

Quarterly Status Update for Nebraska Problem-Solving Courts (July-Sept. 2011)

Administrative Office of the Courts/Problem-Solving Courts

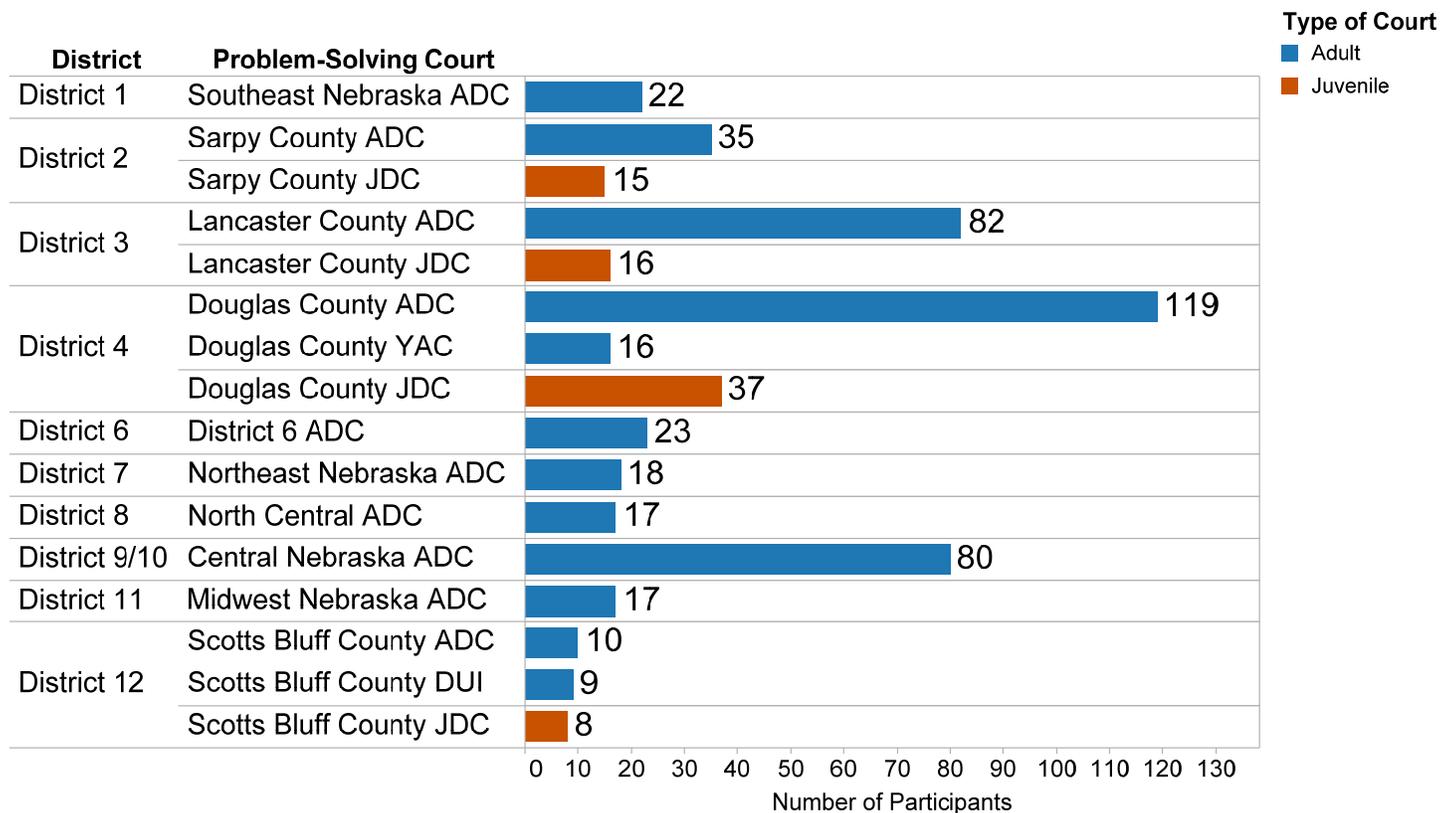
Overview

As of October 11, 2011, there were 24 operational problem-solving courts: 12 adult drug courts, 5 juvenile drug courts, 5 family dependency drug courts, 1 DUI court and 1 Young Adult Court. Please refer to Appendix A for a listing of all programs within each judicial district.

Participants

On October 11, 2011, there were 524* individuals participating in problem-solving courts. Please note that the adult category includes the Scotts Bluff County DUI Court and the Douglas County Young Adult Court. Table 1 shows a one-day snapshot of the populations of the adult and juvenile programs within each judicial district on October 11, 2011.

