JANUARY 2026 | VOL. 14

INNOVATIVE SPECIALTY COURTS *QUARTERLY*

QUARTERLY NEWS, GRANT SOURCES, AND TRAINING EVENTS

The Innovative Specialty Courts Committee exchanges ideas, discusses issues and recommends policies related to the operation and administration of Ohio courts with specialty dockets (mental health courts, drug courts, re-entry courts, etc.). The Innovative Specialty Courts Committee is working to identify additional resources available to these courts and to develop a procedural framework in order to facilitate the continued operation of these dockets.

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WELCOME

Welcome to the Fourteenth Edition of the Innovative Specialty Courts Newsletter. The purpose of the newsletter is to provide articles, training opportunities and resources and to foster collaboration among our community of specialized docket judges.

On October 28, 2025, the Specialized Dockets Section of the Ohio Supreme Court hosted the 2025 Ohio Specialized Dockets Fall Conference at the Ohio State University Student Union Building, with 475 in-person attendees and another 300 joining online .



Pictured Teresa M. Stafford-Wright, CEO of Hope & Healing Survivor Resource Center

Check your calendars! The 2026 Ohio Specialized Docket Conference will be held on October 14, 2026. Be sure to Save the Date to make this year's conference another great success!

RECAP 2025 OHIO SPECIALIZED DOCKET CONFERENCE











PICTURES COURTESY OF THE OHIO SUPREME COURT



New Year, Fresh Perspective: RECOVERY CAPITAL

by: Sam Campbell, Manager, Supreme Court of Ohio Specialized Dockets Section

Recovery capital is a framework you can use throughout participants' time in a specialized docket to measure the strength of their recoveries. It includes all the internal and external resources a person can draw upon to begin and maintain recovery from substance use disorder or behavioral health challenges. In other words, it is the sum of everything individuals have to support them after they leave your specialized docket.

Recovery is not just about stopping substance use. It is about building a life worth living. The domains of recovery capital (below) provide a framework for supporting people in their efforts to build a life free of addiction, mental health concerns, and criminal behavior.

Domains of Recovery Capital

Personal · Physical and mental well being · Skills, education, and employment · Self-esteem, confidence, and resilience · Coping strategies and problem-solving · Hope, motivation, and sense of purpose · Belief in one's ability to succeed	**Family & Social** · Supportive family/friends · Peer networks & recovery communities · Positive role models and mentors · Freedom from negative peers · Ability to form healthy relationships · Sense of belonging
Community or Physical · Healthcare and treatment services · Safe, stable housing options · Recovery-friendly environment · Access to transportation · Basic needs (food, clothing, childcare)	**Cultural** · Acceptance and reduced stigma · Cultural identity and pride · Policies and attitudes that support recovery · Spiritual or religious resources · Traditions that promote wellness

There are several free recovery capital assessments, both short screeners and more in-depth evaluations.

Assessment Name	# Items
Assessment of Recovery Capital (ARC)	50
Brief Assessment of Recovery Capital (BARC-10)	10
Multidimensional Inventory of Recovery Capital (MIRC)	28
Recovery Capital Screener (RCS-36)	36

The best part of recovery capital is that it increases the benefits of the interventions specialized dockets already provide, such as:

- Skill development and education
- Creating supportive relationships
- Connecting to mutual aid groups
- Improving living situations
- Addressing co-occurring disorders
- Finding meaningful activities and purpose
- Accessing community resources and support services

When you use recovery capital in treatment team meetings, it can help identify areas of need. When you use it when working directly with participants, it can help them gauge their own progress and plan for the future. Recovery capital keeps the focus on building a life too meaningful to risk with substance use or untreated mental illness.



WHEN JUSTICE MEETS TREATMENT: ETHICAL DUTIES OF THE TREATMENT COURT JUDGE

by: Hon. Mary Katherine Huffman, Second District Court of Appeals

Ethics in treatment courts support the complex relationship between the court, treatment and clients. Specialized dockets operate at the intersection of law, medicine, and social services, requiring judges, attorneys, and treatment professionals to navigate issues such as participant autonomy, confidentiality, informed consent, and equitable access to services. Because treatment courts wield considerable influence over a participant's liberty and well-being, ethical practice represents not only a professional obligation but a foundational safeguard for fairness and justice. An exploration of principled practices reveals how thoughtful adherence to ethical guidelines helps ensure that treatment courts fulfill their mission of supporting recovery while upholding the integrity of the legal system. Some consider ethical standards to be different in treatment courts, particularly because of the collaborative nature of treatment courts and the importance of the enhanced relationship between the judge and the participant. However, a review of recent decisions and Best Practice Standards reveal that, while some ethical considerations may appear to be modified in treatment courts, the same principles of judicial conduct remain.

