

Drug Courts

In Theory and in Practice

Edited by James L. Nolan



Drug Courts In Theory And In Practice

Mike W. Martin



Drug Courts In Theory And In Practice:

Drug Courts James L. Nolan, Drug courts offer offenders an intensive court based treatment program as an alternative to the normal adjudication process Begun in 1989 they have since spread dramatically throughout the United States In this interdisciplinary examination of the expanding movement a distinguished panel of legal practitioners and academics offers theoretical assessments and on site empirical analyses of the workings of various courts in the United States along with detailed comparisons and contrasts with related developments in Britain Practitioners politicians and academics alike acknowledge the profound impact drug courts have had on the American criminal justice system From a range of disciplinary perspectives contributors to this volume seek to make sense of this important judicial innovation While addressing a range of questions Drug Courts also aims to achieve a careful balance between focused empirical studies and broader theoretical analyses of the same phenomenon The volume maintains an analytical concentration on drug courts and on the important practical philosophical and jurisprudential consequences of this unique form of therapeutic jurisprudence Drug courts depart from the practices and procedures of typical criminal courts Prosecutors and defense counsel play much reduced roles Often lawyers are not even present during regular drug court sessions Instead the main courtroom drama is between the judge and client both of whom speak openly and freely in the drug court setting Often accompanying the client is a treatment provider who advises the judge and reviews the client's progress in treatment Court sessions are characterized by expressive and sometimes tearful testimonies about the recovery process and are often punctuated with applause from those in attendance Taken together the chapters provide a variety of perspectives on drug courts and extend our knowledge of the birth and evolution of a new movement Drug Courts is an essential reference for courses in criminology the sociology of drugs and deviance and the philosophy of law and punishment

Drug Courts Jr. Nolan, 2017-07-12 Drug courts offer offenders an intensive court based treatment program as an alternative to the normal adjudication process Begun in 1989 they have since spread dramatically throughout the United States In this interdisciplinary examination of the expanding movement a distinguished panel of legal practitioners and academics offers theoretical assessments and on site empirical analyses of the workings of various courts in the United States along with detailed comparisons and contrasts with related developments in Britain Practitioners politicians and academics alike acknowledge the profound impact drug courts have had on the American criminal justice system From a range of disciplinary perspectives contributors to this volume seek to make sense of this important judicial innovation While addressing a range of questions Drug Courts also aims to achieve a careful balance between focused empirical studies and broader theoretical analyses of the same phenomenon The volume maintains an analytical concentration on drug courts and on the important practical philosophical and jurisprudential consequences of this unique form of therapeutic jurisprudence Drug courts depart from the practices and procedures of typical criminal courts Prosecutors and defense counsel play much reduced roles Often lawyers are not even present during regular drug court

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Drug Courts in Theory and in Practice James L. Nolan,2002 Drug courts offer offenders an intensive court based treatment program as an alternative to the normal adjudication process Begun in 1989 they have since spread dramatically throughout the United States In this interdisciplinary examination of the expanding movement a distinguished panel of legal practitioners and academics offers theoretical assessments and on site empirical analyses of the workings of various courts in the United States along with detailed comparisons and contrasts with related developments in Britain Practitioners politicians and academics alike acknowledge the profound impact drug courts have had on the American criminal justice system From a range of disciplinary perspectives contributors to this volume seek to make sense of this important judicial innovation While addressing a range of questions Drug Courts also aims to achieve a careful balance between focused empirical studies and broader theoretical analyses of the same phenomenon The volume maintains an analytical concentration on drug courts and on the important practical philosophical and jurisprudential consequences of this unique form of therapeutic jurisprudence Drug courts depart from the practices and procedures of typical criminal courts Prosecutors and defense counsel play much reduced roles Often lawyers are not even present during regular drug court sessions Instead the main courtroom drama is between the judge and client both of whom speak openly and freely in the drug court setting Often accompanying the client is a treatment provider who advises the judge and reviews the client s progress in treatment Court sessions are characterized by expressive and sometimes tearful testimonies about the recovery process and are often punctuated with applause from those in attendance Taken together the chapters provide a variety of perspectives on drug courts and extend our knowledge of the birth and evolution of a new movement Drug Courts is an essential reference for courses in criminology the sociology of drugs and deviance and the philosophy of law and punishment

