



What Medical Providers Need to Know About Treatment Courts

Treatment courts combine judicial supervision, evidence-based treatment, recovery support, and drug testing for people whose legal involvement is connected to substance use.

TREATMENT COURT AT A GLANCE



Who Participates

Individuals at high risk of reoffending with significant treatment and behavioral health needs



Purpose

Combines treatment, accountability, and recovery support



Duration

Program duration varies; participation often lasts 18–24 months



Approach

Collaborative care among medical providers and treatment court teams

RECOGNIZE UNIQUE CHALLENGES

Patients involved in treatment court may:

- Hesitate to discuss returning to use due to concerns about legal consequences.
- Have frequent treatment court obligations that can affect scheduling and participation.
- Face sanctions if court requirements are not met.
- Have access to additional resources, including housing, employment support, and case management services through treatment court.

CLINICAL CHECKLIST



- ✓ Ask whether the patient participates in treatment court.
- ✓ Learn how court requirements may affect attendance and treatment.
- ✓ Discuss release of information before communicating with the treatment court.
- ✓ Coordinate care only with appropriate patient authorization.
- ✓ Base treatment recommendations on clinical needs, not legal status.
- ✓ Provide clinical guidance to treatment court personnel when evidence-based treatment is questioned.
- ✓ Support continuity of care during treatment or justice-system transitions.



For a more detailed overview of treatment courts, see ASAM's [What Are Treatment Courts? Job Aid](#).

The Role of Medical Providers in Treatment Courts

Medical providers are essential partners in treatment courts. By coordinating with treatment court teams while maintaining independent clinical judgment, providers can improve patient engagement, continuity of care, and long-term recovery.

PRINCIPLES FOR WORKING WITH TREATMENT COURTS



Protect Confidentiality

Review releases of information with patients and follow HIPAA, 42 CFR Part 2, and applicable confidentiality requirements.



Collaborate Effectively

Coordinate with treatment court teams while maintaining clear professional roles.



Clinical Judgment Comes First

Base treatment recommendations on clinical rather than court expectations or legal status.



Support Engagement

Recognize that court obligations may affect attendance, communication, and treatment participation.



Educate and Advocate

Help treatment court personnel understand evidence-based treatment practices when recommendations differ from court expectations.

COMMON CHALLENGES AND HOW TO ADDRESS THEM

SITUATION	PROVIDER RESPONSE
 Conflicting Court Expectations	- Communicate clearly about clinical recommendations and their rationale. - Educate court personnel on evidence-based practices when needed.
 Information Sharing	- Review confidentiality and consent requirements. - Share only what is permitted by applicable privacy laws and patient authorization.
 Limited Time and Resources	- Focus on high-impact interventions. - Leverage care coordination and community resources.
 Uncertainty About Court Processes	- Ask questions and build relationships with treatment court staff. - Seek clarification on roles, expectations, and communication protocols.



CLINICAL PEARL

Treatment court teams should coordinate with providers, but **clinical needs**—not court participation—should drive treatment decisions.



QUESTIONS TO ASK

- Are you currently participating in treatment court?
- Are there any court requirements affecting your treatment schedule?
- Have you signed a release of information?
- Is there anything about your court participation you'd like me to know?

Partnering with Treatment Courts

Medical providers can expand access to evidence-based care and support long-term recovery by partnering with treatment courts through referral relationships, care coordination, consultation, and education.

INTERESTED IN PARTNERING WITH A TREATMENT COURT?



Medical providers do not need to be formal members of a treatment court team to make a meaningful impact.

PARTNERSHIP EXAMPLES

→ Clinical Referrals

Treatment courts refer participants for clinical care.

→ Care Coordination

Communicate treatment progress with appropriate authorization.

→ Staffing Meetings

Participate when appropriate and beneficial.

→ Formal Agreements

Develop referral pathways or memoranda of understanding (MOUs).



CONTINUE LEARNING



ASAM RESOURCES

[Integrating Addiction Medicine with Treatment Courts Course](#)

[What Are Treatment Courts? Job Aid](#)

[Strategies for Effective Clinician Partnerships with Treatment Courts](#)



ALL RISE RESOURCES

[Treatment Court Trainings](#)

[Adult Treatment Court Best Practice Standards](#)



OTHER HELPFUL RESOURCES

[SAMHSA Treatment Course & Recovery Resources](#)

[HIPAA and 42 CFR Part 2 Resources](#)



Learn more:
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