Drug Courts: The Path to a Promising Future

New Report Touts the Successes and Benefits of Rehabilitation Instead of Prison

By Mike Mathis
Judiciary Times Editor

Khara Murphy had reached a fork in the road. Facing five years in prison for crimes she committed to finance her drug habit, Murphy decided instead to apply for admission into the New Jersey Judiciary’s rigorous drug court program.

It was a decision that saved her life, she said. “It gave me a structure I so desperately needed,” Murphy, 27, who lives in Deptford, Gloucester County, said of drug court. “My days before drug court revolved around getting high. It’s all I knew how to do. Drug court gave me an opportunity to turn my life around.”

Murphy is one of the many success stories of New Jersey’s drug court, a highly specialized team process within the existing Superior Court structure that addresses nonviolent, drug-related cases.

The Judiciary has issued a report, A Model for Success A Report on New Jersey’s Adult Drug Courts, which details many of the program’s successes.

“Drug courts have increased exponentially across the country because communities have recognized that court-based treatment interventions for drug-involved offenders can be an effective tool with regard to some of the substance abusers who come in contact with our criminal justice system,” said Judge Glenn A. Grant, acting administrator of the courts, who also served as a family drug court judge in Essex County. “Drug courts are a reflection of the changing needs of the public to provide nonviolent offenders with the help they need to quit drugs permanently rather then sending them to prison and putting them at risk to commit more crimes when they are released.”

Drug courts are unique in the criminal justice environment because they build a close, collaborative relationship between criminal justice and drug treatment professionals.

Drug courts target offenders who, were it not for their substance abuse, might never have been involved with the court system.

Drug courts have transformed the lives of thousands of drug-addicted offenders by providing them with treatment rather than incarceration, intensive supervision and incentives to remake their lives.

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Editors Note: The following stories detail Adoption Day events in Monmouth and Union counties. The events and others in courthouses throughout New Jersey brought judges, attorneys, adoption professionals and child advocates together to celebrate families.

Joy and Celebrations Fill Courthouses on Adoption Day

By Fern L. Varasano
Court Services Supervisor 2
Monmouth Vicinage

Dreams became reality on Nov. 19 as the Monmouth Vicinage held its fifth annual Adoption Day celebration in observance of National Adoption Day.

Assignment Judge Lawrence A. Lawson and Judges Michael A. Guadagno, Terence P. Flynn, Robert A. Coogan, and Teresa Kondrup-Coyle finalized a total of 33 adoptions. Guadagno, who is presiding judge of the family division, welcomed more than 200 guests and thanked those who contributed to the program’s success.

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Drug courts have enhanced public safety in New Jersey. Data show that an offender who goes through drug court is far less likely to offend again than one who goes to prison.

And drug courts have saved New Jersey taxpayers millions of dollars because it is less expensive to keep a person in drug court than in prison.

Drug courts began in New Jersey in 1996 when Camden and Essex counties started accepting participants. Drug courts were in operation in all 21 counties in September 2004.

Drug court programs are rigorous, requiring completion of four phases during five years of intensive drug and alcohol treatment and testing, and a tightly structured regimen of treatment and recovery services.

This level of supervision permits the program to support the recovery process, but also allows the court to react swiftly to impose appropriate therapeutic sanctions or to reinstate criminal proceedings when participants do not comply with the program.

For Paula Raspantini, the decision to enter drug court instead of going to prison was the culmination of a decades-long downward spiral that began with drug experimentation when she was 11 and led to the loss of a well-paying job, and homelessness.

She sold heroin to support her habit, she said. Raspantini was arrested on drug charges in September 2004. She said she decided to apply for admission to drug court while waiting trial in the Passaic County Jail and facing a possible 10-year prison sentence if convicted.

“This was the first time, since I was 11, that my body wasn’t on drugs,” said Raspantini, 46, of Passaic. ‘I decided I had a drug problem.”

Raspantini graduated from the Passaic County drug court program in July 2009.

She works for a non-profit organization that provides services for substance abusers and others. She lectures clients, monitors treatment and performs other tasks as part of the Passaic County Intoxicated Driving Resource Center while studying at Passaic County Community College to become a counselor.