The Basics

Socrates opined that "four things belong to a judge: to hear courteously, to answer wisely, to consider soberly, and to decide impartially." In borrowing from the medical profession and Hippocrates, our first obligation as treatment court judges is to do no harm.

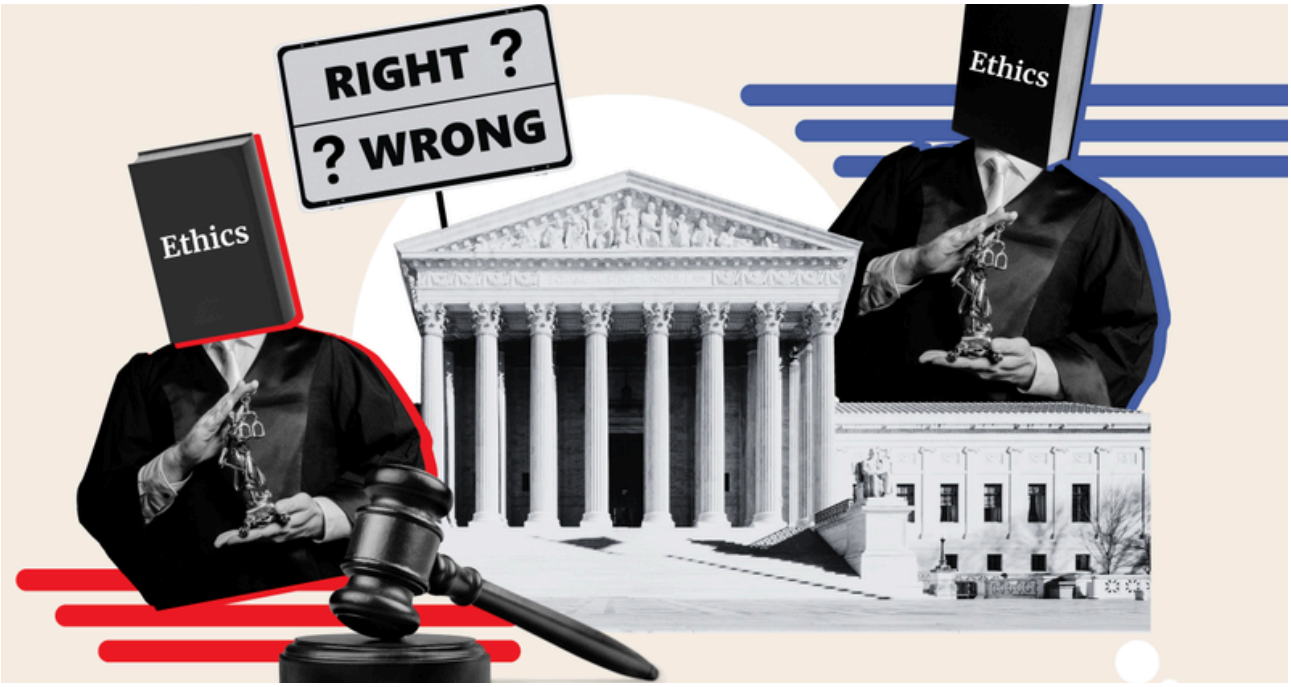
In embracing the philosophy of Socrates and Hippocrates, Canon 1 of the Ohio Code of Judicial Conduct succinctly sets forth the foundational expectations of judicial behavior: "A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety."[1] The conduct of judges must always focus, then, on the basic precepts of independence, integrity and impartiality inherent in the judicial role.

The conduct of a judge in Indiana, and the Supreme Court of Indiana's subsequent order to resign and permanently ban him from the judiciary resulting from disciplinary proceedings, highlights the need for judges working in specialized dockets to understand and practice their ethical responsibilities to support client success.[2] Judge Matthew Elkin, assigned to the Howard County Superior Court in 2023 and who had served for less than two years prior to his removal from the bench, presided over a Drug Court and a Re-Entry Court. Judge Elkin's conduct spotlights how quickly and completely a court loses its credibility and effectiveness when ethics fail.

