

NEBRASKA JUDICIAL BRANCH

# Problem-Solving Courts Needs Assessment Phase 2 Report



March 2023





**Research and Data Division  
Problem-Solving Courts Needs Assessment  
Phase 2**

**March 2023**

**Acknowledgments**

This report was produced by the Research and Data (R&D) team in the Operations Division of the Administrative Office of the Courts and Probation (AOCP). The mission of the R&D Division is to create and distribute consumable data promptly. In addition, the AOCP and its stakeholders work to provide relevant and useful data for evidence-based decisions.

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**Research and Data Division  
Problem-Solving Courts Needs Assessment  
Phase II**

**Executive Summary**

Nebraska's Problem-Solving Courts (PSCs) were established in 1997. Today 32 PSCs operate in all 12 Nebraska Judicial Districts. A two-phase needs assessment project examined Nebraska PSC trends. Phase I of the needs assessment indicated a low usage of PSC, the current project (phase 2) collected data to determine the potential areas for expansion of PSC use. A survey was administered to PSC stakeholders across the State of Nebraska. Specifically, it was sent to all Nebraska Judges (i.e., District, County, Juvenile, and Appellate), Prosecutors, Law Enforcement Professionals, Defense Attorneys, and Service Providers. Overall, 84% of respondents indicated some interest in PSCs. Among those interested in expanding or implementing PSCs, 6.12% were only interested in implementing and not expanding PSCs, and 4.55% were interested in expanding but not implementing PSC. Most respondents reported that they at least 'Agree' with 'Problem-Solving Courts make the judicial system fairer than the judicial system without them' (65.86%), are necessary (77.72%), and that 'Problem-Solving Courts set a standard for future criminal justice and rehabilitation' (63.47%).

**Specific Stakeholders' Interest**

- Judges favored Adult Drug Treatment Courts (25.40%) and DUI/Drug Treatment Courts (19.84%).
- Law enforcement tended to be interested in Family Dependency Courts (19.23%) and Veterans Treatment Courts (19.23%).
- Prosecutors favored Adult Drug Treatment Courts more than any other PSC (25.00%).
- Defense attorneys were most interested in DUI/Drug Treatment Courts (20.32%), followed closely by Adult Drug Treatment Courts (18.72%).
- Service Providers were split in their interest across Adult Drug Treatment Courts (18.35%) (with only minor differences between Drug Treatment Courts and others), DUI/Drug Treatment Courts (18.65%), and Young Adult Courts (15.22%).

**Interest in PSCs Area**

- The densest interest in PSCs occurred in the Southeastern quadrant of Nebraska. The Western panhandle area reported the least dense interest.
- Despite the trend of dense interest in PSCs in the southeastern quadrant of Nebraska, those areas of interest varied by judicial role.

**Uninterested**

- Among those uninterested in implementing or expanding PSCs, respondents reported an interest in attending an information session if one was to be provided (81.25% indicated they would be interested, while only 18.75% indicated they would not).

## Overview and Legal Origins

Nebraska's Problem-Solving Courts (PSC) program was established in 1997 in law by Neb. Rev. Stat. § 24-1301 (Reissue 2016). Accordingly, in 2004, the Nebraska Legislature and Governor recognized the critical need in Nebraska for effective treatment programs that reduce the incidence of drug use, drug addiction, family separation due to parental substance abuse, and drug-related crimes. The Legislature found in 2004 and reaffirmed in its 2008 amendments that:

“ . . . [D]rug use and other offenses contribute to increased crime in Nebraska, costs millions of dollars in lost productivity, and contribute to the burden placed upon law enforcement, court, and correctional systems in Nebraska.”

Later, the Legislature authorized the NSC to adopt rules for administrative oversight of Problem-Solving Courts by enacting Neb. Rev. Stat. § 24-1302 in 2004 (as amended in 2008). The NSC acted upon the legislative authorization in April 2006 when it adopted Art. 12 of the Official Supreme Court Rules for Trial Courts, Ch. 6, Problem-Solving and Drug Courts, providing standards and procedures for the implementation, operation, and management of PSCs. Extant Problem-Solving Courts before §24-1301 and §24-1302 were brought under the administrative oversight of the NSCs by such statutes and court rules. The Legislature again confirmed support for PSCs in January 2006 through the passage of a NSC appropriations bill in which resources were provided to fund the specialized courts.

Later that same statute was revised with Neb. Rev. Stat. § 29-2246 (Reissue 2019) to include authorized personnel, effectively operationalizing PSCs with rules for them and applications for probation services. In addition, Neb. Rev. Stat. § 24-1302 (Reissue 2016) and Neb. Rev. Stat. § 29-2246 (Reissue 2016) expanded PSCs to include Veterans Treatment Courts, Mental Health Courts, and Reentry Courts.

Today 32 PSCs operate within the District Courts, or Juvenile Courts, in all 12 Nebraska Judicial Districts, according to the NSC Website (Problem-Solving Courts, 2016). PSCs are intensive supervision treatment programs designed for high-risk and high-needs individuals. In District Court PSCs, eligible participants have pled guilty to an underlying felony, and after completion of the PSCs, the program can have a conviction set aside, or a felony case dismissed, thereby avoiding a felony record and possible incarceration (Chapter 6: Trial Courts, 2017). PSCs aim to reduce recidivism and increase community safety through a coordinated court response, using early intervention, individualized treatment, close community supervision, and consistent judicial oversight. Current Nebraska PSC models include Adult Treatment Courts, DUI/Drug Treatment Courts, Family Dependency Courts, Juvenile Drug Treatment Courts, Reentry Courts, Veterans Treatment Courts, and Young Adult Courts (PSC Court Models, 2021).

PSCs in Nebraska operate with a team approach where a judge, prosecutor, defense counsel, community supervision officer, law enforcement representative, coordinator, and treatment provider(s) design an individualized program. Treatment providers range from drug and alcohol counselors to employment and housing specialists (Problem-Solving Courts, 2016). To gain admission to a District PSCs, the County Attorney offers the prospect of a case resolution through PSC participation to a defendant's attorney. A defendant's application is submitted to the PSC team

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to determine eligibility and suitability. If a defendant is eligible and suitable, a defendant pleads guilty to the felony charge, and a defendant's bond is amended to require completion of the PSCs program. Compliance with the program includes substance use treatment, alcohol/drug testing, community supervision, and interaction with a judge in non-adversarial court review hearings.

The NSC actively works to achieve access to justice and improve justice in our courts. To do this several committees and commissions have been formed (Committees & Commissions, 2016). The Nebraska Supreme Court Committee on Problem-Solving Courts regularly meets to evaluate the current system, make recommendations, and advise on future directions for Nebraska PSCs. In April of 2022, the committee requested assistance from the Administrative Office of Courts and Probation (AOCP) Research and Data team to examine the PSC usage and potential expansion. Phase I identified the extent to which PSCs were used across Nebraska and individuals qualified for them. It found that 93.5% of felonies were eligible for litigation in PCSs, and only 4.2% of those cases were actually resolved using PSCs. This was further compounded by only 8% of all drug cases, and 3.5% of all proper crime cases involved used PSCs. It identified the need to expand PSCs. Phase II, in this report, explores where PSCs can be used across Nebraska. It examines the overall interest in them, willingness to implement them, and where they would be best received. In addition to the future of PSCs, the combined efforts of Phases I and II identify the unrealized opportunities that PSCs offer Nebraska and where they can be implemented.

### **Methods**

As part of the Problem-Solving Courts Needs Assessment, a survey was sent to PSC stakeholders across Nebraska. Specifically, it was sent to all Nebraska Judges (i.e., District, County, Juvenile, and Appellate), prosecutors, law enforcement professionals, defense attorneys, and service providers as were available. In addition, lists of potential individuals were collected from relevant websites, existing databases, and listservs when no direct lists were available (e.g., defense attorneys had no master list; the survey was distributed via a listserv to them).

#### **The Survey**

The survey was conceptualized and developed by AOCP staff. It was developed in Qualtrics. It started with an introductory section followed by descriptive questions about respondents' roles in the judicial system, their years in that role, where they worked across Nebraska, and other standard demographic information.

The following questions were about PSCs broadly. First, Likert-type questions asked respondents how they thought PSCs improved the criminal justice system or were necessary for another reason. Second, general usefulness was complimented by questions about the specific usefulness of PSCs for those involved in them. Finally, stakeholders were asked about the potential future of PSCs in the judicial system.

Other information less directly involved in the usefulness of PSCs was also included. For example, respondents were asked if they would be interested in PSCs if they added to, subtracted from, or kept their workload the same. If respondents reported a willingness to implement or expand PSCs, they were asked which of the courts they would be interested in implementing or expanding: Adult

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Drug Treatment Courts, DUI/Drug Treatment Courts, Family Dependency Courts, Reentry Courts, Juvenile Drug Treatment Courts, Young Adult Courts, Veterans Treatment Courts, or other types of courts. The option of ‘Other’ allowed respondents to include open-ended descriptions of the types of PSCs they would be interested in implementing or expanding.

The survey included two attention-check questions that asked respondents to choose two contradictory answers to a dummy question (one that meant nothing with respect to PSCs).

If respondents were interested in PSCs (implementing or expanding them), they were asked how many hours per week they would be willing to commit to them. In conjunction with general time commitments to PSCs, they were asked about completing NSC training and any additional willingness to participate in surveys.

If, on the other hand, participants were unwilling or unable to implement or expand PSCs, a separate set of questions was provided to them. Their responses led them to various logical trees of sets of questions. First, they could say that PSCs did not work because there was insufficient time or would not work for a particular group. They could also indicate that they did not adequately understand PSCs. For example, if respondents indicated that they were lawyers within the criminal justice system and believed that they did not have time for PSCs, a series of choices were provided to them so that they could distribute their time across various professional activities. This was likely an excessive request because very few respondents distributed their time accurately (some added 100% to only one category to complete the question quickly).

If respondents were uninterested or willing to implement or expand PSCs, they were asked about their willingness to attend an informational session and if that session might change their minds. Few answered that they were completely uninterested in PSCs but would nevertheless attend an informational session, but it would not change their mind, with even fewer unwilling to attend an optional informational session on PSCs. More promisingly, most indicated they did not fully understand PSCs or did not believe they had time for them to attend an optional informational session and that that informational session could change their mind.

### **Cleaning Data**

After the survey was administered via Qualtrics, responses were collated and extracted for analyses. Next, cleaning the dataset and preparing it for examination and analyses involved several steps. They are listed below.

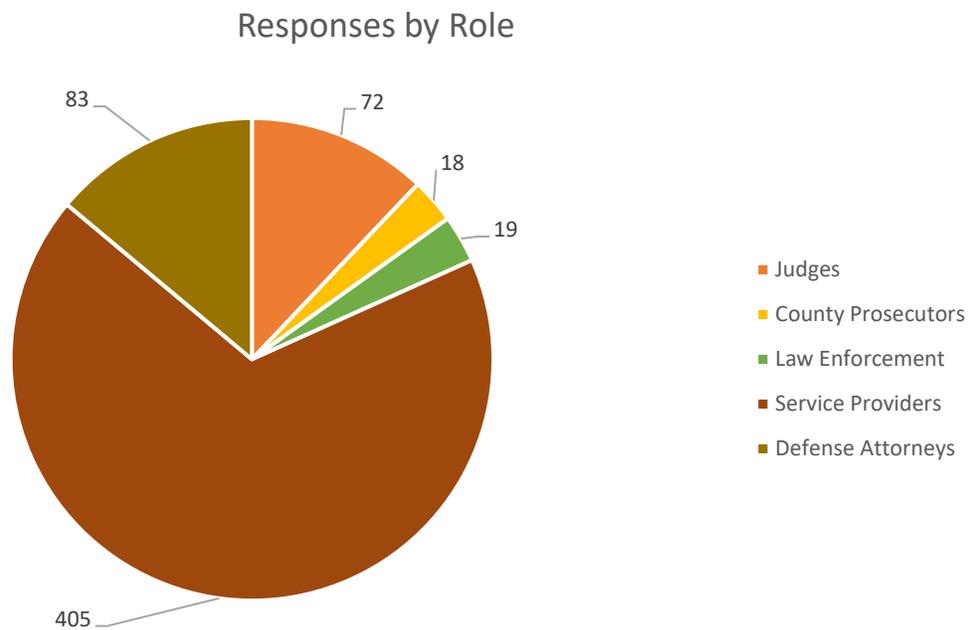
- Responses submitted before January 3, 2023, were omitted as they were test responses.
- Nonsense responses were deleted (e.g., responses that were a large body of encrypted, simple text).
- All respondents who completed less than 25% of the survey were omitted.
- A respondent's role in the judicial system was self-identified as ‘Judge’, ‘Prosecutor’, ‘Defense Attorney’, ‘Law Enforcement’, ‘Service Provider’, or ‘Other’.
- ‘Other’ values, when appropriate, were recoded. For example, if a respondent was asked about their role in PSCs and indicated they were ‘Other’ and described themselves as ‘Addiction Psychologist’, they were recoded as a ‘Service Provider’.

- Empty responses were deleted.
- Responses that included special characters, for example, ‘/’ and ‘@’, inappropriately were omitted.
- Respondents who completed the survey but failed both attention check questions were omitted.
- Any outlying responses, which were clearly failed or intentionally disruptive entries, were deleted. For example, it was omitted if a respondent indicated their age as ‘9999’.

### Overall Respondents: Demographic Information

The respondents varied by demographic characteristics, judicial system roles, and interest in PSCs. The respondents varied by demographic characteristics, judicial system roles, and interest in PSCs. When counting only those that responded with roles as described in the data cleaning section, 83 defense attorneys responded, 72 judges responded, 19 law enforcement professionals responded, 18 prosecutors responded, and 405 service providers responded. Those response are shown below in Figure 1.

**Figure 1.** Responses by Role



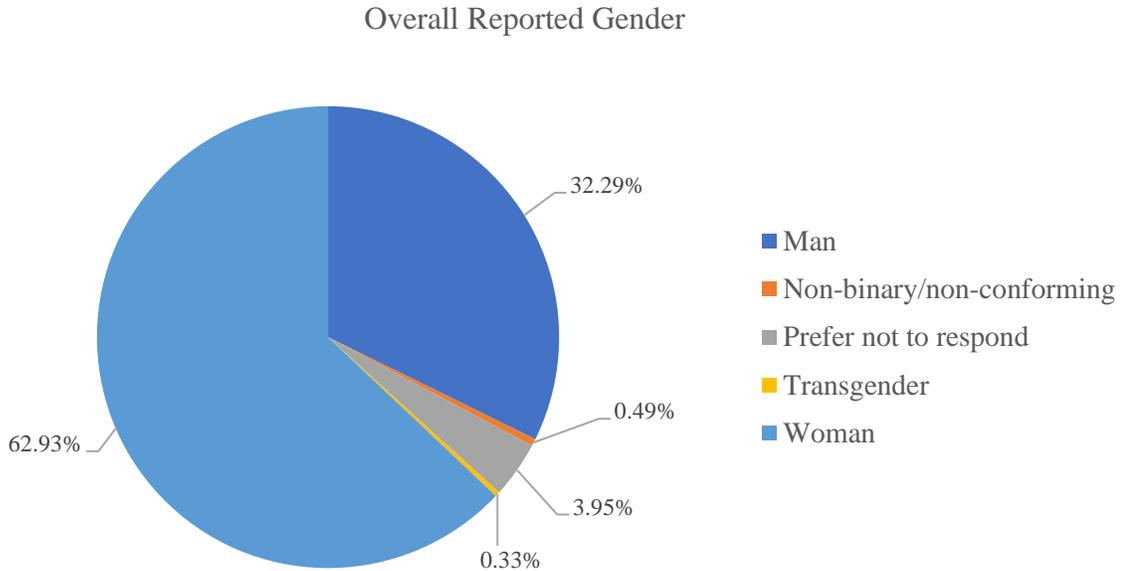
In this report, the number of responses shown in various Figures will vary. This was because across the survey items, respondents could enter multiple values, or respond in ways that negated their particular response on one item but not another. See the section on data cleaning for additional information.

Each is addressed in turn.

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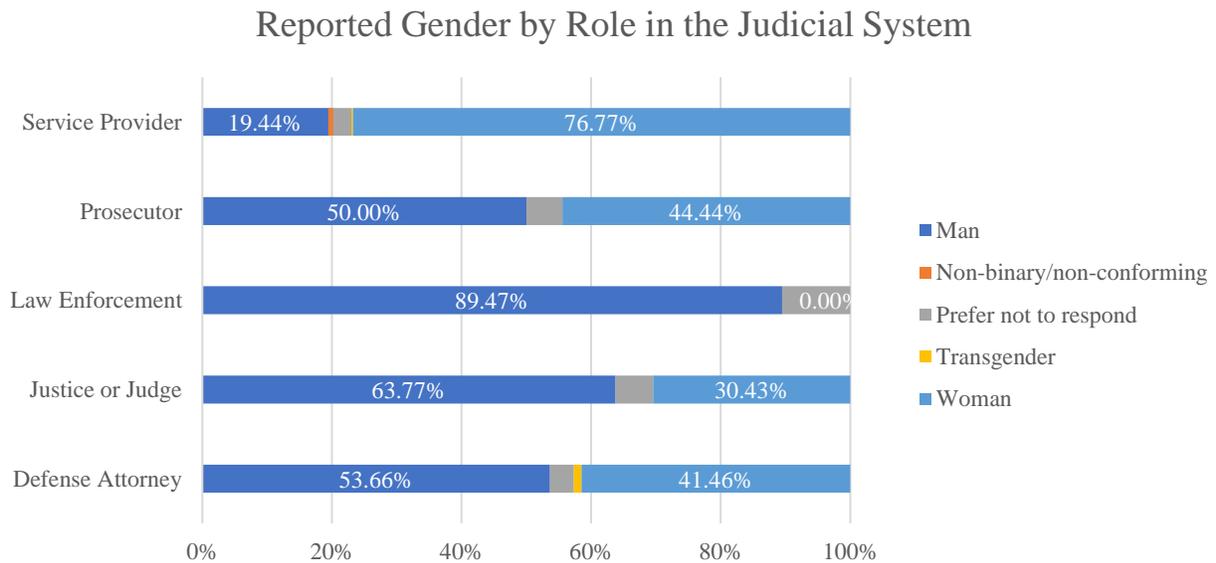
Most respondents identified as a woman (62.93%) (see Figure 2 below).

**Figure 2.** Overall Reported Gender



More respondents were female-identifying than any other gender (382 vs. 196 vs. 2 vs. 3 vs. 24). These reported genders, however, varied by the respondent's role within the judicial system. The breakdown of gender by role within the judicial system is provided below in Figure 3. Interestingly, 0.33% of individuals that reported being transgender were defense attorneys, and 0.49% that reported being Non-binary/non-conforming were service providers.

**Figure 3.** Reported Gender by Role in the Judicial System



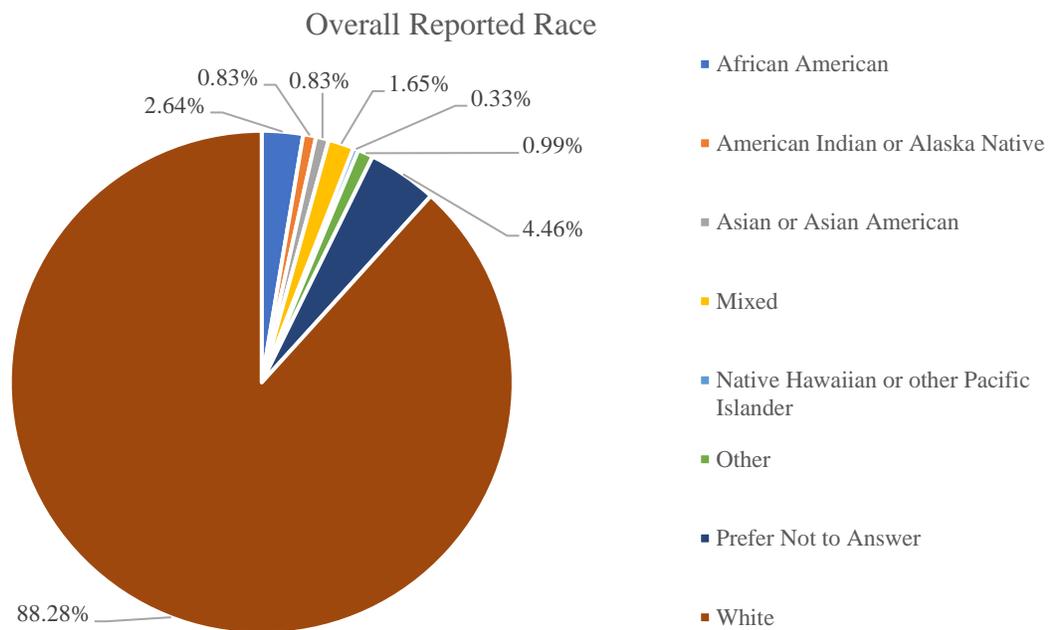
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In comparing reported gender by role in the judicial system, several patterns immediately emerged. First, the proportions of male- and female-identifying prosecutors were the closest. Second, more male-identifying judges responded than from any other gender. Third, no one in law enforcement reported being female (unless those that preferred not to respond were women). Fourth, service providers demonstrated the widest variety of reported genders (with respondents in all categories of gender provided) with many more female-identifying than male-identifying respondents. While this was possibly a sampling issue associated with there simply being more female than male service providers, the difference was nevertheless staggering. Unfortunately, these numbers cannot be standardized because there was no statewide database of all possible providers. We, therefore, have a potential ecological confound that is unavoidable.

An ecological fallacy occurs when analyses target individuals who do not appear in the population as often as needed to make proper statistical inferences. Instead, inferences are made about an entire population based on specific individuals or even one individual within the larger group targeted in analyses (Piantadosi et al., 1988; Sedgwick, 2015).

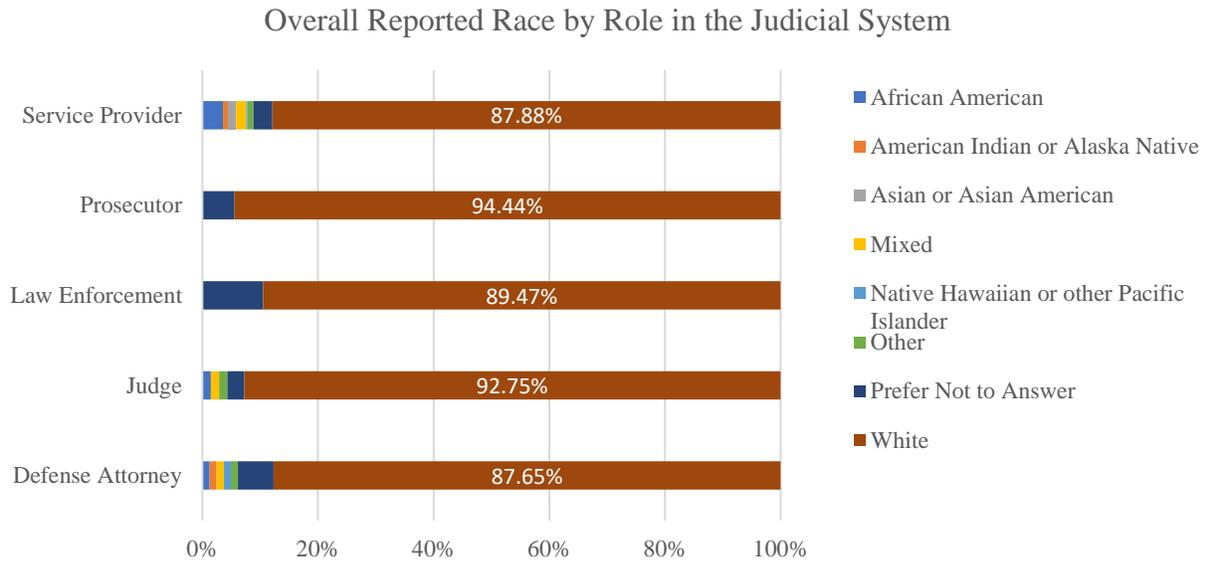
Racially, more White individuals responded than any alternative (88.28%) (see Figure 4 below).

**Figure 4.** *Racial Makeup of Respondents*



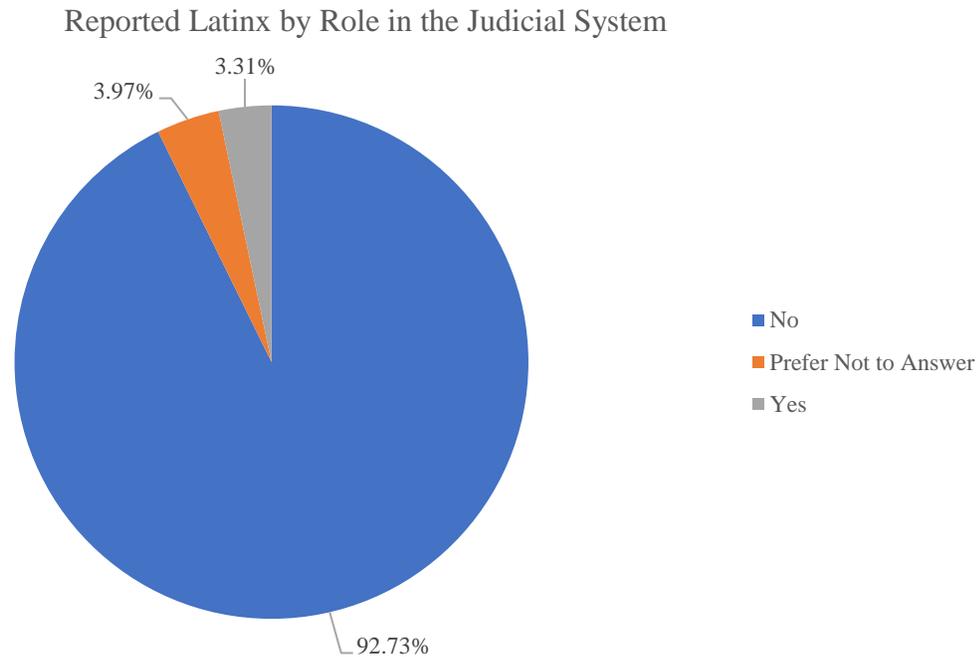
Just as with reported genders, the racial makeup was broken down into specific roles in the judicial system. Those data are represented in Figure 5 below.

**Figure 5. Racial Makeup by Role in the Judicial System**



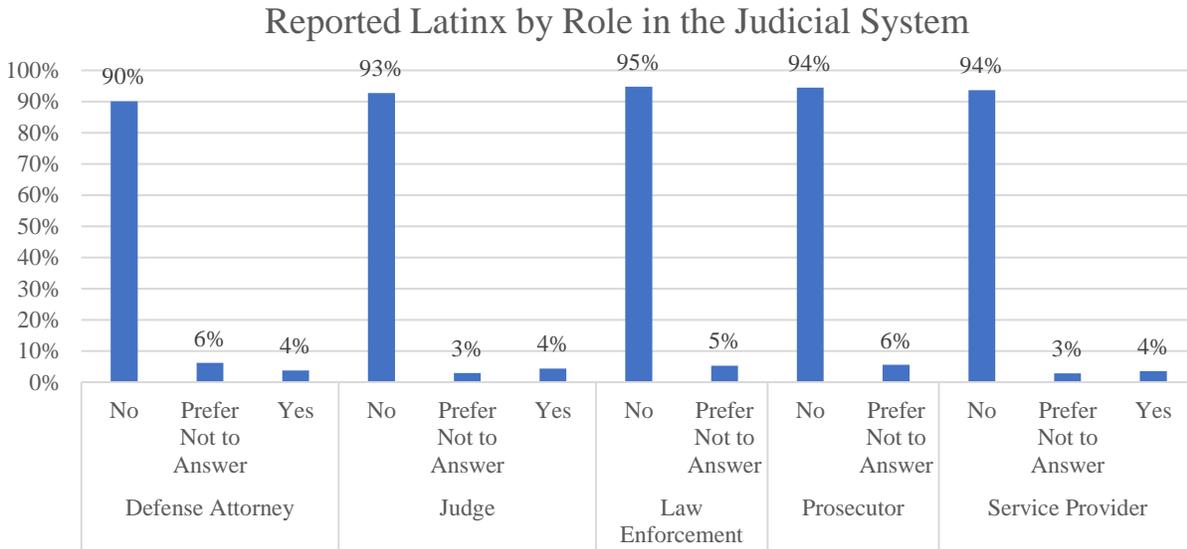
Furthermore, on average, more individuals clearly did not report being Latinx (92.73% reported they were not Latinx) (see Figure 6 below).

**Figure 6. A Proportion of Respondents Reported being Latinx**



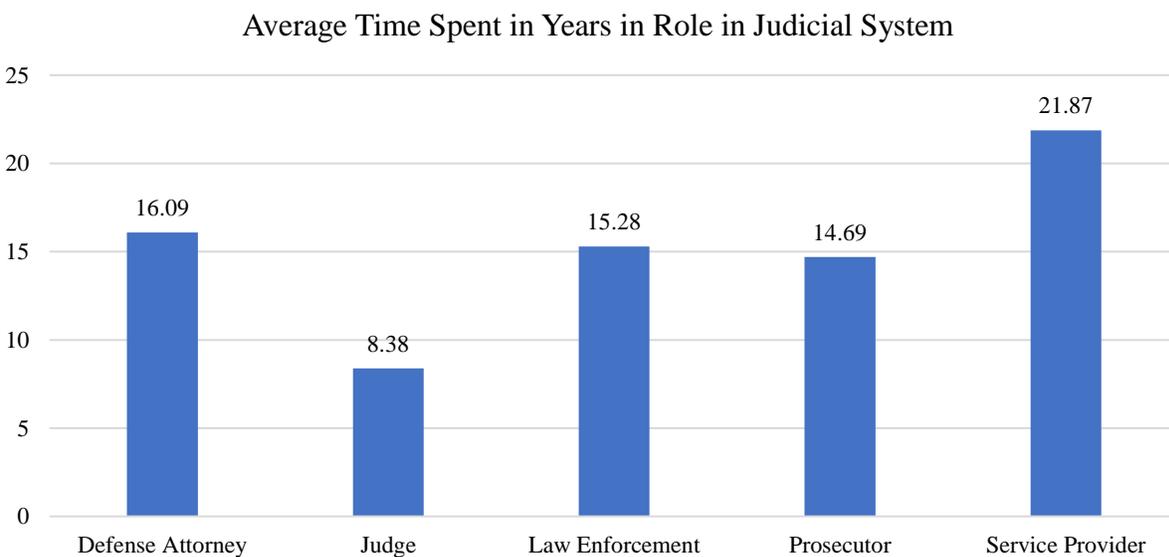
The pattern in Figure 7 mirrored the overall pattern associated with reported gender. In this case, however, most respondents did not identify as Latinx. A similar pattern was indicated when separating the reported Latinx individuals by their roles in the judicial system. Every role indicated not being Latinx over 90% of the time.

