

FOURTY-FIFTH JUDICIAL CIRCUIT OF MICHIGAN

Paul E. Stutesman, Chief Circuit Judge

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STATE OF MICHIGAN
IN THE 45TH JUDICIAL CIRCUIT COURT
ADMINISTRATIVE ORDER 2013-02

FILED
AUG 28 2013
PATTIE S. BENDER
ST. JOSEPH COUNTY CLERK

ORDER FOR THE ESTABLISHMENT OF A SWIFT AND SURE SANCTIONS PROBATION PROGRAM

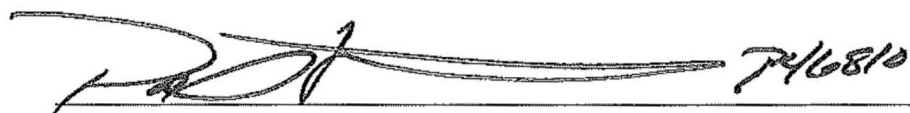
This administrative order is issued in accordance with Public Act 616 of 2012. The purpose of this order is to establish a Swift and Sure Sanctions Probation Program (SSSPP) in the St. Joseph County Circuit Court (SJCCC) and administered by the State Court Administrative Office (SCAO). All policies and procedures comply with Public Act 616 of 2012 and are modeled after the Hawaii's Honest Opportunity with Probation Enforcement (HOPE) program to increase compliance with probation terms by imposing certain, swift and consistent sanctions for probation violators, effective August 26, 2013.

1. The St. Joseph County Circuit Court has entered into a Memorandum of Understanding with the St. Joseph County Sheriff/Jail Administration, St. Joseph County Prosecutor, Michigan Department of Corrections, a representative from the criminal defense bar pursuant to Public Act 616 of 2012. The Memorandum of Understanding shall describe the role of each party. The Memorandum of Understanding is attached (see attachment).
2. The SJCCC has established eligibility criteria consistent with Public Act 616 of 2012 and Hawaii's HOPE program.
3. In compliance with the SSSPP SCAO Grant Contract, admission is contingent upon a complete preadmission screening performed by the Michigan Department of Corrections (MDOC).
4. All participants will be provided with a written agreement and receive a warning hearing prior to participation in the program in conformance with the Public Act 616 of 2012 and Hawaii's HOPE program.
5. The SJCCC shall maintain case files in compliance with the Michigan Case File Management Standards, and assure that medical services to, and information contained in medical records of, persons served under this grant contract, or other such recorded

information required to be held confidential by federal or state law, rule, or regulation, in connection with the provision of services or other activity under this contract shall be privileged communication.

6. The SJCCC shall comply with the provisions in the SSSPP SCAO grant contract to assure compliance with Health Insurance Portability and Accountability Act (HIPAA) and 42 CFR Part 2.
7. The court has established as part of the program requirements, policies and procedures to assure compliance with Public Act 616 of 2012 and Hawaii's HOPE program.
8. SJCCC shall provide the SCAO with required reports and records identified in the grant application assurances and administrative requirements for SSSPP: financial quarterly reports, semi-annual progress reports, quarterly Drug Court Case Management Information System (DCCMIS) Data Validation and Exception Reports, and DCCMIS Audit Reports. The SCAO shall have access to and the right to evaluate, inspect, examine, audit, observe, excerpt, copy, or transcribe any pertinent transaction, books, accounts, data, time cards, or other records related to the SSSPP SCAO Contract.
9. The SJCCC shall use the Drug Court Case Management Information System (DCCMIS) to maintain and submit the minimum standard data as determined by the SCAO while receiving grant money from the SCAO.
10. The SJCCC acknowledges that case information regarding the SSSPP participants is unavailable from Michigan criminal history records, and failure to complete the required DCCMIS reports will result in the absence of complete data and/or records for evaluation of the SSSPP as per Public Act 616 of 2012.

Date: 8-27-13


Paul Stutesman, Judge, St. Joseph County Circuit Court