FRESH START PROGRAM DAYTON MUNICIPAL COURT

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OBJECTIVES

- Learn about the Homeless Court model and its benefits to clients
- Learn how to build community partnerships and buy-in for a Homeless Court
- Learn how to develop a referral process and court program that fits your community's needs

HOMELESS COURT MODEL

- First homeless court in San Diego in 1989 at a Standdown for Homeless Veterans
- Recognition Court
- Targets individuals who are literally or at-risk of homelessness
- Typically addresses crimes related to homelessness- low level misdemeanors
- Often forgives fines/fees
- Individual courts can determine scope of issues to address
- Assurance of "no custody"
- American Bar Association provides support



Commission on Homelessness and Poverty

homeless court program

how it works

participant selects provider & starts services

activities:

Participant selects an approved Provider to develop an Action Plan that address the root causes of their homelessness.

Provider can request warrant recalls so Participant can access certain services.

ABA: agency sign-on letter template SDHCP: manual; services letter

provider refers participant after services done

After a Participant has substantially completed their Action Plan, as defined in the Provider's sign-on letter, Provider submits Advocacy Letter and other application materials to Defender after Participant's meeting Provider-specific submission criteria.

ABA: advocacy letter template SDHCP: advocacy letter (sample)

defender evaluates for eligibility

Defender reviews application materials for sufficiency and Participant eligibility; submits to court for docketing.

Court prepares docket list and/or background report, no docket entry.

SDHCP: docket/calendar

team reviews participant progress

Prosecutors and Judges review application and docket materials with Defender (and Provider), agreeing in advance to case dispositions.

Defender prepares orders and submits to Prosecutor and Court for signing.

SDHCP: order

legal relief entered & congratulations

At a community facility, the Court holds a hearing, where they the Participant's accomplishments are placed on the record.

The entire courtroom applauds each Participant as their motions for relief are granted.

resources:

ABA/San Diego: toolkit

If eligible participant is discovered during an active case

If, during an active case, the Court discovers a participant is eligible for and interested in HCP, the Court continue the matter for 120 days to allow the Participant to engage with a Provider of their choosing.

HCP makes no docket action unless Participant completes program. So if for any reason a person or case does not qualify for relief, the cases is addressed on the previously adjourned docket.

STARTING A HOMELESS COURT

- Identify key stakeholders
 - Judges, Public Defender, Prosecutor, Homeless Provider Agencies, Mental Health/Substance Abuse Treatment Providers
- Reach out to the American Bar Association for guidance
- Meet with stakeholders to discuss buy-in, goals, and community needs
- Create criteria for courts
- Create referral documents
- Communities can create court that meets their needs

DAYTON MUNICIPAL MODEL

- First court planned for January 18, 2024
- Accepting only post-disposition cases
- Focusing on forgiving fines/fees
- Plans to expand to additional municipalities

REFERRAL FORM

Dayton Municipal Courts FRESH START PROGRAM

Name:Click or tap here to enter text.	Address:Click or tap here to enter text
DOB:Click or tap here to enter text.	Veteran:
SSN:Click or tap here to enter text.	□YES □NO
Phone Number:Click or tap here to enter text.	
Referring Agency: Click or tap here to enter text.	
Name and Contact Information for Agency Represent	tative:Click or tap here to enter text.
Does participant have any pending cases in other juri ☐YES ☐NO If yes, please explain: Click or tap here to ent	
Participant has engaged in the following activities:	
ID: □Applied □Obtained □N/A	
Social Security Card: ☐ Applied ☐ Obtained ☐ N/A	
Birth Certificate: □Applied □Obtained □N/A	
Housing Goals:	
☐Working toward housing. Explain:Click or t	tap here to enter text.
☐ Housed. Explain:Click or tap here to enter	text.
Vocational/Educational:	
Employed □YES □NO Where:Click or tap he	ere to enter text.
Working toward employment Explain Click or	r tap here to enter text.
Applying for Benefits:	
Social Security \square Applied \square Obtained \square N/A	
VA (if applicable) \square Applied \square Obtained \square N,	/A
Food Stamps \square Applied \square Obtained \square N/A	
Medicaid \square Applied \square Obtained \square N/A	
Treatment Information:	
Mental Health □YES □NO Where:Click or ta	p here to enter text.
Substance Use Treatment ☐YES ☐ NO When	e:Click or tap here to enter text.
Length of Sobriety, if applicable Click or tap h	nere to enter text.
Family Information: If relevant, please explain: $\mbox{\it Click}$	or tap here to enter text.

Participation in the court would benefit this client because:Click or tap here to enter text.

MORE INFORMATION

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- Gina Kicos, MSW, LISW-S, Veterans Justice Programs Specialist, Dayton VA Medical Center, gina.kicos@va.gov
- American Bar Association Homeless Court <u>site</u>
- Matthew Wechter, Supervising Attorney- Special Projects Coordinator, San Diego Public Defenders Office, matthew.wechter@sdcounty.ca.gov
- Kelly Russo, Director, Commission on Homelessness & Poverty, American Bar Association, <u>Kelly.Russo@americanbar.org</u>