

Rural Court Perspectives on Addressing Substance Use Disorder in Justice-involved People

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While no corner of the country has gone untouched by the substance misuse and overdose crisis, rural America has been hit particularly hard. The 2023 National Survey on Drug Use and Health found that rates of methamphetamine use were twice as high among those 12 years of age and older who live in nonmetropolitan counties compared to their large and small metropolitan counterparts and that past-month heavy alcohol use was higher for adults aged 18 or older in rural counties compared to urban counties.¹ In July 2022, the Centers for Disease Control and Prevention noted that drug overdose death rates continued to rise in rural and urban areas and that in eight states—California, Connecticut, Maryland, New York, North Carolina, North Dakota, Vermont, and Virginia—the rate of drug overdose deaths in rural counties was higher than in urban counties. More than 321,000 children in the United States lost a parent to drug overdose from 2011 to 2021.²

In July 2024, the State Justice Institute (SJI), in partnership with the Institute for Intergovernmental Research (IIR) and the National Council of Juvenile and Family Court Judges (NCJFCJ) convened a 1-day listening session for judges and court personnel from rural communities to discuss barriers, successes,

and innovations related to addressing substance use disorder (SUD) for court-involved people and to identify opportunities to more effectively support children and families impacted by SUD. This report summarizes highlights from that discussion, with a focus on strategies that are currently working well in rural courtrooms and an examination of ongoing challenges for rural judges and communities.

Rural Court Successes and Innovations

Build Solutions Based on the Community

Rural judges see a real benefit to understanding the strengths and weaknesses of their communities, which helps them more effectively refer clients to services and treatment. Gaining clear insight into a community's resources can be done any number of ways: some judicial districts have created stakeholder teams that meet regularly and undertake tasks such as analyzing local services and conducting a community needs survey; other courts have found that a client resource coordinator can be helpful in identifying available solutions. No matter the method used, resource mapping is an essential tool to help



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judges tailor the needs of clients to the strengths and available resources of the place they call home.

Make the Most of Rural Strengths

Rural communities also feature many strengths that judges can draw upon to help address SUD for court-involved people and families. Because of their small size, rural communities are much easier to “get to know” than larger urban or suburban settings. “That community knowledge is a huge asset,” one judge said. “You know your own community. You know people that can address direct needs when you or a social worker reaches out.”

Judges shared examples of local volunteers jumping in to provide everything from food to clothing to emergency electrical work to help clients in their courtrooms. Rural community connectedness also means those areas often have more fictive kin relationships—people who are unrelated but known to and trusted by a child—which can avoid trauma resulting from a child being placed with strangers and help alleviate recruitment and retention issues facing foster care agencies.³

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Prevent Removal Whenever Possible

Rural family court judges attempt to prevent the removal of children from their family home whenever possible. In Alaska, [pre-petition legal advocacy](#) provides families with resources and support from the Child Protective Services Division to avoid a petition ever being filed or a case ever being brought to court.

In Arizona, the [Dependency Alternative Program](#) provides the opportunity for staff members to meet with families, identify resources that may be helpful, and determine whether a family or friend can care for the child(ren) temporarily while the parents engage in supports so that the children are not removed from the family. In Hawaii, families can participate in the [Voluntary Case Management](#) program, which works with families identified as being “moderate to moderate high-risk” to provide supports and services in hopes of preventing involvement in the foster care system.

Focus on the Positive

Engagement in the court system can be an overwhelming and scary experience for children and families. By focusing on positive outcomes and activities as much as possible, rural judges have seen better outcomes and happier participants. Positive activities can include things such as positive incentives for participation and engagement or celebrations honoring forward progress or successes. In Mississippi, local courts host “[reunification celebration days](#).” Families are invited to participate if they wish, and attendees participate in a hosted dinner, receive small gifts, and generally celebrate the strength of their families. Local partners help fund these celebrations, and local press is invited to cover the event and share positive stories with the public. Other courts could consider hosting similar celebrations, perhaps in conjunction with [National Reunification Month](#) in June.