Drug Court Justice Kevin Whiteacre,2008 This book is an exploratory study of a juvenile drug treatment court in the Midwest Based on observations and interviews the author conducted while serving as the contracted program evaluator the book investigates how denial surveillance coercion accountability and definitions of success operate and interact in the Juvenile Drug Court environment and intertwine with institutional needs and authority structures The book s findings suggest that some drug court practices may expose participants to potential harms that until now have been largely ignored in studies of drug courts Drug Court Justice concludes with suggestions for reducing the potential harms of juvenile drug courts

Drug Court Mitchell B. Mackinem,Paul Higgins,2008 Drug Court Constructing the Moral Identity of Drug

Offenders offers a richly detailed field research investigation of how drug court professionals work to help drug offenders become drug free and law abiding. The book explores the less public and revealing world of drug court professionals as they judge and manage drug offenders. Drug courts are the latest approach in America and in other countries for handling problem drug users. More than 1 200 drug courts exist throughout the United States and its territories. These courts developed out of the shifting emphasis on punishment and treatment of problem drug users. Based on more than five years of field research in three drug courts in a southeastern state in the U S in two of which the senior author was the drug court administrator, *Drug Court* explores how a team of drug court professionals transform drug offenders into drug court clients. Judges, administrators, drug counselors, lawyers, and others compose the drug court team. These drug court professionals face the challenge of deciding whether drug offenders are primarily criminals who have little if any desire to kick their habit or whether they are drug abusers who will work to abstain from using drugs. Some of the questions answered in this book are: Are the drug offenders appropriate clients for drug courts? Are the drug court clients participating adequately within the drug court program? Have the drug court clients performed successfully in the program to graduate? Through their evaluation, interpretation, monitoring, sanctioning, and more, drug court professionals judge the moral worth of drug offenders as they treat and manage the offenders through drug court. *Drug Court* will be of interest to a diverse audience including the areas of criminal justice, law, legal studies, drug treatment, counseling, and sociology.

Retributivism Has a Past Michael Tonry, 2011-12-12. A collection of essays by major figures in punishment theory, law, and philosophy that reconsiders the popularity and prospects of retributivism, the notion that punishment is morally justified because people have behaved wrongly.

Drug Courts Daniel C. Harris, 1998-05.

Reinventing Justice James L. Nolan Jr., James L. Nolan, 2003-01-26. The findings reported in this book are based upon ethnographic observations of drug courts throughout the United States and provide a glimpse into the unique character of the American drug court model, considering the qualities and consequences of this form of criminal adjudication.

From Morality to Mental Health Mike W. Martin, 2006-04-20. Morality and mental health are now inseparably linked in our view of character. Alcoholics are sick yet they are punished for drunk driving. Drug addicts are criminals but their punishment can be court-ordered therapy. The line between character flaws and personality disorders has become fuzzy, with even the seven deadly sins seen as mental disorders. In addition to pathologizing wrong doing, we also psychologize virtue: self-respect becomes self-esteem, integrity becomes psychological integration, and responsibility becomes maturity. Moral advice is now sought primarily from psychologists and therapists rather than philosophers or theologians. In this wide-ranging, accessible book, Mike W. Martin asks: are we replacing morality with therapy in potentially confused and dangerous ways, or are we creatively integrating morality and mental health? According to him, it's a little bit of both. He surveys the ways in which morality and mental health are related, touching on practical concerns like love and work, self-respect and self-fulfillment, guilt and depression, crime and violence, and addictions.

Termining this integrative development the therapeutic trend in ethics Martin uses examples from popular culture various moral controversies and draws on a line of thought that includes Plato the Stoics Freud Nietzsche and contemporary psychotherapeutic theories Martin develops some interesting conclusions among them that sound morality is indeed healthy and that moral values are inevitably embedded in our conceptions of mental health In the end he shows how both morality and mental health are inextricably intertwined in our pursuit of a meaningful life This book will be of interest to philosophers psychologists psychiatrists and sociologists as well as the general reader

