

Dear Representative Ancel,

As a follow up to the testimony you heard yesterday on H.213, this message is intended to correct the record on whether Judicial Masters are currently funded, and provides additional information on how treatment court programs work.

No Judicial Master position is currently funded

No Judicial Master positions are currently funded and no Judicial Masters are currently presiding over treatment court programs. To provide some context for the confusion, in 2016, H.869 was introduced with the support of the judiciary to create the position of Judicial Master, but did not create any appropriated positions. This bill passed as Act 167. The first proposed duty for the Judicial Master was to preside over treatment court dockets. The Judiciary committees wanted to revisit the efficacy of the Judicial Masters, so provided for a sunset provision for the Judicial Masters on July 1, 2019. The record on H.869 indicates that the Court Administrators Office advocated for the creation of the position of Judicial Masters. However, following Act 167 no Judicial Masters were used for treatment court dockets or other purposes. As a part of the Judiciary's FY18 budget proposal, they are requesting a 50% FTE Judicial Master position (with 2 part time support staff) to preside over family court cases on a "floating" basis, so the positions would serve multiple counties.

Additional information on treatment court programs

Currently, the treatment court programs that are operating in the state are using Superior Court Criminal Division judges. The structure of these programs varies based on the project. For example, the Sparrow Project Referrals can be made by the State, defense counsel (public or private), defendants, the Department of Corrections, the Agency of Human Services, or the court. The referral often occurs post-arraignment, and a defendant has 30 days from the date of referral to make a decision to participate. A defendant is eligible if he or she has a substance abuse and/or mental health history, or is a veteran. Violent and sexual offenses are considered ineligible, but exceptions may be made through a group review process. Please let me know if you'd like additional information on the existing treatment court programs.

Thank you, and please let me know if you need anything else.

Brynn

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