Table 1. Current Drug Court Populations

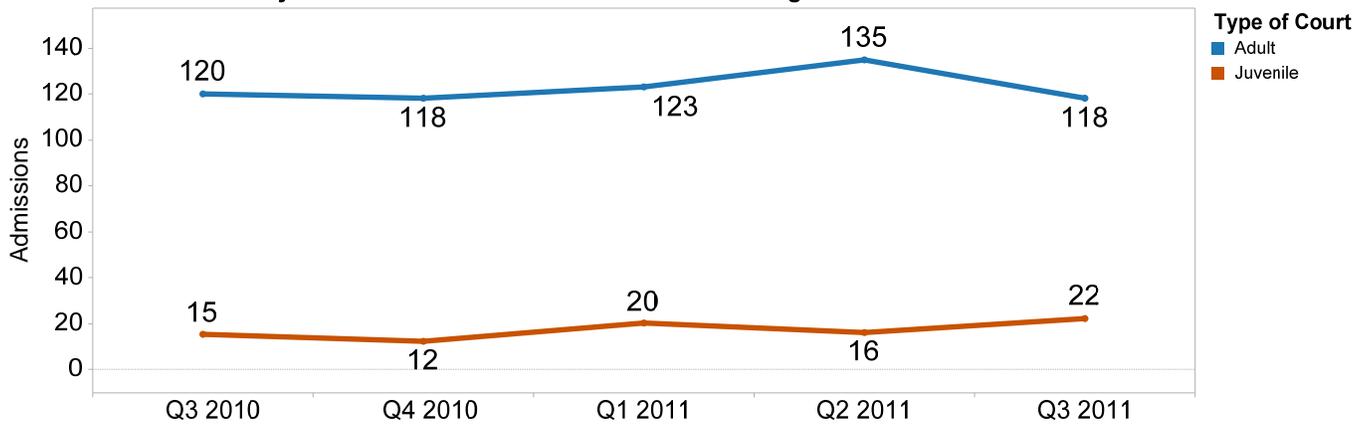


* This does not include Nebraska's 5 family drug courts. Family Drug Courts are supervised through the Department of Health and Human Services, therefore are not currently utilizing the state's Problem-Solving Court Management Information System.

Admissions

Table 2 below shows quarterly admissions trends for the adult and juvenile drug courts from the beginning of fiscal year 2010-2011 through the most recent quarter. The adult trend demonstrates that admissions dipped for the most recent quarter. In contrast, the juvenile trend is up slightly from previous quarters.

Table 2. Quarterly Admissions Fiscal Year 2010 - 2011 Through Most Recent Full Quarter



Departures

Departure from problem-solving court programs happens in four ways: graduation, termination, voluntary withdrawal, and discharge. Graduated is a successful completion of the program. Terminated is a removal from the program due to program violations. Voluntary withdrawal results in the participant requesting release from the program prior to completion. Discharged is a result of an offender leaving the program due to circumstances outside the program's control (i.e. death, age of majority, federal indictment). Table 3 reflects the total number of departures by type of departure quarterly for fiscal year 2010-2011 through the most recent quarter for adult drug courts. Table 4 shows the same information by percentage of each quarter. Typically, about 57 adult participants graduated each quarter of the past fiscal year, except for first quarter 2011, and the most recent quarter when graduations dipped noticeably. Also, more adult participants graduated each quarter than were terminated, and typically graduations represented a greater portion of departures than all other means of departure combined.

Table 3. Adult Quarterly Departures Fiscal Year 2010 - 2011 Through Most Recent Full Quarter

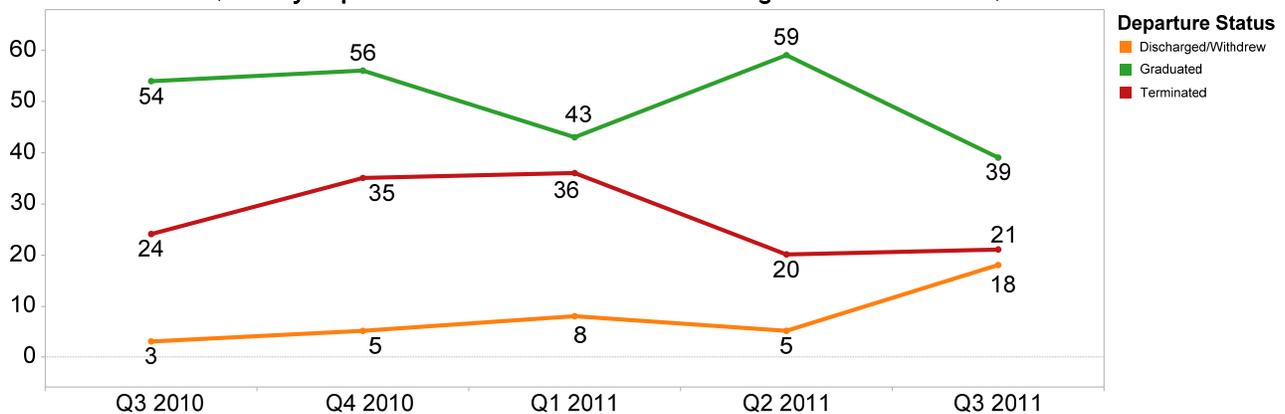
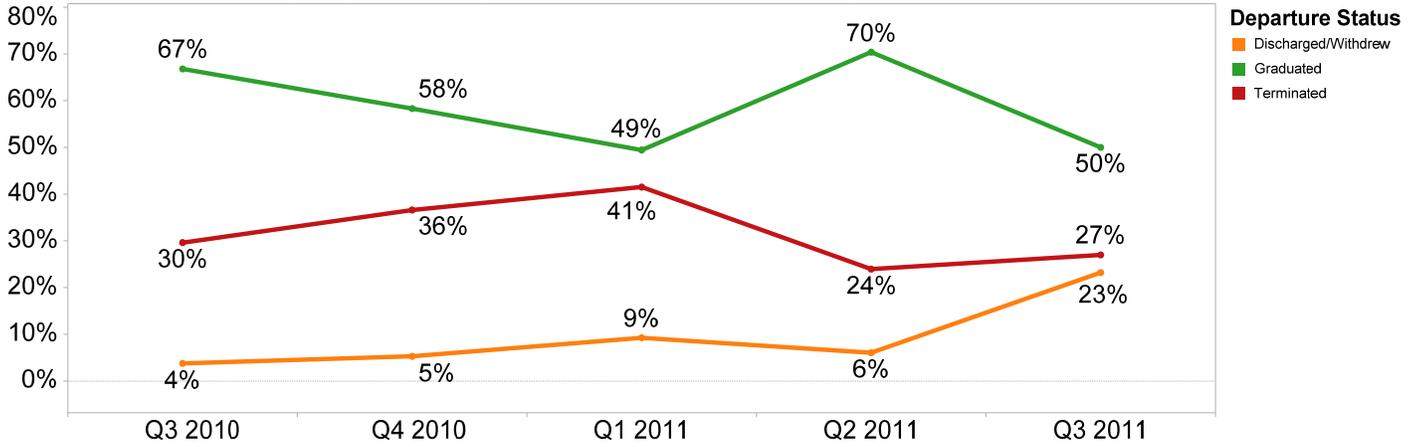