Forensic Mental Health Assessment of Children and Adolescents Steven N. Sparta, Gerald P. Koocher, 2006-03-16 Most professional forensic literature addresses the assessment of adults yet neglects the necessary differences that arise when working with minors Forensic Mental Health Assessment of Children presents the reader with essential knowledge and practical suggestions regarding the forensic assessment of minors involved in a variety of legal applications Methods of evaluation are described by leading experts regarding topics frequently encountered and of great importance to the courts including Physical and sexual child abuse Domestic violence Child custody in divorce proceedings Risk assesment for violence Potential for rehabilitation in juvenile court cases Special education Childhood development and trauma as mitigating circumstances in death penalty cases In addition to reviewing a broad spectrum of topics methods of evaluation and the application of specific tests chapters also address forensic assessment matters such as ethical issues professional liability and cultural considerations This comprehensive resource will be indispensable to mental health practitioners and legal professionals and of great interest to researchers and students

Drugs and Crime Philip Bean, 2013-05-13 This book is a major contribution to the debate on the nature of the relationship between drugs and crime and provides an authoritative and much needed overview of the range of issues associated with drugs related crime

The Changing Face of U.S. Courts, 2003

Discretionary Justice Leslie Paik, 2011 Juvenile drug courts are on the rise in the United States as a result of a favorable political climate and justice officials endorsement of the therapeutic jurisprudence movement the concept of combining therapeutic care with correctional discipline The goal is to divert nonviolent youth drug offenders into addiction treatment instead of long term incarceration Discretionary Justice overviews the system taking readers behind the scenes of the juvenile drug court Based on fifteen months of ethnographic fieldwork and interviews at a California court Leslie Paik explores the staff's decision making practices in assessing the youths cases concentrating on the way accountability and noncompliance are assessed Using the concept of workability Paik demonstrates how compliance and what is seen by staff as noncompliance are the constructed results of staff decisions fluctuating budgets and sometimes questionable drug test results While these courts largely focus on holding youths responsible for their actions this book underscores the social factors that shape how staff members view progress in the court Paik also emphasizes the perspectives of children and parents Given the growing emphasis on individual responsibility in other settings such as schools and public welfare agencies Paik's findings are

relevant outside the juvenile justice system *The Machinery of Criminal Justice* Stephanos Bibas, 2012-04-26 Two centuries ago the criminal justice system was primarily run by laymen In court victims and defendants interacted face to face while lay jurors from the community sat in judgment Jury trials passed moral judgment on crimes vindicated victims and innocent defendants denounced guilty defendants and reconciled and healed wounded relationships But over the last two centuries lawyers have taken over the process silencing victims and defendants and in many cases substituting a plea bargaining system for voice of the jury This lawyerized machinery has purchased efficient speedy processing of many cases at the price of sacrificing softer values such as reforming defendants and healing wounded victims and relationships In other words the U S legal system has bought quantity at the price of quality without recognizing either the trade off or the great gulf separating lawyers and laymen s incentives interests values and powers The Machinery of Criminal Justice explores these trends and considers how criminal justice could better accommodate lay participation values and relationships Judith S. Kaye in Her Own Words Judith S. Kaye, 2019-06-01 An autobiography and selected writings by the former Chief Judge of New York s highest court the Court of Appeals In 1983 Judith S Kaye 1938 2016 became the first woman appointed to the Court of Appeals New York s highest court Ten years later she became the first woman to be appointed chief judge of the court and by the time she retired in 2008 she was the longest serving chief judge in the court s history During her long career she distinguished herself as a lawyer jurist reformer mentor and colleague as well as a wife and mother Bringing together Kaye s own autobiography completed shortly before her death as well as selected judicial opinions articles and speeches Judith S Kaye in Her Own Words makes clear why she left such an enduring mark upon the court the nation and all who knew her The first section of the book Kaye s memoir focuses primarily on her years on the Court of Appeals the inner workings of the court and the challenges she faced as chief judge in managing a court system populated by hundreds of judges and thousands of employees The second section a carefully chosen selection of her written opinions and occasional dissents reveals how she guided the law in New York State for almost a quarter century with uncommon vision and humanity Her decisions cover every facet of New York and federal law and have often been quoted and followed nationally The final section of the book includes selections from her numerous articles and speeches which cover the field from common law jurisprudence to commercial law to constitutional analysis all with an eye to the future and above all how the law can best affect the everyday lives of people who come to court willingly or unwillingly including not least those most in need of the law BACK FLAP Judith Kaye was one of the most admired judges in the nation and a wonderful real often funny person as well This collection captures the full range of the judge and the woman and it serves as a great reminder of her enduring legacy Jeffrey Toobin An extraordinary woman jurist and leader who had a striking impact on the law and the administration of justice in New York State and beyond This collection is more than a simple record of a remarkable life It is a treasure not only for those of us who knew and admired Judith but for all who may seek to understand and appreciate the profound impact

she had on the law the legal profession and the administration of justice from the Foreword by Honorable Janet DiFiore