Participate in Ongoing Training—Formal and Informal

Rural judges may face challenges traveling to large national conferences but do find it more manageable to attend local or regional training opportunities, particularly if funding or other travel support is provided. Judges can also join membership organizations to ensure that they receive information about learning opportunities, educational resources,

funding initiatives, and more. Many rural judges also participate in more informal learning opportunities; for example, in Hawaii, family court judges participate in regular lunchtime Zoom calls, each one focused on a specific topic, to allow them to share experiences, questions, and knowledge with their peers. In Kentucky, judges can participate in specific listservs based on their jurisdiction so they can easily ask questions and share resources with each other.

Rural Court Barriers and Challenges

Treatment Timing and Access

As with many areas of the country, there are simply not enough treatment providers to meet the needs of clients with SUD in rural communities. In addition to this common but troubling shortage, judges acknowledged the conflict between wanting to get families out of the justice system as quickly as possible and the realistic length of time needed for successful treatment. “Treatment for SUD, and demonstrating ‘success,’ can take quite a while,” one judge explained. Another judge agreed, “The reality is that you need 2 to 3 years for a person to successfully complete treatment. The addictiveness of drugs is really counter to the desire to quickly move families to permanency.”

Geography and Transportation

In addition to the lack of treatment resources available in many rural communities, physical access to the treatment options that do exist can also be a major barrier for courts and clients. Public transportation options tend to be very limited in rural areas, leaving clients who need to get to appointments reliant on transit options that may only run a few times a day, may not get them particularly close to their appointment location, or both—resulting in people often needing to spend a full day to get to and from an otherwise short treatment or meeting time. And,

in some rural areas, geography itself can add to these challenges. For example, in Appalachia, the mountains create a true geographic barrier to care by drastically increasing travel time to cover a relatively short distance. Rural communities on the California coast regularly see roads closed because of weather or natural disasters, adding to the transportation challenges already faced by treatment provider distance.

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Access to Training for Judges

Just as individuals seeking treatment in a rural community often face geographical barriers, rural judges also face challenges in traveling to trainings outside their states. Travel from a rural area is time-consuming (often requiring a long drive to a small airport and connecting flights to the final destination). This can add a day on each side of a training opportunity, meaning that rural judges may need to take an entire week off to attend such events—a requirement that many simply cannot meet. Such travel is often expensive and cannot be supported by the budget in a small community or judicial district. If counties, states, or membership organizations are able to support travel for judges to attend training events even once a year, many rural judges would have far more opportunities for learning than they currently do. For example, in Mississippi, all youth court judges are required to attend a 12-hour training every year, for which the state covers expenses; the state also funds 10 judges a year to attend the NCJFCJ Annual Conference.

Training Topics for Judges

Rural judges also find that trainings they attend often do not meet their specific needs. In particular, rural communities find great benefit from learning from, about, and with other rural jurisdictions, but trainings often focus on urban or suburban examples, programs, and policies. More rural-specific learning opportunities would increase knowledge and capacity in smaller courtrooms across the country.

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Judges also noted that education about SUD is often not included in judicial trainings, which is a significant area that many judges need more instruction on. Offering sessions on SUD, the science of addiction, effective treatment options, and courts' roles in addressing SUD would help judges better assist families dealing with substance use issues.

To learn more about how rural juvenile and family court judges can help address SUD in rural communities, please visit the following:

- State Justice Institute: www.sji.org
- Comprehensive Opioid, Stimulant, and Substance Use Program (COSSUP): www.cossup.org
- National Conference of Juvenile and Family Court Judges: www.ncjfcj.com
- Rural Justice Collaborative: www.ruraljusticecollaborative.com

Endnotes

1. <https://www.ruralhealthinfo.org/toolkits/substance-abuse/1/need>.
2. <https://nida.nih.gov/news-events/news-releases/2024/05/more-than-321000-us-children-lost-a-parent-to-drug-overdose-from-2011-to-2021>.
3. https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practiceonline/january-december2022/fictivekin/.

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