
JUDGE: SUMMARY OF BEST PRACTICES**Before the Judicial Settlement Conference**

- Prepare for the JSC by reviewing the LS/CMI Assessment Report and other available information. Establish office procedures to track case as they proceed.
- Meet with the attorneys and the PO in chambers before meeting with the defendant. Learn the status of negotiations. Ask how you can help them resolve the case.

At the Judicial Settlement Conference

- Greet and welcome the defendant. Direct your discussion to the defendant. Explain the JSC process, the MCJRP program, your role in the process, sentencing issues, and the decisions the defendant will need to make. Explain that “MCJRP eligible” does not necessarily mean probation.
- Encourage the defendant to speak openly about life circumstances presently and at the time of arrest. Ask why prior treatment, probation, or prison didn’t work and what’s different this time. Explain that the defendant is not required to discuss the criminal charges.
- Remember that the goal is not only to resolve the case, but to avoid revocations. Help the defendant identify desires, goals and action items. Weave Motivational Interviewing, Change Talk or other similar techniques into the discussion where appropriate. Give positive reinforcement for steps already taken or positive attitudes of defendant.
- Include the DA, the Defense Attorney, and the PO in the discussion, as needed. Determine if any evaluations are still needed. Consider all options, including MCJRP probation, START Court, DISP, Mental Health Court, Veterans Court or prison.
- If a probation offer will be made, discuss the terms and conditions of probation. Explain the process for negotiating a prison sentence if a probation offer will not be made. Consider meeting separately with the DA or the defendant and defense attorney.

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- If appropriate, have a final discussion with the attorneys only (not the defendant) and offer your own recommendation on an appropriate resolution of the case. Be realistic; don't push the DA to offer probation, but in appropriate cases, urge the DA to consider probation even if the DA seems "set" on prison and explain reasons why you feel probation is appropriate.
- Summarize everyone's action items at the end. Explain to the defendant what the next steps are and give a realistic timeline. Either set a subsequent date or tell the attorneys to contact the court to schedule a plea. Pleas should be with the JSC judge if possible.