Table 4. Adult Quarterly Departures (%) Fiscal Year 2010 - 2011 Through Most Recent Full Quarter



Tables 5 and 6 show the numbers and percentages of departures by departure type for juvenile drug courts. With a smaller overall population compared to adults, juvenile graduations are both fewer in number and subject to greater variation in the trends with the addition or subtraction of a few graduations. Numbers of juvenile graduations and terminations are similar for each quarter, suggesting that juveniles may have more difficulty achieving graduation than adults.

Table 5. Juvenile Quarterly Departures Fiscal Year 2010 - 2011 Through Most Recent Full Quarter

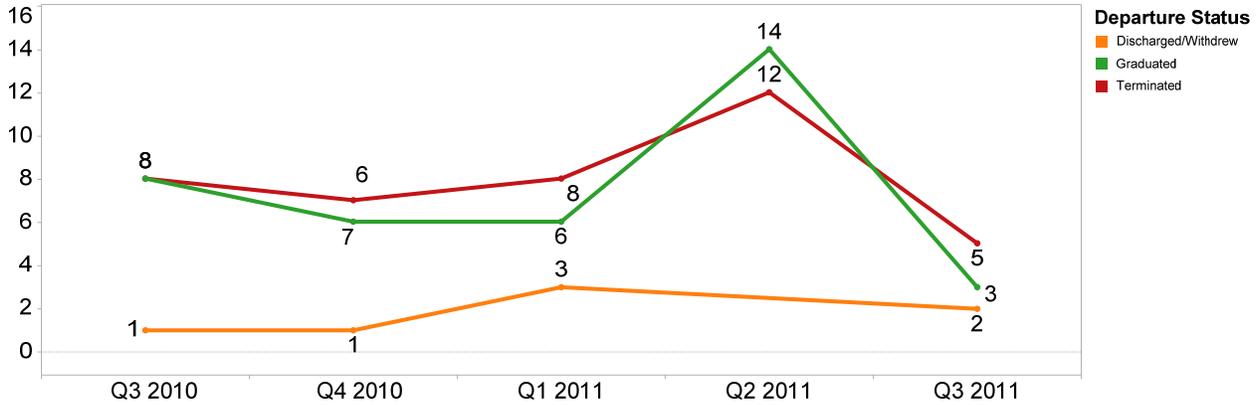
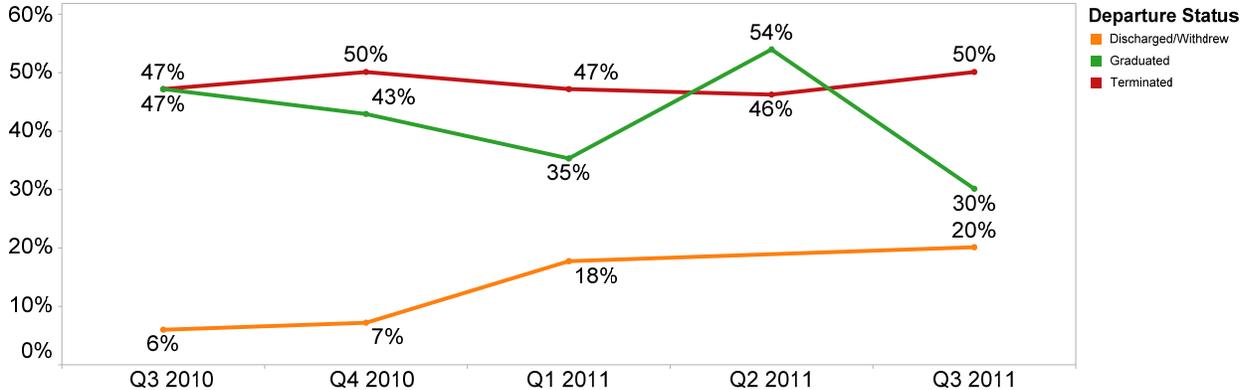


Table 6. Juvenile Quarterly Departures (%) Fiscal Year 2010 - 2011 Through Most Recent Full Quarter



