

The mission of the Michigan Association of Treatment Court Professionals is to provide leadership to treatment courts in the State of Michigan.

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May 9, 2022

To : House Judiciary Committee

Re: Written Testimony to the Michigan House Judiciary Committee re. HB 5340

Dear Chairman Filler and other members of the Michigan House Judiciary Committee -

My name is Kate Hude, and I am the Executive Director of the Michigan Association of Treatment Court Professionals (MATCP). MATCP provides education and advocacy on matters related to Michigan's 205 treatment courts. We greatly appreciate the Michigan House Judiciary Committee taking up HB 5340; this bill would codify family treatment courts in the state of Michigan. We also want to thank Representative Mary Whiteford for introducing this bill.

Currently, Michigan's family treatment courts, which are a type of specialty court for abuse and neglect matters in Michigan circuit courts, operate under the Michigan Drug Treatment Court statute, MCL 600.1060 to 600.1084.

HB 5340 would add an additional section specifically for family treatment courts; this would be in addition to the current statutes for Drug Treatment Courts, Adult Mental Health Courts, Juvenile Mental Health Courts, and Veterans Treatment Courts.

Creation of its own statute is important for current and future family treatment court programs namely for the following reasons:

(i) Individualization versus family units – the Michigan Drug Treatment Court statute requires the specialized dockets falling under this statute to comply with best practices, based on key components as set forth by the National Association of Drug Court Professionals (see MCL 600.1060(c)). These best practices focus on the individual participant. By contrast, family treatment courts focus on the family unit – and the court issues orders that impact the family unit as a whole, parents and children.

(ii) Differences in criminal matters and civil matters – drug treatment courts handle criminal cases at both the district and circuit court level. Abuse and neglect matters in Michigan circuit courts are civil matters. Court rules, rules of evidence, standards of proof, etc. differ between criminal and civil matters. Family treatment courts deserve to have their own laws and best practices applicable to the civil matters that they are, and to not be treated as criminal cases.



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(iii) Need for specific Best Practices – abuse and neglect matters need their own best practices that fall in line with national standards for family treatment courts, as well as incorporating the existing sections of the Michigan Probate Code for the jurisdiction, procedure, and disposition of minors, MCL 712A.1 to 712A.32.

In Conclusion:

The codification of HB 5340 is essential for our judiciary, families involved in abuse and neglect matters, and ultimately, the children at the heart of these cases.

We are hoping that the legislature, starting with this Committee, will take swift action on advancing HB 5340.

I am happy to provide any additional information requested and appreciate you considering this important bill. Thank you for your continued support of Michigan's treatment courts and its judiciary.

Regards,

Katharine M. Hude

MATCP Executive Director, kate@matcp.org