Prior to his election to the bench, Judge Elkin worked primarily as a public defender and served in that role in the same treatment courts over which he later presided. Rather than disqualify himself, Elkin presided over eleven treatment court matters involving clients he represented as defense counsel. He met with at least one participant outside of the courthouse, disparaged and disclosed confidential information about other participants and demeaned treatment team members. Elkin also engaged in *ex parte* communications with participants whom he preferred, and to some favored participants personally provided transportation, purchased clothing and arranged housing in a property owned by his wife, used his personal credit card to rent a vehicle, and permitted at least one treatment court client to repeatedly drive his personal vehicle. At the disciplinary proceeding, witnesses testified that he demeaned, mocked and intimidated participants with injudicious comments, accusing at least one person of being one of the "worst people on the planet." The judge also engaged in intimidating tactics, including one he called "Game or Jail," where treatment court participants could all suffer punishment if one person was suspected of lying. He also handcuffed participants who had committed no violation simply, as he said, "to make a point." He also demeaned and ridiculed a participant who was a domestic violence survivor by likening the brain chemicals released when she experienced a physical assault with the brain

WHEN JUSTICE MEETS TREATMENT: ETHICAL DUTIES OF THE TREATMENT COURT JUDGE (Cont.)

by: Hon. Mary Katherine Huffman, Second District Court of Appeals



chemicals Tom Brady experienced when winning the Superbowl, suggesting women stay in abusive relationships because of some desire to experience elation from the surge of endorphins. Finding that the judge had violated at least nine rules of the Code of Judicial Conduct, Judge Elkin was permanently banned from judicial office, although he retained his license to practice law. In acknowledging the impact a treatment court judge has on participants, the Indiana Supreme Court found Elkin's demeanor had an "outsized impact" on participant success and demonstrated he reveled in the power he wielded in his position "like a tyrant, attempting to intimidate participants and team members alike," in direct contradiction with the collaborative, non-adversarial treatment court approach.

Treatment Decisions

The All Rise Best Practice Standards affirmatively limit the role of judicial officers in treatment decision making. The Standards demand that treatment court requirements that "impact or alter treatment conditions" must be predicated on a valid clinical assessment and recommendations from *qualified* treatment professionals. Thus, judges, probation officers and other treatment team members, while working collaboratively with qualified treatment professionals, nonetheless, maintain a limited role in treatment decisions.[3]

The All Rise Best Practice Standards also contribute guidance on MAT decisions. Standard V (H) provides: "Treatment court staff rely exclusively on the judgment of medical practitioners in determining whether participants need MAT, the choice of medication, the dose and duration of the medication regimen, and whether to reduce or discontinue the regimen."[4] Thus, judicial officers lack the discretion to determine if, when or what MAT a participant can or should utilize. While judges continue to retain the authority to consider a participant's compliance with MAT in a treatment court setting, because judges lack the important medical knowledge necessary to make treatment or MAT decisions, the court must defer to medical professionals in all such considerations.

Court policies related to MAT should not interfere with the medical decisions made by prescribing physicians, or the court risks potential action against it. Recently, in a court settlement, the Unified Judicial System of Pennsylvania paid $100,000 where court policies categorically limited or prohibited the use of MAT and agreed to encourage all courts to adopt new policies to

WHEN JUSTICE MEETS TREATMENT: ETHICAL DUTIES OF THE TREATMENT COURT JUDGE (Cont.)

by: Hon. Mary Katherine Huffman, Second District Court of Appeals

ensure individuals under supervision may take lawfully prescribed medications to address SUD.[5]

Religious-Based Programming

Compelling a treatment court participant or any probationer to attend a program rooted in religious faith violates the First Amendment.[6] However, the prohibition against religious-based programming focuses on *compelled* attendance. Participants remain free to attend the programming of their choice. If, though, the participant chooses a faith-based program to fulfill a supervision requirement and then fails to adhere to it, the participant then cannot complain that expecting compliance violates the First Amendment. [7]