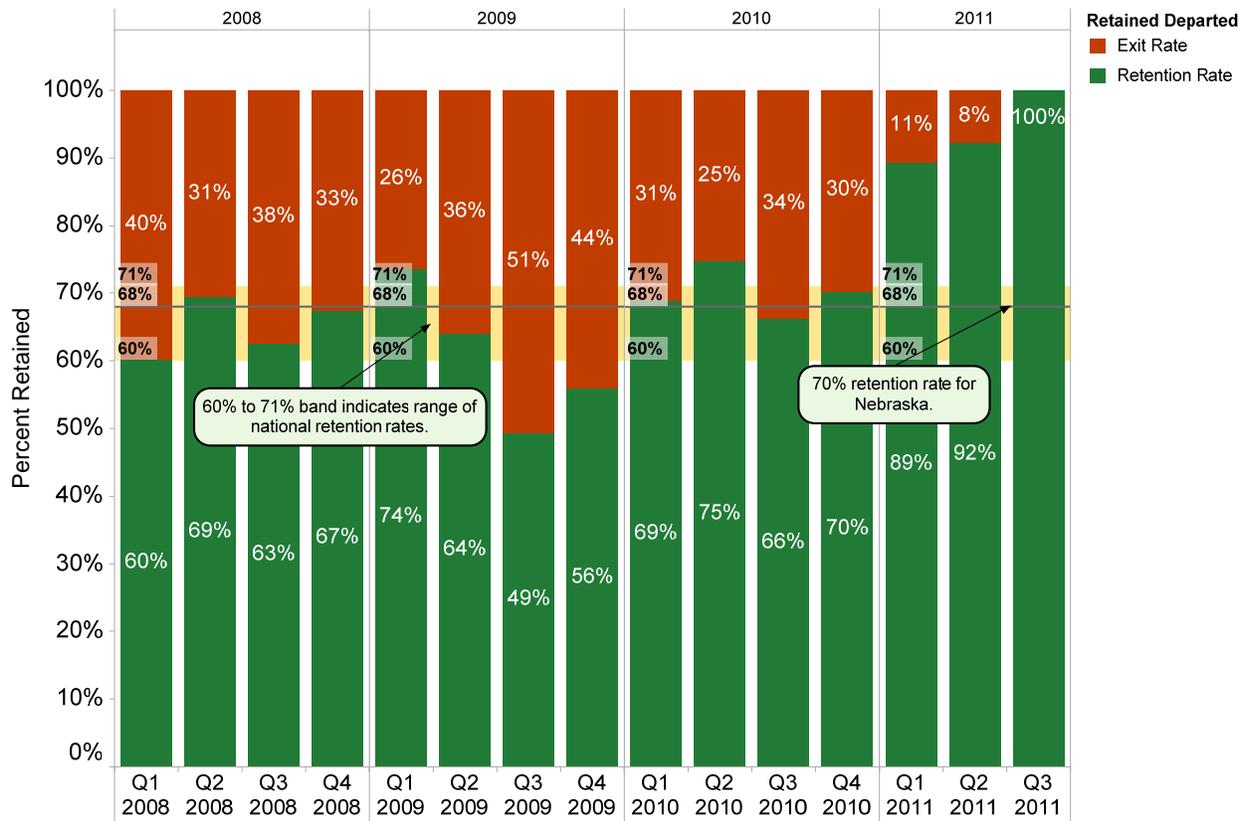
Retention Rate

Problem-Solving Courts and the office of Probation Administration have both adopted a recommendation of the National Research Advisory Committee of the National Drug Court Institute by implementing a standard method for measuring how drug court participants successfully navigate their program—retention rate.^[1] Graduation rate is a common means of measuring success; however, this is complicated by the fact that many drug court participants may still be enrolled. Moreover, graduation rates will also depend on the amount of time participants will have spent in the program—participants admitted recently are less likely to have had an opportunity to graduate than those admitted long ago.

Retention rate introduces two important components. First, individuals still in drug court are included as part of the calculation. Second, the analysis is based on those in the entry group, or cohort. A cohort is all those individuals who entered drug court during a given time period. For instance, all those who entered in quarter 1, 2009 can be considered a cohort for the purpose of determining retention rate. The calculation of retention rates is: graduates plus those still in program, divided by the total number of participants who entered in a particular time frame. For example, the retention rate for a hypothetical drug court cohort of 88 individuals who entered in quarter 4, 2008, and calculated two years later in quarter 4 2011: 57 graduates plus 3 participants remaining in program, $(57 + 3)/88 = 68\%$ retention rate.

Tables 7 through 12 represent the information used to determine retention rates for Nebraska Drug Courts. Note that this data is collected for 3 month quarterly cohorts, beginning in Quarter 1, 2008. Typically, participants remain in Nebraska drug courts for about 18 months. We thus considered 2 years as a reasonable amount of time for most of the participants to depart drug court, either through graduation or otherwise. With this in mind, cohorts two years or greater in time from the most recent quarter can be considered "mature" cohorts, and little change in their retention rates can be expected with the further passage of time. Retention rates for more recent cohorts may be affected by changes in drug court policy or procedure.

Table 7. Adult Retention Rate*



*Note: **Retention Rate** includes graduates and currently enrolled participants. **Exit Rate** includes terminated, discharged and voluntary withdrawal. The the 60% to 71% national average retention rate is obtained from several publications on drug courts.

Looking at Table 7, we find that the overall retention rate for all Nebraska adult problem-solving courts is 70%. Literature suggests the retention rate nationally is between 60% and 71%, and Nebraska's retention rate compares favorably to this figure. Using the data from Nebraska problem-solving courts, we can divide retention data for cohorts into two groups: mature (greater than 2 years old) and immature (cohorts less than 2

^[1] *Drug Court Performance Measurement: Suggestions from the National Research Advisory Committee*, Heck and Thanner, 2004,

years old). The retention rate for mature Nebraska problem-solving courts is 64%. The retention rate for immature Nebraska problem-solving court cohorts in existence for less than two years is 77%.

The makeup of the problem-solving court population and those that have departed problem-solving court can be examined in greater detail in Tables 8 and 9. By the end of one year approximately 50% of a cohort has departed the program (see Q3, 2010 and Q2, 2010). After 2 years, approximately 90% have departed (see Q3, 2009).

