

## Future Lawyers Get Close-up View of Problem-Solving Courts

A group of Fordham University School of Law students spent a morning last February touring Brooklyn Treatment Court for a new course on nontraditional courts being offered by the school. Taught by New York state court system judges and lawyers, Problem-Solving Justice: Courts as Agents of Social Change examines drug, mental health and other specialized courts that take a problem-solving tack to nonviolent crime, with students required to visit several such tribunals over the course of the semester.

Instructor Valerie Raine, director of drug projects for the Center of Court Innovation—the courts' research arm—and a former Brooklyn Treatment Court director, gave students an overview of the court, where nonviolent offenders with a drug history can opt for judicially monitored treatment in lieu of incarceration. Defendants must admit to their crimes, then sign a contract promising to comply with treatment, job training and other court requirements in having the charges reduced or dismissed.

“We deal with the entire panoply of problems that addicts have—health, housing, child care and other issues,” Ms. Raine informed the students, describing the range of on-site services available to offenders. Looking to initiate a dialogue, she added, “Traditional courts are concerned with the adjudication of past occurrences, while problem-solving courts focus on future behavior. What are your thoughts on the notion of the court being in the business of changing people's lives?”

Several students felt that the criminal justice system, via jail and other sentences, has always had a hand in behavioral issues, whether

realized or not. “What matters is that the offender has a choice,” added classmate Audra Beerman.

### Students Hear from Court's Various Players

The students also met with Clinical Director Joseph Madonia, who discussed the court's nontraditional approach. “We have case managers, educational, vocational and other services, all unusual for a court. We view the courtroom as a therapeutic environment,” he explained, later on showing students around the court facilities, which include an office where Mr. Madonia's staff conducts educational assessments to help drug offenders prepare for their GED exams or apply to college.

Ms. Raine introduced the Fordham students to Brooklyn Treatment Court Judge Jo Ann Ferdinand, who's been with the court since its opening a decade ago. Elucidating the court's guiding philosophy, Judge Ferdinand told them, “It's clear that traditional criminal justice sanctions don't work well with addicts. Putting people with a history of drug abuse in jail doesn't cure their addiction. They just get arrested again and keep repeating that cycle . . . It turns out that having a single, authority figure to whom the addict is accountable works because the truth is, these offenders don't really want to be addicts. They don't want to stop getting high, but they don't want the negative consequences attached to drug addiction.”

After further talk on how the court works, Judge Ferdinand rushed off to the courtroom, where a short while later the students heard as she dispensed words of encouragement to several offenders who had made strides in their treatment, a big motivator for these defendants.

By the end of the semester, the students will hear from a drug court graduate and other guest speakers, also visiting Brooklyn's Domestic Violence Court. Center for Court Innovation Director Greg Berman reports that the center is planning to disseminate the course materials to professors and judges around the country, encouraging them to replicate the Fordham class, adding, “The goal is to get future lawyers to look at these nontraditional approaches to justice and start thinking of themselves as problem-solvers.” ■



Brooklyn Treatment Court Judge Jo Ann Ferdinand and Clinical Director Joseph Madonia talk with Audra Beerman and other Fordham students enrolled in the school's new course on problem-solving justice.