Funding

Resources to support specialized dockets remain a challenge, even where grant funding may be available. But judges must exercise caution in lobbying or seeking funds from non-governmental entities. In a judicial discipline decision, where the judge organized a non-profit to support the treatment court and then appeared before an administrative body to obtain contracts and funding for the non-profit, the Supreme Court of Kentucky removed the judge from office. The Court found that judges must refrain from organizing non-profit corporations, directly soliciting donations, permitting their name/likeness/office from being used to solicit donations, and may not appear before legislative or administrative bodies encouraging funding or work for a non-profit corporation.[8]

In providing guidance on judicial involvement in the funding of treatment courts, a recent Kansas Judicial Ethics Opinion suggested that a judge must avoid actively seeking funding for a behavioral health court, as direct solicitation of public and private entities to support the program compromises the judge's obligation .

to "act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary" as such conduct "undermines public confidence in the judiciary."[9]

Relationship with Service Providers

In two recent Opinions, the Ohio Board of Professional Conduct provided guidance on the interaction of the court with service providers. In a 2021 opinion, the Board determined that a judge may not serve as a member or officer of the board of directors of a nonprofit corporation that provides services to the court under a contract with the court's funding authority.[10] In another opinion, the Board found that a court may not employ a person who is simultaneously employed by a nonprofit drug treatment center that has contracted with the court to provide services for its specialized drug court docket.[11]

***Ex Parte* Communications**

Ex parte discussions, where the judge learns information regarding participants outside of the courtroom in the team meeting represent an integral feature of the treatment court model. But how far does the "therapeutic court exception" to the *ex parte* rules extend?

Founded in 2012, the 'Skid Row Running Club' (also the subject of a documentary titled *Skid Row Marathon* available on Amazon Prime) was operated for years by Los Angeles Superior Court Judge Craig Mitchell, who met with recovery court participants in the morning and ran, often preparing for marathons. The runners experienced a unique opportunity to focus on their health and well-being with fellow treatment court participants, which also resulted in spending significant time with the judge while running and training. While the alliance between the judge and the treatment court participant is important, could close interaction with a judge outside the bounds of the courtroom compromise the obligation of the judge to be impartial? In a Washington State Ethics Advisory

WHEN JUSTICE MEETS TREATMENT: ETHICAL DUTIES OF THE TREATMENT COURT JUDGE (Cont.)

by: Hon. Mary Katherine Huffman, Second District Court of Appeals

Opinion, where a treatment court judge proposed to establish a running club similar to that operated in Los Angeles, and where the participants could receive pro-social credits necessary for graduation, the Ethics Advisory Committee determined that such a program could lead to inappropriate *ex parte* communication, an appearance of partiality toward those participating, and those unable or unwilling to participate could reasonably perceive a disadvantage to them.[12]

Respect for Time

The principles of procedural fairness demand that judges extend respect toward all individuals appearing in court. That respect includes consideration for the time demands of others. Treatment court participants, like all other litigants, often experience scheduling challenges, resulting from commitments associated with treatment, programming, court appearances and family, work and community responsibilities. Thus, judges must respect the impact the time in court requires of those involved in the judicial process. In a judicial discipline case from Texas, a judge was disciplined for, among other infractions, utterly refusing to consider the time of litigants, attorneys and court staff. The judge repeatedly left the bench with matters waiting to be heard and failed to advise courtroom participants if or when to expect her return, instead forcing people to wait long periods of time and demanding that attorneys remain in the courtroom during her absences, even if they were expected in court elsewhere. A Special Court of Review Appointed by the Supreme Court of Texas imposed a public reprimand, although the judge was not re-elected to office before the decision was issued, and reminded all judicial officers that "(t)he first principle of courtesy is consideration of others."[13]

Jail Visitation

Presiding over a treatment docket requires a judge to not only consider compliance with court requirements, but also the health and welfare of participants. A treatment court participant, whom Amanda Williams, Chief Superior Court Judge of the Brunswick, Georgia, Judicial Circuit, knew to be suicidal, was ordered to serve twenty-eight days in custody for violating the drug court contract. In a strikingly inhumane and potentially dangerous act, Williams altered the sanction in her written order to an indefinite term in custody with no telephone or visitation privileges. During the seventy-three days the participant spent incarcerated, jail staff, at the judge's order, prohibited all visitation with family, treatment providers and her attorney. The participant's release resulted when she was transferred to an in-patient facility. During a disciplinary proceeding, the judge was described as exhibiting "tyrannical partiality." Featured on NPR's "This American Life,"[14] Williams eventually resigned from office with discipline pending. (She was later indicted for lying during the investigation).[15]