**Figure 7.** *Latinx or Not by Role in the Judicial System*



In every role category in the judicial system, proportionally, more individuals did identify as not Latinx. The implication was that given that so many individuals reported their race as White, most White individuals did not also report being Latinx or felt that ‘White’ and ‘Latinx’ were exclusive categories. This furthermore indicated a lack of racial and ethnic diversity in PSCs. While not pertinent to this analysis, it is to the system of PSCs and courts writ large. Like the racial and gender discrepancies, there were significant differences between the average number of years of experience of individuals in their roles. Those differences are shown in Figure 8.

**Figure 8.** *Average Time Spent in Years in the Role in the Judicial System*

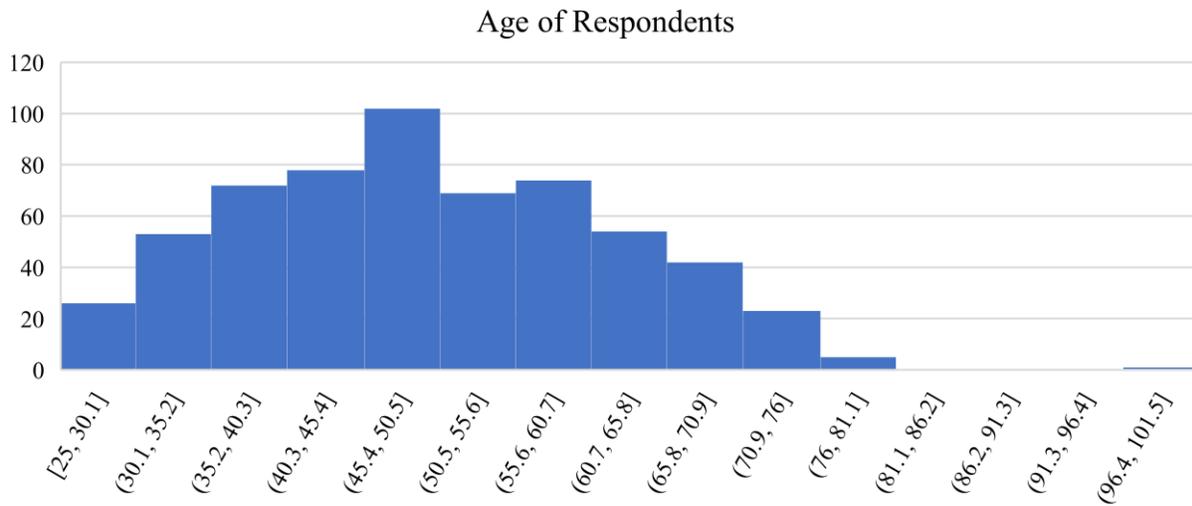


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Service providers reported being in their roles the longest at 21.87 years and judges the least (at 8.38 years). This could be because becoming a judge requires more years of professional preparation, thereby allowing for less time to be a judge. This can be investigated further. When comparing lawyers' roles as defense attorneys or prosecutors, the length spent in their respective roles was similar (16.09 and 14.69, respectively).

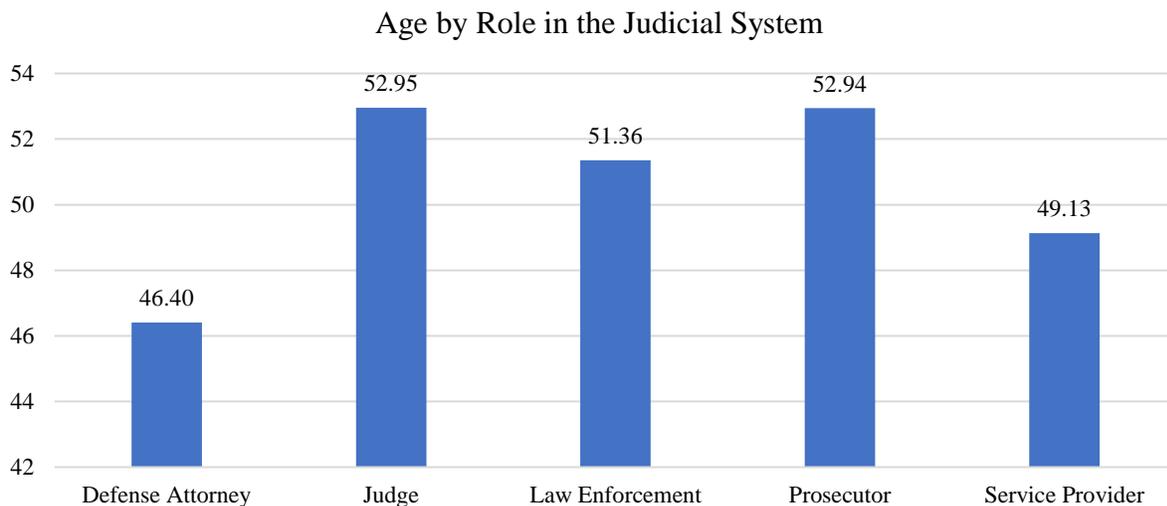
Similarly, there was a wide variety of respondents' ages (see Figure 9).

**Figure 9.** *Ages of Respondents*



These ages (Figure 9) did not vary significantly by the type of role of individuals within the criminal justice system (see Figure 10).

**Figure 10.** *Age by Role in the Judicial System*



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Despite defense attorneys reporting a younger average age (at 46.40 years) than prosecutors (at 52.94 years), they were in their roles for a similar length (see Figure 8). This indicated that the relationship between age, type of lawyer, and the amount of education or experience required to fill a role in the judicial system interacted in ways that would require much additional study to understand.

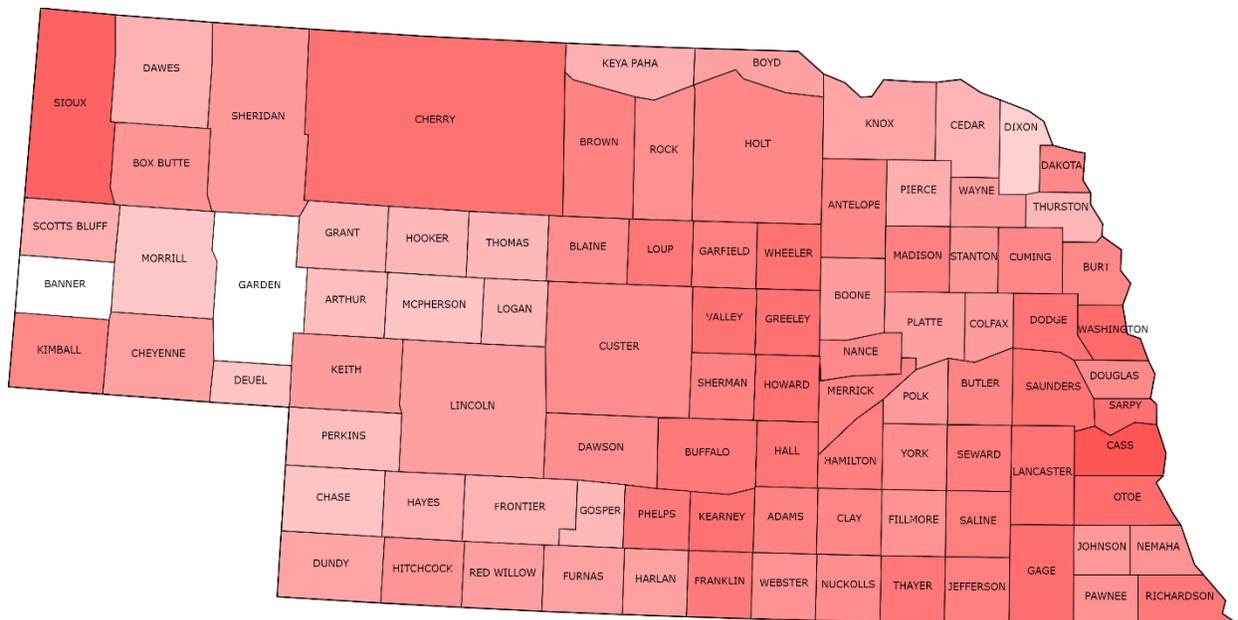
Despite the complex relationship between person-level characteristics and roles in the judicial system, in every role, across ages and demographic groups, more respondents than not were interested in either implementing or expanding PSCs. However, interesting patterns occurred when comparing individuals who wanted to implement or expand PSCs or expand but not implement PSCs.

### Overall Interest in PSCs

Those individuals not interested in PSCs were classified as such if and only if they indicated 'None' for interest in implementing *and* expanding PSCs. Therefore, the remainder of this report focuses on individuals interested or involved in PSCs, or the overall 83.79% that indicated an interest in implementing or expanding PSCs or both implementing and expanding PSCs.

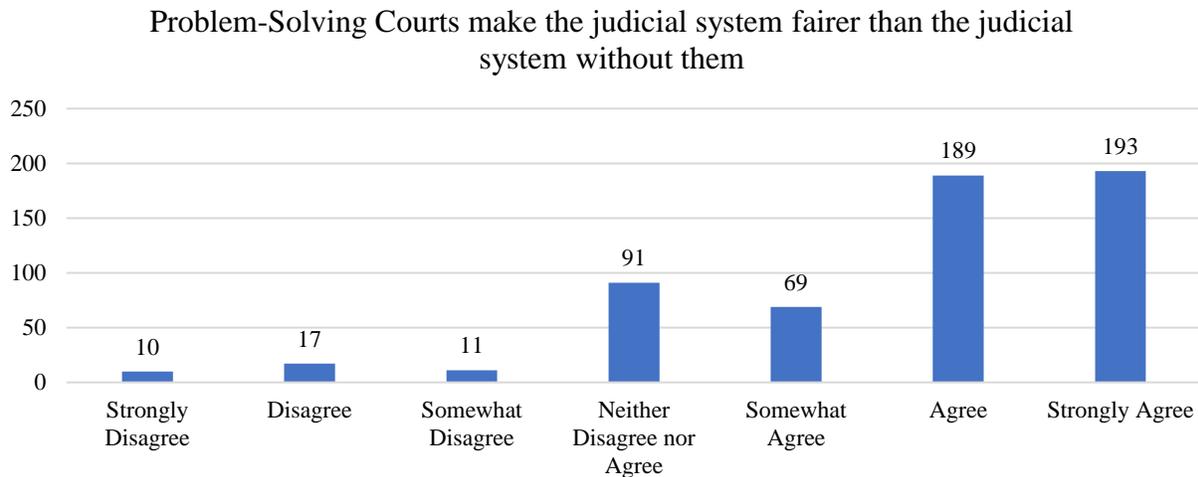
Each respondent reported the counties that they served. They were allowed to identify multiple counties. The number of possible responses was used to adjust for the interest of stakeholders (e.g., judges, prosecutors, law enforcement personnel, service providers, and defense attorneys). The relative interest of those stakeholders based on which counties they served are shown below in Figure 11. In Figure 11, the redder a county, the greater the relative interest in PSCs in that county. Those relative interests are disaggregated below in Figures 41, 48, 55, 62, and 69.

**Figure 11.** *Standardized Interest in PSCs across Nebraska (redder represents more interested in PSCs)*



While there was a great deal of interest in the state's Southeastern quadrant, there was slightly less interest in the Southwestern quadrant. The Northwestern quadrant of Nebraska reported the highest differences in interest in PSCs. A closer examination of attitudes toward PSCs was warranted. First, the respondents indicated that PSCs made the judicial system fairer than it would be without them (see Figure 12 below).

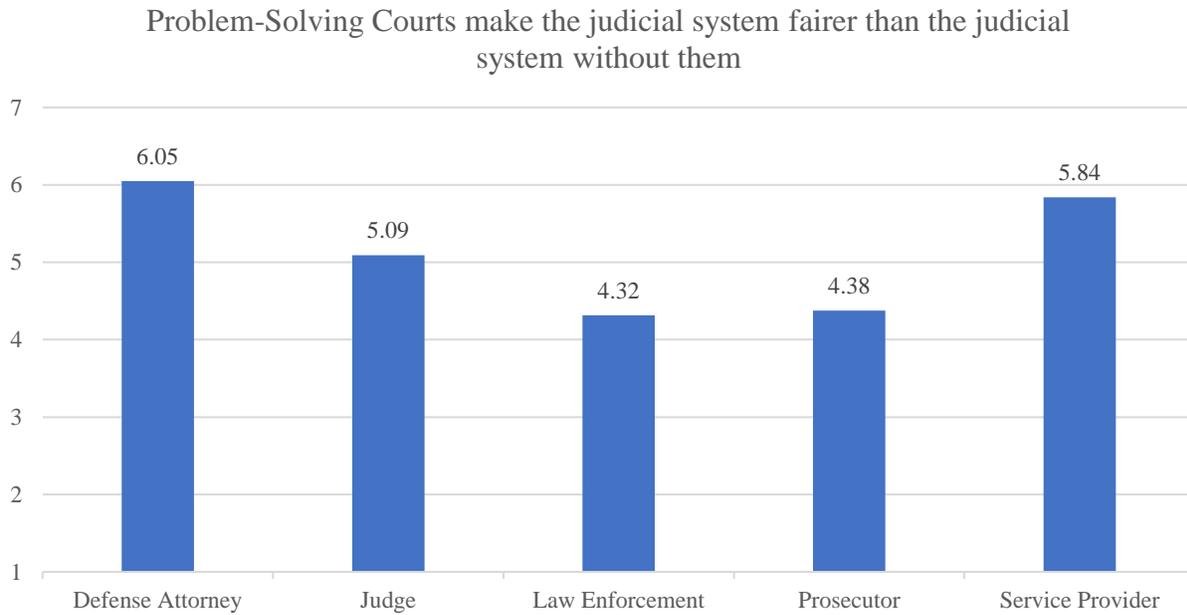
**Figure 12.** Responses to the Likert-type Item ‘Problem-Solving Courts make the judicial system fairer than the judicial system without them’



Respondents often agreed (189) or strongly agreed (193) with the statement, ‘Problem-Solving Courts make the judicial system fairer than the judicial system without them’. There was a slight decrease from ‘Neither Disagree nor Agree’ (91) to ‘Somewhat Agree’ (69), following the same slight pattern of decrease from ‘Disagree’ (17) to ‘Somewhat Disagree’ (11). However, the largest number of responses were to ‘Agree’ or ‘Strongly Agree’ that PSCs make the judicial system fairer. This bodes well for the overall interest in PSCs.

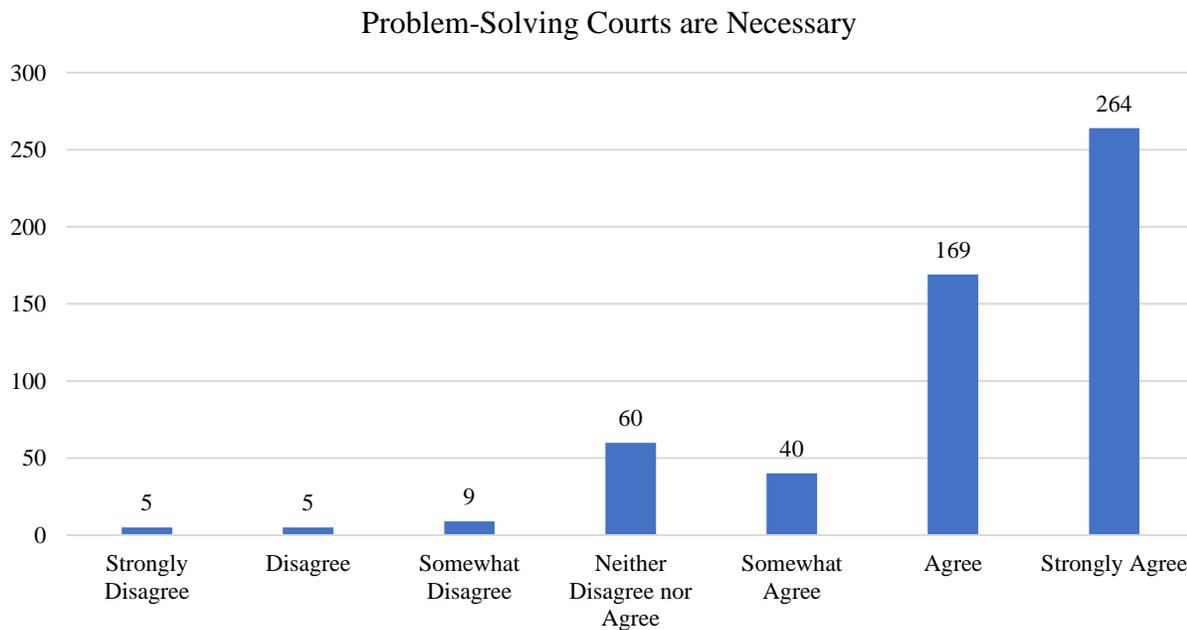
Respondents’ responses to this Likert-type question were averaged using a converted number for each Likert-type category (1 for ‘Strongly Disagree’ to 7 for ‘Strongly Agree’). While statistical tests were unavailable this this rescaling because ordered categories are not continuous and cannot have meaningful averages, they are provided here for reference and general description.

**Figure 13.** Average Responses by Role to the Likert-type Item ‘Problem-Solving Courts make the judicial system fairer than the judicial system without them’



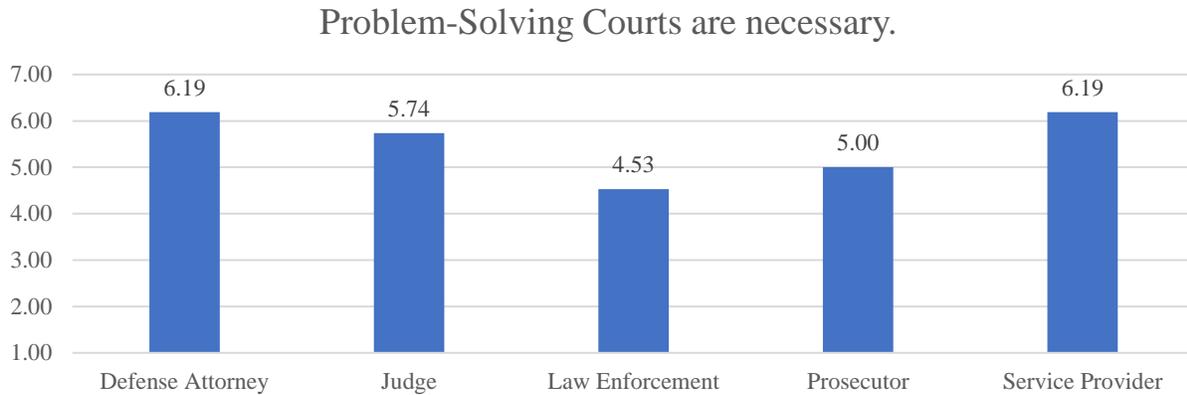
Next, respondents were asked how they agreed or not with the statement, ‘Problem-Solving Courts are Necessary’. Their responses are presented below in Figure 14.

**Figure 14.** Responses to Likert-type Item ‘Problem-Solving Courts are necessary’



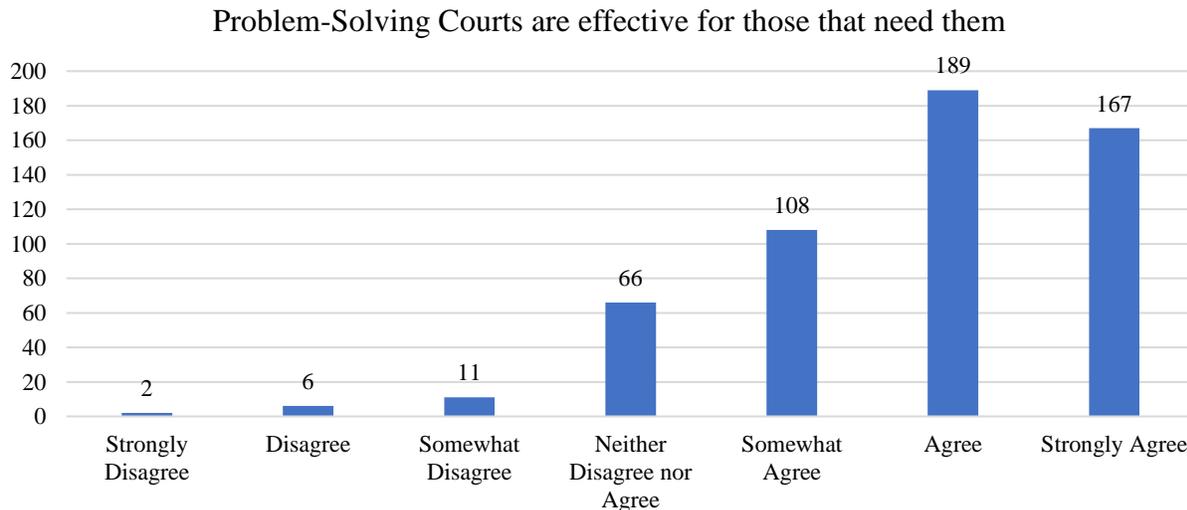
Respondents’ responses to this Likert-type question were averaged using a converted number for each Likert-type category (1 for ‘Strongly Disagree’ to 7 for ‘Strongly Agree’). While statistical tests were unavailable this this rescaling because ordered categories are not continuous and cannot have meaningful averages, they are provided here for reference and general description.

**Figure 15.** Average Responses by Role to Likert-type Item ‘Problem-Solving Courts are necessary’



Most individuals ‘Strongly Agree’ (264) or ‘Agree’ (169) that PSCs were necessary. There was a slight decrease between ‘Neither Disagree nor Agree’ (60) and ‘Somewhat Agree’ (40). This could have been for many reasons, but the overall trend was clear and mirrored that of the question of the fairness of PSCs for the criminal justice system (see Figure 12). The same pattern was uncovered when respondents were asked to what extent they agreed or not with the statement ‘Problem-Solving Courts are effective for those that need them’ (see Figure 16 below).

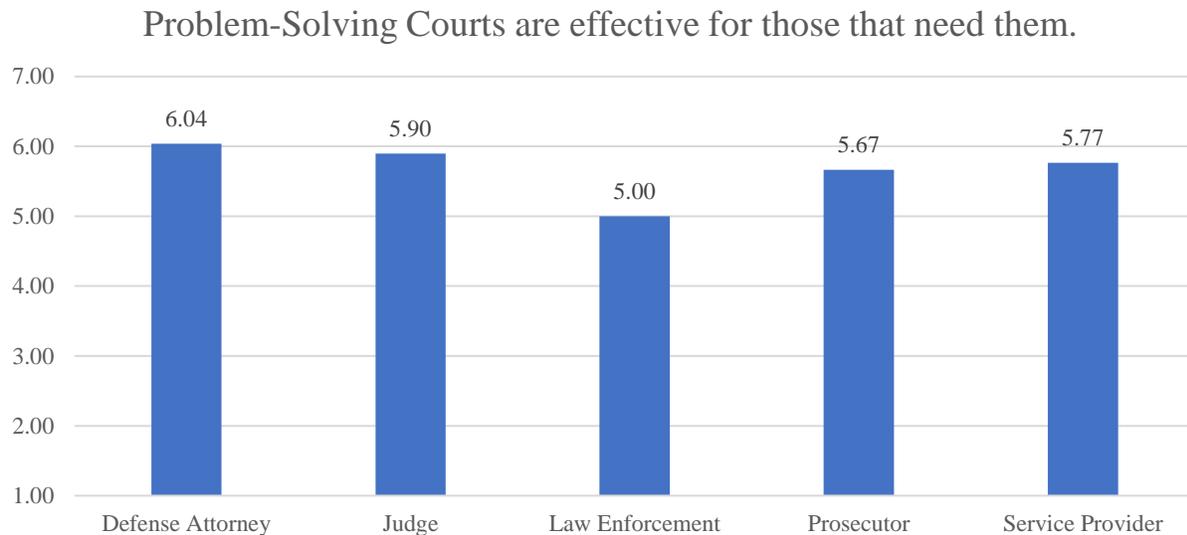
**Figure 16.** Responses to Likert-type Item ‘Problem-Solving Courts are effective for those that need them’



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Respondents' responses to this Likert-type question were averaged using a converted number for each Likert-type category (1 for 'Strongly Disagree' to 7 for 'Strongly Agree'). While statistical tests were unavailable this this rescaling because ordered categories are not continuous and cannot have meaningful averages, they are provided here for reference and general description.

**Figure 17.** *Average Responses by Role to Likert-type Item 'Problem-Solving Courts are effective for those that need them'*

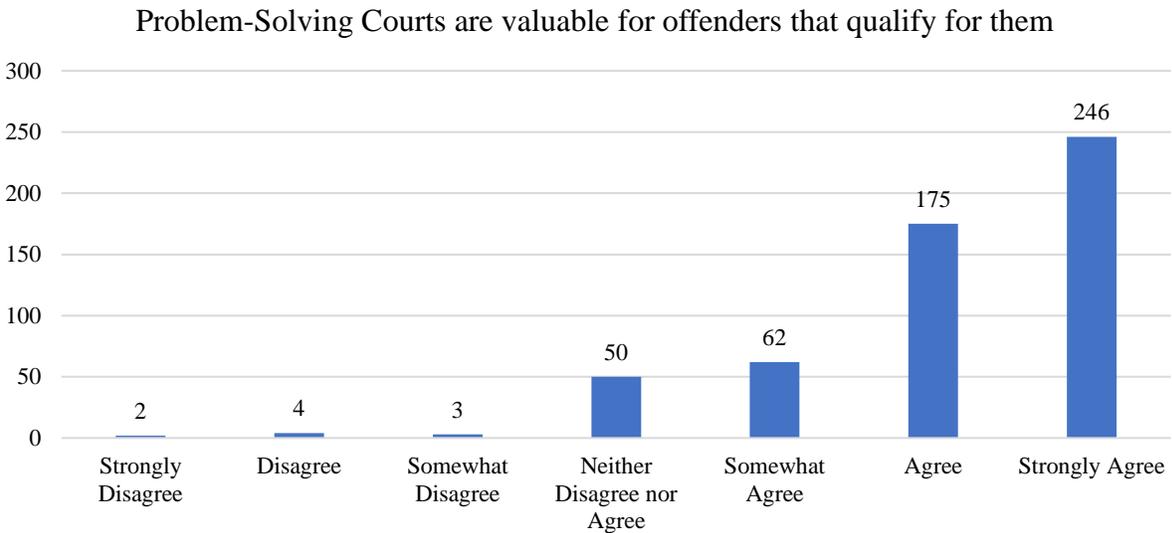


In Figure 17, compared to Figure 12, most respondents reported that they 'Agree' (189) or 'Strongly Agree' (167) with the statement that 'Problem-Solving Courts are effective for those that need them'. The same pattern as in the previous two Likert-type questions is shown here in Figure 17. Interestingly, only two respondents reported that they 'Strongly Disagree' with the notion that PSCs were particularly effective for those needing them. While this was perhaps an artifact of how the item was written, the overall pattern was striking.

It is furthermore interesting to know that there are particular dissenting opinions that, while not popular, should be reflected in overall policies that address all stakeholder needs. If PSCs are to address concerns about how they are effective for offenders that qualify for them, then decision-makers will need to be educated about how they can be valuable for offenders that qualify for them.

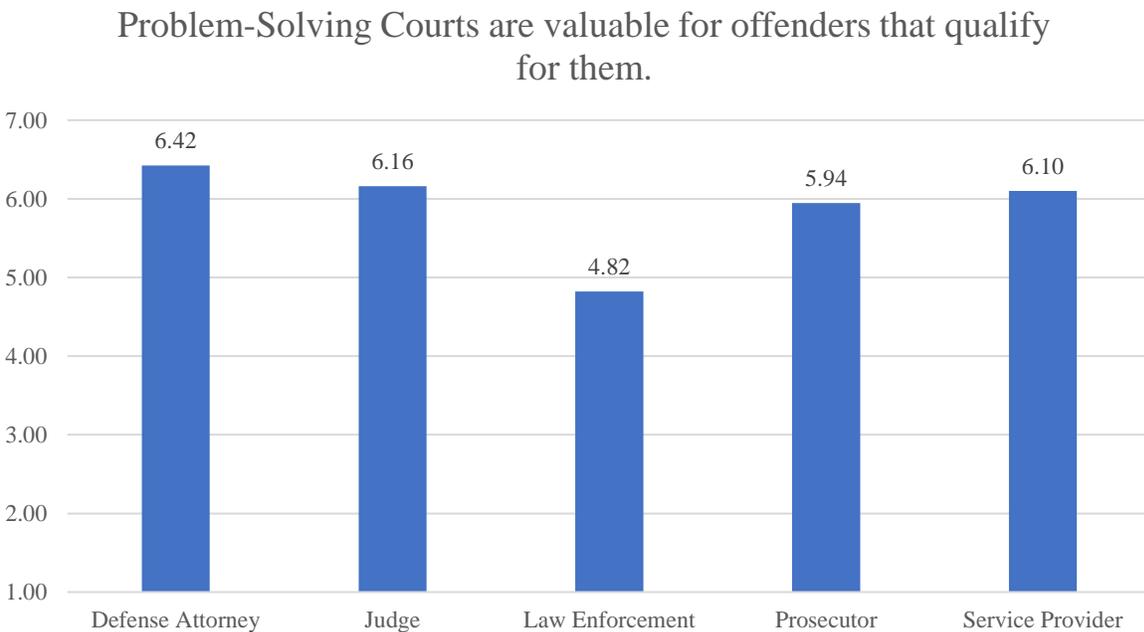
The following two Likert-type questions were based on how valuable PSCs are for the judicial system and for those offenders that qualify for them. Those responses are shown below in Figures 18 and 20.

