

Rule 109A

SPECIALTY COURT

- (a) **Specialty Court—Defined.** A specialty court is a court program that uses therapeutic or problem-solving procedures to address underlying factors that may be contributing to a party's involvement in the criminal justice system, i.e., mental illness or drug, alcohol, or other addiction. Procedures may include treatment, mandatory periodic testing for a prohibited drug or other substance, community supervision, and appropriate sanctions and incentives.
- (b) **Specialty Court Allowed.** A judicial district may establish a specialty court.
- (c) **Receipt of Ex Parte Communication.** A judge presiding over a specialty court docket established under subsection (b) may initiate, permit, and consider an ex parte communication with a probation officer, case manager, treatment provider, or other member of a specialty court team, either at a team meeting or in a document provided to all members of the team.
- (d) **Disclosure of Ex Parte Communication.** A judge who receives an ex parte communication under subsection (c) may preside over any subsequent proceeding if:
 - (1) the judge discloses to the parties the existence of the communication and, if known, the nature of the communication; and
 - (2) the judge obtains the parties' consent to the judge's participation in the proceeding.

[**History:** New rule adopted effective January 28, 2009; Restyled rule and amended effective July 1, 2012; Am. effective July 5, 2017.]