator



Washington County Courts moved into a new courthouse August 2009. The first court hearings were held in the new courtrooms on August 31, 2009. The project began in 2007 with three phases scheduled to be completed in early 2011. Phase one included a new building, phase two includes refurbishing existing space, and phase three includes improved secure entrance and customer service access.

During the phases of construction some court staff and court records will move to temporary office locations.

The first phase was the new building, the courthouse, which is connected to the existing Government Center. The new courthouse has five levels which include eight new courtrooms, four of which are high technology, an adequate number of conference rooms near each courtroom, judicial chambers which overlook the beautiful St. Croix River, judi-

cial staff offices, and court administration offices for criminal, traffic, financial, hearing officers, file room, and Guardian ad Litem.

The new building includes increased security measures, temporary entrance with security and metal screening, security cameras in courtrooms and public areas of the building, space to address increased case load and people appearing at court, secure passage for court

employees separate from the public, secure passage for inmates of the jail or prison separate from court employees and the public.

The second phase includes refurbishing: five of the previous courtrooms, court administration offices, judicial chambers, and conference rooms. The refurbished courtrooms will be designed for family and juvenile court with secure passage for juveniles in detention. The refurbished office and chambers space will house the civil, family, probate and juvenile staff and include conference rooms for staff and administrative offices. It will include a lift (dumbwaiter) to pass court files from one level of the building to another.

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Tenth Judicial District - Washington County Moves to New Courthouse



The second phase is scheduled for completion Spring 2010.

The third phase includes customer service counters for all areas of courts to be located on the entry level of the courthouse allowing for improved access to courts and management of foot traffic. It also includes a new courts entrance with the Sheriff's Department security that requires all entering the courthouse to pass through metal detectors and

security checkpoint. As well, community corrections offices will be located within the court area so that traffic flow will direct defendants to their offices before leaving the courthouse. The third phase is scheduled for completion early 2011.

Chris Volkens, past Washington County Court Administrator and the management team did an excellent job planning and working on the project.

As the new court administrator, I joined the project just weeks before moving into the new courthouse. The move went well as a result of the excellent work that had been done by the team assigned to the project. We continue to work on the next two phases of the project and look forward to a successful completion for improved court access for customers.

Washington County is the fifth largest court in the state with over 52,000 cases filed in 2008 and ten chambered judges. When the project is complete, there will be 13 courtrooms. Space is shelled in for the future addition of four courtrooms and judicial chambers. An open house for the public will be scheduled later.

The Tenth Judicial District encompasses Anoka, Chisago, Isanti, Kanabec, Pine, Sherburne, Washington, and Wright counties.

MACM's MISSION:

MACM is an organization committed to the enrichment of its members through professional growth and development, opportunities, promoting advancements and innovations in court administration, and partnering with other professionals working to improve the justice system in Minnesota.