Looking at Q3, 2010 demonstrates that participants do not start graduating until at least one year in program.

Table 8. Adult Retention Breakout (%)

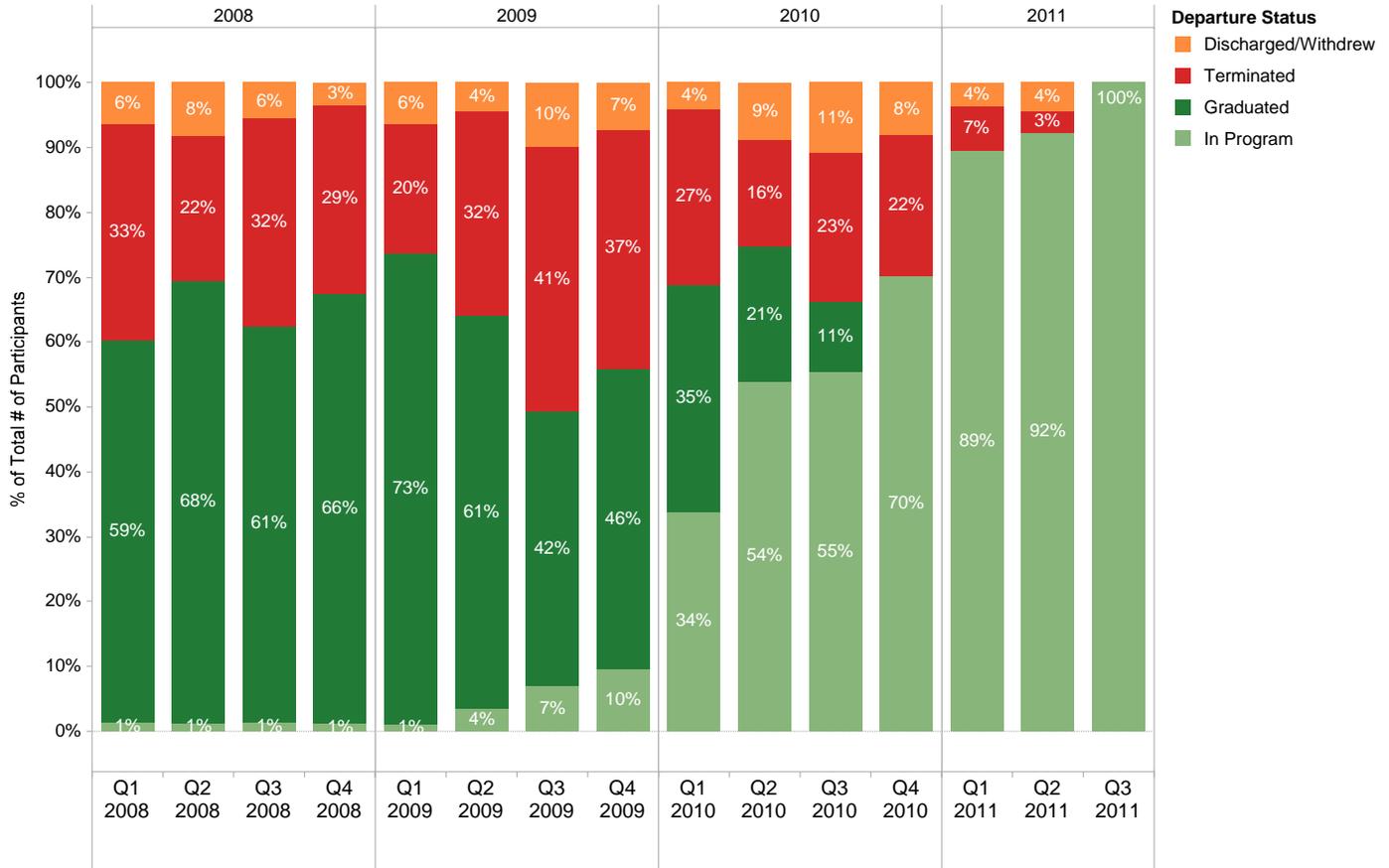
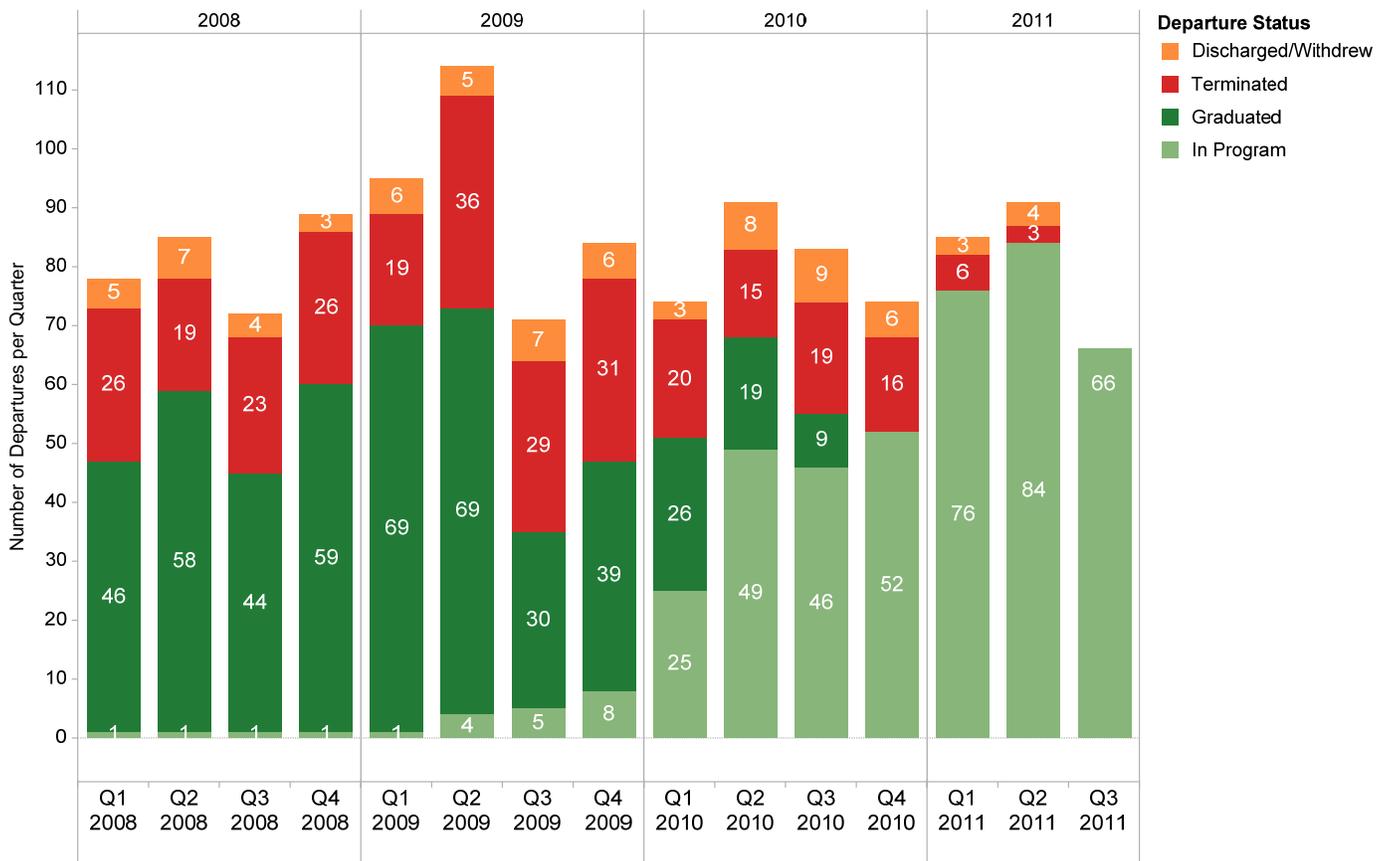
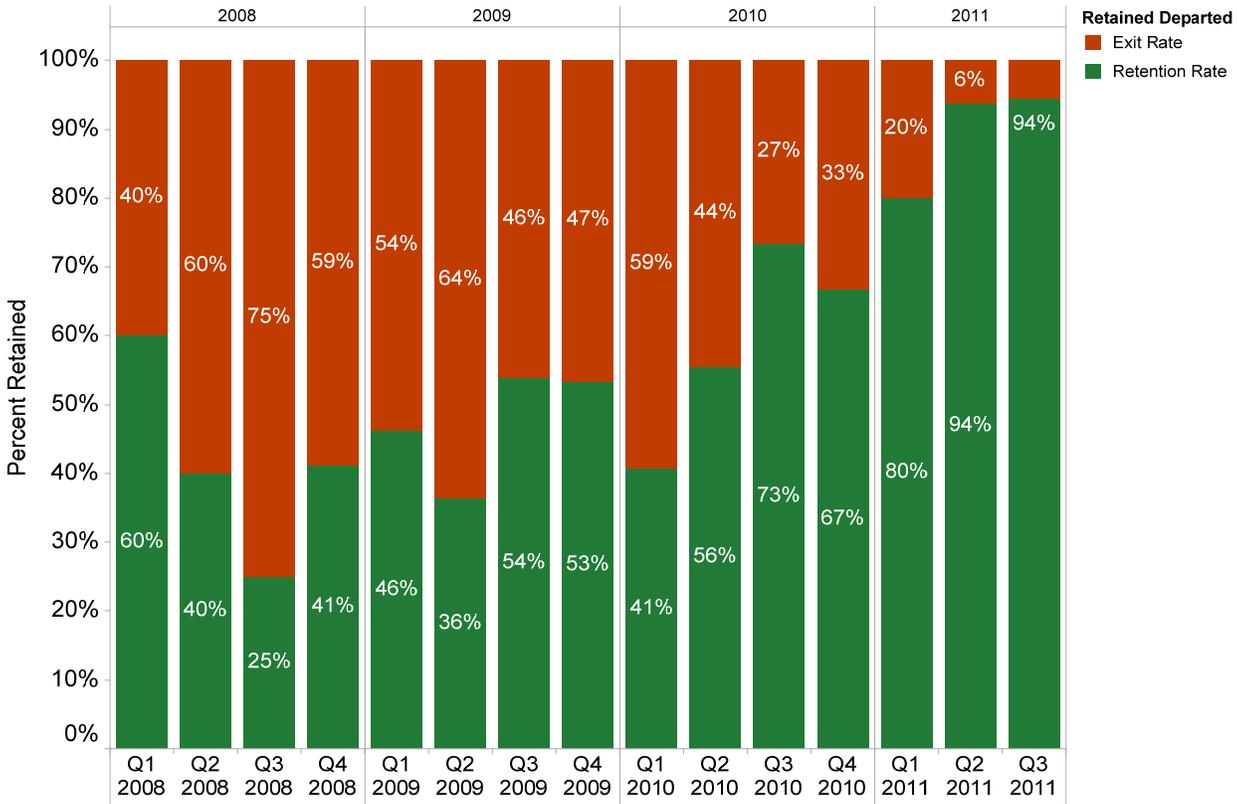