Legal Accents, Legal Borrowing James L. Nolan Jr., 2009-03-31 A wide variety of problem solving courts have been developed in the United States over the past two decades and are now being adopted in countries around the world These innovative courts including drug courts community courts domestic violence courts and mental health courts do not simply adjudicate offenders Rather they attempt to solve the problems underlying such criminal behaviors as petty theft prostitution and drug offenses Legal Accents Legal Borrowing is a study of the international problem solving court movement and the first comparative analysis of the development of these courts in the United States and the other countries where the movement is most advanced England Scotland Ireland Canada and Australia Looking at the various ways in which problem solving courts have been taken up in these countries James Nolan finds that while importers often see themselves as adapting the American courts to suit local conditions they may actually be taking in more aspects of American law and culture than they realize or desire In the countries that adopt them problem solving courts may in fact fundamentally challenge traditional ideas about justice Based on ethnographic research in all six countries the book examines these cases of legal borrowing for what they reveal about legal and cultural differences the inextricable tie between law and culture the processes of globalization the unique but contested global role of the United States and the changing face of law and justice around the world

The Oxford Handbook of Sentencing and Corrections Joan Petersilia, Kevin R. Reitz, 2015 This handbook surveys American sentencing and corrections from global and historical views from theoretical and policy perspectives and with attention to a number of problem specific issues

How Information Matters Kathleen Hale, 2011-03-11 How Information Matters examines the ways a network of state and local governments and nonprofit organizations can enhance the capacity for successful policy change by public administrators Hale examines drug courts programs that typify the highly networked collaborative environment of public administrators today These special dockets implement justice but also drug treatment case management drug testing and incentive programs for non violent offenders in lieu of jail time In a study that spans more than two decades Hale shows ways organizations within the network act to champion challenge and support policy innovations over time Her description of interactions between courts administrative agencies and national organizations highlight the evolution of collaborative governance in the state and local arena with vignettes that share specific experiences across six states Alabama Florida Georgia Indiana Missouri and Tennessee and ways that they acquired knowledge from the network to make decisions How Information Matters offers valuable insight into successful ways for collaboration and capacity building It will be of special interest to public administrators or policymakers who wish to identify ways to improve their own programs performance

Annual Review of Addictions and Offender Counseling, Volume III Pamela S. Lassiter, Trevor J. Buser, 2017-02-21 The Annual Review of Addictions and Offender Counseling Best Practices Volume III is the third volume in a series of peer reviewed edited books sponsored by the

International Association of Addiction and Offender Counselors IAAOC a division of the American Counseling Association ACA Continuing the mission of the first two volumes this volume provides a forum for publications addressing a broad array of topics in the field of addictions and offender counseling Experts in the profession present innovative strategies and recommendations for best practices in drug education intervention strategies multicultural considerations and counselor education

An Introduction to Criminological Theory Roger Hopkins Burke, 2025-02-18 This book provides a comprehensive and up to date introduction to criminological theory for students taking courses in criminology at both undergraduate and postgraduate level Building on previous editions and the previous companion text this book presents the latest research and theoretical developments in a socio political context All major theoretical perspectives are considered including classical criminology biological and psychological positivism labelling theories feminist criminology critical criminology and left realism situation action theories desistance theories social control theories the risk society postmodern condition and terrorism The new edition has been updated and revised over seven parts to include full chapters on key topics such as Bourdieu and criminology narrative criminology cultural victimology southern theory and criminology green and species criminology critical race theory convict and abolitionist and convict criminologies and ultra realist criminology These key issues are discussed in the context of debates about the fragmentation of modernity and the postmodern condition the rise of political populism risk surveillance and social control conspiracy theories post truth society and speculation about living in post COVID 19 society and the future of neoliberalism Supplemented with chapter summaries critical thinking questions policy implications a full glossary of terms and theories and a timeline of criminological theory this book will appeal to undergraduate and postgraduate students of criminology sociology and politics and is essential reading for advanced students of criminology looking for a way to engage with contemporary themes and concepts in theory

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Drug Courts In Theory And In Practice Introduction

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