

SENATE BILL 1848

By Dickerson

AN ACT to amend Tennessee Code Annotated, Title 16,  
Chapter 22; Title 33; Title 37; Title 49 and Title 56,  
relative to drug court treatment programs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 16-22-103, is amended by adding the following language as a new, appropriately designated subdivision:

( ) "Regional juvenile drug court treatment program" means a docket within a juvenile court operating under § 16-22-114(b) to which selected delinquency cases and certain status offenders are referred for handling by a designated judge, and in which the program includes the following characteristics:

(A) Juveniles referred to the docket are identified as having problems with alcohol, drugs, or both;

(B) The juvenile drug court judge maintains close oversight of each case;

(C) The judge both leads and works as a member of a team comprised of representatives from treatment, juvenile justice, social services, school, and other relevant services; and

(D) A determination by the team in how best to address the substance abuse and related problems of the juvenile and the juvenile's family that have brought the juvenile into contact with the justice system;

SECTION 2. Tennessee Code Annotated, Section 16-22-114, is amended by designating the existing language as subsection (a) and by adding the following language as new subsections:

(b) In addition to courts exercising criminal jurisdiction and authorized to serve as drug treatment courts, as a pilot project for up to five hundred (500) juveniles in counties outside of counties operating a drug treatment court for juveniles under subsection (a) on June 30, 2018, courts exercising jurisdiction over juveniles alleged to be delinquent or unruly may also develop and operate a regional juvenile drug court treatment program for juveniles who are not under the jurisdiction of another juvenile court in this state. A regional juvenile drug court treatment program shall be subject to all guidelines and requirements of §§ 16-22-101 - 16-22-103, §§ 16-22-105 - 16-22-108, and §§ 16-22-111 - 16-22-114.

(c) A court operating a regional juvenile drug court treatment program under subsections (b)-(h) shall have jurisdiction over:

(1) Any juvenile under its jurisdiction on June 30, 2018; and

(2)

(A) Any juvenile from a county not under its jurisdiction on June 30, 2018, whose parent or legal guardian petitions the court to permit the juvenile to be evaluated and, if appropriate, treated as a participant in the program; and

(B) Any juvenile for whom the court with original jurisdiction orders a transfer of jurisdiction over the juvenile to the regional juvenile drug treatment court.

(d) Any parent or legal guardian who is a resident of this state may petition the nearest or most conveniently located regional juvenile drug court treatment program for a juvenile to be evaluated and, if appropriate, treated under subsections (b)-(h).

(e)

(1) Subject to the availability of public funding or private resources and in addition to any other treatment available under the regional juvenile drug court treatment program, in-patient treatment for appropriate juveniles is authorized

under the pilot project. In-patient treatment may be for a period that does not exceed six (6) weeks.

(2) Subject to the availability of public funding or private resources through a public/private partnership, in-patient treatment for appropriate juveniles is authorized under the pilot project for an additional six (6) weeks beyond the period available under subdivision (e)(1).

(f) A parent who voluntarily petitions the court for evaluation and treatment of a juvenile under subsections (b)-(h) shall agree to have the child attend a regional recovery high school upon release from an in-patient treatment program.

(g) As determined by the court for each juvenile in the pilot project, the program shall include meetings with a case manager or the judge.

(h) The pilot project shall be under the administrative oversight of the administrative office of the courts (AOC). Courts participating in the pilot project shall provide information on juveniles in the program and other relevant information upon request of the AOC.

(i) This pilot project established by subsection (b) shall begin on July 1, 2018, and shall terminate on June 30, 2023. The department of mental health and substance abuse services shall conduct an evaluation of the pilot project and report to the general assembly with findings and recommendations concerning the pilot project on or before January 15, 2023.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring

it.