**Figure 18.** Responses to the Likert-type Item ‘Problem-Solving Courts are valuable for offenders that qualify for them’

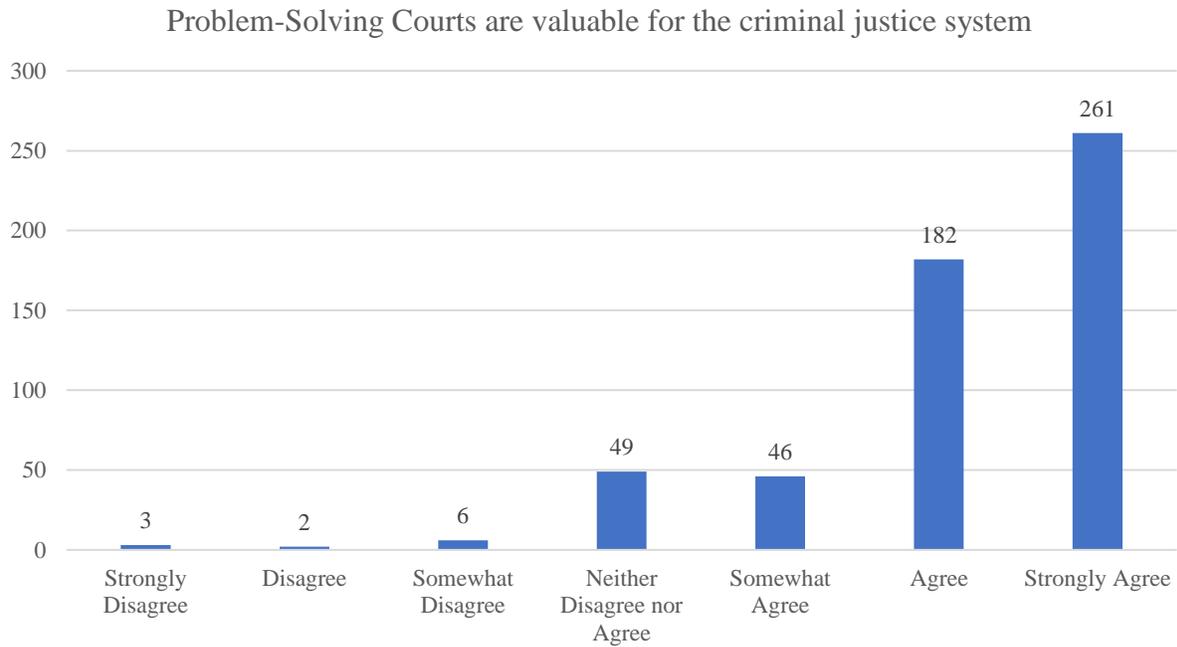


Respondents’ responses to this Likert-type question were averaged using a converted number for each Likert-type category (1 for ‘Strongly Disagree’ to 7 for ‘Strongly Agree’). While statistical tests were unavailable this this rescaling because ordered categories are not continuous and cannot have meaningful averages, they are provided here for reference and general description.

**Figure 19.** Average Responses by Role to the Likert-type Item ‘Problem-Solving Courts are valuable for offenders that qualify for them’

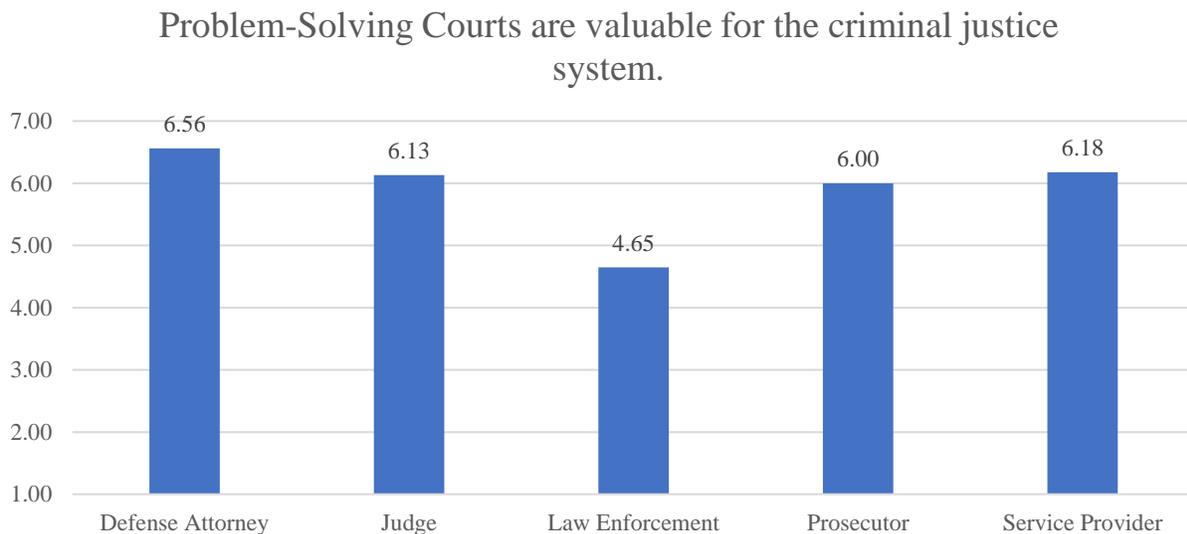


**Figure 20.** Responses to Likert-type Item ‘Problem-Solving Courts are valuable for the criminal justice system’



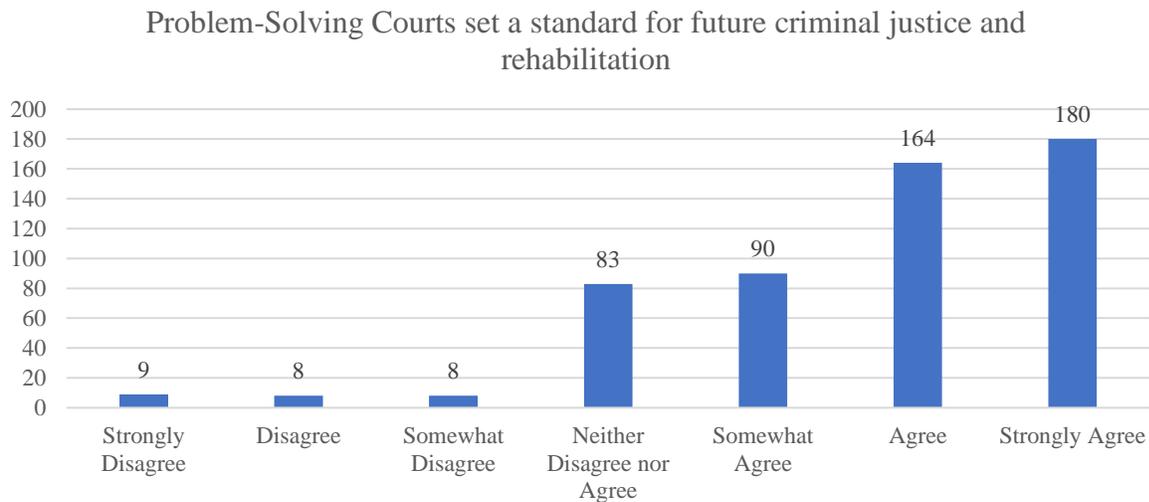
Respondents’ responses to this Likert-type question were averaged using a converted number for each Likert-type category (1 for ‘Strongly Disagree’ to 7 for ‘Strongly Agree’). While statistical tests were unavailable this this rescaling because ordered categories are not continuous and cannot have meaningful averages, they are provided here for reference and general description.

**Figure 21.** Average Responses by Role to Likert-type Item ‘Problem-Solving Courts are valuable for the criminal justice system’



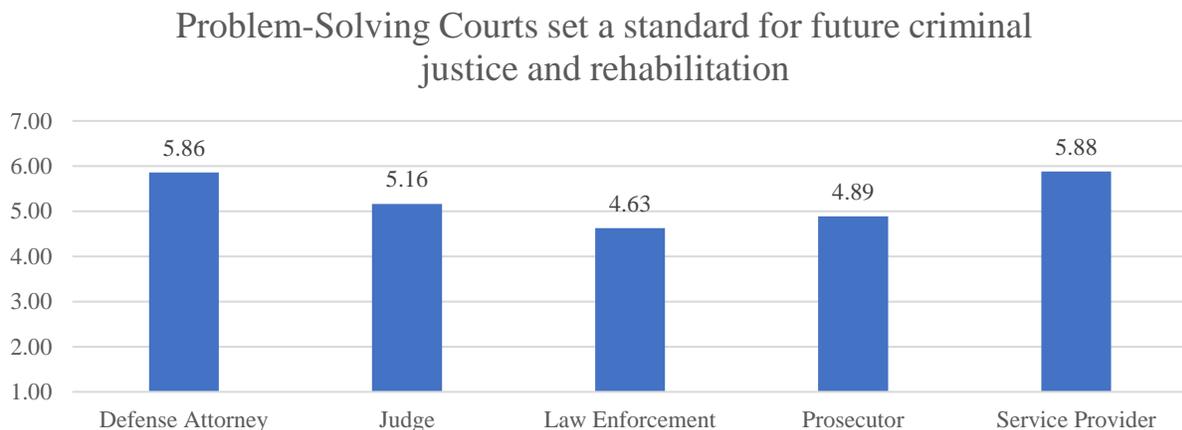
It was clear that respondents did not only find that PSCs made the criminal justice system fairer but also that they were effective and useful for those in and for the general criminal justice system. Lastly, respondents were asked to what extent they agreed or disagreed with the statement ‘Problem-Solving Courts set a standard for future criminal justice and rehabilitation’. Again, just as with previous Likert-type items, most respondents at least ‘Somewhat Agree’ (434 of 542 responses) (see Figure 22).

**Figure 22.** Responses to Likert-type Item ‘Problem-Solving Courts set a standard for future criminal justice and rehabilitation’



Respondents’ responses to this Likert-type question were averaged using a converted number for each Likert-type category (1 for ‘Strongly Disagree’ to 7 for ‘Strongly Agree’). While statistical tests were unavailable this this rescaling because ordered categories are not continuous and cannot have meaningful averages, they are provided here for reference and general description.

**Figure 23.** Average Responses by Role to Likert-type Item ‘Problem-Solving Courts set a standard for future criminal justice and rehabilitation’

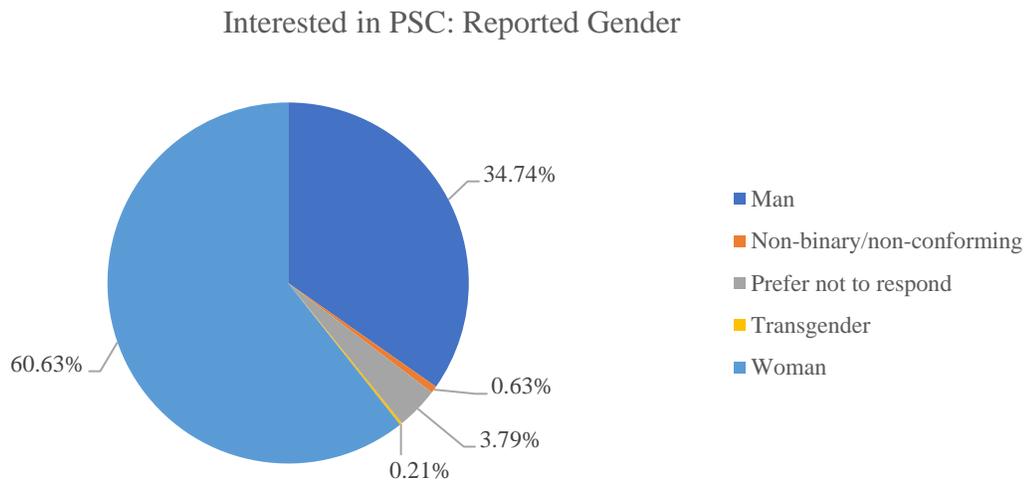


While the overall trend was evident, most reported they ‘Somewhat Agree’ or were in greater agreement with PSCs as useful for future standards in the criminal justice system (80.01%). On the other hand, more respondents reported that they ‘Neither Disagree nor Agree’ with other attitudes toward PSCs (comparing 83 in Figure 22 with 49 in Figure 20 or 50 in Figure 18 or 66 in Figure 16 or 60 in Figure 14). This indicated, at least, that the future attitudes toward the PSCs were more mixed than other attitudes toward them.

### Only Respondents Interested in PSCs

Just as the overall respondents were examined, so were only those interested in PSCs (omitting respondents uninterested in implementing and expanding PSCs). The greatest proportion of respondents identified as female (60.63%) (see Figure 24 below).

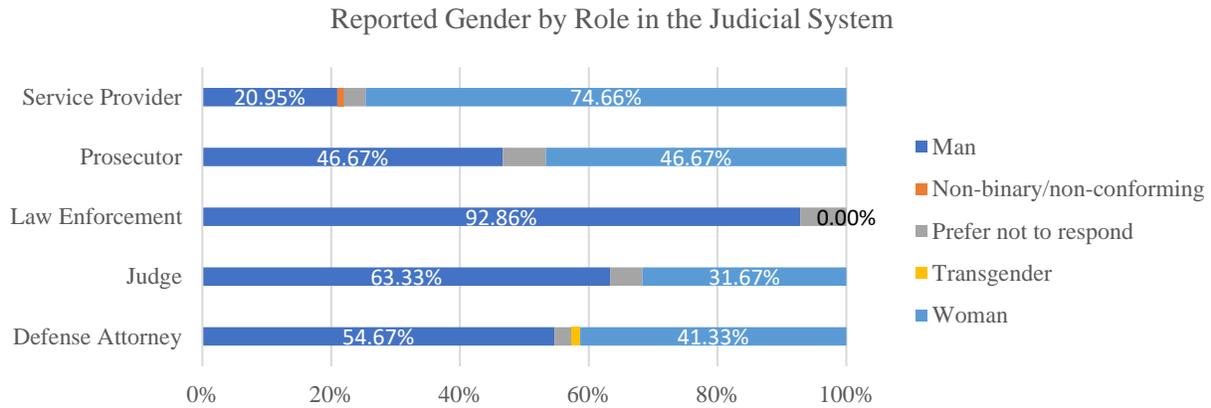
**Figure 24.** *Pie Chart of Overall Reported Genders*



This differed slightly from the overall ratios of reported genders of both those interested and uninterested in PSCs. In this case, 288 identified as female compared to 165, 1, and 3 for Male, Transgender, and Non-binary/non-conforming, respectively. Eighteen chose not to respond. The same general result was found when comparing those interested in PSCs to all responses (compare Figure 1 to Figure 24).

Also, just as in Figure 3, those reported genders varied by roles within the judicial system. For example, those are shown below in Figure 25.

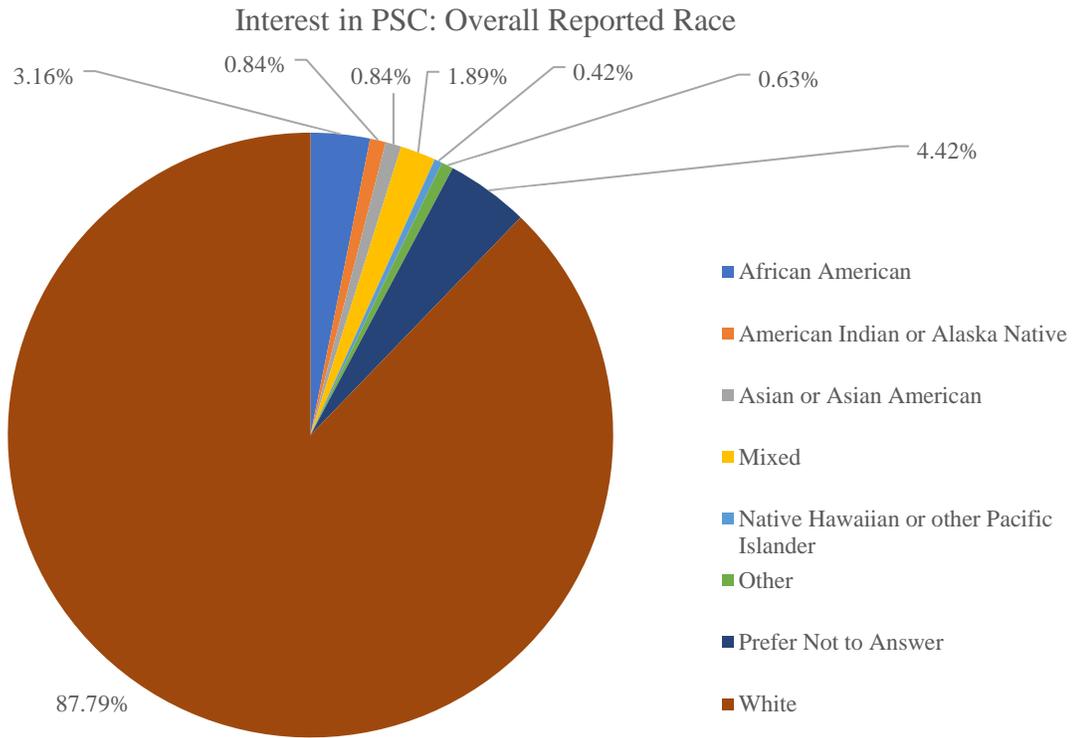
**Figure 25. Reported Gender by Role in the Judicial System**



In comparing gender by role in the judicial system, the clearest feature was that more female-identifying (more than three times as many male-identifying) worked as service providers (221 female-identifying vs. 62 male-identifying). Law enforcement did not have any self-identifying female respondents. This stands as a limitation of the results and is discussed below. One potential implication was that diversity in law enforcement is a way to improve equity in law enforcement policies. This should be studied in future work. Only prosecutors reported gender as men and women equally (7 each), in contrast to every other role in the judicial system.

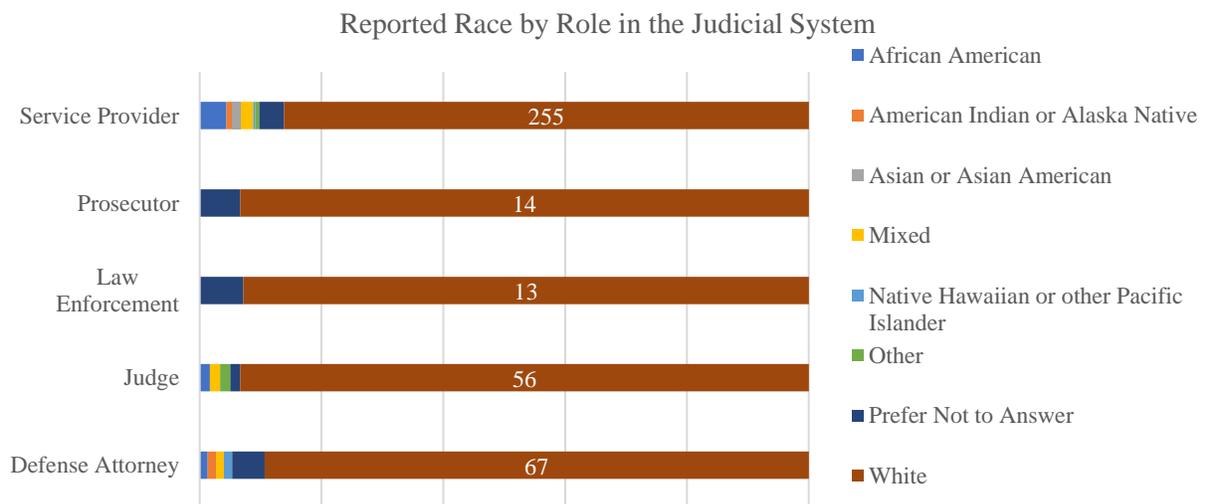
Racially, many more White individuals reported being interested in PSCs than any alternative (87.79%) (see Figure 26 below).

**Figure 26.** *The Racial Makeup of Respondents Interested in PSCs*



Just as with overall respondents, respondents interested in PSCs reported being White more than all other possible races combined (note the 87.89% in Figure 26). Also, like all respondents, they reported that races were broken down into roles within the judicial system. That is shown below in Figure 27.

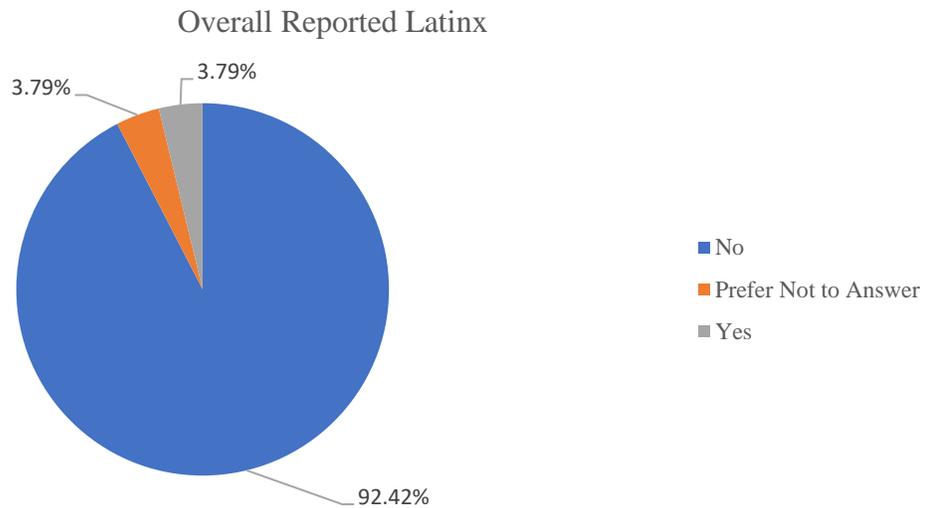
**Figure 27.** *Racial Makeup by Role in the Judicial System*



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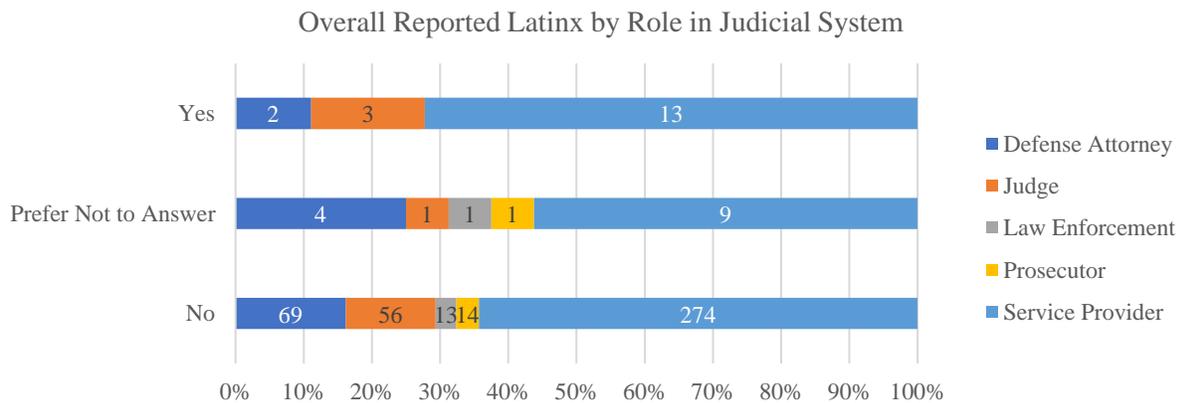
Across all roles in the judicial system, more White individuals responded and reported being interested in PSCs than any other racial group (they were the highest in each judicial role). However, because the overall respondents tended to identify as White (see Figure 4), the pattern in Figure 27 was likely a selection effect. Therefore, it should not be used to make inferences across all racial groups.

**Figure 28.** Respondents Interested in PSCs Reported as Latinx



Just with the respondents overall, those who reported being interested in PSCs tended not to identify as Latinx. While that was true for the sample (the people that responded to the survey), this was likely a product of available respondents in Nebraska. There was an ecological fallacy if inferences were made across those reporting Latinx (see Figure 28). As before, the numbers of respondents interested in PSCs that identified as Latinx or not were broken down into their respective roles in the judicial system. That is shown below in Figure 29.

**Figure 29.** Respondents Interested in PSCs across Roles in the Judicial System by Latinx Identification

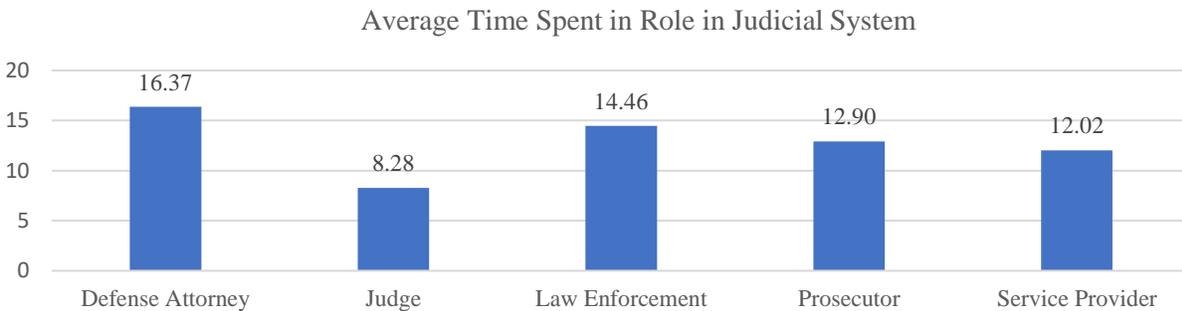


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In every role category in the judicial system, proportionally, more individuals did not identify as Latinx than did. The implication was that given that so many individuals reported their race as White, most White individuals did not also report being Latinx. This furthermore indicated a lack of racial and ethnic diversity in PSCs. While not pertinent to this analysis, it is to the system of PSCs and courts writ large. Making inferences across reported ethnicities (e.g., across states with differing demographic information) was limited by the ecology of those available to be surveyed (i.e., inferences involved ecological fallacy).

Like the racial and gender discrepancies, there were large differences between the average number of years of individuals in their role in the judicial system. Those differences are shown in Figure 30.

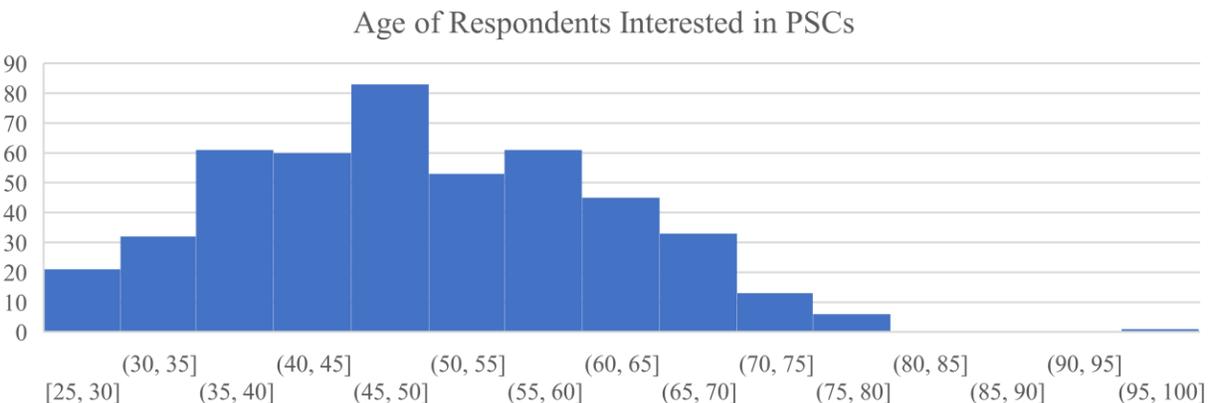
**Figure 30.** *Average Time Spent in Role in Judicial System*



Unlike in Figure 8, however, where the longest tenure in their position was that of service providers (see last column in Figure 8, at 21.87 years), for those interested in PSCs, the longest tenure was that of defense attorneys (at 16.37 years). The least time spent in a judicial role was still for judges (8.38 years in Figure 8 and 8.28 years in Figure 30).

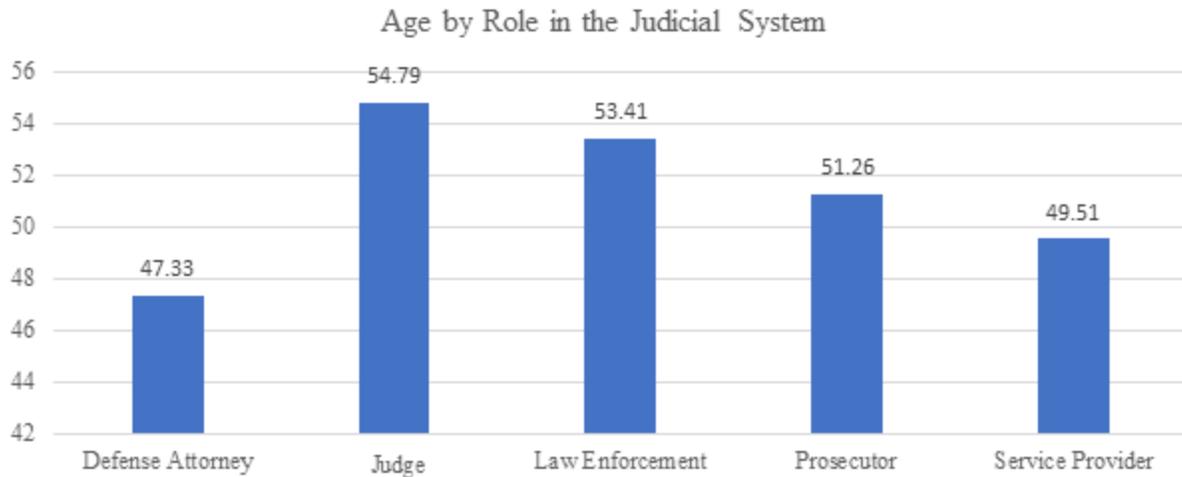
Just as with overall respondents, a histogram of the ages of respondents interested in PSCs is included (see Figure 31 below).

**Figure 31.** *Ages of Respondents Interested in PSCs*



The same pattern of ages for respondents who were or were not interested in PSCs can be seen by comparing Figures 9 and 32. These ages (Figure 32) did vary (e.g., 47.33 years for defense attorneys vs. 54.79 years for judges) but were clearly in the 40-50-years-old range.