Financial Sanctions

While treatment court participants often face economic costs associated with their case, what role should financial sanctions play? In imposing any financial cost in a treatment court program, the judge must evaluate the participant's present and future ability to pay, rather than resorting to expectations that all imposed fees be paid prior to considering supervision termination. In a recent case where a judge was suspended without pay for eighteen months, the Ohio Supreme Court suggested that the judge had "leaned into the idea of a debtors' prison," in attempting to collect fines and court costs without considering the defendant's ability to pay and threatening or imposing jail sentences to coerce payment.[16]

Treatment courts serve as one of the most effective tools of the judicial system in reducing recidivism and promoting recovery, but only if participants perceive the court as operating justly. Assiduously remaining within the ethical obligations of the judicial role holds an important place in not only the public's perceptions of the independence, integrity, and impartiality of the judiciary, but to the success of program participants.

Citations for Judge Huffman's article may be found on Page 14.

2026 Specialized Dockets Roundtables

Registration is open for the 2026 Ohio Specialized Dockets Roundtables. All roundtables will be held online and can be registered for here.

Substance Use-Domestic Violence	Tuesday, Feb. 3, 12:00 - 1:00 p.m.
Coordinators	Friday, Feb. 13: 12:00-1:00 p.m. Wednesday, March 25: 12:00 - 1:00 p.m. Friday, May 22: 12:00 - 1:00 p.m. Friday, Aug. 21: 12:00 - 1:00 p.m. Thursday, Sept. 17: 12:00 - 1:00 p.m. Friday, Nov. 13: 12:00 - 1:00 p.m.
Probation Officers	Thursday, Feb. 19: 12:00 - 1:00 p.m. Wednesday, July 8: 12:00 - 1:00 p.m.
Veterans	Monday, March 9, 12:00 - 1:00 p.m. Thursday, June 25, 12:00 - 1:00 p.m.
****New** Legal Professionals**	Friday, April 24, 12:00 - 1:00 p.m. Thursday, Aug. 13, 12:00 - 1:00 p.m.
Judges	Friday, March 20, 12:00 - 1:00 p.m. Tuesday, Sept. 8, 12:00 - 1:00 p.m.
Mental Health	Monday, April 20, 12:00 - 1:00 p.m. Thursday, Aug. 27, 12:00 - 1:00 p.m.
Substance Use-Human Trafficking	Tuesday, June 16, 12:00 - 1:00 p.m.
Specialized Docket Managers	Thursday, April 2, 12:00 - 1:00 p.m. Tuesday, Oct. 20, 12:00 - 1:00 p.m.
Veterans Mentor Roundtables	Thursday, Jan. 15, 3:00 - 5:00 p.m. Wednesday, April 8, 3:00 - 5:00 p.m. Thursday, Aug. 6, 3:00 - 5:00 p.m. Wednesday, Oct. 7, 3:00 - 5:00 p.m.
Substance Use-Reentry	Wednesday, May 13, 12:00 - 1:00 p.m. Thursday, Aug. 20, 12:00 - 1:00 p.m.

AT A GLANCE:

COMMISSION on SPECIALIZED DOCKETS DECEMBER MEETING HIGHLIGHTS

Superintendence Rule Discussion – Drug Testing in Mental Health Dockets

- Concerns raised regarding clarity of drug testing requirements for participants without a substance use disorder diagnosis.
- Approved amendments to Sup.R. 9(A):
  - 9(A)(2): Allows individualized testing plans, including reduced or eliminated testing for participants without a substance use disorder.
  - 9(A)(3): Requires witnessed specimen collection by trained staff or technicians.
- Motion approved; amendments to be submitted to the Commission on Rules of Superintendence for public comment.

Magistrates Presiding Over Non-Juvenile Dockets

- Reviewed prior limitations under Sup.R. 36.33 allowing magistrates in adult dockets only on a temporary or emergency basis.
- Discussed alignment with proposed changes to Juv.R. 40.
- Proposal supports allowing magistrates to serve as primary judicial officers in specialized dockets for both juvenile and adult courts.
- Change emphasizes judicial oversight, magistrate training requirements, and local discretion.
- Motion approved to advance proposed modification to Sup.R. 36.33 for public comment.
- Earliest possible effective date: January 2027.

