

State of Michigan



96th DISTRICT COURT
COUNTY OF MARQUETTE

DENNIS H. GIRARD
District Judge

ROGER W. KANGAS
District Judge

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Marquette, Michigan 49855

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Ishpeming, Michigan 49849

Administrative Order 2009 - 2

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**ORDER FOR THE ESTABLISHMENT OF A DRIVING WHILE IMPAIRED
TREATMENT COURT**

IT IS ORDERED:

This administrative order is issued in accordance with MCL 600.1060 et seq. The purpose of this order is to establish a driving while impaired treatment court in [insert court number and court type] upon approval by the State Court Administrative Office (SCAO). All policies and procedures comply with the statute and are consistent with the 10 Guiding Principles for DWI Courts promulgated by the National Drug Court Institute, a division of the National Association of Drug Court Professionals (see attachment A).

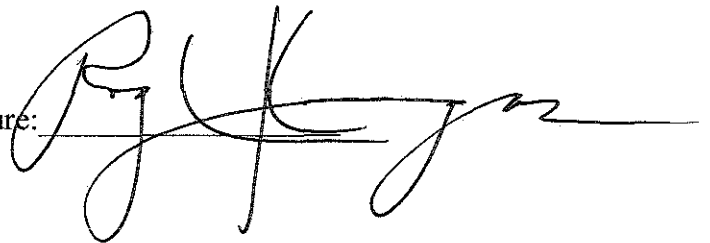
1. The court has entered into a Memorandum of Understanding with each participating county prosecuting attorney in the circuit or district court district, a representative of the criminal defense bar, a representative of community treatment providers and other key parties pursuant to MCL 600.1062. The Memorandum of Understanding shall describe the role of each party. The Memorandum of Understanding is attached.
2. The court has established eligibility criteria consistent with MCL 600.1064 and 600.1068.
3. In compliance with MCL 600.1064(3), no participant shall be admitted until a complete preadmission screening and substance abuse assessment are completed.
4. All participants shall sign a voluntary written consent to participate in the program in conformance with MCL 600.1068(1)d.

5. The court shall maintain case files in compliance with Trial Court General Schedule 16, the Michigan Case File Management Standards, and Part 2 of Title 42 of the Code of Federal Regulations to assure confidentiality of DWI court records.
6. The court has established, as part of its program requirements, procedures to assure compliance with MCL 600.1072 and 600.1074.
7. Pursuant to MCL 600.1078, the court shall provide the SCAO with the minimum standard data established by the SCAO for each individual applicant and participant of the DWI court program.
8. The court shall use the Drug Court Case Management Information System (DCCMIS) to maintain and submit the minimum standard data as determined by the SCAO while receiving grant money from the SCAO.
9. The court acknowledges that case disposition information regarding DWI court participation is unavailable from the Department of State driving record and criminal history record, and failure to use the DCCMIS will result in the absence of a complete record of drug treatment court participation in Michigan courts.
10. The court acknowledges that it has completed the federal Drug Court Planning Initiative (DCPI) training sponsored by the Bureau of Justice Assistance (BJA), in compliance with MCL 600.1062(3).

Effective Date: 8-3-09

Date: 8-3-09

Chief Judge Signature:

A handwritten signature in black ink, appearing to be "R. H. ...", written over a horizontal line.

ATTACHMENT A

The 10 Guiding Principles of DWI Courts

Guiding Principle #1 – Target the Population

Guiding Principle #2 – Perform a Clinical Assessment

Guiding Principle #3 – Develop the Treatment Plan

Guiding Principle #4 – Supervise the Offender

Guiding Principle #5 – Forge Agency, Organization, and Community Partnerships

Guiding Principle #6 – Take a Judicial Leadership Role

Guiding Principle #7 – Develop Case Management Strategies

Guiding Principle #8 – Address Transportation Issues

Guiding Principle #9 – Evaluate the Program

Guiding Principle #10 – Create a Sustainable Program