**Figure 32.** *Age by Role in the Judicial System*

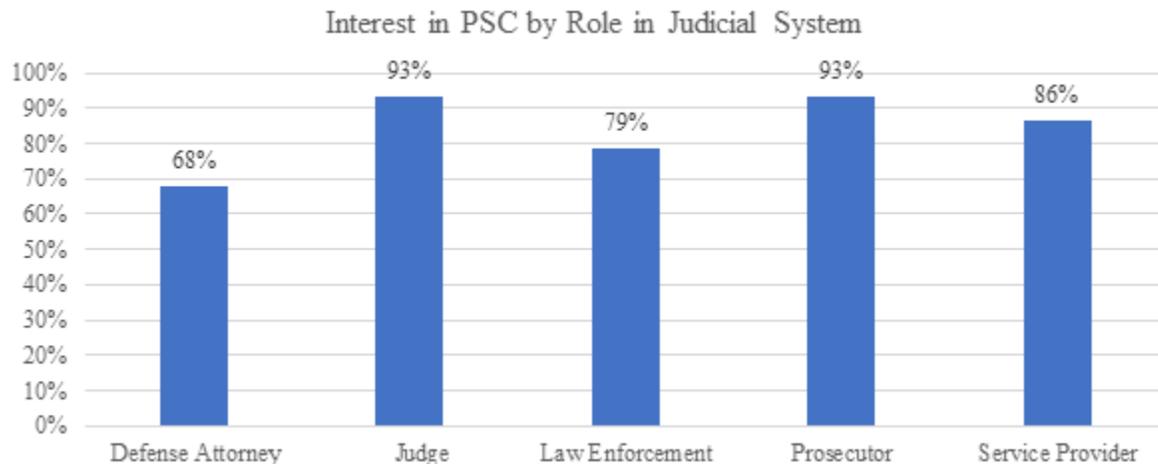


Defense attorneys tended to be the youngest (47.33) (see Figure 9). Nevertheless, across all stakeholders that responded, 84% reported being interested in some capacity in PSCs. Those interests are summarized below, disaggregated by judicial role.

### Respondents by Judicial Role

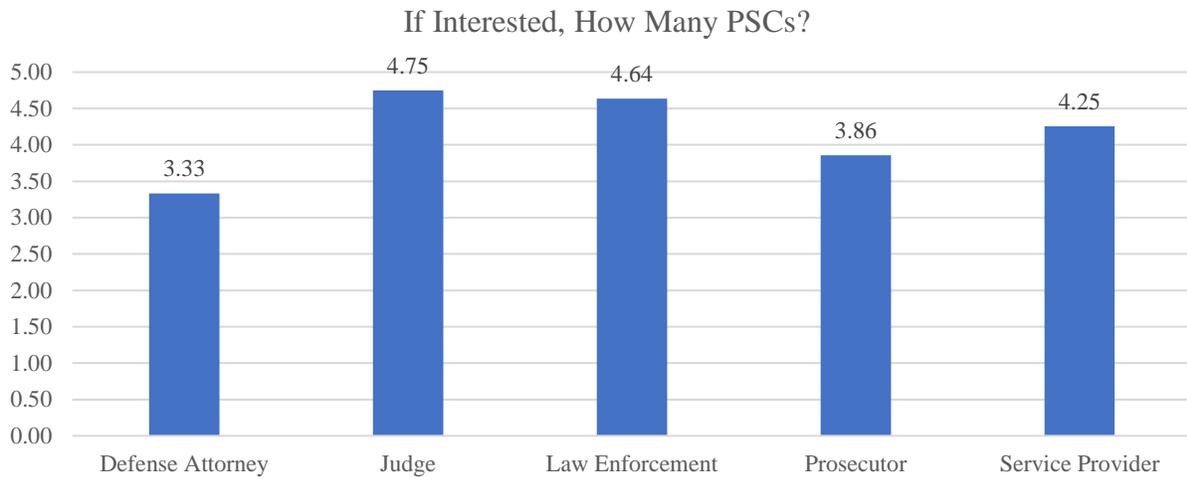
Proportionally, more judges (93%) and prosecutors (93%) were interested in PSCs than service providers or law enforcement professionals. Among those interested, defense attorneys reported being least interested (68%) in various PSCs. Those results are provided below in Figure 33.

**Figure 33.** *Interest in PSCs Disaggregated by Judicial Role*



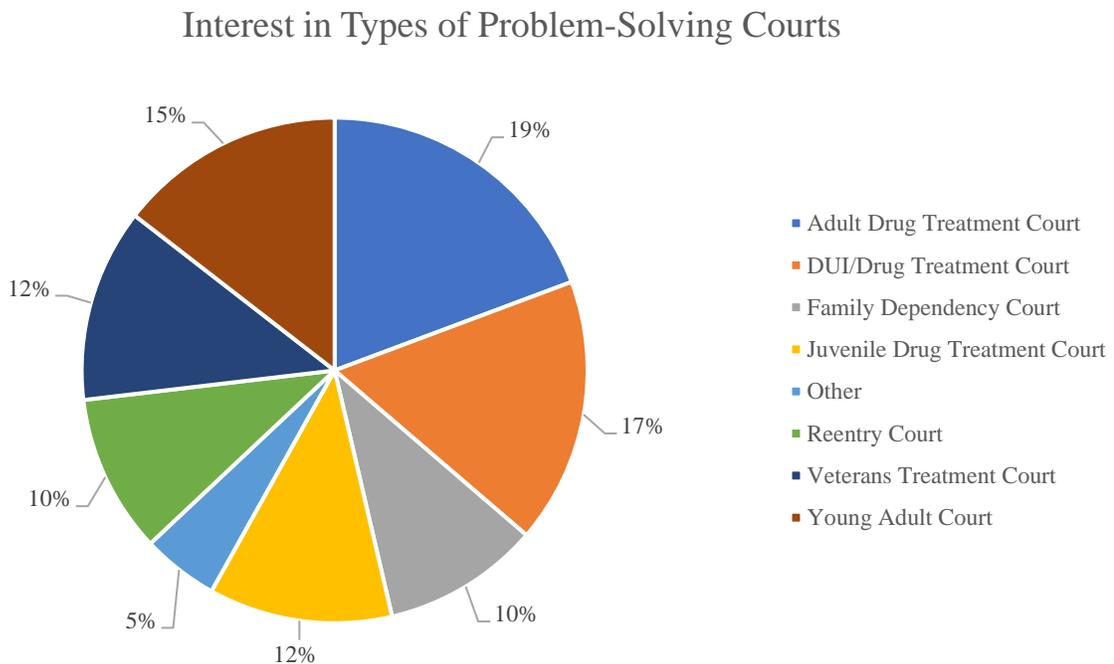
The number of PSCs for each individual in roles in the judicial system is shown below in Figure 24.

**Figure 34.** *Number of PSCs Per Role in the Judicial System*



Defense attorneys reported being the least interested (in only 3.33 PSCs on average), even among those that were interested in the first place. That interest is disaggregated by the types of PSCs below in Figure 35.

**Figure 35.** *Interest by Types of PSCs*

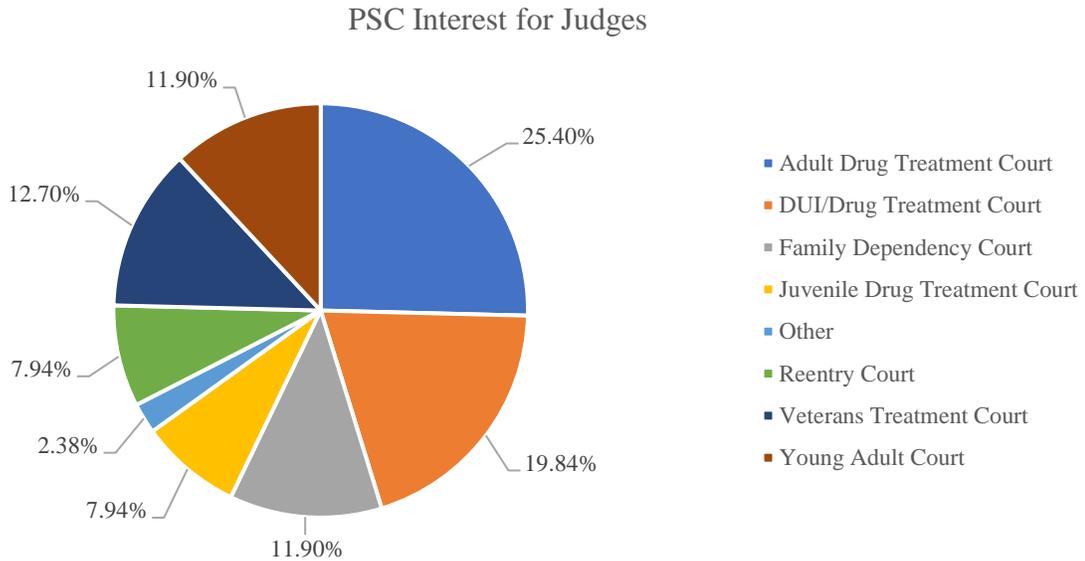


Judges were most interested in PSCs and the largest number of them (4.74 PSCs on average). Most were interested in Adult Drug Treatment Courts (25.40), with the least being interested in

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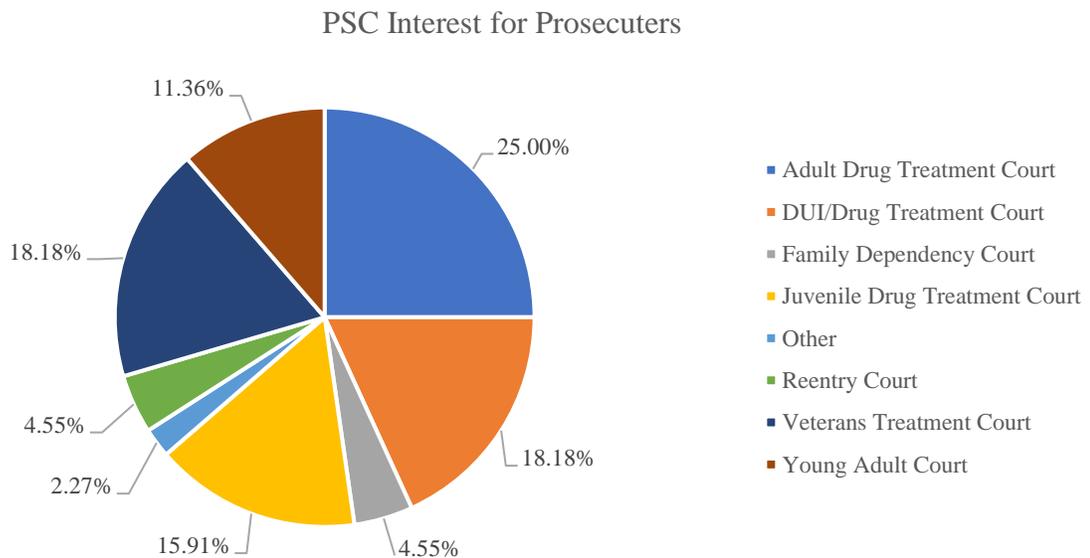
Reentry Courts (7.94%) and Juvenile Drug Treatment Courts (7.94%). Those results are shown below in Figure 36.

**Figure 36. Judges' Interest in Types of PSCs**



Prosecutors also reported interest in more types of PSCs than other groups in the judicial system (3.86 courts on average) (aside from Judges and law enforcement personnel). The specific types of courts they were interested in are provided below in Figure 37.

**Figure 37. Prosecutors' Interest in Types of PSCs**



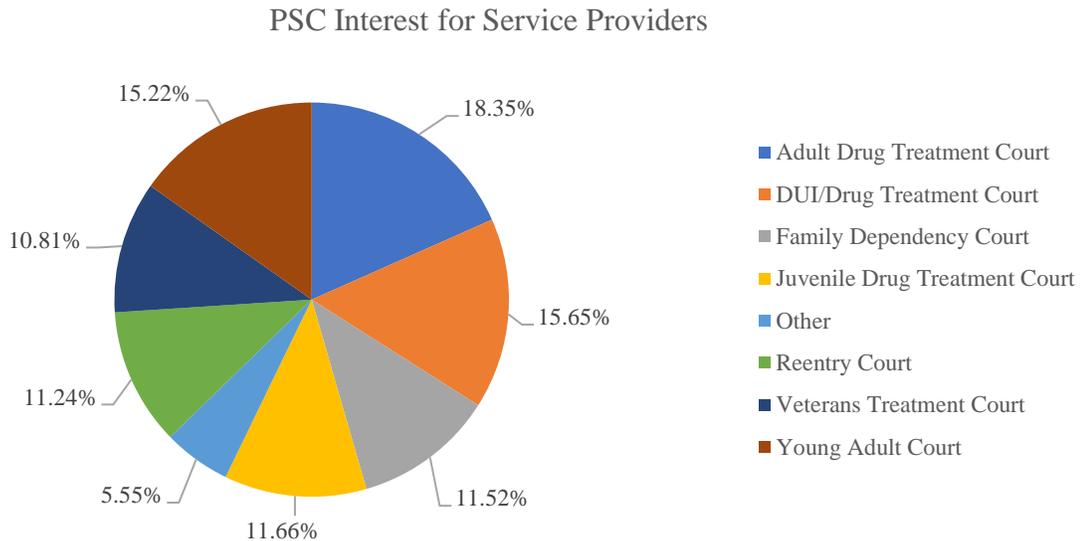
In Figure 37, prosecutors, like the judges and law enforcement professionals, were most interested in implementing and expanding Adult Drug Courts (25.00%). Reentry Courts (4.55%) and Family Dependency Courts (4.55%) were again the least reported by prosecutors as potential PSCs to be

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implemented or expanded. Prosecutors, however, reported a greater interest in Veterans Treatment Courts (18.18%) than judges (12.70%), with a nearly equally reported interest in DUI/Drug Treatment Courts (18.18%)

Next, service providers' interest in specific types of PSCs is shown below in Figure 38.

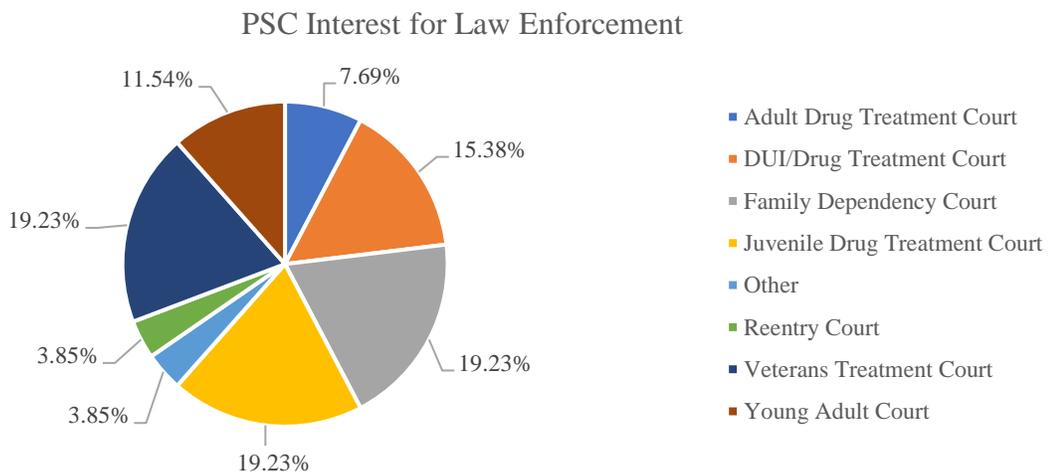
**Figure 38.** *Service Providers' Interest in Types of PSCs*



The largest proportion of service providers reported interest in implementing or expanding Adult Drug Treatment Courts (18.35%). The same general pattern was exhibited for service providers as judges (25.40%), except that there was a more equal spread of interest across types of PSCs beyond Adult Drug Treatment Courts (see Figure 35 for overall spread).

Unlike judges, prosecutors, and service providers, law enforcement reported being most interested in Veterans Treatment Courts, Juvenile Drug Treatment Courts, and Family Tendency Courts.

**Figure 39.** *Laws Enforcements' Interest in Types of PSCs*

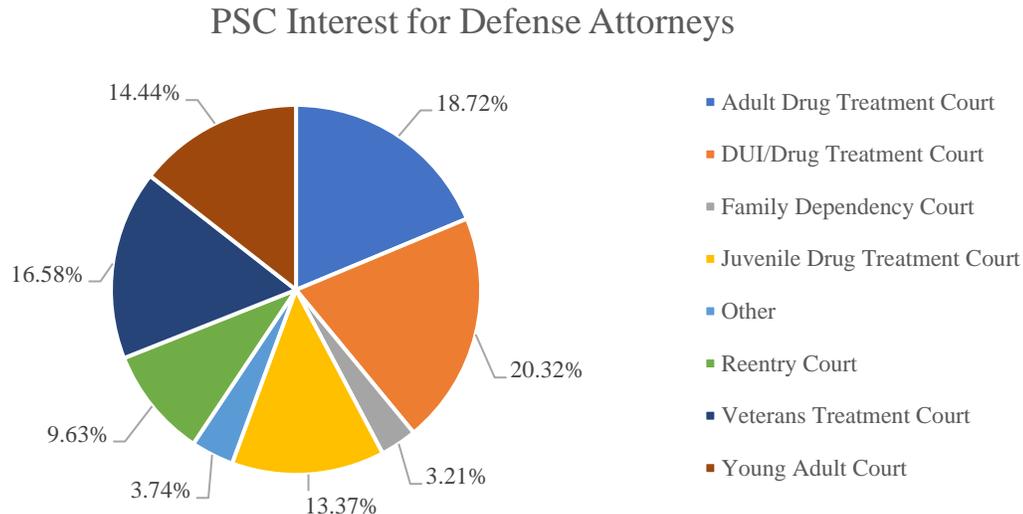


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Also, they were somewhat interested in Reentry Courts (3.85%) and ‘Other’ PSCs (3.85%). In fact, they responded to being interested in ‘Other’ types of courts as often as they did Reentry Courts. Those ‘Other’ types are listed in Appendix IV.

Defense attorneys’ interest in PSCs is shown below in Figure 40.

**Figure 40.** *Defense Attorneys’ Interest in Types of PSCs*



Defense attorneys reported being most interested in DUI/Drug Treatment Courts (20.32%) and Adult Drug Treatment Courts (18.72%). They reported being the least interested in Family Dependency Courts. They also expressed a noticeable interest in Veterans Treatment Courts (16.58%).

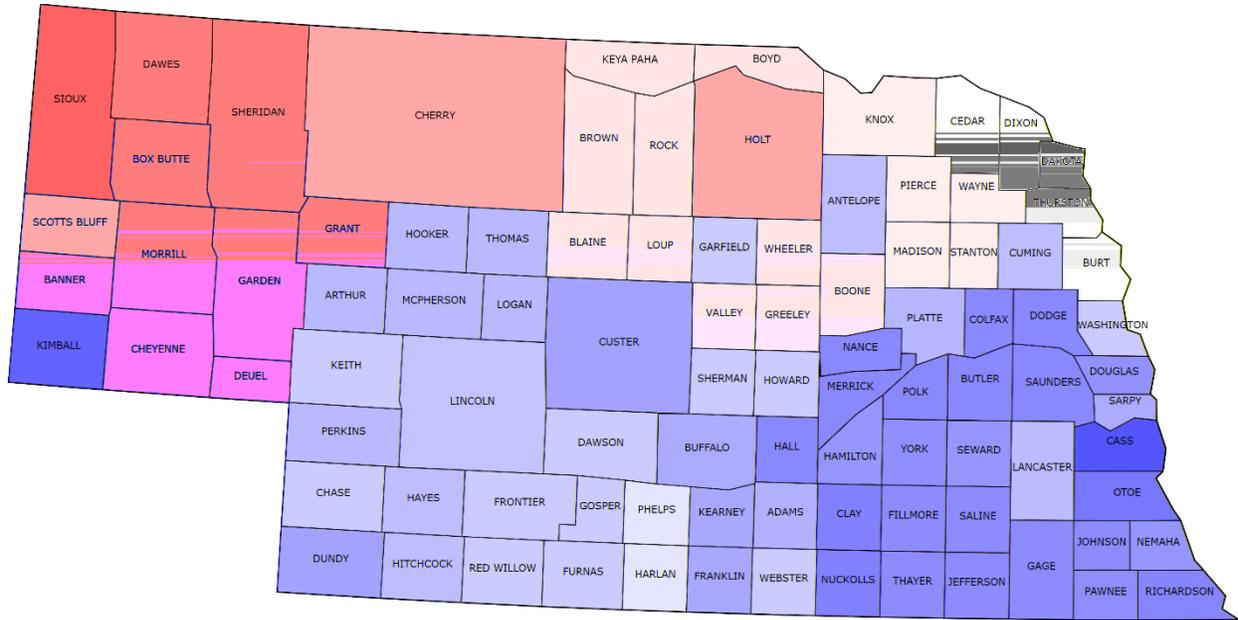
The myriad reasons for the aforementioned interests in PSCs remained unclear. There was, nevertheless, a striking overall interest in many types of PSCs, the most being interested in Drug Treatment Courts and the least in Reentry Courts. Therefore, this report now closely examines those interested in PSCs based on their role in the judicial system.

### **Judges’ Interest in PSCs**

Each judge reported the counties they served, being allowed to identify multiple counties with a total of 72 judges responding to varying degrees (some indicated more counties than others). The number of possible responses was used to adjust coloring for direct comparison between counties across Nebraska.

The baseline interest of each group of stakeholders varied; also, there were different numbers of available stakeholders of each type (e.g., a different number of judges and service providers). Therefore, because the relative darkness’s of the red color did not represent the same number of individuals for each group of stakeholders nor the baseline interest of those stakeholders (in Figures 41, 48, 55, 62, and 69), comparing the heat maps between stakeholders is not suggested. The relative interest of those stakeholders based on which counties they served is shown below in Figure 41. In Figure 41, the redder a county, the greater the relative interest in PSCs in that county.

**Figure 41.** *Standardized Interest in PSCs across Nebraska (redder represents more interested in PSCs)*

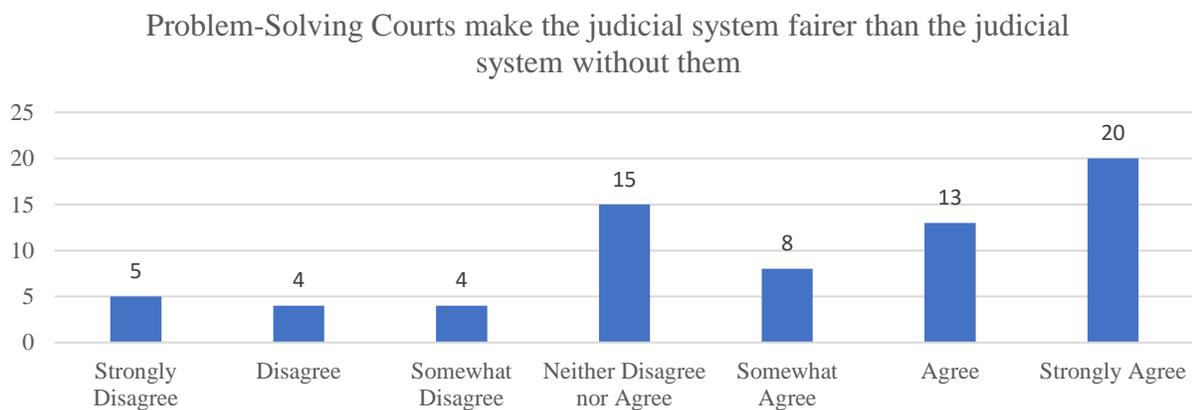


Unlike the overall interest in PSCs (see Figure 11), the interest in PSCs was concentrated in the Northwestern and Northeastern quadrants of Nebraska. Interestingly, the Northeastern and Southeastern quadrants of Nebraska reported less interest in PSCs than nearly any other state area.

A closer examination of judges’ attitudes toward PSCs was warranted.

First, the general attitude that PSCs made the justice system fairer was clear (see Figure 42 below).

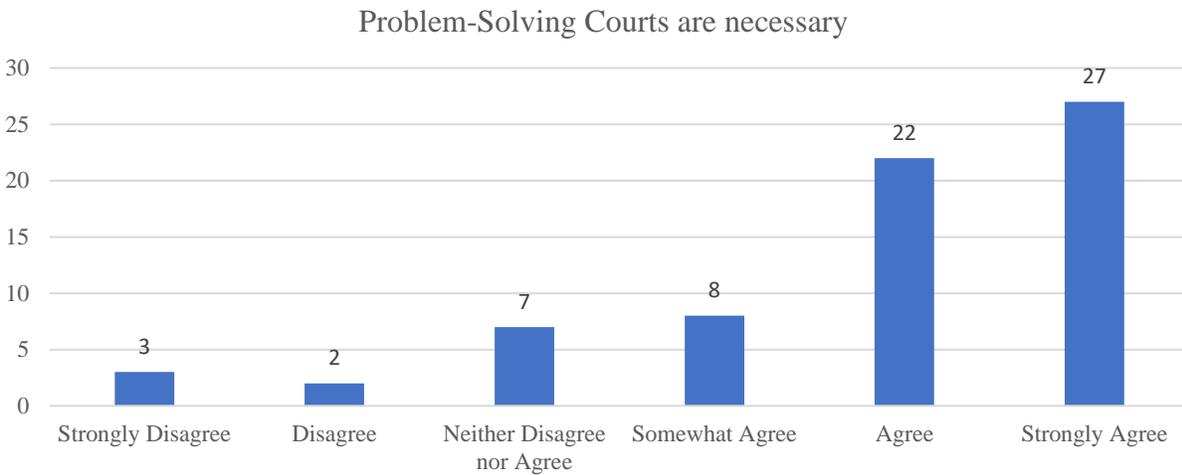
**Figure 42.** *Responses to the Likert-type Item ‘Problem-Solving Courts make the judicial system fairer than the judicial system without them’*



Unlike the drop between ‘Neither Disagree nor Agree’ that ‘Problem-Solving Courts make the judicial system fairer without them’ and ‘Somewhat Disagree’ in the overall trend in Figure 12 (91 to 69), the drop between those same categories for judges was more pronounced (15 ‘Neither Disagree nor Agree’ to 8 ‘Somewhat Disagree’). Few reported that they ‘Somewhat Disagree’ (4), ‘Disagree’ (4), or ‘Strongly Disagree’ (5), but most judges reported they ‘Strongly Agree’ (20) that PSCs made the justice system fairer. There was potentially an underlying assumption that the judicial system was already fair; thus, making it ‘fairer’ was not an applicable possibility. This would explain the larger number of respondents that ‘Neither Disagree nor Agree’ than for judges than any other role in the criminal justice system.

Next, judges were asked how they agreed or not with the statement, ‘Problem-Solving Courts are Necessary’. Their responses are tabulated below in Figure 43.

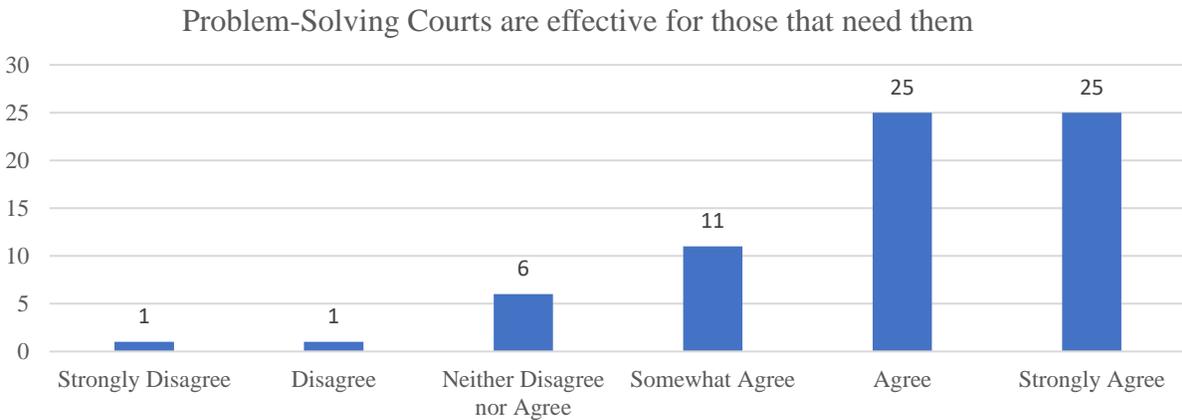
**Figure 43.** Responses to Likert-type Item ‘Problem-Solving Courts are necessary’



These responses are akin to those of the respondents in Figure 14. The only difference was that Figure 43, for all attitudes above ‘Strongly Disagree’ (increasing from 40 to 169 to 264 in Figure 14), monotonically increased (every category had more responses than the previous category) without the minor fluctuation in Figure 14 (e.g., moving slightly down in responses from ‘Neither Disagree nor Agree’ to ‘Somewhat Agree’ (from 60 to 40 in Figure 14)).

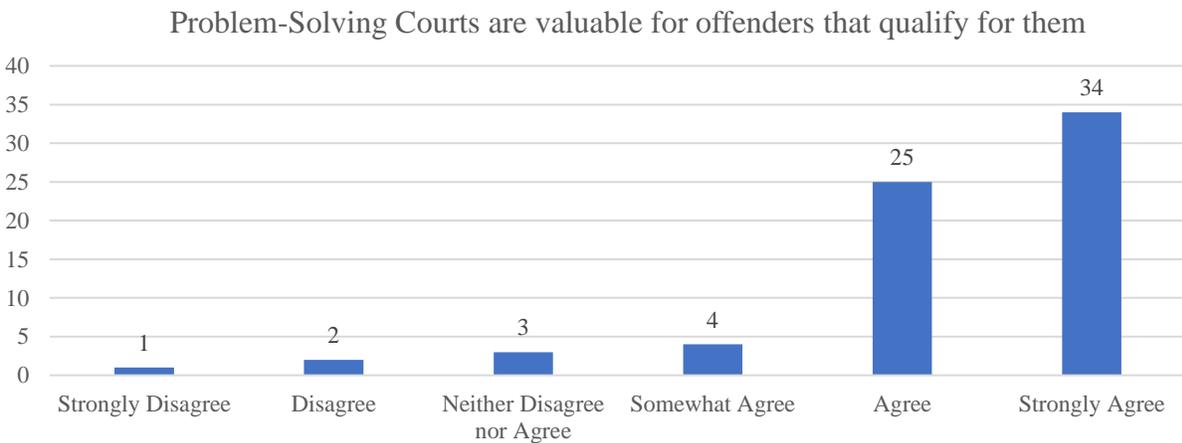
Also, interestingly, only one judge reported that they ‘Somewhat Disagree’, ‘Disagree’, or ‘Strongly Disagree’ with the effectiveness of PSCs, respectively (see Figure 44 below).