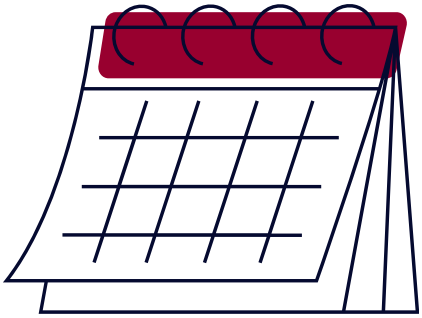
ODBH Update

- Open RFAs:
  - Adult mobile crisis pilot program.
  - Two-year high-THC cannabis impact research study.
- Upcoming initiatives:
  - Centralized workforce hub for peer supporter training.
  - Additional specialized docket staffing subsidy funding (announcement expected in January).
- Reminder: Initial specialized docket certification is required prior to funding.
- Contact Chris Nicastro for details.

Subcommittee Meetings

- Education Subcommittee to continue regular meetings.
- Other subcommittees to meet on an as-needed basis.

SAVE THE DATE



All Rise Treatment Court Institute 2026 Practitioner Training

at the Sheraton Oklahoma City Downtown | 1 N Broadway Street, Oklahoma City, OK

Registration is open.

- Community Supervision/Case Manager I March 24 -27, 2026
- Court Coordinators | May 19-22, 2026
- Prosecutors | September 22-25, 2026

The National Judicial College

Registration is open.

- Judicial Decision Making | April 27 -30, 2026 | Chattanooga, TN
- Ethics and Judging: Reaching a Higher Ground | June 8 - 23, 2026 | Webinar
- Enhancing Judicial Bench Skills | July 20 -23, 2026 | Reno, NV

The 2nd Annual Ohio Impaired Driving Symposium -2026

Columbus, Ohio - October 22, 2026 - Location to be determined. Continue to check the Ohio Judicial College website.

All Rise RISE26 Conference

2026 RISE will be held in Nashville, TN, on July 20-23, 2026.

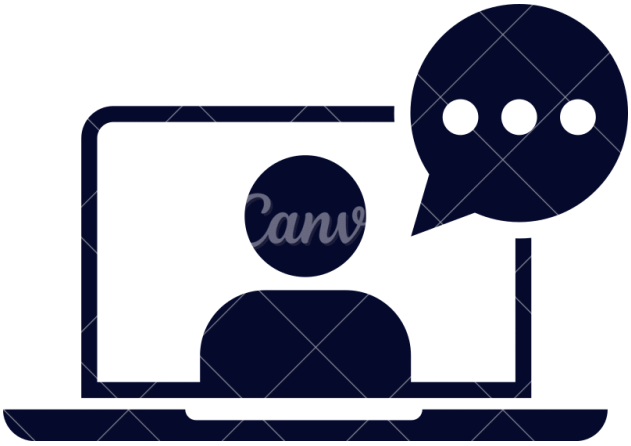
The 2026 National Alliance on Mental Illness Conference (NAMICon 2026)

NAMICon will be held *IN PERSON* in Atlanta, GA on May 27- 30, 2026.

The 2026 Ohio Specialized Docket Conference | October 14, 2026

at the Ohio State University | The Ohio Union at 1739 North High Street, Columbus, Ohio

VIRTUAL TRAINING OPPORTUNITIES



ALL RISE E-LEARNING CENTER

https://allrise.org/trainings/e-learning/

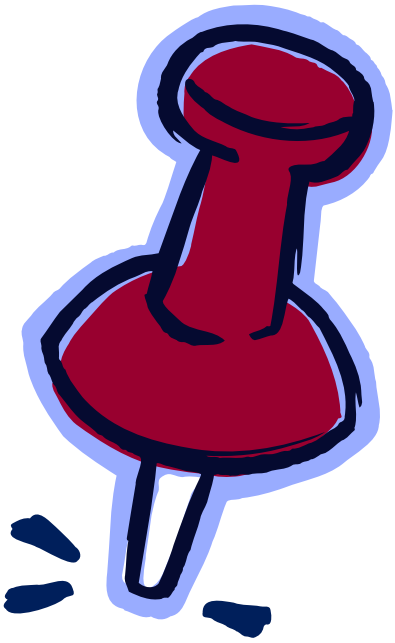
SAMHSA'S PRACTIONER TRAINING

SAMHSA's practioner training offers tools, training, and technical assistance to practitioners in the fields of mental health and substance use disorders.
https://www.samhsa.gov/resource-search/tta

