

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT

In the Matter of the:)
)
Therapeutic Court Sessions,)
)
_____)

PJ ORDER # 848

Participants in therapeutic courts have substance abuse issues and possibly related emotional issues. These conditions make them particularly vulnerable to relapse. The therapeutic courts are designed to provide monitoring of and support to the participants in order to assist them to maintain sobriety and remain drug-free. Most therapeutic courts have periodic sessions that are comprised of two components. The first is a private meeting of the therapeutic team to discuss the progress and needs of each participant. The second is a session in open court where the participants attend and progress is acknowledged and difficulties addressed.

In response to the pandemic, many therapeutic courts, in response to orders issued by the presiding judges, have suspended various aspects of their programs. Some courts have suspended both the private team meetings and the open court sessions. These suspensions are increasing the risk that participants relapse. The stress on the participants of the emotional turmoil caused by the pandemic makes it even more important that the therapeutic courts assist their participants.

Some of the therapeutic courts have reasonably construed the presiding judges' orders to mean they cannot hold either the private meetings or the open court sessions. To clarify, in the Third Judicial District, as long as the private meetings are entirely telephonic, they may continue. In addition, therapeutic courts may hold

telephonic session wherein participants and the team members attend telephonically. Each therapeutic court may determine what subset of participants should attend a particular court session.

Future orders of the presiding judges will more clearly address the functioning of therapeutic courts statewide.

Dated at Anchorage, Alaska this 20th day of April, 2020.



William F. Morse
Presiding Judge
Third Judicial District

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