**Figure 44.** Responses to Likert-type Item ‘Problem-Solving Courts are effective for those that need them’



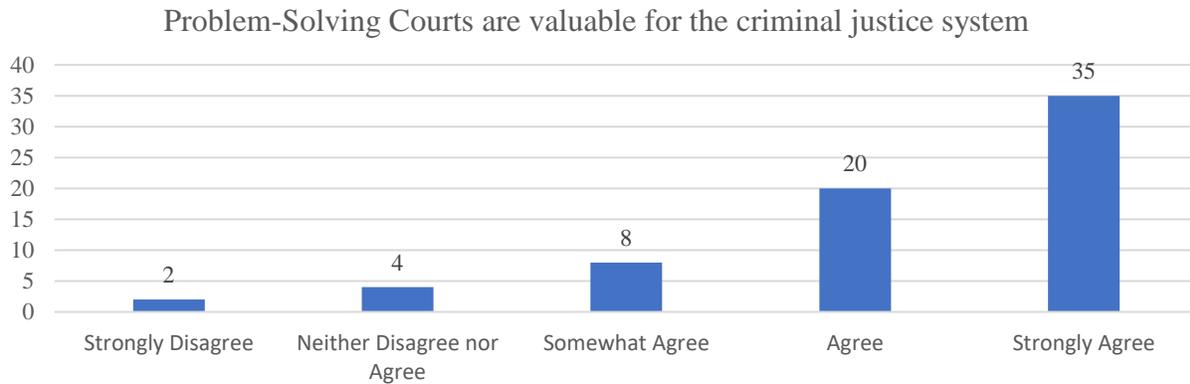
This indicated that, at least across Nebraska, judges found that PSCs were effective for some individuals. That is, they were effective in some way. This was a compelling finding that warrants the future use of PSCs.

**Figure 45.** Responses to the Likert-type Item ‘Problem-Solving Courts are valuable for offenders that qualify for them’



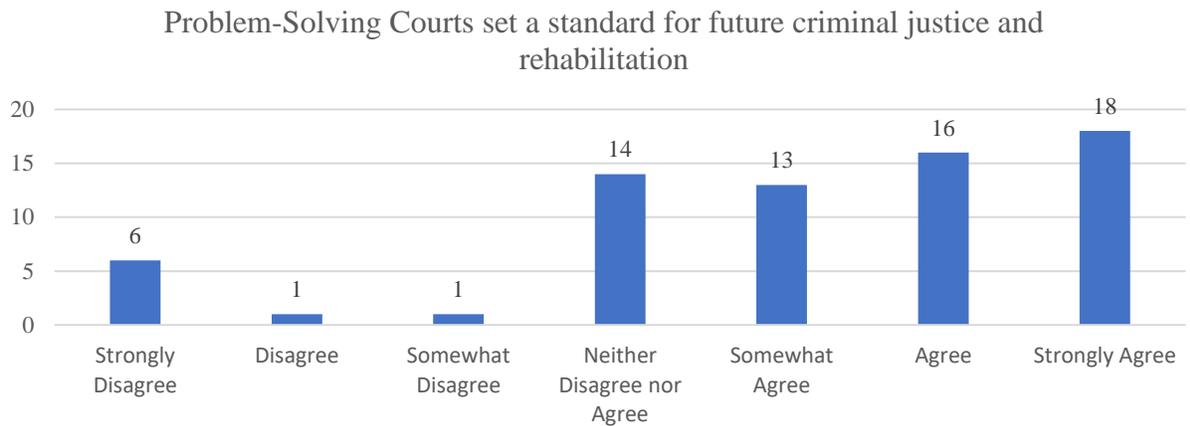
As in Figure 44, Figure 45 shows, proportionally fewer judges ‘Somewhat Disagree’ (3), ‘Disagree’ (2), or ‘Strongly Disagree’ (1) with the statement that ‘Problem-Solving Courts are valuable for offenders that qualify for them’. Again, this was powerful and compelling evidence that PSCs are valuable for some offenders as reported by those that will ultimately judge those offenders. More evidence is shown below in Figure 46, this time for the criminal justice system more broadly.

**Figure 46.** Responses to Likert-type Item ‘Problem-Solving Courts are valuable for the criminal justice system’



The overwhelming trend in valuing PSCs continued in that no judge reported disagreeing with the statement that ‘Problem-Solving Courts are valuable for the criminal justice system’ (see Figure 46). Just as with previous Likert-type items, more judges reported that they were important for the future of the criminal justice system than in other categories of agreement (34 in Figure 46 and 35 in Figure 47).

**Figure 47.** Responses to Likert-type Item ‘Problem-Solving Courts set a standard for future criminal justice and rehabilitation’



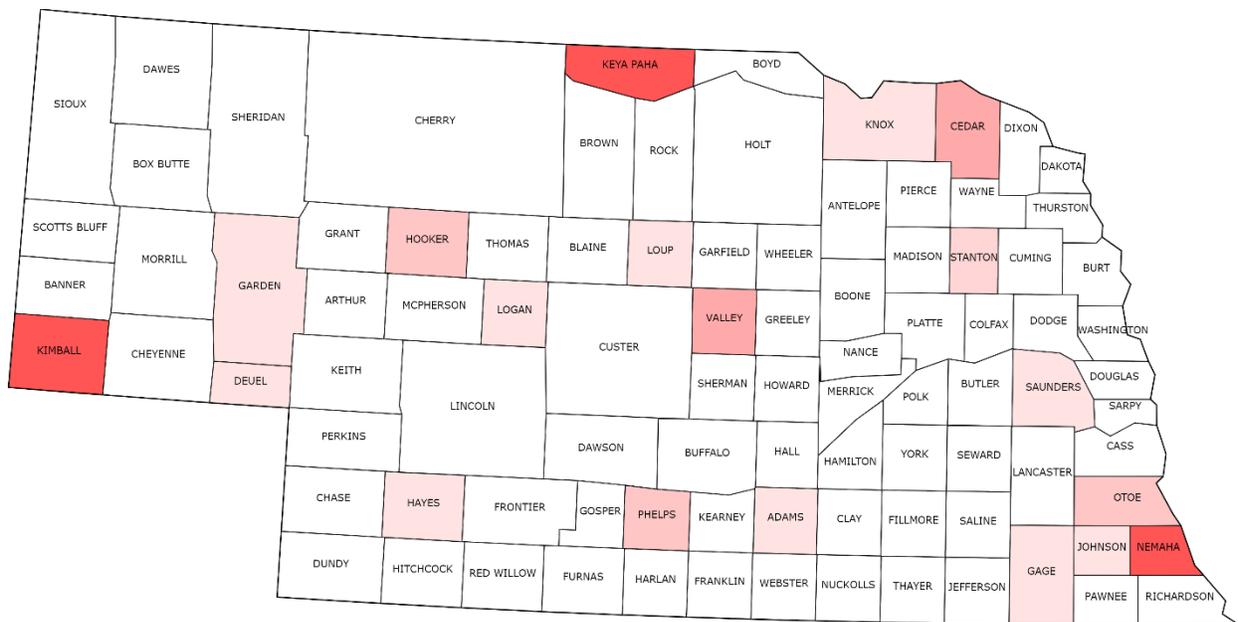
Unlike in the previous Figures (see Figures 42 – 46), eight judges did not report that PSCs were part of a new standard for the criminal justice system and rehabilitation. Also, many more ‘Neither Disagree nor Agree’ (14) than in previous Figures. Nevertheless, the trend that those interested in PSCs found them valuable and necessary was consistent, and that in general they were important for the future of the criminal justice system. These questions were also asked of prosecutors across Nebraska; those results are provided below.

### Prosecutors' Interest in PSCs

For those prosecutors in Nebraska, interest in PSCs was mapped. Each prosecutor reported the counties they served, being allowed to identify multiple counties with a total of 18 prosecutors responding to varying degrees (some indicated more counties than others). The number of possible responses was used to adjust coloring for direct comparison between counties across Nebraska.

The baseline interest of each group of stakeholders varied; also, there were different numbers of available stakeholders of each type (e.g., a different number of judges and service providers). Therefore, because the relative darkness's of the red color did not represent the same number of individuals for each group of stakeholders nor the baseline interest of those stakeholders (in Figures 41, 48, 55, 62, and 69), comparing the heatmaps between stakeholders is not suggested. The relative interest of those stakeholders based on which counties they served is shown below in Figure 48. In Figure 48, the redder a county, the greater the relative interest in PSCs in that county.

**Figure 48.** *Standardized Interest in PSCs across Nebraska (redder represents more interested in PSCs)*

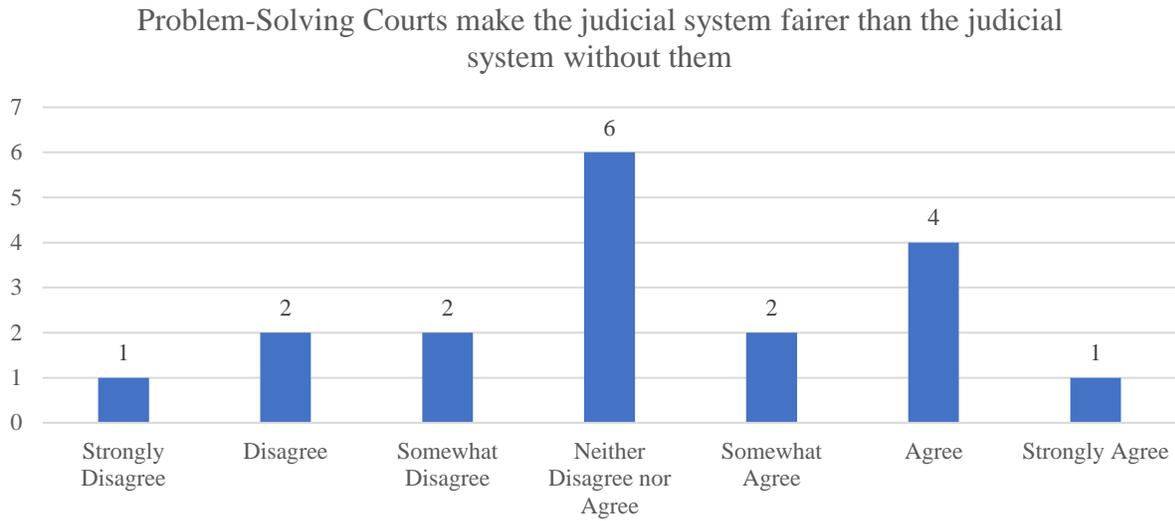


Unlike judges or even the overall trend of interest in PSCs, there was much less interest in PSCs by prosecutors. That is, only in most Northern-, Southwestern-, and Southeastern-most counties had prosecutors that reported a strong interest in PSCs. Moderate interest was reported across the state, with a small trend toward interest in the Northeastern quadrant.

A closer examination of attitudes toward PSCs was warranted.

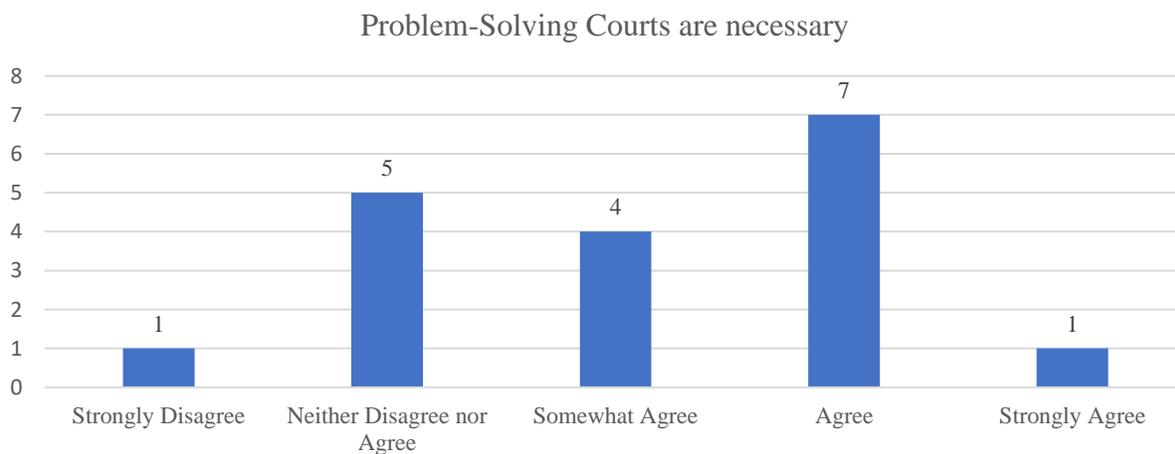
First, the general attitude that PSCs made the judicial system fairer was reported (see Figure 49 below).

**Figure 49.** Responses to the Likert-type Item ‘Problem-Solving Courts make the judicial system fairer than the judicial system without them’



Prosecutors were split among categories of disagreement (1 in ‘Strongly Disagree’, 2 in ‘Disagree’, and 2 in ‘Somewhat Disagree’ for a total of 5 in disagreement) and agreement (2 in ‘Somewhat Agree’, 4 in ‘Agree’, and 1 in ‘Strongly Agree’) that PSCs made the criminal justice system fairer (in Figure 49). The largest number of respondents reported that they ‘Neither Disagree nor Agree’ that PSCs make the judicial system fairer than it would be without them (6). Questions remained about why this was so, but further investigation into for whom they work and how they are valuable remained. For example, in Figure 50, prosecutors were asked to what extent they agreed or disagreed with the statement that ‘Problem-Solving Courts are necessary’.

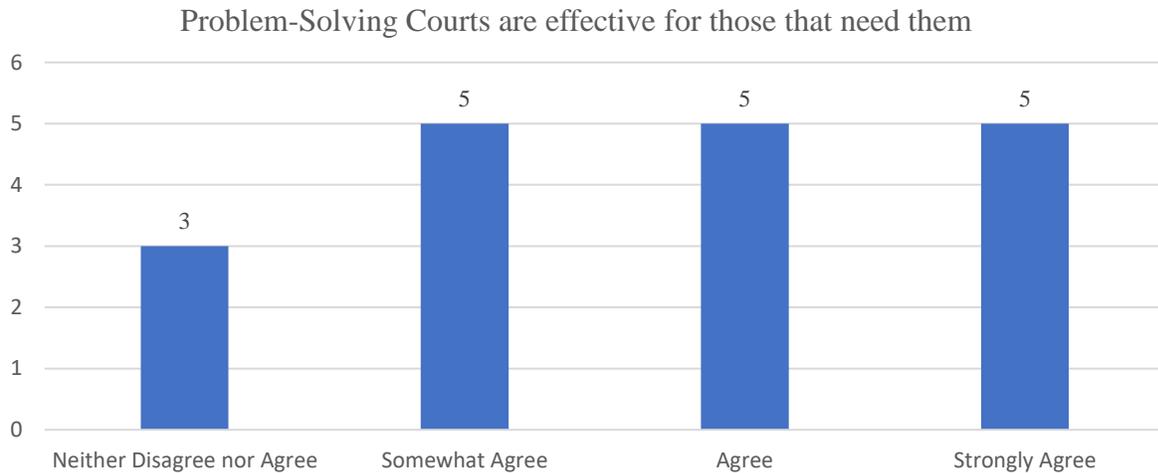
**Figure 50.** Responses to Likert-type Item ‘Problem-Solving Courts are necessary’



In Figure 50, most prosecutors reported that they ‘Agree’ (7) with the statement that PSCs were necessary. Furthermore, this was increased from those that ‘Neither Disagree nor Agree’ (4 to 7 in Figure 42, and 6 and 4 in Figure 14). This was in contrast to Figure 49, where they reported that

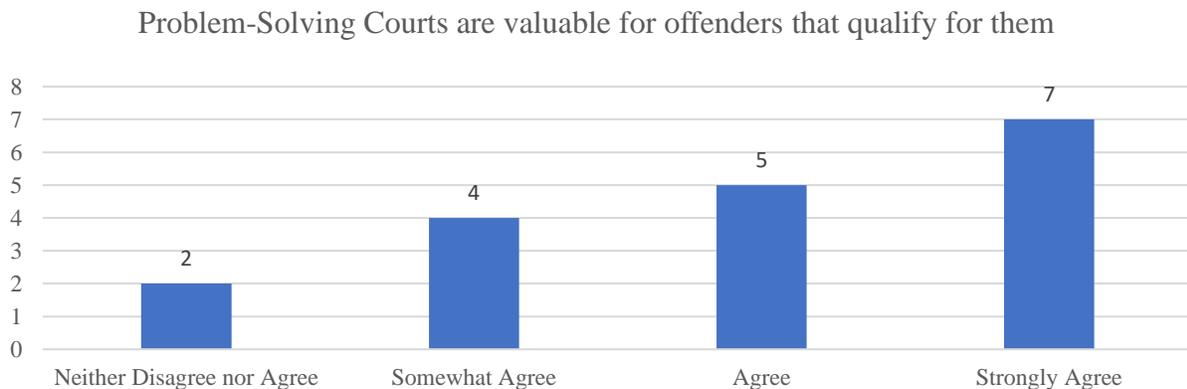
the judicial system was fairer with than without them with mixed results. This indicated that while prosecutors recognized the importance of PSCs, the essential fairness of the judicial system was consistent. Figure 51 shows the agreement or disagreement with the statement that PSCs are effective for those that need them.

**Figure 51.** Responses to Likert-type Item ‘Problem-Solving Courts are effective for those that need them’



Prosecutors consistently reported that PSCs were effective for those that need them; at no point did they ‘Strongly Disagree’, ‘Disagree’, or ‘Somewhat Disagree’ with the premise that PSCs were effective for those that need them. In fact, in both Figures 51 and 52, more agreed in some degree (15 in Figure 51, 16 in Figure 52) than ‘Neither Disagree nor Agree’ (3 in Figure 51 and 2 in Figure 52).

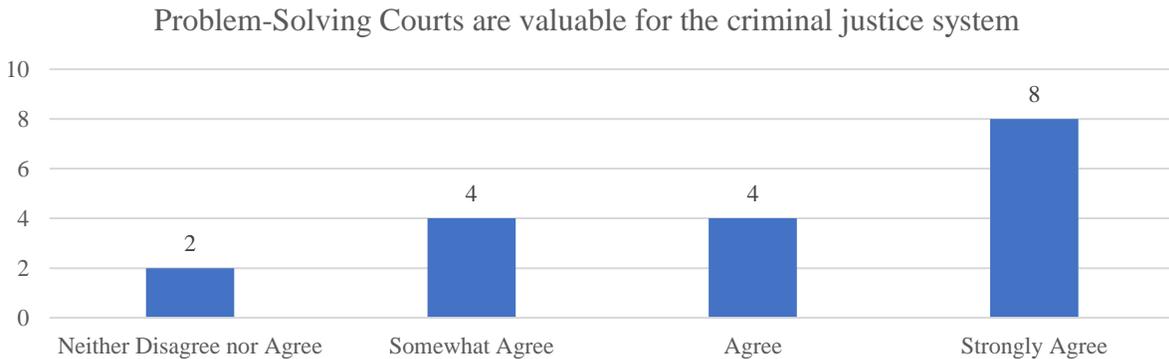
**Figure 52.** Responses to the Likert-type Item ‘Problem-Solving Courts are valuable for offenders that qualify for them’



Just as in Figure 52, prosecutors reported that they ‘Neither Agree nor Disagree’ (2), ‘Somewhat Agree’ (4), ‘Agree’ (5), or ‘Strongly Agree’ (7) that PSCs were valuable for those qualifying for

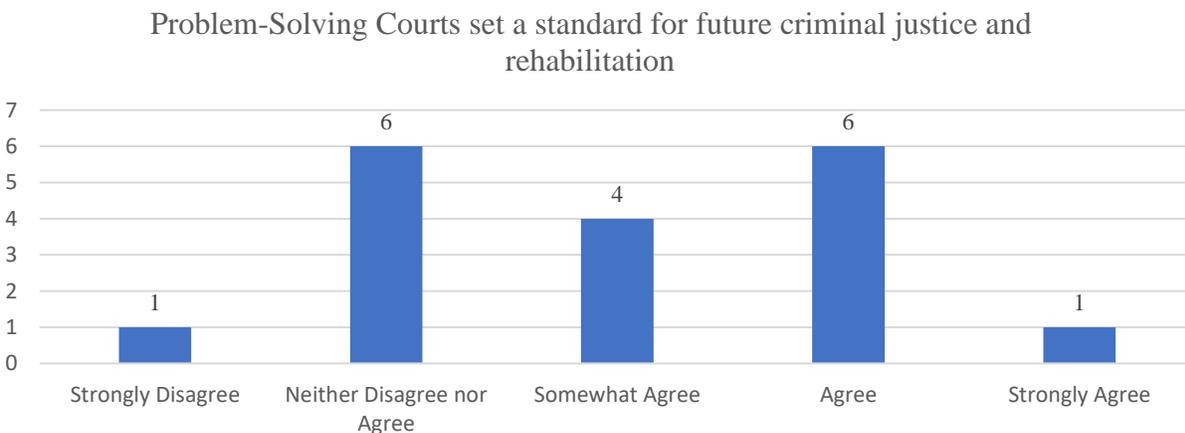
them. Again, this echoes the sentiment that they were effective for those who need them. The value of PSCs for the larger criminal justice system is shown in Figure 53.

**Figure 53.** Responses to Likert-type Item ‘Problem-Solving Courts are valuable for the criminal justice system’



Prosecutors did not ‘Strongly Disagree’, ‘Disagree’, or even ‘Somewhat Disagree’ with the premise that PSCs were valuable for the criminal justice system writ large. PSCs were clearly effective and valuable for prosecutors in the criminal justice system. Their role in the future of it was less clear. This was shown below in Figure 54. Respondents were asked to what extent they agreed or disagreed with the statement ‘Problem-Solving Courts set a standard for future criminal justice and rehabilitation’. Like previous Likert-type items (see Figures 52 – 53), most respondents at least ‘Somewhat Agree’ (11) set a standard for future work in the criminal justice system (see Figure 46). Unlike the previous Figures 52 – 53, 7 prosecutors either ‘Strongly Disagree’(1) or ‘Neither Disagree nor Agree’ (6). On the other hand, the pattern in Figure 54 was similar to that of Figure 51).

**Figure 54.** Responses to Likert-type Item ‘Problem-Solving Courts set a standard for future criminal justice and rehabilitation’



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The trend in Figure 54 was less clear than in other responses (see Figures 52 - 53). That is, as many prosecutors ‘Neither Disagree nor Agree’ or ‘Agree’ that PSCs set a standard for the future of the criminal justice system (6 vs 6). Importantly, only one prosecutor reported that they ‘Strongly Disagree’ with a potentially positive future of PSCs, balanced exactly against one that reported they ‘Strongly Agree’.

This indicated that prosecutors viewed PSCs as less critical to the criminal justice system than other stakeholders (proportionally), although nevertheless reported they were important for those that qualified for them and for whom they were effective.

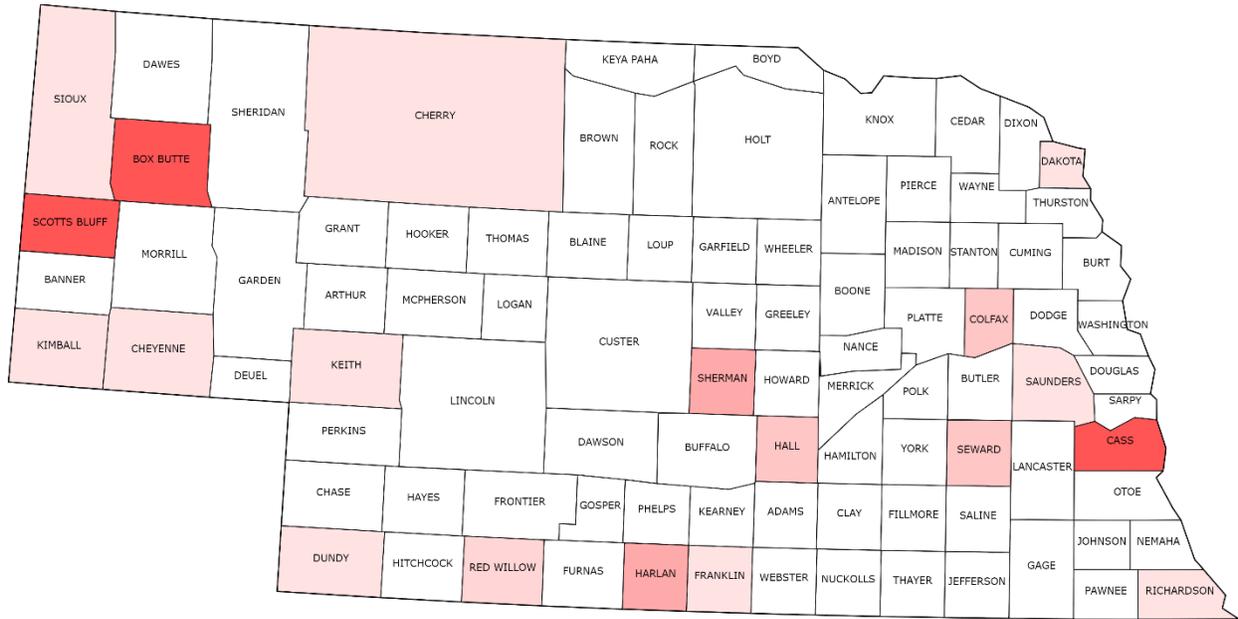
Next, results are presented for law enforcement professionals.

### **Law Enforcement Professionals’ Interest in PSCs**

For those in law enforcement, interest in PSCs was mapped across Nebraska. Each law enforcement professional reported the counties they served, being allowed to identify multiple counties with a total of 19 law enforcement professionals responding to varying degrees (some indicated more counties than others). The number of possible responses was used to adjust coloring for direct comparison between counties across Nebraska.

The baseline interest of each group of stakeholders varied; also, there were different numbers of available stakeholders of each type (e.g., a different number of judges and service providers). Therefore, because the relative darkness’s of the red color did not represent the same number of individuals for each group of stakeholders nor the baseline interest of those stakeholders (in Figures 41, 48, 55, 62, and 69), comparing the heatmaps between stakeholders is not suggested. The relative interest of those stakeholders based on which counties they served is shown below in Figure 55. In Figure 55, the redder a county, the greater the relative interest in PSCs in that county.

**Figure 55.** *Standardized Interest in PSCs across Nebraska (redder represents more interested in PSCs)*

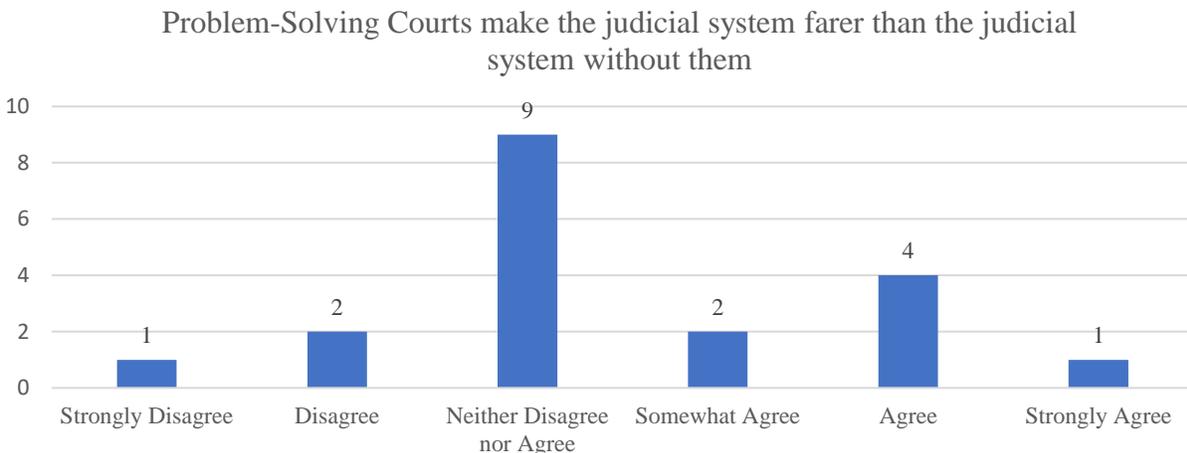


The interest of law enforcement in PSCs was mixed. There was moderate interest across the state, with greater interest reported in the Western and Eastern halves. Sampling was probably an issue as too few law enforcement professionals responded to the survey for this to be an adequately representative map.

A closer examination of the attitudes of law enforcement toward PSCs was warranted.

First, the general attitude that PSCs made the judicial system fairer was reported.