2025 IMPAIRED DRIVING PREVENTION MONTH TOOLKIT FOR TREATMENT COURTS

https://allrise.org/news/impaired-driving-prevention-month-toolkit-2/





GRANT OPPORTUNITIES

ODMHAS – SD Subsidy Project Funding
Link: Specialized Dockets | Department of Mental Health and Addiction Services (ohio.gov)
Note: Cover payroll costs for specialized docket staff members or for clinical services provided by OhioMHAS certified addiction and/or mental health providers, medication assisted treatment (MAT) medications, urinalysis and recovery supports. Must be in the process of certification or certified by SCO.

ATP (Addiction Treatment Program) Funds
Link: Department of Mental Health and Addiction Services (ohio.gov)
Note: Contact your local ADAMH board for what is available to your court program participants.

SAMHSA (Substance Abuse and Mental Health Services Administration)
Link: Grants and Grantees | SAMHSA
Note: Search grants by state and type to see past funded awards. Deadlines vary.

NDRC (National Drug Court Resource Center)
Link: Grant Solicitations - National Drug Court Resource Center (ndcrc.org)
Note: Lists solicitations from various sources.

Grants.gov
Link: Home | GRANTS.GOV
Note: Search for local/private funding, state and national funding opportunities. Deadlines vary.

State Justice Institute
Link: State Justice Institute (sji.gov)
Note: Application deadlines are: November 1; February 1; May 1; and August 1, and correspond with the federal fiscal year quarters.

The Annie E. Casey Foundation
Link: Grant Information & FAQs - The Annie E. Casey Foundation (aecf.org)
Note: Funding opportunities for juvenile justice. Rolling deadlines.

Grant and Funding Webinars:
Funding Webinars | Bureau of Justice Assistance (ojp.gov)
Training Events, Videos, and Reference Materials for Applicants and Grantees | SAMHSA
Grant Writing Basics – Grants.gov Community Blog (wordpress.com)



CITATIONS FOR JUDGE HUFFMAN'S ETHICS ARTICLE

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[1] Jud.Cond. Canon 1 (2009).

[2] *In the Matter of the Honorable Matthew J. Elkin*, Judge of the Howard Superior Court, Indiana Supreme Court Case No. 25S-JD-69 (Sept. 11, 2025).

[3] All Rise Best Practice Standard V(A)(2025).

[4] All Rise Best Practice Standard V(H)(2025).

[5] See United States v. Unified Judicial System of Pennsylvania (case was resolved and no published decision exists).

[6] *Inouye v. Kemna*, 504 F.3d 705 (9th Cir. 2007). Failure to object to a requirement to attend faith-based programming, and then attending, does not result in a First Amendment violation, however. *Norton v. Kootennai County*, 2009-WL 2949324 Idaho.

[7] *Richard v. Boarder*, 2008 WL 4936483.

[8] *James T. Jameson v. Judicial Conduct Commission*, 2022-SC-0496-RR (Supreme Court of Kentucky, August 22, 2024).

[9] Kansas Judicial Ethics Opinion 187 (Dec. 21, 2023).

[10] Ohio Board of Professional Conduct, Opinion 2021-01 (February 12, 2021).

[11] Ohio Board of Professional Conduct, Opinion 2017-06 (August 4, 2017).

[12] State of Washington, Ethics Advisory Committee, Opinion 23-03.

[13] *In Re The Honorable Etta Mullin*, Special Court of Review, Supreme Court of Texas, Docket No. 15-0002 (Oct. 21, 2015).

[14] https://www.thisamericanlife.org/radio-archives/episode/430/very-tough-love.

[15] Because Judge Williams resigned with discipline pending, the Georgia Judicial Qualifications Commission dismissed the ethics charges brought against her.

[16] *Disciplinary Counsel v. Hoover*, 2024-Ohio-4608.



THE EDITORS WOULD LOVE TO HEAR FROM YOU!! PLEASE SUBMIT AN ARTICLE WITH PICTURES VIA EMAIL TO JUDGE HUFFMAN OR JUDGE PRATT (CONTACTS CAN BE FOUND ON THE FRONT PAGE OF THIS NEWSLETTER) SO WE MAY HIGHLIGHT YOUR SPECIALTY COURT IN A FUTURE NEWSLETTER.

