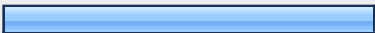
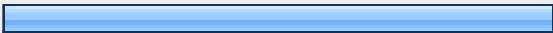
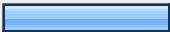
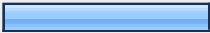
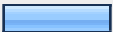
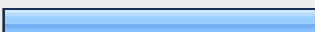
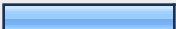
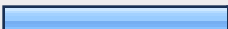
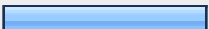


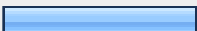
Problem Solving Courts Survey

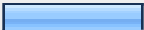
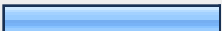
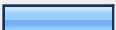
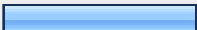
1. In which of these problem-solving courts have you appeared as counsel? (Mark all that apply.)			
		Response Percent	Response Count
Drug treatment (misdemeanor) pre-plea or post-plea		57.2%	219
Drug treatment (felony) pre-plea or post-plea		84.6%	324
Drunk driving treatment pre-plea or post-plea		25.3%	97
Mental health (misdemeanor) pre-plea or post-plea		31.3%	120
Mental health (felony) pre-plea or post-plea		25.1%	96
Other (please specify)			74
answered question			383
skipped question			63

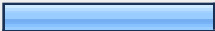
2. In approximately how many cases have you appeared in problem-solving courts?			
		Response Percent	Response Count
Fewer than 5		11.6%	50
5-10		16.2%	70
11-20		13.0%	56
More than 20		48.1%	208
I have not appeared in these courts, but have experience with or have advised clients about them.		11.1%	48
Comments			35
answered question			432
skipped question			14

3. How much time after arrest is generally allowed before making the decision to enroll in the problem-solving court?			
		Response Percent	Response Count
Less than one week		7.2%	27
One week to one month		32.4%	122
One month to three months		26.0%	98
No time limit		34.5%	130
Comments			64
answered question			377
skipped question			69

4. In your experience, is defense counsel given discovery before the defendant must decide whether to enroll in a problem-solving court?			
		Response Percent	Response Count
Yes, complete discovery		37.5%	146
Usually at least partial discovery		30.8%	120
Sometimes		14.7%	57
Seldom given discovery		7.2%	28
Never given discovery		4.4%	17
Complaint/Charging document only		5.4%	21
Comments			42
answered question			389
skipped question			57

5. In your experience, is defense counsel permitted to litigate motions before the defendant must decide whether to enroll in a problem-solving court?			
		Response Percent	Response Count
Yes, always permitted		23.3%	87
Sometimes permitted		47.3%	177
Never permitted		29.4%	110
Other (please specify)			50
answered question			374
skipped question			72

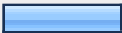
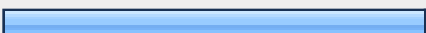
6. Are admissions or inculpatory statements made by defendants in the problem-solving court immune from use in subsequent proceedings?			
		Response Percent	Response Count
Yes, the treatment contract, program, or other rules explicitly prohibit any such use		21.0%	74
No, such admissions or statements can be used at a sanctions or revocation hearing in the same case		33.0%	116
No, such admissions or statements can be used at later hearing in the same case AND as a basis for new charges		16.5%	58
Although not specifically addressed in the treatment contractor program rules, the common understanding is that such statements cannot be used		29.5%	104
Other (please specify)			51
answered question			352
skipped question			94

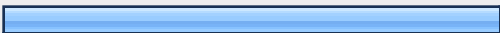
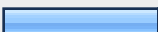
7. If a defendant withdraws or is discharged from a problem-solving court, what has been your experience at sentencing?			
		Response Percent	Response Count
The sentence is approximately the same that would have been imposed had the defendant simply pleaded guilty		56.3%	189
A slightly longer sentence is imposed		32.1%	108
A sentence at least twice as long is imposed		11.6%	39
Other (please specify)			95
answered question			336
skipped question			110

8. Based on your experience, please discuss any due process concerns that exist in problem-solving courts. Specific examples are encouraged.		
		Response Count
		188
answered question		188
skipped question		258

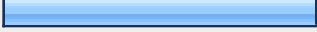
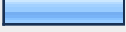
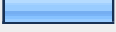
9. Based on your experience, are you given sufficient time to render competent representation in advising clients whether to enroll in a problem-solving court?			
		Response Percent	Response Count
Always or almost always had sufficient time		68.3%	256
Sometimes had sufficient time		23.5%	88
Seldom had sufficient time		6.9%	26
Never or rarely had sufficient time		1.3%	5
Other (please specify)			29
answered question			375
skipped question			71

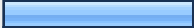
10. In staffing meetings are you able to be a zealous advocate for your client or do you feel stifled by the "team" approach?			
		Response Percent	Response Count
Always or almost free to advocate		37.1%	135
Sometimes free to advocate		13.5%	49
Often stifled		17.6%	64
I did not attend staffing meetings		31.9%	116
Other (please specify)			62
answered question			364
skipped question			82