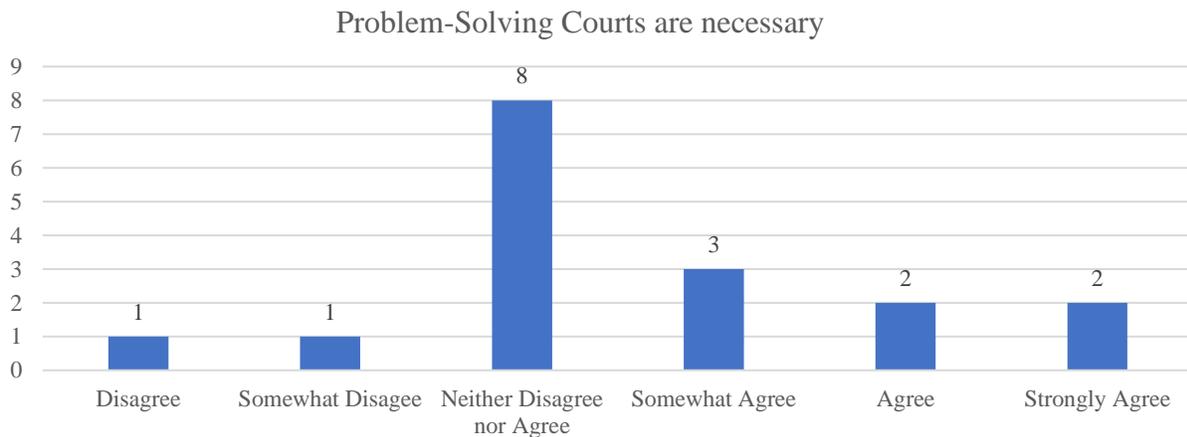
**Figure 56.** *Responses to the Likert-type Item ‘Problem-Solving Courts make the judicial system fairer than the judicial system without them’*



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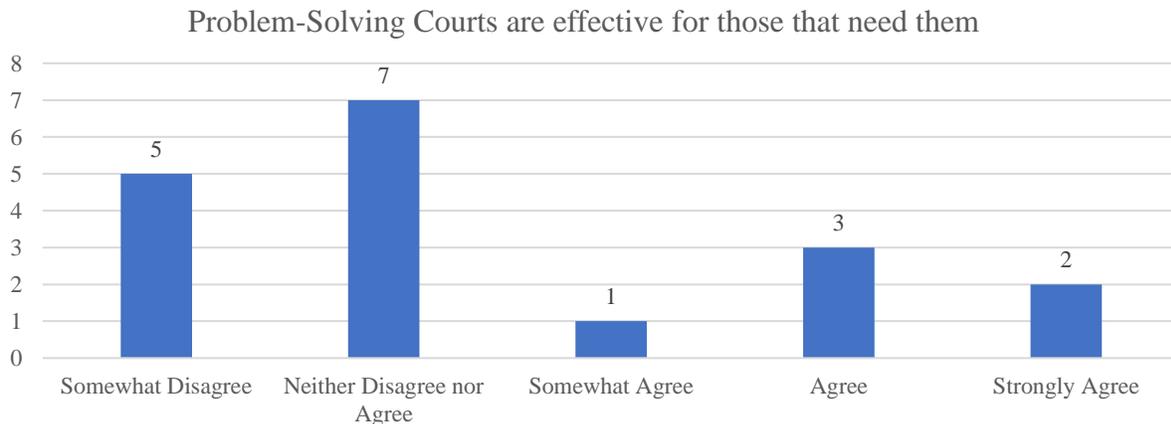
Most law enforcement professionals reported that they ‘Neither Disagree nor Agree’ that PSCs made the judicial system fairer (9). Again, this was in contrast to judges and the overall trend in the state (see Figures 12 and 42, respectively). This pattern was more closely related to that of the reported attitudes of prosecutors (with the most respondents indicating they ‘Neither Disagree nor Agree’) (9 in Figure 56 and 6 in Figure 49). The same trend emerged when prosecutors were asked about the necessity of PSCs. In this case, the median response was again ‘Neither Disagree nor Agree’ (8) (Figure 57).

**Figure 57.** Responses to Likert-type Item ‘Problem-Solving Courts are necessary’



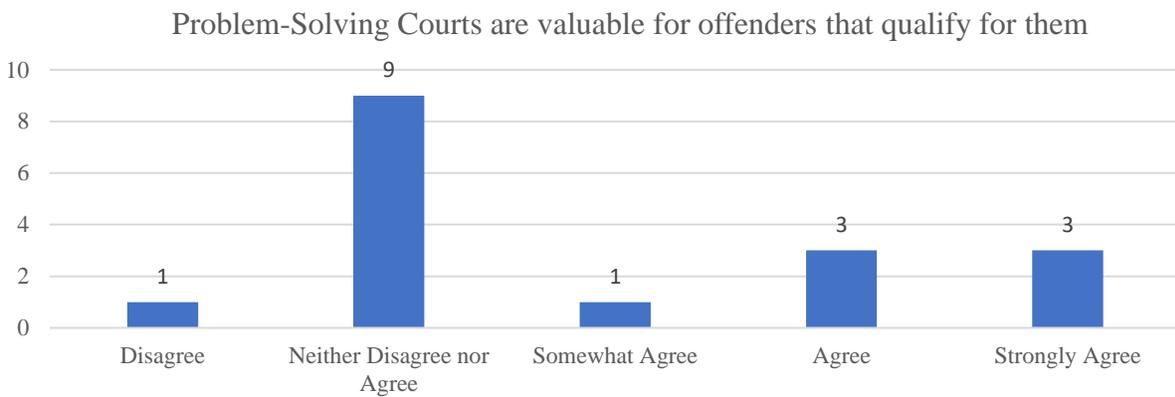
The same trend in agreement with PSCs and fairness in the judicial system appears here as most law enforcement professionals reported that they ‘Neither Disagree nor Agree’ that PSCs were necessary (compare Figures 56 and 57). No law enforcement professional reported they ‘Strongly Disagree’ that PSCs make the judicial system fairer. This indicates that opinions were mixed. When asked about their effectiveness and value for individuals that need or qualify for them, the same trends emerged (see Figure 58 and 59 below).

**Figure 58.** Responses to Likert-type Item ‘Problem-Solving Courts are effective for those that need them’



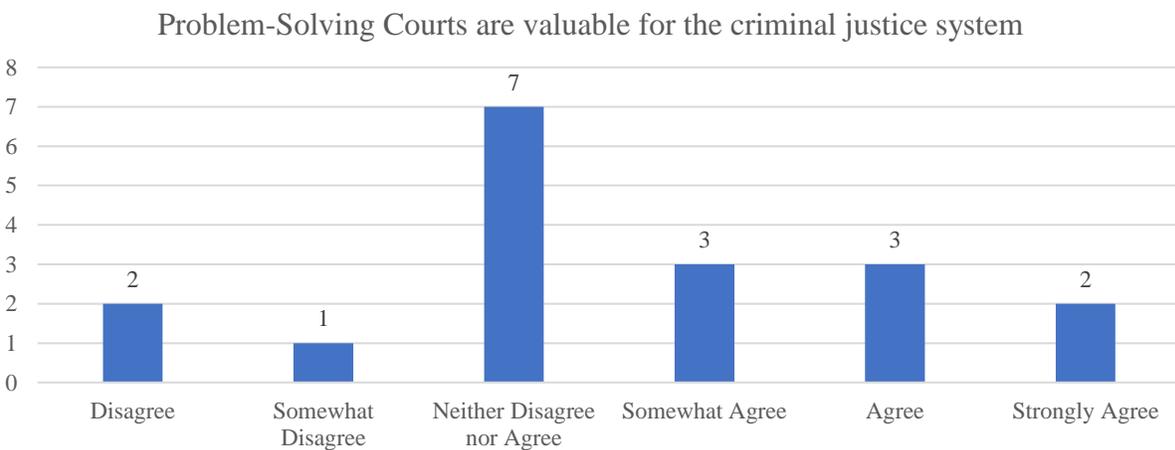
In contrast to previous trends, with other members of the judicial system, prosecutors reported they ‘Somewhat Disagree’ or ‘Neither Disagree nor Agree’ (7) with the effectiveness of PSCs for those that need them more often compared to judges (91), prosecutors (15) or the overall trend (464) as at least ‘Somewhat Agree’. Also, more law enforcement professionals tended to ‘Somewhat Agree’, ‘Agree’, or ‘Strongly Agree’ that PSCs were effective for those that needed them, while only five ‘Somewhat Disagree’ with that statement. This was an interesting trend in attitudes toward PSCs. Unlike their judge or prosecutor counterparts, law enforcement had mixed attitudes towards PSCs and their usefulness for offenders that need them. Compare this to Figure 59 below.

**Figure 59.** Responses to the Likert-type Item ‘Problem-Solving Courts are valuable for offenders that qualify for them’



The mixed attitudes of law enforcement toward PSCs are shown in Figure 59, as most reported they ‘Neither Disagree nor Agree’ that ‘Problem-Solving Courts are valuable for offenders that qualify for them’) (9 vs any other category). The larger value of PSCs for the criminal justice system also drew interesting responses from law enforcement professionals (see Figure 60 below).

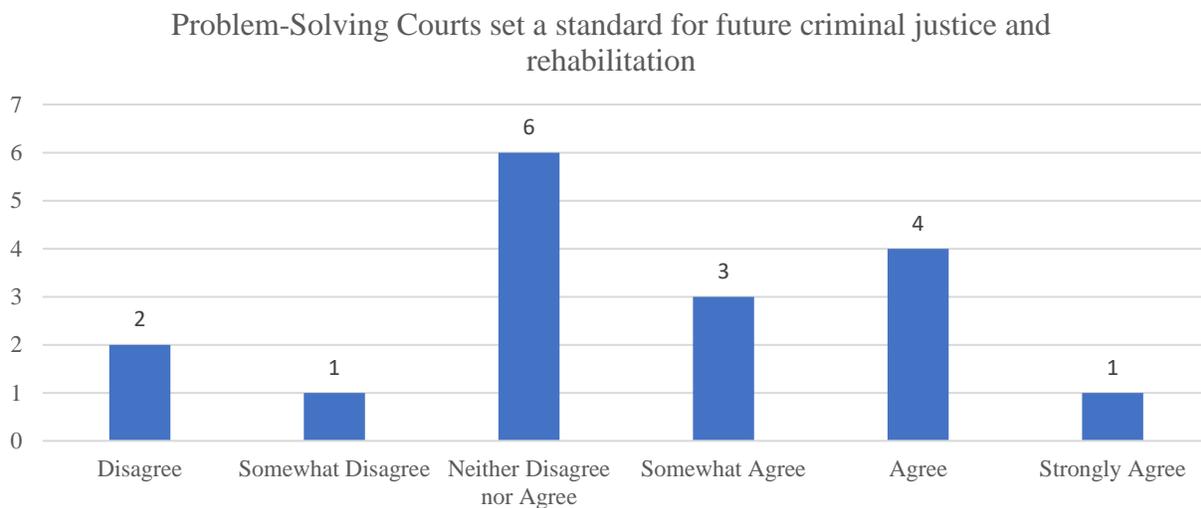
**Figure 60.** Responses to Likert-type Item ‘Problem-Solving Courts are valuable for the criminal justice system’



In Figure 60, as in Figure 59, most reported that they ‘Neither Disagree nor Agree’ with the value of PSCs for the criminal justice system (7). Again, these mirrored previous, more mixed attitudes of law enforcement compared to judges (Figure 46), prosecutors (Figure 53), defense attorneys (Figure 67), and service providers (Figure 74).

Lastly, respondents were asked to what extent they agreed or disagreed with the statement ‘Problem-Solving Courts set a standard for future criminal justice and rehabilitation’. Again, most respondents at least ‘Somewhat Agree’ (8) (see Figure 53) than did not (3), with the ‘Neither Disagree nor Agree’ being the most reported (6).

**Figure 61.** Responses to Likert-type Item ‘Problem-Solving Courts set a standard for future criminal justice and rehabilitation’



The same pattern as in Figures 59 and 60 emerged. Again, law enforcement professionals were mixed on using PSCs as a standard for future criminal justice and rehabilitation. Unfortunately, so few law enforcement professionals responded to the survey, making inferences across the state was difficult. However, it was clear that, of those that responded, their attitudes toward PSCs were mixed.

### Defense Attorneys’ Interest in PSCs

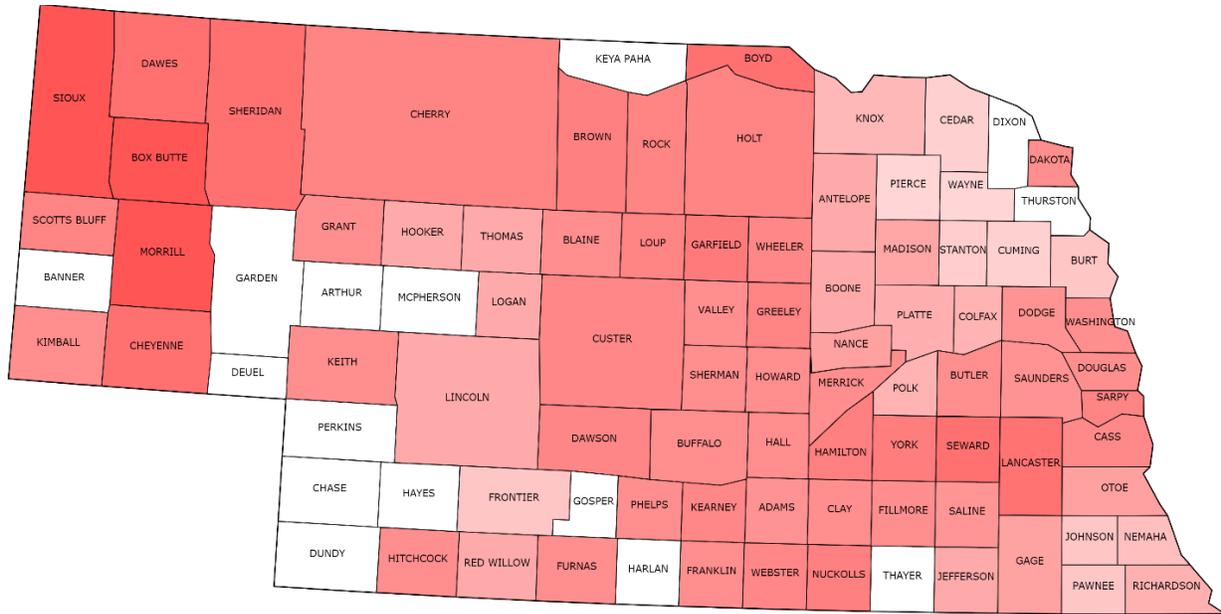
For defense attorneys, interest in PSCs was mapped across Nebraska. Each defense attorney reported the counties they served, being allowed to identify multiple counties with a total of 83 defense attorneys responding to varying degrees (some indicated more counties than others). The number of possible responses was used to adjust coloring for direct comparison between counties across Nebraska.

The baseline interest of each group of stakeholders varied; also, there were different numbers of available stakeholders of each type (e.g., a different number of judges and service providers). Therefore, because the relative darkness’s of the red color did not represent the same number of individuals for each group of stakeholders nor the baseline interest of those stakeholders (in

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Figures 41, 48, 55, 62, and 69), comparing the heatmaps between stakeholders is not suggested. The relative interest of those stakeholders based on which counties they serve is shown below in Figure 62. In Figure 54, the redder a county, the greater the relative interest in PSCs in that county.

**Figure 62.** *Standardized Interest in PSCs across Nebraska (redder represents more interested in PSCs)*

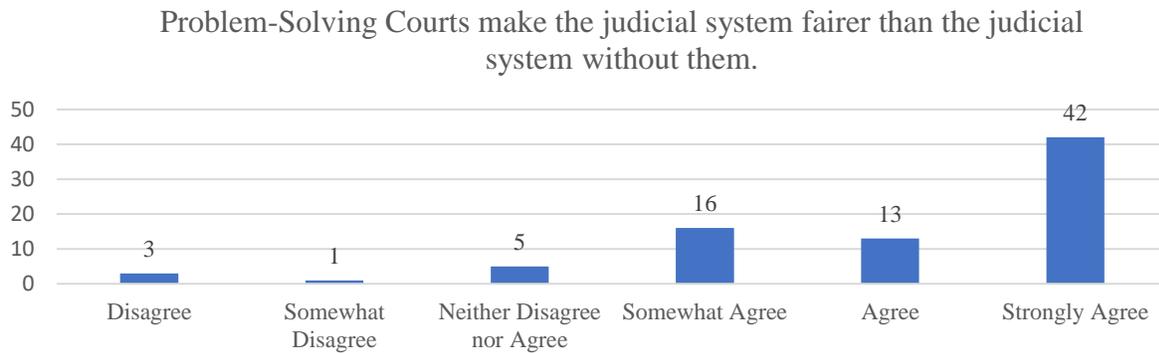


Defense attorneys' reported interest in PSCs was concentrated in the Northwestern quadrant and then evenly across the state except in the Southwestern quadrant. Contrasting with PSC interests of law enforcement (see Figure 62), the interest in PSCs existed across the state.

A closer examination of defense attorneys' attitudes toward PSCs was warranted.

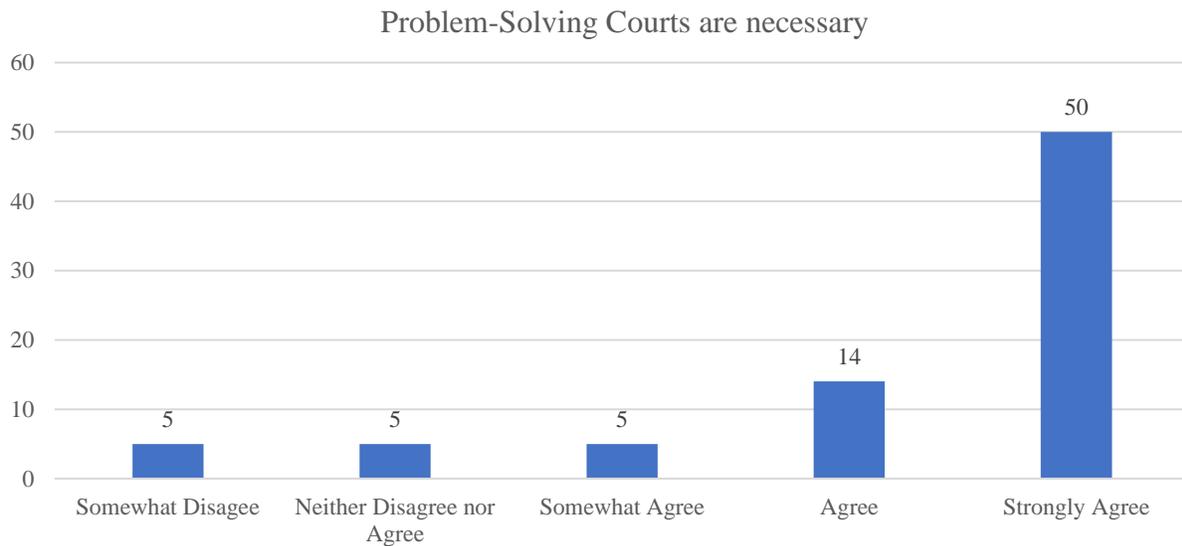
In Figure 63 below, most defense attorneys 'Somewhat Agree' (16), 'Agree' (13), or 'Strongly Agree' (42) that PSCs made the judicial system fairer.

**Figure 63.** Responses to the Likert-type Item ‘Problem-Solving Courts make the judicial system fairer than the judicial system without them’



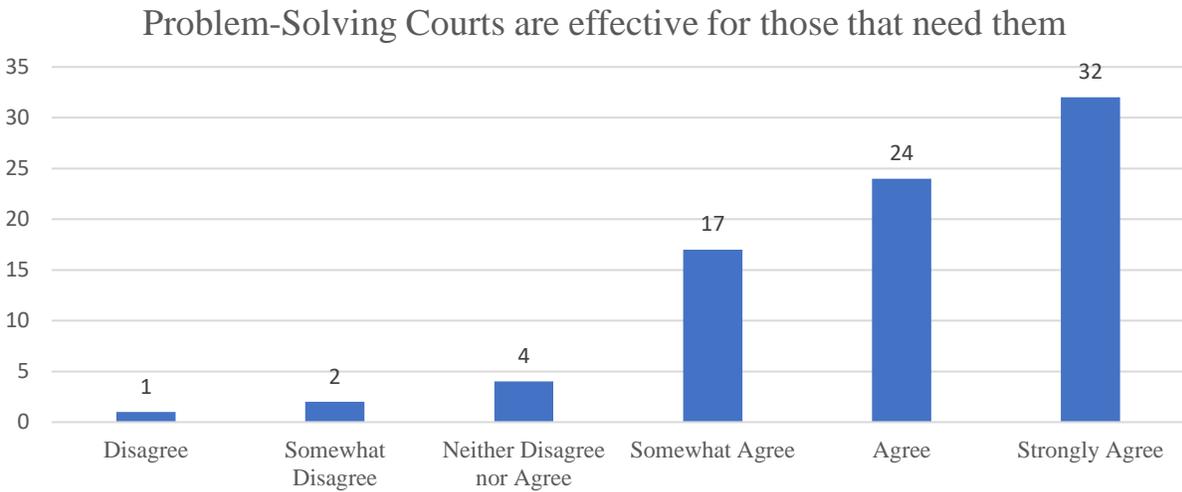
It was clear that defense attorneys, on average, considered PSCs as part of an increasingly fair judicial system. They similarly report their necessity (see Figure 64 below), with 5 at ‘Somewhat Agree’, then proportionally many more at ‘Agree’ (14) and ‘Strongly Agree’ (50).

**Figure 64.** Responses to Likert-type Item ‘Problem-Solving Courts are necessary’

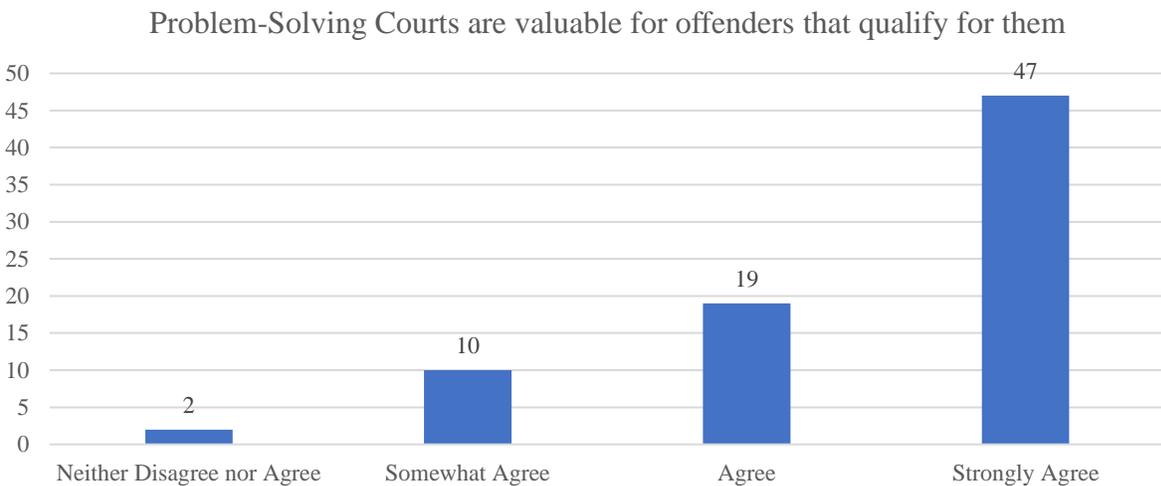


Continuing questions indicated that defense attorneys believed that PSCs were valuable and effective (see Figures 65 and 66).

**Figure 65.** Responses to Likert-type Item ‘Problem-Solving Courts are effective for those that need them’

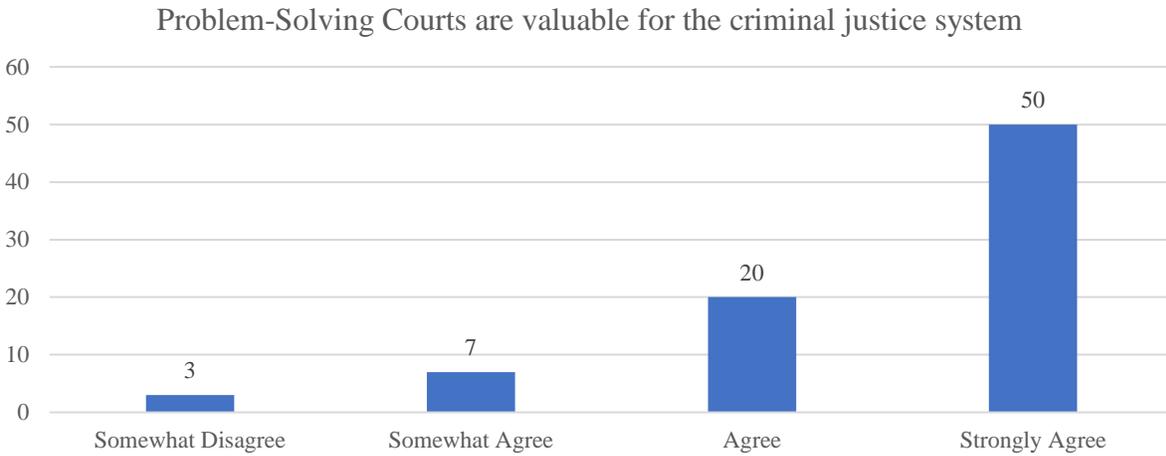


**Figure 66.** Responses to the Likert-type Item ‘Problem-Solving Courts are valuable for offenders that qualify for them’



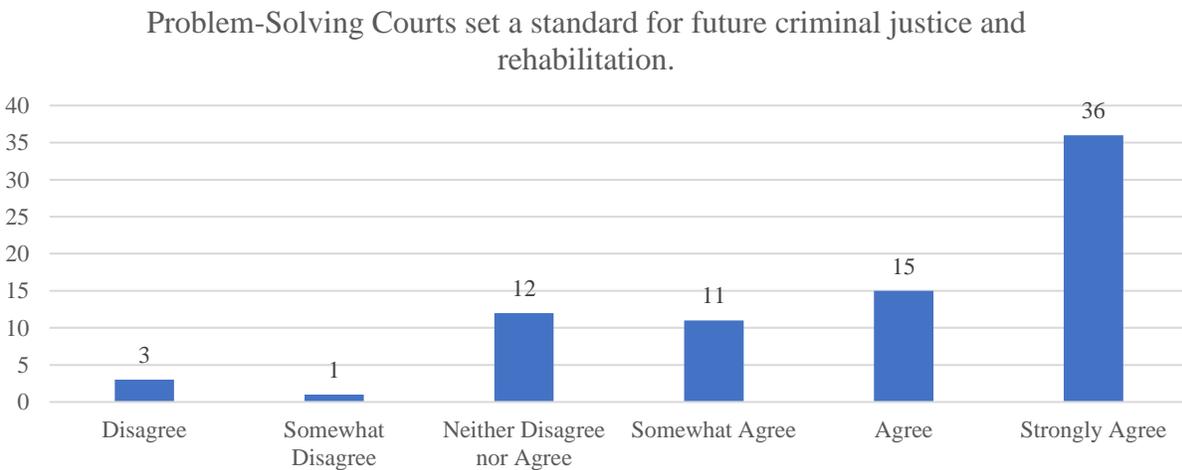
No defense attorneys indicated that they disagreed to any degree with the idea that Problem-Solving Courts are valuable for offenders. More ‘Strongly Agree’ (47 vs. 19, 10, or 2) than any other agreement category with the statement ‘Problem-Solving Courts are valuable for offenders that qualify for them). This strongly indicated that defense attorneys at least somewhat agreed if not agreed or strongly agreed that Problem-Solving Courts are valuable for offenders and effective for those that need them (comparing Figures 65 with 73 and Figure 66 with 66). Furthermore, defense attorneys believed, more often than not, that PSCs are valuable not just for offenders but also for the criminal justice system writ large (see Figure 67, with 77 respondents compared to only 3 that categorically disagreed with the value of PSCs for the criminal justice system).

**Figure 67.** Responses to Likert-type Item ‘Problem-Solving Courts are valuable for the criminal justice system’



Lastly, defense attorneys' attitudes toward PSCs as a standard for future criminal justice and rehabilitation were slightly more mixed. This is shown below in Figure 68.

**Figure 68.** Responses to Likert-type Item ‘Problem-Solving Courts set a standard for future criminal justice and rehabilitation’



There are more mixed attitudes toward PSCs, although most defense attorneys primarily ‘Agree’ (15) or ‘Strongly Agree’ (36) with the future of PSCs in the judicial system. The major deviation was in that more ‘Neither Disagree nor Agree’ (12) than ‘Somewhat Agree’ (11) that PSCs set a standard for future criminal justice and rehabilitation.

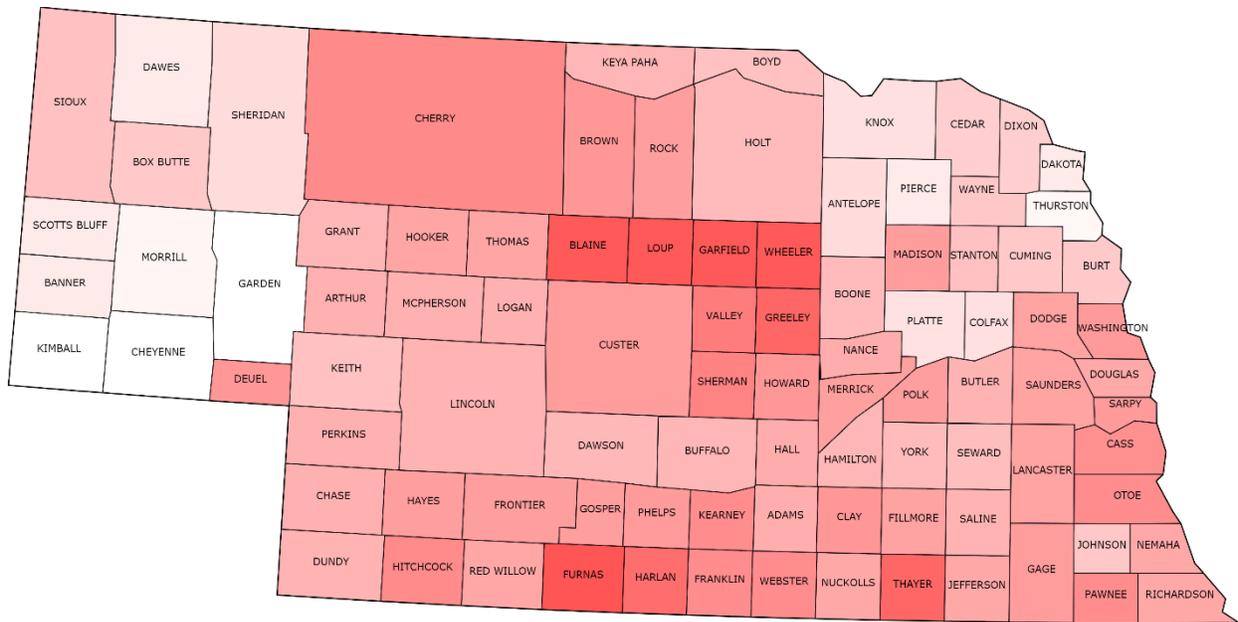
Next, the interests in and attitudes towards PSCs of service providers are provided.

### Service Provider's Interest in and Attitudes towards PSCs

For service providers, interest in PSCs was mapped across Nebraska. Each service provider reported the counties they served, being allowed to identify multiple counties with a total of 405 service providers responding to varying degrees (some indicated more counties than others). The number of possible responses was used to adjust coloring for direct comparison between counties across Nebraska.