“It gave me my life,” Raspantini said of drug court. “I’m living a productive life without the use of drugs or alcohol. I could never do that before.”

From April 1, 2002, when drug courts became fully funded by the state, until June 30, 2010, the state’s adult drug courts enrolled 9,037 participants, according to the report.

A total of 31 percent of graduates were employed when they entered drug court, and more than 87 percent were employed at the time of graduation, the report says.

A total of 26 percent of drug court graduates improved their level of education or employment skills while participating in the drug court program.

A total of 186 babies have been born drug-free to female participants, and 104 participants regained custody of their minor children due to their participation in the program, according to the report.

Murphy said she began smoking marijuana when she was about 13 years old.

She began taking Ecstasy when she was in high school and progressed to painkillers and heroin.

She was 22 when she was arrested in 2005 for drug possession, burglarizing a house and stealing her mother’s vehicle, she said.

“When you’re addicted and you’re not working, you steal to get high,” Murphy said. “Nothing else matters.”

Murphy was given a choice: spend five years in prison or enroll in drug court. She was sentenced to drug court in June 2006.

A short time later, she learned she was pregnant.

“I realized I wouldn’t just be hurting myself, I would be hurting someone else,” Murphy said of the decision to end her drug use.

Murphy, who graduated from drug court in June 2009, is studying psychology at Camden County College. Her daughter turned four in December.

“I feel great and I’m happy,” Murphy said. “I learned some things some people don’t get to learn their entire lives. I don’t think there’s anything I can’t do.”
Judge Herman Michels, Presiding Appellate Judge, Dies at 84

By Mike Mathis
Judiciary Times Editor

Herman D. Michels, who served as presiding judge of the appellate division in the 1980s and 1990s, died Dec. 31. He was 84.

Judge Michels, who lived in Short Hills, Essex County, was appointed presiding judge of the appellate division on Sept. 8, 1980 and presiding judge for administration of the appellate division on April 3, 1985.

He was appointed to the Superior Court by Gov. William G. Cahill on Feb. 1, 1972. He sat in Essex Vicinage until he was assigned to the appellate division on April 11, 1974. He was reappointed to the bench by Gov. Brendan T. Byrne on Feb. 1, 1979.

Judge Michels retired in September 1997, several weeks before his 70th birthday.

“He is 12-year leadership as presiding judge for administration of the appellate courts brought national recognition to New Jersey,” Chief Justice Stuart Rabner said in a statement. “His opinions were known to be precise and clear. He exhibited great responsibility for new judges, both by taking an active role in judicial education and by teaching them, by example, how to serve as an appellate judge.

“Over the course of his career, Judge Michels served on many committees to improve the work of the state’s Judiciary and was the recipients of many honors,” the chief justice said. “For those with whom he served, it was an honor to have worked with a truly great man and mentor.”

Judge Michels was born in Weehawken on Oct. 16, 1927. He joined the U.S. Navy following his graduation from Teaneck High School in June 1945.

Judge Michels graduated from Muhlenberg College in 1950 and from Rutgers Law School in 1953. While attending Rutgers, Judge Michels was a member of the Rutgers Law Review and was awarded the Milton M. Unger Memorial Award and the Municipal Corporation Law Prize.

He served as law clerk to Judge G. Dixon Speakman, Essex County assignment judge, until Dec. 31, 1953. Judge Michels practiced law at Toner, Crowley, Wolper and Vanderbilt, and later Toner, Vanderbilt, Michels and Light, and at Michels and Schwartz.

Judge Shirley Tolentino, Pioneering Jurist From Hudson County, Dies at Age 67

By Mike Mathis
Judiciary Times Editor

Shirley Tolentino, a judicial pioneer who served as a judge in Hudson County for more than 30 years, died Oct. 31 at the age of 67.

Judge Tolentino was the first black woman to serve on the Superior Court and was the first black woman appointed to the Jersey City Municipal Court and to serve as its presiding judge.

Gov. Thomas Kean nominated Judge Tolentino to the Superior Court in January 1984. She sat in the civil, criminal and family divisions during a 26-year period.

Born and raised in Jersey City, Judge Tolentino earned a bachelor's degree in Latin from the College of St. Elizabeth in Morristown. She taught high school Latin and English before earning her law degree from Seton Hall University School of Law in 1971. She received a master of laws degree in criminal justice from New York University School of Law in 1980.