Table 9. Adult Retention Breakout



As indicated in Tables 10 and 11, Juvenile Retention rates trend lower than that of adults. Further examination is necessary to determine a cause, but one might assume this may be due to the difficult nature of the juvenile offender, who may be more susceptible to impulse behaviors, poor family/parental relationships etc. Due to the limited amount of research completed for juvenile problem-solving courts, there is little reference for retention rates of juvenile offenders. Looking at Table 7, we find that the overall retention rate for all Nebraska adult problem-solving courts is 57%. This is considerably lower than adult problem-solving courts. Looking at tables 11 and 12, the number of participants in juvenile problem-solving courts is much less than adult programs. However, similar to adult drug courts, we find no graduates until a cohort has been participating for at least a year. Comparing the terminations and graduates from juvenile drug courts to adult drug courts we also find that juvenile drug courts have a greater percentage of terminated participants and a smaller percentage of graduated participants in mature problem-solving courts. Retention rate for mature juvenile cohorts is 43% as compared to 64% for adults. This is a 20% difference in retention rates.

Table 10. Juvenile Retention Rate *



*Note: **Retention Rate** includes graduates and currently enrolled participants. **Exit Rate** includes terminated, discharged and voluntary withdrawal. National average retention rate is not available for juveniles.

Table 11. Juvenile Retention Rate Breakout (%)

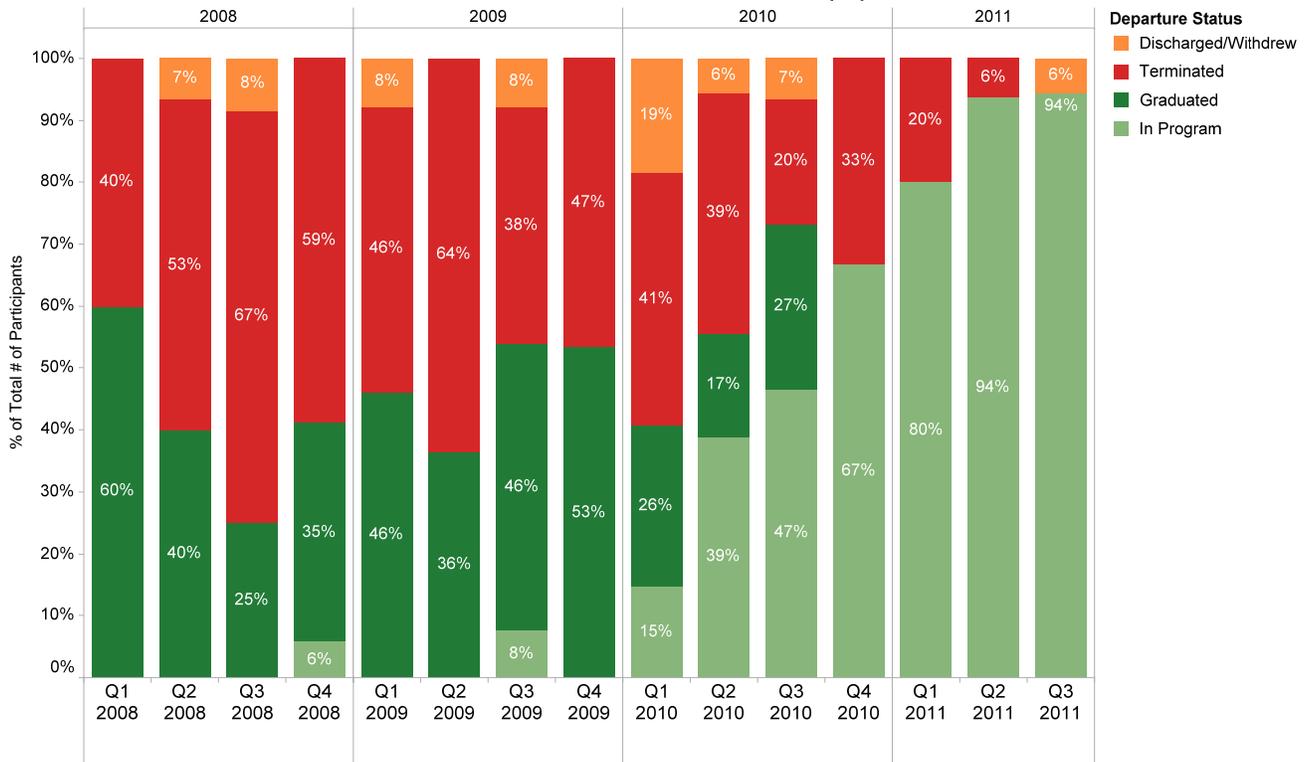
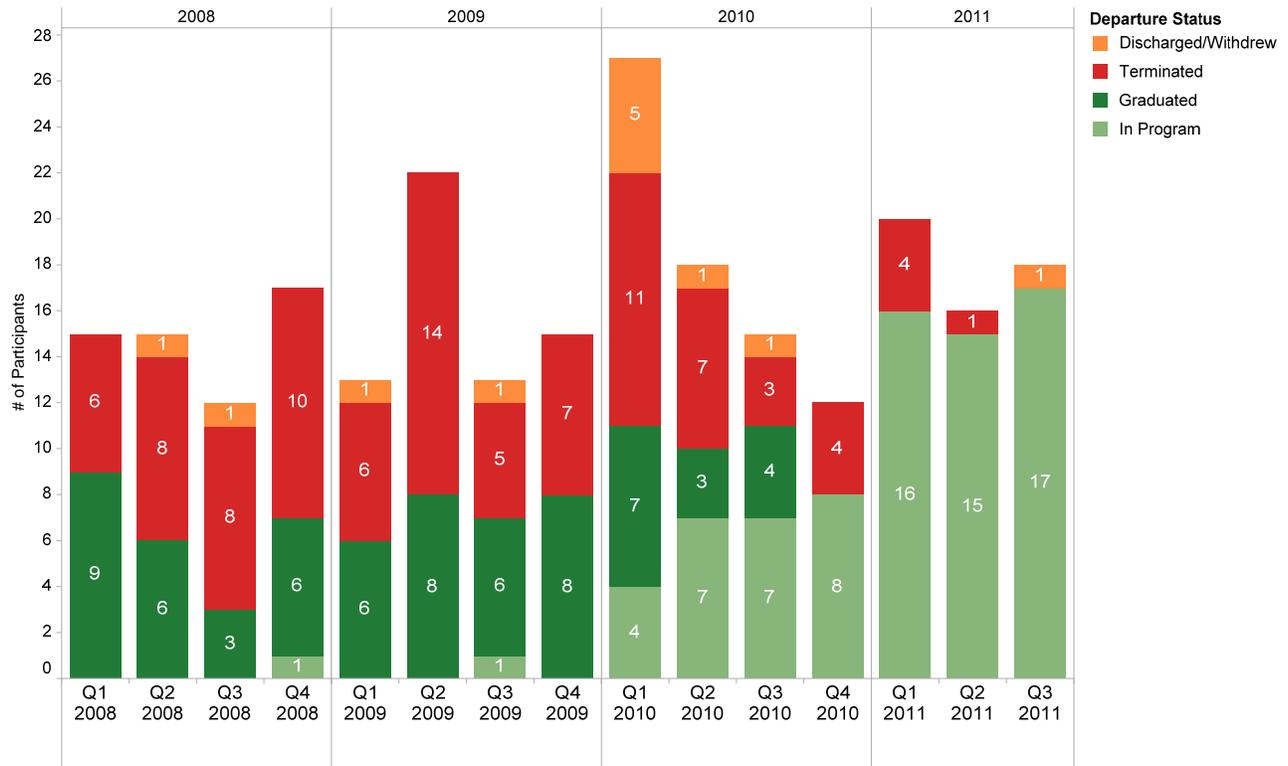