The baseline interest of each group of stakeholders varied; also, there were different numbers of available stakeholders of each type (e.g., a different number of judges and service providers). Therefore, because the relative darkness's of the red color did not represent the same number of individuals for each group of stakeholders nor the baseline interest of those stakeholders (in Figures 41, 48, 55, 62, and 69), comparing the heatmaps between stakeholders is not suggested. The relative interest of those stakeholders based on which counties they serve is shown below in Figure 69. In Figure 69, the redder a county, the greater the relative interest in PSCs in that county.

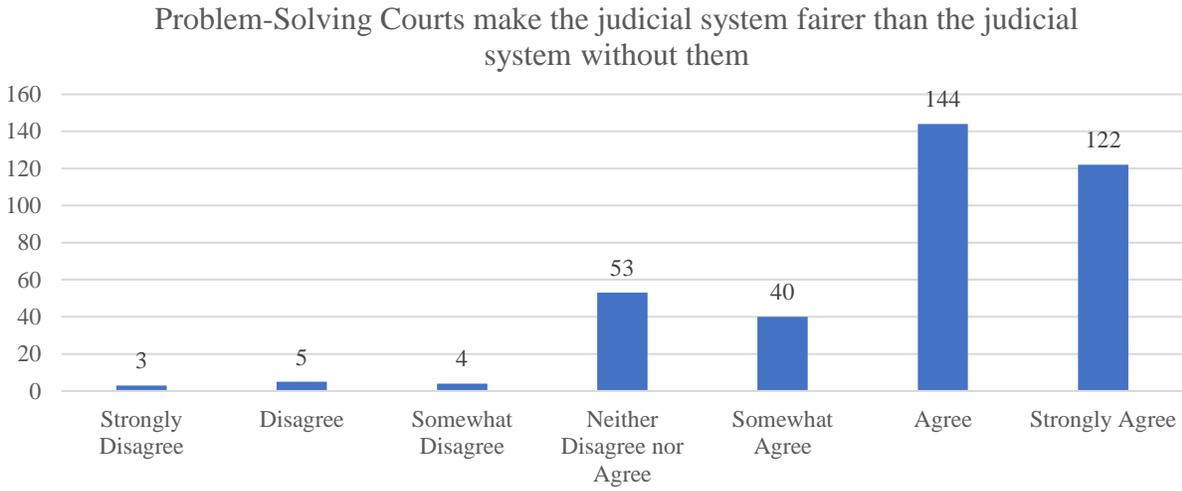
**Figure 69.** *Standardized Interest in PSCs across Nebraska (redder represents more interested in PSCs)*



Service providers' interest in PSCs was located primarily in the central and southern sections of the state. There was less expressed interest in the Westernmost and Northeastern areas of Nebraska.

A closer examination of service providers' attitudes toward PSCs was warranted.

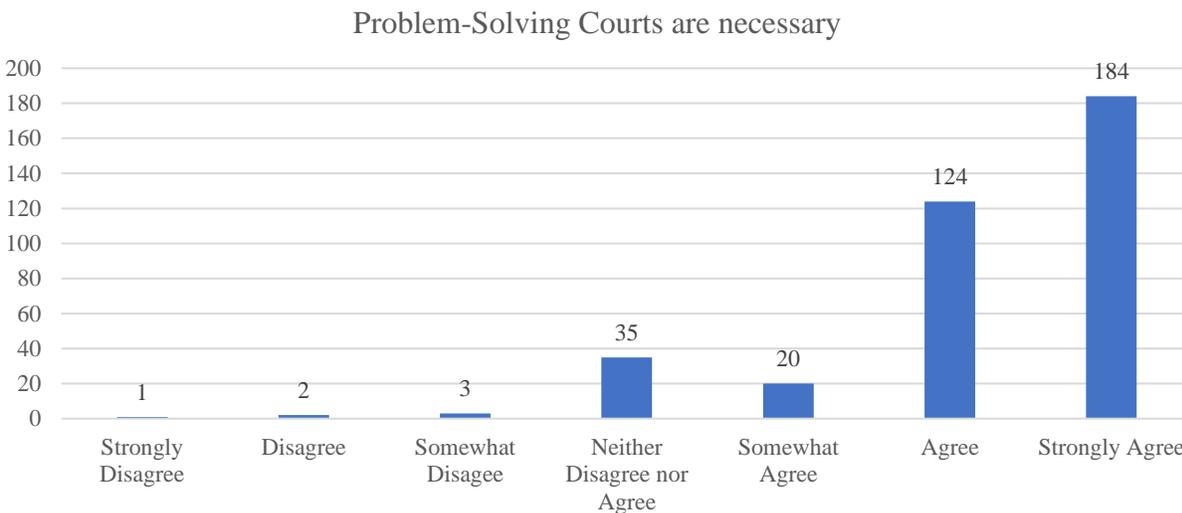
**Figure 70.** Responses to the Likert-type Item ‘Problem-Solving Courts make the judicial system fairer than the judicial system without them’



Interestingly, more service providers reported that they ‘Agree’ (144) than ‘Strongly Agree’ (122) with the idea that PSCs make the judicial system fairer. There are also more service providers that ‘Neither Disagree nor Agree’ (53) than ‘Somewhat Agree’ (40). While there was minor variation across the categories of agreement or disagreement (3 in ‘Strongly Disagree’, 5 in ‘Disagree’, and 4 in ‘Somewhat Disagree’), most service providers indicated that PCS made the judicial system fairer (306 at least ‘Somewhat Agree’ vs 12 that at least ‘Somewhat Disagree’) (see Figure 70).

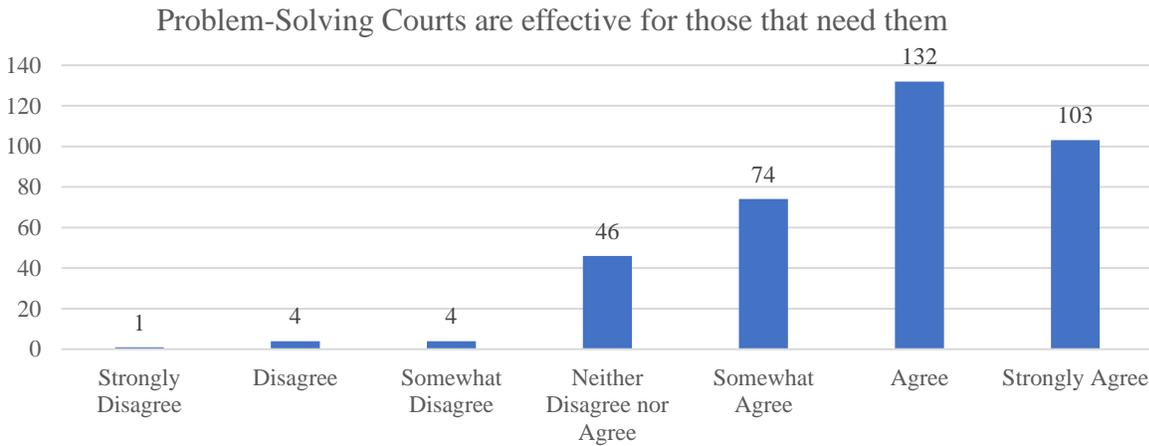
Moreover, service providers largely ‘Agree’ (124) or ‘Strongly Agree’ (184) that PSCs are necessary (see Figure 63 below). This was in strong contrast with only 1 reported they ‘Strongly Disagree’, 2 ‘Disagree’, and 3 ‘Somewhat Disagree’ with the necessity of PSCs (see Figure 71).

**Figure 71.** Responses to Likert-type Item ‘Problem-Solving Courts are necessary’

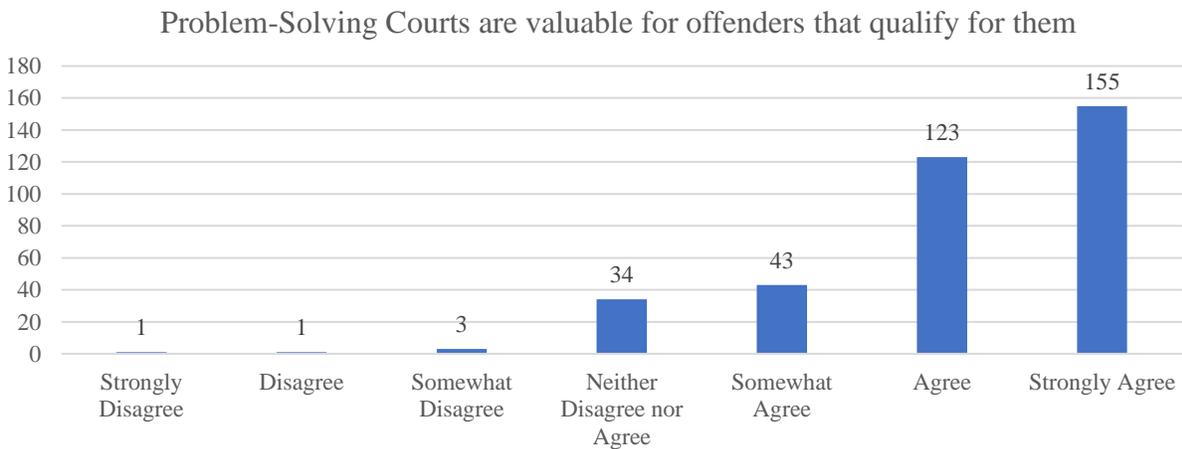


Likewise, service providers tend to believe that PSCs are useful and effective for those that need or qualify for them. This is indicated in Figures 72 and 73 below.

**Figure 72.** Responses to Likert-type Item ‘Problem-Solving Courts are effective for those that need them’



**Figure 73.** Responses to the Likert-type Item ‘Problem-Solving Courts are valuable for offenders that qualify for them’

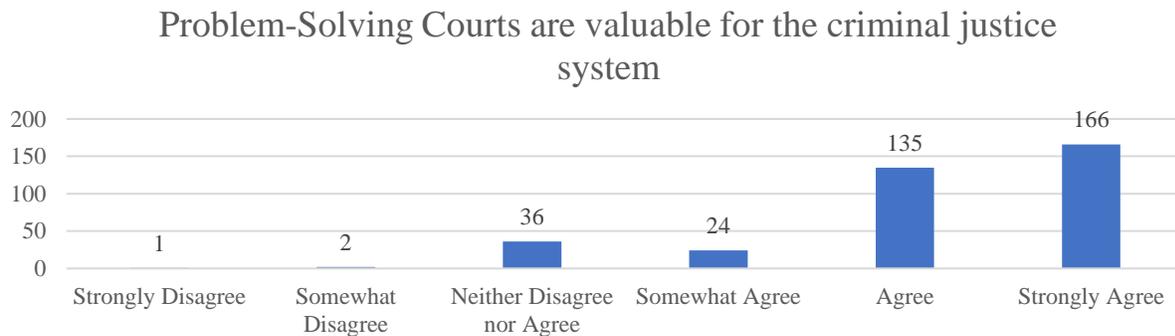


In Figures 72 and 73, the same trend is clear with service providers. There are more that ‘Agree’ ‘Strongly Agree’ or ‘Strongly Agree’ in Figures 72 and 73, respectively (‘Agree’ in Figure 72, ‘Strongly Agree’ in Figure 73). The differences in modes of effectiveness of PSCs for those that need them and valuable for those that qualify for them was interesting (‘Agree’ vs ‘Strongly Agree’), this can be a topic for future study, and is beyond the scope of this survey, as respondents were not asked to justify their attitudes.

Despite these minor differences at the highest levels of agreement with the effectiveness and value of PSCs, service providers agree more than disagree (with only 5 that at least ‘Somewhat Disagree’ in Figures and 72 and 73) with their effectiveness or value of PSCs.

Service providers, furthermore, reported that they ‘Agree’ or ‘Strongly Agree’ with the value of PSCs for the overall judicial system (see Figure 74).

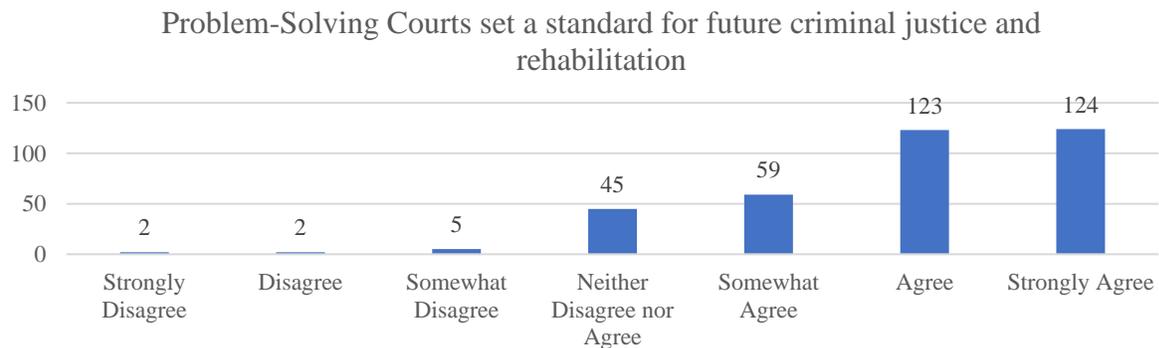
**Figure 74.** Responses to Likert-type Item ‘Problem-Solving Courts are valuable for the criminal justice system’



More service providers indicated that they ‘Neither Disagree nor Agree’ (36) than ‘Somewhat Agree’, despite the overwhelming majority of service providers reporting they ‘Agree’ or ‘Strongly Agree’ (see Figure 74 with 301 that at least ‘Agree’).

Lastly, service providers were asked to what degree they agreed or disagreed with the potential usefulness of PSCs in the future. Those responses are shown below in Figure 75. In this case, Figure 75) there was a monotonic increase in agreement (every category has as many if not more respondents than the previous category). This was striking evidence that even if service providers did not always view PSCs as useful for those in the current criminal justice system, they had a vital role in its future.

**Figure 75.** Responses to Likert-type Item ‘Problem-Solving Courts set a standard for future criminal justice and rehabilitation’



## Conclusions

Conclusions were based on the results of the survey and interpretation of general trends of responses. When counting only those that responded with roles as described in the data cleaning section, 83 defense attorneys responded, 72 judges responded, 19 law enforcement professionals responded, 18 prosecutors responded, and 405 service providers responded. In this report, the number of responses shown in various Figures will vary. This was because across the survey items, respondents could enter multiple values, or respond in ways that negated their particular response on one item but not another. See the section on data cleaning for additional information. Of particular note that while fewer prosecutors responded than law enforcement officials, there were fewer prosecutors available, and therefore a larger proportion of them responded than with law enforcement professionals.

Specifically, several trends emerged. First, 84% of PSC stakeholders who responded to the survey indicated interest in PSC. Interest in PSCs was gauged by both the willingness to implement or expand PSCs, how many they were interested in, and the reported level of that interest. Second, judges (93%) and prosecutors (93%) were most interested in PSCs and defense attorneys the least interested (68%). While the raw, observed interest in PSCs was the same for judges and prosecutors, when that interest was standardized and spread across the state, the distribution of interest for prosecutors was heavily skewed toward the Northernmost and Westernmost areas of Nebraska.

Interest in PSCs was standardized for each stakeholder, but the baseline interest of each stakeholder differed. In other words, the heat maps were internally consistent, but were not necessarily comparable. For example, judges' and prosecutors' interest appear different on the heat maps because the baseline level of interest in PSCs was so different than the higher levels of interest in them. Judges, on the other hand, had a more evenly spread distribution of interest across Nebraska. Of those interested in PSCs judges were, on average, interested in the largest number of them (4.75 courts), with defense attorneys the least at 3.33 courts (Figure 34).

Third, overall interest in PSCs was focused:

- On Adult Drug Treatment Courts for judges, at 25.40%;
- Adult Drug Treatment Courts for prosecutors, at 25.00%;
- Adult Drug Treatment Courts for service providers, at 18.35%;
- DUI/Drug Treatment Courts for defense attorneys, at 20.32%; and
- Reentry Courts and Juvenile Drug Treatment Courts, for law enforcement, at 19.32% each.

Fourth, interest in PSCs was most concentrated in the Westernmost one-half and Southeastern quadrant of Nebraska. While this trend varied by role in PSC the strongest interest in PSCs was in the Southeastern quadrant of Nebraska. Lastly, responses were most mixed in their attitudes toward PSCs for the future of the judicial system and the criminal justice system.

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For those uninterested in PSCs, most reported that they would be willing to attend an informational session, and this might be a way to convince others to be interested in the future of PSCs (in implementing or expanding them).

### **Final Thoughts and Recommendations**

PSCs continue to identify goals and policies required to ensure Nebraska's PSCs operate effectively and efficiently. These next steps were taken from the previous examination of PSCs and new implications from this survey.

- Stakeholders across Nebraska continue to collaborate with national experts to complete objectives in the 2020-2025 Strategic Plan for Nebraska Problem-Solving Courts, focusing on preparing courts for the future and using data to enhance court operations.
- Research strongly supports that PSCs operating with trained staff are more likely to have better outcomes around recidivism reduction and more significant cost savings. Therefore, in collaboration with Judicial Branch Education, PSC education will continue to be an emphasis.
- PSCs must operate consistently and effectively and be offered in more districts if they continue to be of interest to those that use them as offenders or stakeholders (e.g., judges, prosecutors, defense attorneys law enforcement, service providers).
- PSC foundations educational outreach needs to occur across the State of Nebraska. It specifically needs to target law enforcement professionals and prosecutors. It should be additionally provided to anyone that wants to learn more about PSCs, especially if learning about PSCs would change their attitudes toward them.

More broadly, for PSCs, this project compasses at least two other phases of work. Phase I, in the Fall of 2022 identified the use of PSCs across Nebraska. Phase II in the Spring of 2023 identified the extent to which stakeholders were interested in PSCs across Nebraska.

Additionally, it is important to understand the amount of added resources required to use PSCs broadly, and the additional resources required by each stakeholder. The weighted caseload study indicated that 683 minutes were required, on average, for a PSC. This average could be multiplied by the number of PSCs. Phase III, then, suggested in the Summer of 2023 would determine the projected expansion of PSCs. With that additional information, the weighted caseload, in Phase IV (suggested in the Fall of 2023), would be used to determine the additional effort required to address that projected expansion.

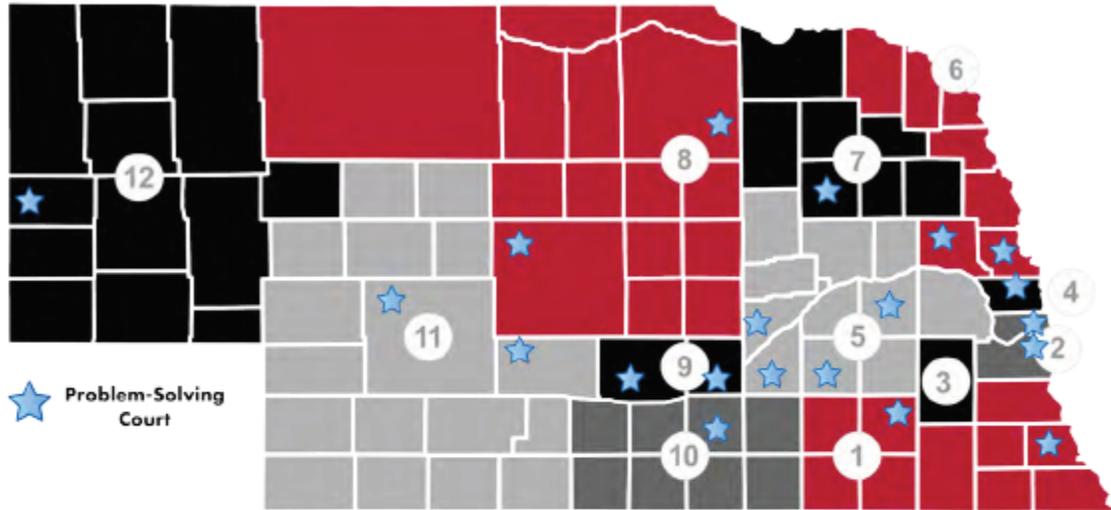
In this way, PSCs as they are used (Phase I), and how stakeholders are interested in them (Phase II), would be used to determine how they are expanded or not across Nebraska (Phase III), and be used to calculate the projected, required resources for additional PSCs (Phase IV). No matter what occurs for PSCs in the near and far future, their role was widely accepted across Nebraska and the various stakeholders within it. They will be an essential element of the courts, for stakeholders in it, and individuals within the criminal justice system.

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## Appendix I: Problem-Solving Courts by District

### State of Nebraska Problem-Solving Courts Map



#### District 1

Southeast Nebraska Adult Drug Court: Nemaha Co. (Auburn), Saline Co. (Wilber)

#### District 2

Sarpy County Adult Drug Court: Sarpy Co. (Papillion)  
 Sarpy County Reentry Court: Sarpy Co. (Papillion)  
 Sarpy County Wellness Court: Sarpy Co. (Papillion)  
 Sarpy County Juvenile Drug Court: Sarpy Co. (Papillion)  
 Cass County Adult Drug Court: Cass Co. (Plattsmouth)

#### District 3

Lancaster County Veterans Treatment Court: Lancaster Co. (Lincoln)  
 Lancaster County Adult Drug Court: Lancaster Co. (Lincoln)  
 Lancaster County DUI Court: Lancaster Co. (Lincoln)

#### District 4

Douglas County Veterans Treatment Court: Douglas Co. (Omaha)  
 Douglas County Young Adult Court: Douglas Co. (Omaha)  
 Douglas County Adult Drug Court: Douglas Co. (Omaha)

#### District 5

5th Judicial District Problem-Solving Court: Hamilton Co. (Aurora), Merrick Co. (Central City), York Co. (York), Saunders Co. (Wahoo) Butler Co. (David City) Seward Co. (Seward)

#### District 6

District 6 Adult Drug Court: Dodge Co. (Fremont), Washington Co. & Burt Co. (Blair)

#### District 7

Northeast Nebraska Adult Drug Court: Madison Co. (Madison)

#### District 8

North Central Adult Drug Court: Holt Co. (O'Neill), Custer Co. (Broken Bow)

#### District 9

Hall County Reentry Court: Hall Co. (Grand Island)  
 Central Nebraska Veterans Treatment Court: Hall Co. (Grand Island), Buffalo Co. (Kearney)  
 Central Nebraska Adult Drug Court: Hall Co. (Grand Island), Buffalo Co. (Kearney)

#### District 10

Central Nebraska Veterans Treatment Court: Adams Co. (Hastings)  
 Central Nebraska Adult Drug Court: Adams Co. (Hastings)

#### District 11

Midwest Nebraska Problem-Solving Court: Dawson Co. (Lexington), Lincoln Co. (North Platte)

#### District 12

Scotts Bluff County Adult Drug Court: Scotts Bluff Co. (Gering)  
 Scotts Bluff County DUI Court: Scotts Bluff Co. (Gering)

## Appendix II: Types of Problem-Solving Courts

**Adult Drug Treatment Courts** were the first PSC established in Nebraska. This court admits nonviolent participants have substance abuse issues, and need judicial intervention to increase rehabilitation through treatment, mandatory drug testing, community supervision, and sanctions when appropriate.

**DUI Treatment Courts** follow the drug court model with impaired drivers. Treatment and other court-mandated requirements are verified through non-adversarial court review hearings, frequent alcohol/drug testing, community supervision, and field and home visits.

**Family Treatment Courts** are juvenile or family courts whose purview is limited to abuse, neglect, and dependency cases when parental substance abuse is the primary factor in the underlying charge. Judges, child protection services providers, and others collaborate to provide safe homes for children while the children's parents receive treatment and services to become drug- and alcohol-free.

**Reentry Courts** offer programs designed to assist participants' transition back into the community after incarceration. As do other Problem-Solving Courts, Reentry Courts uses a collaborative, team-based approach to provide participants treatment and programming to affect a successful transition back in the community.

**Juvenile Drug Treatment Courts** are a specialized docket within a juvenile court. Court participants with drug or alcohol problems are referred by a judge. Participants typically receive educational and family support, intensive supervision, and mental or behavioral health treatment. The Juvenile Drug Courts conduct regular status hearings with the participants and collaborative treatment team.

**Young Adult Courts** was a sentencing alternative for offenders up to age 26 who have been charged with a felony offense. Generally, the young adult program is an 18- to 24-month program, similar to programs offered by the Juvenile Drug Treatment Courts. The program provides educational and family support, intensive supervision, and mental or behavioral health treatment, if applicable.

**Veterans Treatment Courts** was one of Nebraska's newest Problem-Solving Courts. This court is an 18- to 24-month intervention program, which provides intensive supervision and treatment to military veterans. Like other Problem-Solving Courts, the Veterans Treatment Courts use a team-based approach, by which a judge, Veterans Health Administration representative, and others, create and implement individual programs for each participant. Compliance with the treatment program is verified through court review hearings, community-based supervision, and drug and alcohol testing.

### Appendix III: Problem-Solving Court Survey

intro1 The Supreme Court's Problem-Solving Court Committee is conducting a study of the resources available for the expansion of Problem-Solving Courts throughout the state. As part of such study, the Research and Data Division of the Administrative Office of the Courts and Probation invites you to participate in an approximately five-minute survey to learn about your interest in and concerns about an expansion of Problem-Solving Courts. We realize you have intensely busy schedules and that this is an additional task, but this work cannot be completed without you. We appreciate you completing this five-minute survey.

Please note that your identifying information will not be provided as part of this reporting. Results will only be reported in aggregated form, using fully anonymized descriptions. Thank you for completing our survey.

First are demographic questions.

id1 What best describes your primary role within the judicial or criminal justice system?

- Judge (1)
- Prosecutor (2)
- Defense Attorney (3)
- Law Enforcement (4)
- Service Provider (5)
- Other (6) \_\_\_\_\_

ID1.5 Approximately how many years have you been in your current role? (You can estimate to two decimal places.)



Map dimensions have been skewed to fit on this page with maximum readability

id3 What is your gender?

## PSC PHASE II REPORT

Woman (1)

Man (2)

Transgender (3)

Non-binary/non-conforming (4)

Prefer not to respond (5)

id4 What is your age (you can estimate to two decimal places if you so choose)?

id5 Which best describes your race?

Asian or Asian American (1)

African American (2)

American Indian or Alaska Native (3)

Native Hawaiian or other Pacific Islander (4)

White (5)

Mixed (6)

Prefer Not to Answer (7)

Other (8) \_\_\_\_\_

id6 Are you of Hispanic or Latinx origin?

Yes (1)

No (2)

Prefer Not to Answer (3)

The following are Likert-type questions with categories of 'Strongly Agree', 'Agree', 'Somewhat Agree', 'Neither Disagree nor Agree', 'Somewhat Disagree', 'Disagree', and 'Strongly Disagree'.

inst1 Please mark the degree to which you agree or disagree with the following statements.

i1 1. Problem-Solving Courts make the judicial system fairer than the judicial system without them.

i2 2. Problem-Solving Courts are necessary.

inst2 Please mark the degree to which you agree or disagree with the following statements.

i3 3. Problem-Solving Courts are effective for those that need them.

i4 4. Problem-Solving Courts are valuable for the criminal justice system.

Strongly Agree (1)

inst3 Please mark the degree to which you agree or disagree with the following statements.

i5 5. Problem-Solving Courts are valuable for offenders that qualify for them.

i6 6. Problem-Solving Courts set a standard for future criminal justice and rehabilitation.

Strongly Disagree (7)

PSC PHASE II REPORT

check1 Please answer the following.

check2 7. If this survey is too long, so far, please both agree and disagree with this item.

inst4 Please mark the degree to which you agree or disagree with the following statements.

i7 8. I am interested in Problem-Solving Courts even if they add to my workload.

Strongly Agree (1)

i8 9. I am interested in Problem-Solving Courts if they keep my workload the same.

inst5 Please mark the degree to which you agree or disagree with the following statements.

i9 10. I am interested in Problem-Solving Courts if they reduce my workload.

i10 11. I am interested in Problem-Solving Courts for the sake of an improved justice system.

inst6 Please mark the degree to which you agree or disagree with the following statements.

i11 12. I am willing to work with existing Problem-Solving Courts across the State of Nebraska.

i12 13. I need additional information about Problem-Solving Courts.

check3 Please answer the following.

check4 14. If this survey is too long, so far, please both agree and disagree with this item.

will1 Please indicate which of the following you would commit to implement (you may choose multiple options).

Adult Drug Treatment Court (1)

DUI/Drug Treatment Court (2)

Family Dependency Court (3)

Reentry Court (4)

Juvenile Drug Treatment Court (5)

Young Adult Court (6)

Veterans Treatment Court (7)

None (9)

Other (8) \_\_\_\_\_

will2 Please indicate which of the following active Problem-Solving Courts you would commit to expanding (you may choose multiple options).

Adult Drug Treatment Court (1)

DUI/Drug Treatment Court (2)

Family Dependency Court (3)

Reentry Court (4)

Juvenile Drug Treatment Court (5)

PSC PHASE II REPORT

Young Adult Court (6)

Veterans Treatment Court (7)

None (9)

Other (8) \_\_\_\_\_

comit1 How many hours per week are you willing to commit to Problem-Solving Courts?

Two Hours (1)

Four Hours (2)

Six Hours (3)

Eight Hours (4)

None (5)

Other (6) \_\_\_\_\_

comit2 For Problem-Solving Courts, the Supreme Court requires eight hours of training per year. Would you be willing to commit this time?

Yes (1)

No (2)

Depends (3) \_\_\_\_\_

comit4 I would be willing to take an additional, short survey tailored to my position in the criminal justice system.

Yes (1)

No (2)

Depends (3) \_\_\_\_\_

comit5 20. I would be interested in attending a short information session on Problem-Solving Courts.

Yes (1)

No (2)

Depends (4) \_\_\_\_\_

noCom1 Why are you unwilling or unable to commit time to Problem-Solving Courts?