Judge Tolentino worked as a deputy attorney general from 1973 until 1976, when she appointed to the Jersey City Municipal Court. She was elevated to presiding judge in 1981.

Judge Tolentino served on the Supreme Court Task Force on Minorities and was a member of the National Association of Women Judges, serving as president in 1996-97.

One of the most noteworthy cases the judge presided over was the 1998 trial of Vincent James Landano, was retried for the 1976 shooting death of a Newark police officer. Landano was acquitted. Landano died in 2002 at the age of 63.

In a December 2008 profile in the
School Attendance Court Helps Battle Truancy in Essex County

By Keisha Walker
Municipal Division Liaison
Essex Vicinage

School attendance is a key to success for any child.

Children, however, do not always see it that way. Stressors in their lives often lead to poor choices regarding attendance.

To address truancy in the Newark schools, the Newark municipal court, in partnership with the Juvenile Justice Commission (JJC), the Newark Board of Education and other organizations, formed the school attendance court in 2003.

The school attendance coordinator assists about 400 parents each school year. There is an 85 percent parental compliance rate.

The court finds that many parents are initially reluctant to participate in the programs, but once involved, they find it creates a better relationship between parents and children.

The coordinator, Patricia Eaddy, attributes the program’s success to the fact that the parents are monitored for compliance and the services provided to them are beneficial.

“The goal of the program is the same for every family, which is to provide students with a foundation to continue their education and learn that they hold the key to their future,” Eaddy said.

The process begins with school counselors who monitor attendance. Students who have missed more than 10 consecutive, undocumented days are reported to the Board of Education, which files a disorderly conduct complaint with the Newark Municipal Court against the student’s parent.

The matter is then assigned to the School Attendance Court. The parents are cited because the municipal courts do not have jurisdiction over juvenile cases, which are handled in the family division of the Superior Court.

Although the parents of truant children over the age of 16 cannot be charged with an offense, the program will assist them if they request help.

The disorderly conduct complaint carries a fine of $100 per day of missed attendance or time served in jail at $20 per day credit.

Camden Vicinage Holds Aging-Out Seminar

Lydia E. Hernandez
Court Services Supervisor 2
Camden Vicinage

The Camden Vicinage Children-in-Court (CIC) program, in conjunction with the Rutgers- Camden Child Advocacy Center (CAC), held an information fair and seminar on Oct. 19 for Camden County youth who are aging out of the foster care system.

A total of 184 youths were invited to attend the event, which was held at the Walter K. Gordon Theater on the Rutgers-Camden campus.

Randi Mandelbaum, Rutgers clinical professor of law and director of CAC, and Nana Wilson of the center administered the program and presented information that focused on the rights and entitlements of youth as they age out of the foster care system.

Participants reviewed valuable information that was provided by local universities, colleges, medical agencies, vocational schools, armed forces and other career and services agencies.

Youth were given a variety of information and resources to prepare them for a successful future as they age out of the foster care system.

The event also provided an opportunity to meet Children in Court Judges Octavia Melendez and Deborah Silverman Katz. Representatives from the New Jersey Department of Children and Families and law guardians, who represent and advocate for youth, also were present.

Enforcement of the penalties, although necessary at times, is not the program’s primary goal. The goal is to help parents improve the attendance of their truant children. School Attendance Court has the resources to assist the parents by providing them with social services to encourage their children to attend school.

Before the hearing, the parents meet with the school attendance coordinator, a grant funded position that is provided to the court by the JJC. The coordinator interviews the parents to determine the available programs and services that meet their needs.

The parents also receive information on programs that may be suitable for their truant children. The coordinator has access to many community outreach programs and can refer the children to these services if the parents agree.

To avoid court-imposed penalties, the parent must sign an agreement to commit to a 90-day program and provide the court with a certificate of completion. If the conditions are met, the court will dismiss the complaint.

Presiding Appellate Judge Herman Michels Dies at 84

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in Newark.

At the time of his death, Judge Michels was counsel to the Gibbons Law Firm in Newark, where he worked with the firm’s appellate and alternative dispute resolution practice groups.