Table 12. Juvenile Retention Breakout



Sum of # of Participants for each Cohort broken down by Year. Color shows details about Departure Status. The data is filtered on Type of Court and Problem Solving Court. The Type of Court filter keeps Juvenile Drug Courts. The Problem Solving Court filter has multiple members selected. The view is filtered on Year and Exclusions (Cohort,Departure Status,Year). The Year filter keeps 2008, 2009, 2010 and 2011. The Exclusions (Cohort,Departure Status,Year) filter specifies a set.

¹ The data in this report was extracted from the statewide Problem-Solving Court Management Information System (PSCMIS) through a collaborative effort between Mike Dunkle, Data Analyst, Nebraska Crime Commission and Scott Carlson, Statewide Coordinator for Problem-Solving Courts, Administrative Office of the Courts/Probation.

Appendix A

Judicial District	Judge(s)	Court Name/Type	Start Date
1st Judicial District	V. Johnson/Korslund	Southeast Nebraska Adult Drug Court	October 2007
2nd Judicial District	Zastera/Arterburn	Sarpy County Adult Drug Court	February 2007
2nd Judicial District	Gendler/O'Neal	Sarpy County Juvenile Drug Court	January 2000
3rd Judicial District	Flowers/Merritt	Lancaster County Adult Drug Court	June 2001
3rd Judicial District	Thorson	Lancaster County Juvenile Drug Court	April 2001
3rd Judicial District	Heideman	Lancaster County Family Drug Court	October 2005
4th Judicial District	Randall/Schatz/ Retelsdorf/Otepka	Douglas County Adult Drug Court	April 1997
4th Judicial District	Crnkovich	Douglas County Juvenile Drug Court	February 2000
4th Judicial District	D. Johnson	Douglas County 0-5 Family Dep. Drug Court	May 2005
4th Judicial District	Crnkovich	Douglas County. S.T.A.R Family Drug Court	February 2004
4th Judicial District	Thomas	Douglas County Family Recovery Drug Court	May 2007
4th Judicial District	Ashford	Douglas County Young Adult Court	August 2004
6th Judicial District	Hall	District Six Adult Drug Court	December 2007
7th Judicial District	Kube	Northeast Nebraska Adult Drug Court	December 2005
7th Judicial District	Taylor/Stoffer	Northeast Nebraska Juvenile Drug Court	January 2009
8th Judicial District	Brodbeck	North Central Problem-Solving Court (Adult)	June 2010
9th Judicial District	Icenogle/Wright	Central Nebraska Adult Drug Court	September 2001
9th Judicial District	Livingston/Luther	Central Nebraska Adult Drug Court	September 2001
10th Judicial District	Illingworth	Central Nebraska Adult Drug Court	September 2001
10th Judicial District	Ide	Central Nebraska Family Drug Court	October 2007
11th Judicial District	Doyle, IV	Midwest Nebraska Adult Drug Court	July 2006
12th Judicial District	Dobrovolny	Scotts Bluff County Adult Drug/DWI Court	Feb. 2007/Oct. 2007
12th Judicial District	Worden	Scotts Bluff County Juvenile Drug Court	March 2004