There isn't enough time. (1)

Problem-Solving Courts aren't plausible for offenders. (2)

Problem-Solving Courts aren't plausible for service providers. (3)

Problem-Solving Courts aren't plausible for law enforcement. (4)

Problem-Solving Courts aren't plausible for defense attorneys. (11)

Problem-Solving Courts aren't plausible for prosecutors. (5)

PSC PHASE II REPORT

Problem-Solving Courts aren't plausible for judges. (6)

Problem-Solving Courts simply aren't important. (7)

I don't fully understand them. (8)

Other (9) \_\_\_\_\_

noJudge How do you distribute your time across your work week?

Research legal issues : \_\_\_\_\_ (16)

Read and evaluate documents such as motions, claims, application, and records : \_\_\_\_\_ (17)

Preside over trials, hearings, and listen to arguments : \_\_\_\_\_ (18)

Determine if charges, claims, or disputes are supported by law or evidence : \_\_\_\_\_ (20)

Decide if procedures are being conducted according to rule of law : \_\_\_\_\_ (21)

Apply laws or precedents to reach judgements and resolve disputes : \_\_\_\_\_ (22)

Write opinions, decisions, and instructions regarding cases, claims, and disputes : \_\_\_\_\_ (23)

Other : \_\_\_\_\_ (24)

Total : \_\_\_\_\_

noPros How do you distribute your time across your work week?

Reviewing police reports and researching supporting documentation for cases : \_\_\_\_\_ (1)

Research legal issues : \_\_\_\_\_ (8)

Preparing evidence and determine sufficiency of evidence : \_\_\_\_\_ (2)

Interviewing police officers, victims, witnesses, and experts : \_\_\_\_\_ (3)

Present evidence or provide arguments to a judge and/or jury at a hearing or trial : \_\_\_\_\_ (4)

Negotiate pleas, punishments, and settlements : \_\_\_\_\_ (10)

Undergo ongoing training : \_\_\_\_\_ (9)

Other : \_\_\_\_\_ (7)

Total : \_\_\_\_\_

noDef How do you distribute your time across your work week?

Reviewing police reports and researching documentation for cases : \_\_\_\_\_ (11)

Research legal issues : \_\_\_\_\_ (12)

Interpret laws for clients and help them understand legal options : \_\_\_\_\_ (2)

Represent clients to arraignments, hearings, and court trials : \_\_\_\_\_ (4)

PSC PHASE II REPORT

Present evidence or provide arguments to a judge and/or jury at a hearing or trial : \_\_\_\_\_ (5)

Prepare and draft case motions and other court documents : \_\_\_\_\_ (7)

Negotiate pleas, punishments, and settlements : \_\_\_\_\_ (8)

Undergo ongoing training : \_\_\_\_\_ (9)

Other : \_\_\_\_\_ (10)

Total : \_\_\_\_\_

noLawE How do you distribute your time across your work week?

Respond to emergencies : \_\_\_\_\_ (1)

Investigate crimes, gathering evidence and securing crime scenes : \_\_\_\_\_ (2)

Observing the activities of suspects, obtaining warrants, and making and processing arrests : \_\_\_\_\_ (3)

Take eyewitness statements and interview suspected criminals : \_\_\_\_\_ (4)

Writing detailed reports about cases they are involved in : \_\_\_\_\_ (5)

Preparing cases and testify in case : \_\_\_\_\_ (6)

Other : \_\_\_\_\_ (7)

Total : \_\_\_\_\_

noServicePro How do you distribute your time across your work week?

Meeting with clients to evaluate health and substance problems : \_\_\_\_\_ (1)

Identify issues and create goals/treatment plans : \_\_\_\_\_ (2)

Teaching clients coping mechanisms : \_\_\_\_\_ (4)

Helping clients find jobs, healthcare, housing, education, or job training : \_\_\_\_\_ (5)

Leading group therapy sessions : \_\_\_\_\_ (6)

Providing updates and progress reports to courts : \_\_\_\_\_ (7)

Referring clients to support groups or other service providers : \_\_\_\_\_ (8)

Setting up aftercare plans : \_\_\_\_\_ (9)

Meeting with family members : \_\_\_\_\_ (10)

Meeting with judges, prosecutes, defense attorneys, families, and other stakeholders : \_\_\_\_\_ (11)

Other : \_\_\_\_\_ (3)

Total : \_\_\_\_\_

noOff Why aren't Problem-Solving Courts plausible for offenders?

Offenders won't participate. (1)

PSC PHASE II REPORT

- Problem-Solving Courts won't improve their rehabilitation. (2)
- Problem-Solving Courts won't deter future, problematic behavior. (3)
- Offenders will fail to complete Problem-Solving Courts. (4)
- Problem-Solving Courts are not coupled with adequate job training. (6)
- Problem-Solving Courts are not coupled with adequate health care. (7)
- Problem-Solving Courts are not coupled with adequate education. (8)
- Problem-Solving Courts are not coupled with adequate housing considerations. (9)
- Other (5) \_\_\_\_\_

noServ Why aren't Problem-Solving Courts plausible for service providers?

- They require travel. (1)
- They won't be able to participate. (6)
- They don't have time. (2)
- They won't improve the care that can be provided. (3)
- They won't deter future, problematic behavior. (4)
- The risk vs. reward ratio is too high. (7)
- There are inadequate tangible rewards. (8)
- Problem-Solving Courts are not coupled with adequate job training for offenders. (9)
- Problem-Solving Courts are not coupled with adequate health care for offenders. (10)
- Problem-Solving Courts are not coupled with adequate education for offenders. (11)
- Problem-Solving Courts are not coupled with adequate housing considerations for offenders. (12)
- Other (5) \_\_\_\_\_

noLaw Why aren't Problem-Solving Courts plausible for law enforcement?

- Law enforcement professionals will not be able to attend. (1)
- Law enforcement professionals will not be able to participate. (6)
- Law enforcement professionals don't have time. (2)
- Problem-Solving Courts won't improve rehabilitation. (3)
- Problem-Solving Courts won't deter crime. (4)
- Problem-Solving Courts will not produce tangible outcomes. (7)
- Law enforcement providers are part of a judicial system that isn't yet ready for Problem-Solving Courts. (9)
- Problem-Solving Courts are not coupled with adequate job training, health care, education, and/or housing for offenders. (8)

PSC PHASE II REPORT

Other (5) \_\_\_\_\_

noPros Why aren't Problem-Solving Courts plausible for prosecutors?

Problem-Solving Courts require travel. (1)

Prosecutors won't be able to attend. (7)

Prosecutors won't be able to participate. (6)

Prosecutors don't have time. (2)

Problem-Solving Courts won't improve rehabilitation. (3)

Problem-Solving Courts won't have tangible outcomes. (8)

Problem-Solving Courts won't deter crime. (4)

Problem-Solving Courts are not coupled with adequate job training, health care, education, and/or housing for offenders. (9)

Other (5) \_\_\_\_\_

Q55 Why aren't Problem-Solving Courts plausible for defense attorney

Problem-Solving Courts require travel (1)

Defense Attorneys won't be able to attend (5)

Defense Attorneys won't be able to participate (4)

Defense Attorneys don't have time (6)

Problem-Solving Courts won't have tangible outcomes (2)

Problem-Solving Courts won't deter crime (7)

Problem-Solving Courts are not coupled with adequate job training, health care, education, and/or housing for offenders (8)

Other (3) \_\_\_\_\_

noJudg Why aren't Problem-Solving Courts plausible for judges?

Problem-Solving Courts require travel. (1)

Judges don't have time. (2)

Problem-Solving Courts won't improve rehabilitation. (3)

Problem-Solving Courts won't deter crime. (4)

Problem-Solving Courts won't have tangible outcomes. (6)

Problem-Solving Courts are not coupled with adequate job training, health care, education, and/or housing for offenders. (7)

Other (5) \_\_\_\_\_

noCom2 Would an informational session on Problem-Solving Courts potentially change your mind?

Yes (1)

PSC PHASE II REPORT

No (2)

Maybe (3)

I don't know (5)

Other (6)

noCom3 If an informational session on Problem-Solving Courts was available would you attend?

Yes (1)

No (2)

Q38 OPTIONAL: Do you have any comments, questions, or concerns about Problem-Solving Courts?

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### Appendix IV: ‘Other’ Responses

When asked which PSCs stakeholders were willing to implement or expand, the ‘Other’ option was provided with the ability to provide their own answer. Those answers were cleaned by deleting nonsense responses (e.g., ‘uuuu’ was a deleted response), and those that simply stated that they did not know. The responses with clear meanings are included below in Table 3 below. They are included exactly as they were provided by the respondents (no editing was done).

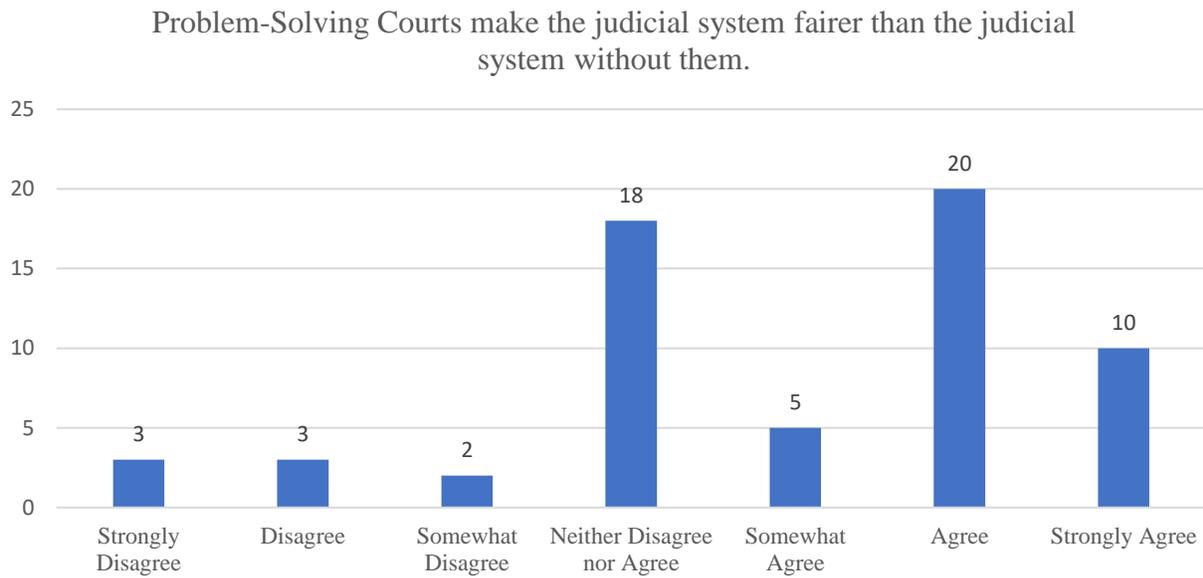
**Table 3.** *‘Other’ Responses*

‘Other’ Courts Willing to Implement	‘Other’ Courts Willing to Expand
Counseling	would need more information before committing to anything
would need more information before committing to anything	Neuropsychological testing
Neuropsychological testing	Drug/alcohol/gambling addiction treatment court
Mental health	There are only so many hours in the day. I'm a veteran - and have many interests. If my time and energy were unlimited - I would want to be involved in all these courts. I've seen some wonderful successes in the Wellness Court!
Gambling Courts	Mental Health
Traumatic Grief and Loss - every person I have worked with involved in the justice system has a traumatic history - usually unidentified and untreated.	
Drug/alcohol/gambling addiction treatment court	
There are only so many hours in the day. I'm a veteran - and have many interests. If my time and energy were unlimited - I would want to be involved in all these courts. I've seen some wonderful successes in the Wellness Court!	
mental health courts	

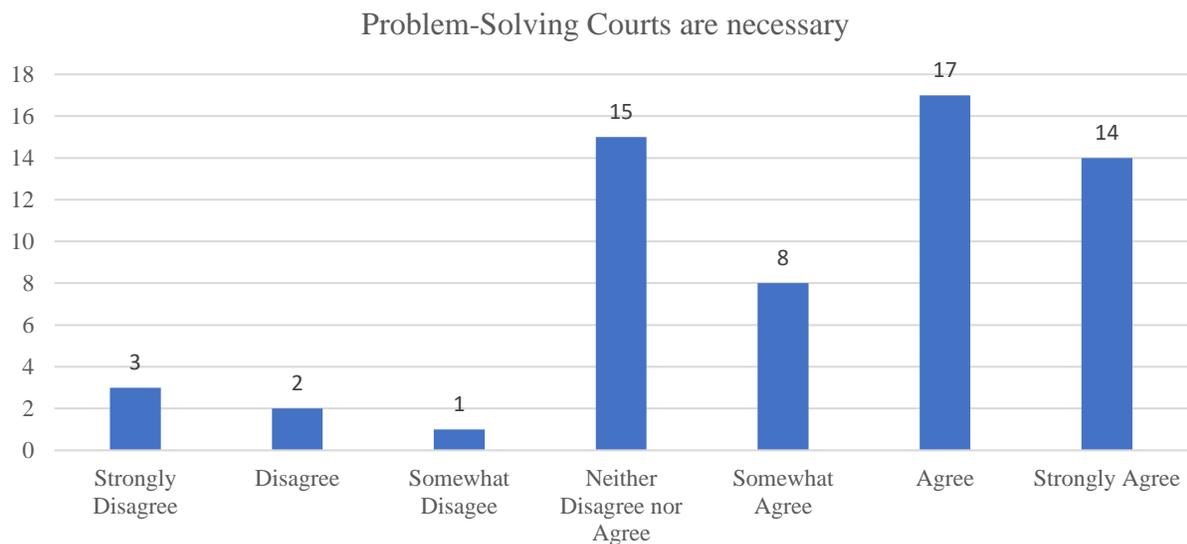
### Appendix V: The Respondents Uninterested in PSCs

Below are responses to items from respondents who were uninterested in implementing or expanding PSCs. In Figures 75 – 81, respondents tended to ‘Somewhat Agree’ (5), ‘Agree’ (20), or ‘Strongly Agree’ (10), with the positive statements about PSCs than ‘Strongly Disagree’ (3), ‘Disagree’ (3), or ‘Somewhat Disagree’ (2).

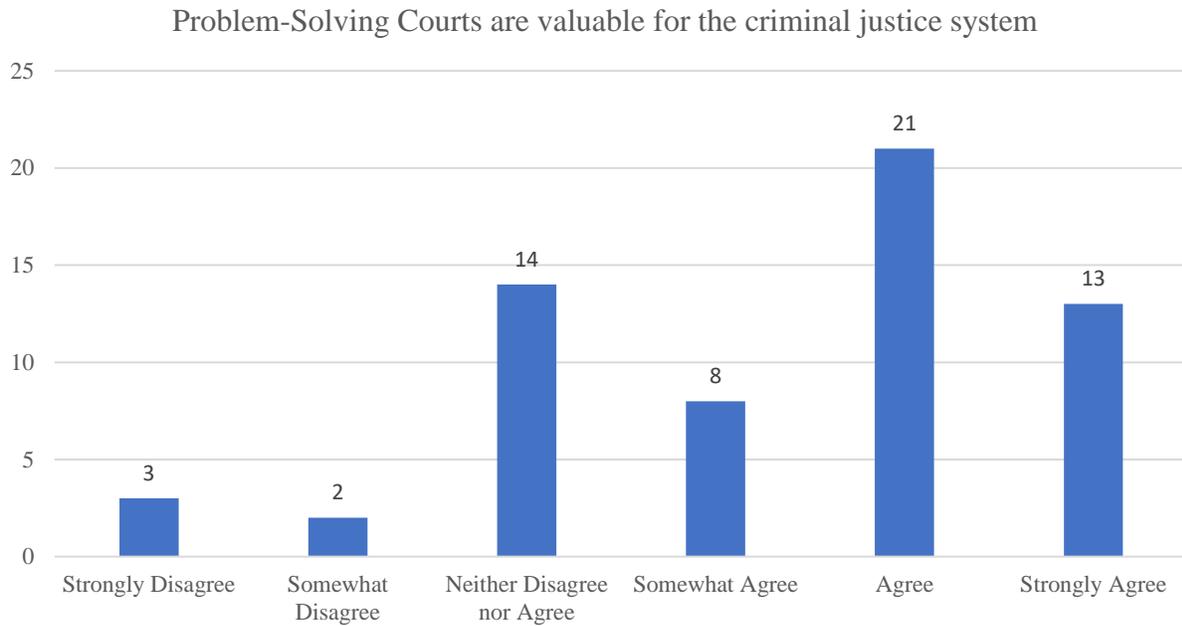
**Figure 76.** Responses to the Likert-type Item ‘Problem-Solving Courts make the judicial system fairer than the judicial system without them’



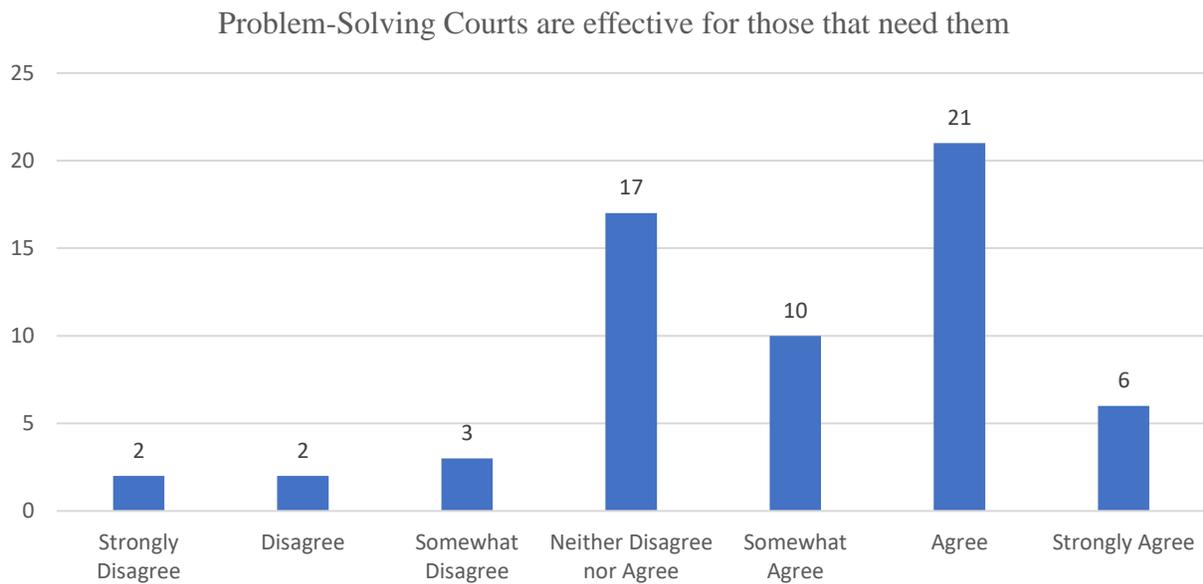
**Figure 77.** Responses to Likert-type Item ‘Problem-Solving Courts are necessary’



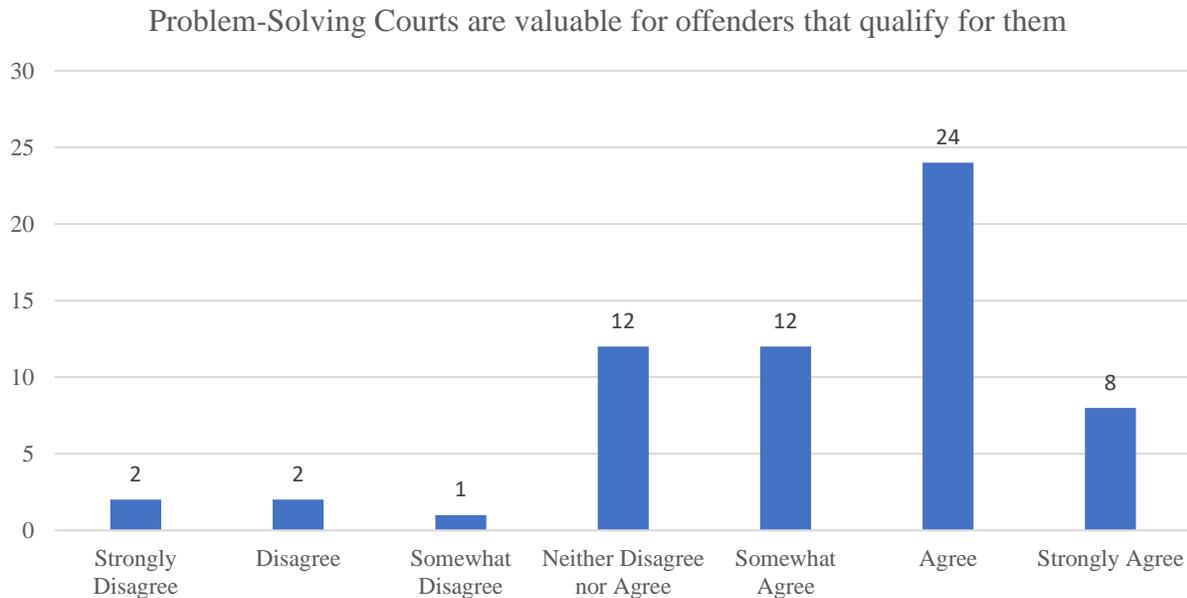
**Figure 78.** Responses to Likert-type Item ‘Problem-Solving Courts are valuable for the criminal justice system’



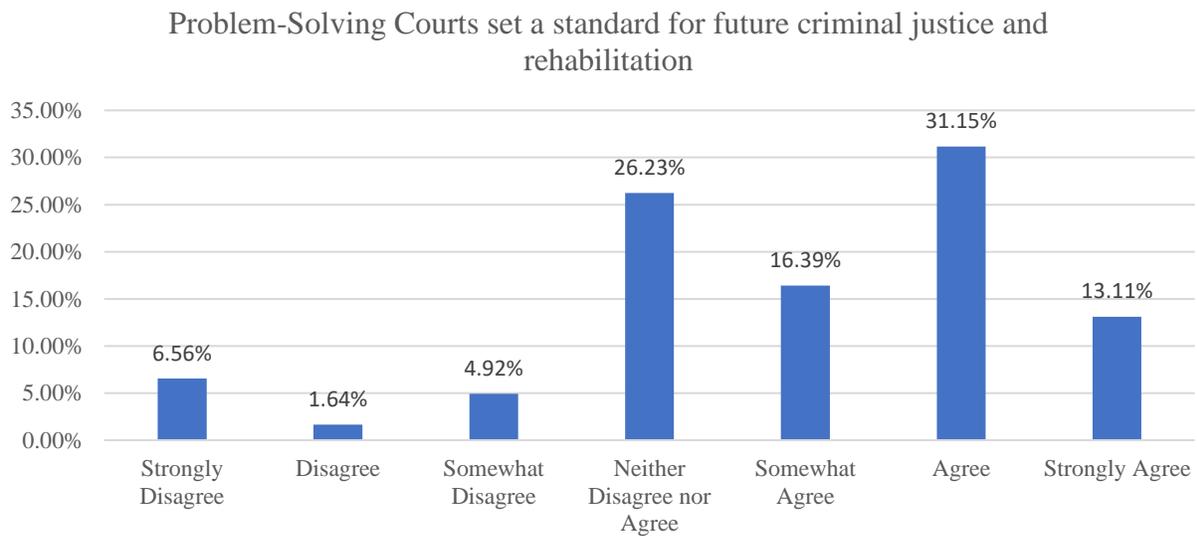
**Figure 79.** Responses to Likert-type Item ‘Problem-Solving Courts are effective for those that need them’



**Figure 80.** Responses to the Likert-type Item ‘Problem-Solving Courts are valuable for offenders that qualify for them’



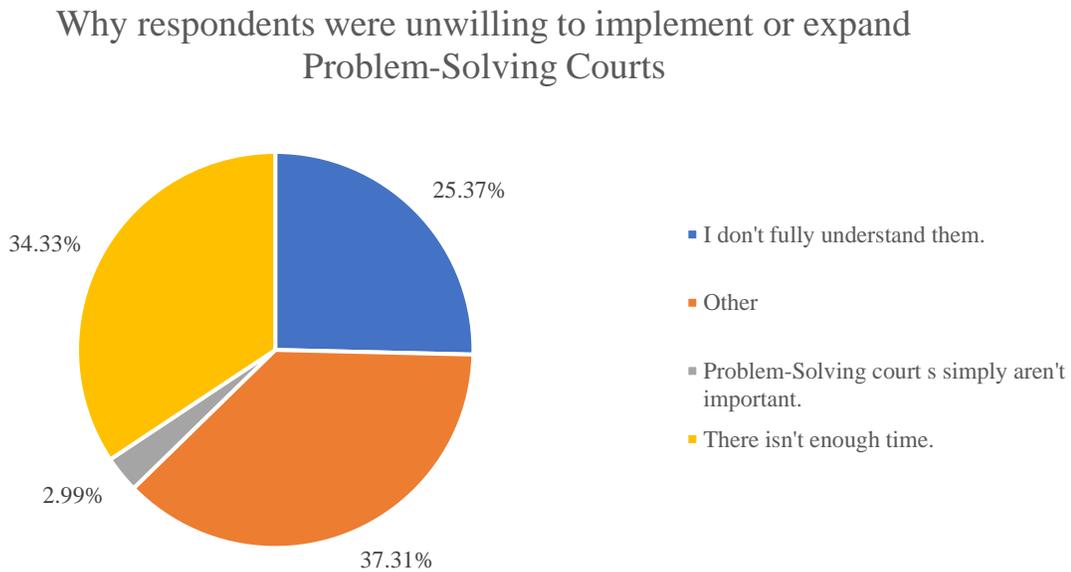
**Figure 81.** Responses to Likert-type Item ‘Problem-Solving Courts set a standard for future criminal justice and rehabilitation’



That is, those that were uninterested in PSCs reported they were often necessary, valuable for the criminal justice system, effective for those that qualify for them, valuable for those that qualify for them, made the criminal justice system fairer than it would be without them, and were important for the future of courts and the criminal justice system. The question then became why these

respondents did not want to implement or expand PSCs if they reported an inherent value in them—those reasons are shown below in Figure 82.

**Figure 82.** *Why Respondents Did Not Want to Implement Problem-Solving Courts*



Many respondents indicated that they did not fully understand PSCs, that there was not enough time to implement or expand them (31.48%), or ‘Other’ reason (33.33%). The ‘Other’ Responses are included in Table 4 below. Blank responses or responses that included retirement or another unrelated reason were deleted. Responses that were simply ‘I am unwilling to implement them’, were recoded into the categories noted in the pie chart.

**Table 4.** *‘Other’ Responses*

Response
We had a problem solving court operating and the Administrative Office of the Courts determined there were not enough participants to continue funding the program.
Do not currently have enough licensed providers to implement services specifically for Problem-Solving Courts
Trying to avoid court involved clients
What the hell does plausible mean in this setting? The program seems "unreasonable"? If that is what it means, that's why i do not support them. See earlier answer about the ridiculousness of these programs.

## PSC PHASE II REPORT

We are not in need of additional referral sources especially ones that require immense time and commitment. Our agency is not equipped for the programming needed.

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It's impossible to answer this question. Who is in charge of running these courts? Where are the resources coming from to set them up, implement and run the courts? Who is supposed to supervised. Counties don't have the funds. Prosecutors don't have the funds or times. Is this coming from the state, will the state providing the resources. I can't answer these questions without knowing the answer to these questions.

---

They are not effective

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I'm not sure what my role would be.

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I view my role as a social worker and know that I could work 20 hour days if I don't limit myself. Therefore, after 30 years in this field I'll let someone else pickup this torch.

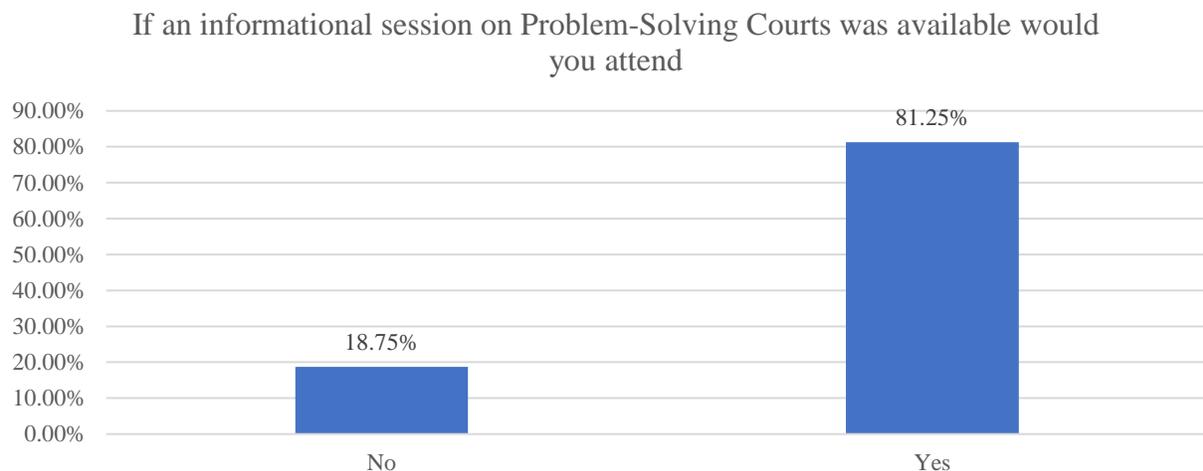
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Forensic evaluator rates and timeline expectations are not feasible

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These individuals had specific reasons for not wanting to implement or expand PSCs. Other respondents, however, indicated that, especially if they did not fully understand PSCs, they would be willing to attend an information session about them. Those responses are shown below in Figure 83.

**Figure 83.** *They Would be Interested in Attending an Informational Session on Problem-Solving Courts*



Among individuals that had specific reasons for not wanting to implement or expand PSCs, some indicated that they would not attend an informational session or that it would change their mind (with only one uninterested response), only that they would be willing to attend one (Figure 75).

## PSC PHASE II REPORT

This indicated that an informational session would be useful for even those stakeholders uninterested in PSCs and could change the mind of the uninterested.

The reasons that PSCs would not be plausible for service providers were also reported. Those are shown below in Table 5. So few responses were provided, however, that no further analyses were conducted, nor was an analysis conducted about why PSCs were not plausible for other stakeholders as there was only one response to the question, and that response indicated multiple reasons.

**Table 5.** *Why PSCs Would Not be Plausible for Service Providers*

Responses
They don't have time.
They won't improve the care that can be provided.
They don't have time.

Most 'Other' responses included descriptions associated with retirement, a role in the judicial system not applicable to PSCs, or a blank response.