Judge Michels worked as special discovery master and served as an arbitrator and mediator in more than 400 cases in the last 13 years.

Judge Michels was an avid hunter, tennis player and gardener.

He is survived by his wife of 55 years, Ann, five children and 10 grandchildren.

Funeral services were held Jan. 8, at Christ Church in Short Hills.
Fugitive Safe Surrender Program in Essex, Union Recognized

By Paulyn Holandez
Civil Division Team Leader
Essex Vicinage

The Mid-Atlantic Association of Court Managers (MAACM) has bestowed the John Neufield Court Achievement Award to Essex and Union vicinages for their successful implementation of the Fugitive Safe Surrender Program (FSS) in November 2009.

The award was given at the association’s annual conference last October in Hershey, Pa.

FSS is a national program promoted by the U.S. Marshal’s Service that encourages persons wanted for non-violent felony or misdemeanor crimes to voluntarily surrender to law enforcement in a faith-based or other neutral setting.

Newark became the second largest site, out of 17, in FSS history. Planning culminated in a four-day event that took place from Nov. 4 through Nov. 7, 2009.

More than 4,100 people turned themselves in, more than 12,000 warrants were executed and 13 fugitives were arrested during the period.

By resolving outstanding warrants in this manner, FSS reduced the risk to law enforcement officers who pursue fugitives and assists fugitives to get their lives back on track.

The Neufeld Award is presented annually to an individual or organization that develops or implements a significant or unique educational program or court management system in the Mid-Atlantic region.

Consideration for the award rests on whether the program or system produced an improvement in the organization’s competencies, skills and knowledge; a greater sense of teamwork; a greater understanding and appreciation for the organization’s mission; and/or innovation, creativity and use of current technology.

Richard P. Abbott, chairman of the award committee, congratulated Essex and Union vicinages “for their outstanding efforts” to develop and implement FSS.

To implement FSS in Newark, both the Essex and Union Vicinages established a committee that developed and implemented the complex FSS workflow processes and procedures.

The committee also assumed a leadership role coordinating other major stakeholders, including the Marshal’s Service, the Police Institute at Rutgers University, the Essex and Union County Sheriff’s Offices, the Essex and Union County Prosecutor’s Offices, the Office of the Public Defender, New Jersey Attorney General’s Office, the Administrative Office of the Courts and the New Community Corporation.

Giuseppe Fazari, assistant trial court administrator, accepted the award on behalf of Essex Vicinage. Elizabeth Domingo, trial court administrator, accepted the award on behalf of Union Vicinage.

Shirley Tolentino, Longtime Superior and Municipal Court Judge in Hudson, Dies

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Star-Ledger, Judge Tolentino commented on how she sometimes bumped into people who appeared before her on the streets of Jersey City.

“Even when I have somebody that I might have sentenced, who sees me on the street or whatever, I don’t think I’ve ever been ridiculed or scorned, or anything of that nature, she said. “As a matter of fact, sometimes, some of the people have said, ‘Oh that’s Judge Tolentino, don’t bother her’ or ‘Get yourself together, here she comes. Here she comes, you’d better shape up.’”

Judge Tolentino was a volunteer for the Hudson County Urban League, Hudson County C.Y.O., Hudson County Girl Scouts and the Visiting Homemakers Association of Hudson County.

Judge Tolentino was survived by her husband, two daughters and a grandchild.

A Mass was celebrated on Nov. 4 at St. Aloysius Church in Jersey City, and a remembrance service was held at the church the following day, followed by funeral procession that passed her home, the Jersey City Municipal Court and the Brennan Court House.
Essex Vicinage Opens New Intake Unit for Civil Division Cases

By Paulyn Holandez
Court Services Supervisor
Essex Vicinage

The Essex Vicinage civil division has established an intake team in the Veterans Courthouse.

The nine-member team is responsible for processing approximately 1,700 motions and motion-related documents each month.

Previously, four case management teams each processed a quarter of the motions for the division.

“Creation of the intake team is one of the best things that has happened in civil in a long time,” said Vanessa Hendrickson, civil division manager. “Reorganizing our daily work has caused us to rethink the way we do business and make some needed systemic improvements.