11. Have you ever been asked to divulge privileged information about a client in a problem-solving court?			
		Response Percent	Response Count
Yes, on a regular basis		7.0%	26
Occasionally		17.8%	66
Once or twice		10.2%	38
Never		65.0%	241
Comments			43
answered question			371
skipped question			75

12. During court proceedings when the court's questions could elicit inculpatory statements or admissions are you permitted to intervene?			
		Response Percent	Response Count
Yes		76.4%	252
No		23.6%	78
Other (please specify)			84
answered question			330
skipped question			116

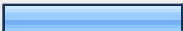
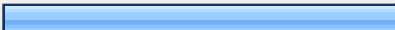
13. Based on your experience, please discuss any ethical concerns in problem-solving courts. Specific examples are encouraged.		
		Response Count
		133
answered question		133
skipped question		313

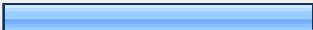
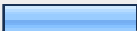
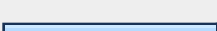
14. In your experience did the participants in the problem-solving court mirror the racial and socio-economic background of the universe of defendants in your jurisdiction? (Select up to two responses).			
		Response Percent	Response Count
Yes, minority participants, in most respects, mirrored those in the universe of defendants.		49.6%	184
Yes, indigent participants, in most respects, mirrored those in the universe of defendants.		48.0%	178
No, minority participants were overrepresented in the problem solving court		8.6%	32
No, minority participants were underrepresented in the problem solving court		18.1%	67
No, indigent participants were overrepresented in the problem solving court		12.1%	45
No, indigent participants were underrepresented in the problem solving court		8.1%	30
Don't have sufficient knowledge or experience to form a conclusion		16.4%	61
	<i>answered question</i>		371
	<i>skipped question</i>		75

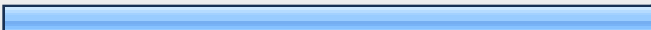
15. In your experience, were there racial or socio-economic differences in successful completion rates in the problem-solving court? (Select up to two responses).			
		Response Percent	Response Count
No, minority participants, in most respects, had no differences in successful completion rates		29.0%	106
No, indigent participants, in most respects, had no differences in successful completion rates		21.6%	79
Yes, minority participants had a lower completion rate		17.0%	62
Yes, minority participants had a higher completion rate		0.3%	1
Yes, indigent participants had a lower completion rate		21.4%	78
Yes, indigent participants had a higher completion rate		0.0%	0
Don't have sufficient knowledge or experience to form a conclusion		45.2%	165
Other (please specify)			41
		<i>answered question</i>	365
		<i>skipped question</i>	81

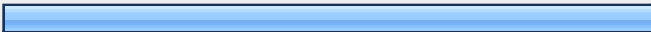
16. In your experience did the sentences imposed on defendants who failed to complete the problem-solving court differ based on racial or socio-economic background? (Select up to two responses.)			
		Response Percent	Response Count
No		54.2%	199
Yes, minority participants received longer sentences		10.6%	39
Yes, minority participants received shorter sentences		0.3%	1
Yes, indigent participants received longer sentences		8.7%	32
Yes, indigent participants received shorter sentences		0.3%	1
Don't have sufficient knowledge or experience to form a conclusion		31.9%	117
Other (please specify)			24
		answered question	367
		skipped question	79

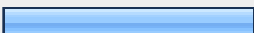
17. Based on your experience, please discuss your impressions of racial and socio-economic disparities in problem solving-courts. Specific examples are encouraged.		
		Response Count
		146
		answered question
		146
		skipped question
		300

18. How long have you been practicing law?			
		Response Percent	Response Count
Less than five years		12.1%	44
Five to fifteen years		27.5%	100
More than fifteen years		60.4%	220
		answered question	364
		skipped question	82

19. Describe the nature of your practice:			
		Response Percent	Response Count
Full-time public defender		47.4%	165
Appointed counsel in some cases		20.1%	70
Retained counsel (no or few appointed cases)		32.5%	113
		Other (please specify)	42
		answered question	348
		skipped question	98

20. Where is your principal practice?			
		Response Percent	Response Count
State:		100.0%	369
		answered question	369
		skipped question	77

21. If applicable, where is your international practice?			
		Response Percent	Response Count
Country:		100.0%	16
	<i>answered question</i>		16
	<i>skipped question</i>		430

22. What is the size of your principal jurisdiction?			
		Response Percent	Response Count
Rural/small county (less than 75,000)		13.0%	48
Moderate sized county (75,000 to 500,000)		38.6%	142
Large metropolitan area (more than 500,000)		48.4%	178
	<i>answered question</i>		368
	<i>skipped question</i>		78