

HB 2632 A STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 4/29, 5/6

WHAT THE MEASURE DOES:

The measure establishes a statewide advisory committee on treatment courts appointed by the Chief Justice of the Oregon Supreme Court to make recommendations to the Chief Justice regarding treatment courts, changes the terms "specialty courts" and "drug courts" to "treatment courts" in statute, and requires treatment courts to use a case management system designated by the Chief Justice.

Detailed Summary

1. Establishes a statewide advisory committee on treatment courts to make recommendations to the Oregon Supreme Court Chief Justice on issues related to the administration, funding, accountability, and eligibility criteria for treatment courts. Requires the Chief Justice to consider the diversity of the state when appointing members to the committee and to include representatives of

- circuit court judges,
- treatment court coordinators,
- prosecutors,
- public defense providers,
- behavioral health treatment providers,
- alcohol and drug treatment providers,
- certified recovery mentors or peer support specialists,
- community corrections agencies,
- law enforcement,
- county governments,
- county juvenile departments,
- the Department of Veterans' Affairs,
- the Oregon Youth Authority,
- the Department of Human Services,
- the Oregon Criminal Justice Commission, and
- the Oregon Health Authority.

2. Requires the committee to be staffed by the Oregon Judicial Department and states that the members are volunteers not entitled to compensation or reimbursement.

3. Changes the term "specialty courts" in ORS 137.680 to "treatment courts" and changes the term "drug court programs" to "treatment court programs" in ORS 3.450. Defines "treatment court program" in ORS 3.450 as, among other things, a program that substantially adheres to the treatment court standards developed by the Oregon Criminal Justice Commission. Defines "treatment court" to include

- adult drug courts,
- veterans' treatment courts,
- juvenile treatment courts,
- treatment courts for driving while under the influence of intoxicants offenses,
- mental health courts,
- family treatment courts, or
- any other similar court.

4. Requires the Chief Justice to designate a case management system to be used for maintaining treatment court records and requires all treatment court programs to maintain the records in that system and use the system for case management, monitoring, and evaluation as required by the treatment court standards.

HOUSE VOTE: Ayes, 50; Nays, 1; Excused, 4; Excused for Business of the House, 5

ISSUES DISCUSSED:

- Use of the word "treatment"
- Nature of the court programs and services provided

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

[House Bill 4001](#) (2024) created the [Task Force on Specialty Courts](#) to study four subject areas concerning specialty courts (treatment courts):

- Identification of the most appropriate funding mechanism to ensure long-term stability of specialty courts within the state.
- Determining the administrative and funding balance between the Oregon Criminal Justice Commission and the Judicial Department.
- Determining whether specialty courts currently use the right eligibility metrics, including whether current metrics are accurately capturing those individuals who would benefit from a drug court program.
- Identification of the appropriate accountability mechanism to ensure that specialty courts are operating according to the standards of the commission.

The Task Force adopted a [Final Report](#) on its findings and recommendations on November 8, 2024, and submitted the report to the House and Senate Interim Committees on Judiciary on November 15, 2024.

The Task Force found (Finding 8) that "giving the complexity of issues the specialty court system faces, some issues in the Task Force's areas of study require further exploration," and recommended (Recommendation 2) the formation of a permanent Chief Justice advisory committee on treatment courts. The Task Force also recommended (Recommendation 1) that the legislature change the terms "drug court" and "specialty court" to "treatment courts," to align with the Oregon Judicial Department's nomenclature and national terminology.

The Task Force found (Finding 2.2) that "[u]se of best practices is associated with 50–100 percent improved outcomes in specialty courts, and monitoring program adherence to best practices improves specialty court outcomes by around 50 percent, increasing net cost-benefits by around 100 percent." The Oregon Judicial Department (OJD) maintains the Specialty Court Case Management Systems (SCMS), and treatment courts that receive Specialty Court Grant funding from the Criminal Justice Commission are required to utilize SCMS. They receive guidance for adherence to Oregon Specialty Court Standards based in part on that data, along with other inputs. However, several treatment courts do not seek grant funding and do not use SCMS, leaving statewide data and court-level data regarding standard adherence incomplete. The Task Force voted to recommend (Recommendation 3) that uniform data entry be required for all treatment courts in the state system, that the data system be maintained by OJD, and that OJD and the Criminal Justice Commission have access to deidentified data for assessment and analysis.