“Today we mark the transformation of many lives through adoption,” Lawson said. “We honor those who open their hearts and homes to children and hope to encourage others to do the same.”

Lawson emphasized the need for adoption homes for older youth, quoting figures from the National Adoption Day website that more than 29,000 foster youth age out of the system each year without a family or home.

The program began with the Pledge of Allegiance, which was led by one of four siblings who were adopted that day by their great aunt. This was followed by a moving rendition of the Star Spangled Banner by Judiciary Secretary Tarika Jean-Pierre.

The program also included remarks from parents Brad Beaty and Giuseppe DiPalma, who shared their joyful experience of adopting their son at the age of 11.

Adoptees Eric and Evan Sanborn volunteered to photograph the families. They were accompanied by their former social worker, Joe Patane, who traveled from California to attend.

Patane is the founder of a non-profit organization dedicated to providing support for youth leadership, counseling, and education.

As in previous years, the Sanborns used the photographs to create mementos for each of the adoptive families. Judge Guadagno presented them with a certificate of recognition for their contributions to the vicinage’s Adoption Day events.

Jennifer Martelli, a child specific recruiter for the Monmouth County Department of Children and Families, provided written materials to the public and responded to their questions about the adoption process.

The event highlighted a partnership between the Monmouth Vicinage, the New Jersey Department of Children and Families, the Monmouth County Surrogate’s Office, CASA of Monmouth County, Monmouth Cares, and the Monmouth Bar Association.

By Linda Wiggins
Ombudsman
Union Vicinage

Union Vicinage held its National Adoption Day celebration on Nov. 19 at the Union County Courthouse and at Kean University.

National Adoption Day is an annual event in which courts and communities in all 50 states come together to finalize thousands of adoptions and to celebrate

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Adoption Day Celebrated in New Jersey

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families who adopt.

This year’s event was chaired by Jane Philips, team leader in the family division. The vicinage coordinated its Adoption Day celebration with the Union County Surrogate's Office, the New Jersey Division of Youth and Family Services (DYFS), and the Union County Court Appointed Special Advocates (CASA).

The first floor of the courthouse tower building was decorated festively for the 13 children who were adopted.

Presiding over the Adoption Day proceedings were Judges Kathryn A. Brock, James Hely and Robert Kirsch.

Special procedures were set up to expedite the processing of the final paperwork.

Community volunteers, Judiciary staff and employees from the DYFS offices in Union County greeted and escorted the families to and from the courtrooms.

Following the proceedings, DYFS held a reception for the families at Kean University.

Assignment Judge Karen M. Cassidy gave the opening remarks. Each adoptive child received a balloon cake with his or her name on it.

The images are printed and retained in a sealed envelope in the court file.

The photos will be available at the final restraining order hearing if they are introduced into evidence by the victim or the victim's attorney.

A total of seven police departments agreed to implement the project: Aberdeen, Atlantic Highlands, Avon, Fair Haven, Howell, Middletown and Wall.

Mickey Mouse and Boomer, the mascot for the Trenton Thunder baseball team, embrace some of the children who were adopted by families on Adoption Day in Mercer Vicinage.
Justice Albin, Judges Speak at Drug Court Commencement

New Jersey Supreme Court Associate Justice Barry T. Albin (left) delivered the keynote address at the fourth Middlesex County Drug Court commencement program on Dec. 14. A total of 22 participants were awarded certificates to mark completion of the final phase of a rigorous 3- to 5-year program of comprehensive drug treatment and intensive supervision. (Photos by Tammy Kendig)

Assignment Judge Travis L. Francis (right) gave the opening remarks and spoke about the success of the drug court program. Judge Lorraine Pullen, who presides over the Middlesex Vicinage Drug Court, officiated and Judge Dennis Nieves gave the closing remarks.

Yulandra Simmons spoke about her struggle with drugs and alcohol. New Jersey’s drug courts have proven effective at breaking the cycle of drug abuse and crime, to provide people who have drug addictions the opportunity to become productive citizens.

Mission Statement of the New Jersey Courts

We are an independent branch of government constitutionally entrusted with the fair and just resolution of disputes in order to preserve the rule of law and to protect the rights and liberties guaranteed by the Constitution and laws of the United States and this State.