

**GREEN COUNTY**  
**HYBRID TREATMENT COURT PROGRAM**



**POLICY AND PROCEDURE MANUAL**

January 2025  
August 5, 2025  
August 11, 2025

# TABLE OF CONTENTS

POLICY AND PROCEDURE MANUAL	0
INTRODUCTION	2
MISSION STATEMENT	2
GOALS AND OBJECTIVES	3
THE TREATMENT COURT TEAM	3
MODEL	3
TARGET POPULATION	3
ELIGIBILITY CRITERIA	4
DISPOSITION	4
DISQUALIFICATION CRITERIA	5
REFERRAL, SCREENING, AND ENTRY PROCESS	6
CASE MANAGEMENT	7
PRESCRIPTION MEDICATION POLICY	8
OVER-THE-COUNTER MEDICATIONS AND FOODS	9
PHYSICIAN DISCLOSURE/PRESCRIPTION TREATMENT POLICY	10
DRUG/ALCOHOL TESTING	11
PHASE OVERVIEW	14
OUTLINE OF PHASE STRUCTURE	16
GRADUATION REQUIREMENTS	18
INCENTIVES, SANCTIONS AND THERAPUTIC ADJUSTMENTS	18
TERMINATION CRITERIA	24
AUTOMATIC TERMINATION	25
TERMINATION PROCESS	26
PROGRAM FEES	27
STAFFING AND COURT RULES	28
CONFIDENTIALITY	28
INDIVIDUAL AGENCY RESPONSIBILITIES	31
AND STAFF COMMITMENTS	
CRIMINAL JUSTICE COORDINATING COUNSEL (CJCC)	35
BEHAVIORAL HEALTH TREATMENT	37

## **INTRODUCTION**

Green County Adult Drug Court was established in January of 2017 as part of a collaborative effort by the Green County Criminal Justice Coordinating Council to make a positive impact on the criminal justice system in Green County. This program represents the efforts and teamwork of key stakeholders to break the cycle of substance use and reduce crime, making Green County a healthier and safer place to live. In 2022, the Drug Court began accepting OWI offenders, and became an Adult Hybrid Treatment Court (herein after referred to as Treatment Court).

Treatment Court provides individuals the opportunity to change their life circumstances and become alcohol and drug free. This is accomplished by comprehensive assessment and treatment for substance use and Mental Health diagnosis, intensive supervision, random drug testing, regular Court appearances and immediate sanctions and incentives in response to behavior. Honesty and individual accountability are at the foundation of the Treatment Court program.

Treatment Court utilizes evidence-based practices in its delivery of services. Cognitive Behavioral programming and enhanced Mental Health services are inherent pieces of the program.

By providing coordinated substance use interventions with judicial oversight, the likelihood of re-arrest for any offense decreases, resulting in safer communities and reduction in crime. Nationally, meta-analysis studies have shown that “75% of Treatment Court graduates remain arrest free at least two years after leaving programming.” These studies have also shown that “Drug Courts significantly reduce crime as much as 45% more than other sentencing options.” [www.nadcp.org](http://www.nadcp.org)

## **MISSION STATEMENT**

*The Green County Adult Hybrid Treatment Court works to enhance public safety by reducing recidivism and improving the individual quality of life in our community. Treatment Court will offer an intensive treatment alternative to individuals whose crimes are linked to drug/alcohol use and dependence, along with strict accountability, supervision, and judicial oversight.*

## **GOALS AND OBJECTIVES**

### Treatment Court Goals:

1. Reduce criminal recidivism among substance addicted individuals.
2. Increase the number of individuals who remain alcohol and drug free.
3. Decrease recidivism at six, twelve, and twenty-four months' post programming.
4. Increase treatment retention rates among substance addicted individuals.
5. Admit participants to the Treatment Court program within 50 days from the date of arrest.
6. Increase diversity of the population of participants and provide equal access to the program for all qualified participants.

## **THE TREATMENT COURT TEAM**

- Treatment Court Judge
- Green County Prosecutor Designee
- Green County Public Defender Designee
- Green County Human Services; Supervisor, Treatment Provider(s), Coordinator/Case Manager, and Recovery Coach/Peer Support Specialist
- Green County Probation and Parole Designee
- Green County Sheriff Department Designee
- Green County Local Police Department Designee
- Green County CJCC is the governing body for the Treatment Court

## **MODEL**

Treatment Court is a program designed to provide individuals the opportunity to address their addictions and move beyond criminal behavior. It is a voluntary program, with entrance occurring Pre-Adjudication and Post-Adjudication. The program is abstinence based and intensive in nature. Requirements include mandatory substance use disorder treatment, random drug testing, on-going appearances before the Judge, case management meetings, Peer Support meetings, and attendance of support groups (AA, NA, CA, Smart Recovery, other) or alternative methods that support ongoing recovery. Participants are also required to obtain employment or pursue educational opportunities, participate in pro-social activities, pay restitution, and program fees.

Treatment Court is structured to provide a minimum of 15 months of programming. Evidence-based research is used to support the minimum amount of time spent in each of the five Phases. Each Phase is based on a target of 90 days. Advancement through each of the Phases is dependent on the accomplishment of program goals and requirements; in which the participant will need to be able to demonstrate prior to moving to the next Phase. Participants can expect that advancement through the Phases will reduce the amount of supervision while increasing the level of personal responsibility.

## **TARGET POPULATION**

The target population includes adult residents of Green County who have a drug/alcohol use problem that is linked to their criminal behavior. Using an evidence-based Risk Assessment tool, men and women who are either moderate risk/high need or high risk/high need, are facing qualifying charges, and have a diagnosable substance use disorder will be considered for acceptance into the Treatment Court program.

## ELIGIBILITY CRITERIA

All applicants will be screened for substance use disorders; residency, and offense status for the Treatment Court program. All cooperating agencies will attempt to identify potential Treatment Court candidates and inform the appropriate party of their potential candidacy. The applicant's race, gender, religious affiliation, creed, color, sexual orientation and/or national origin are not considered when determining eligibility. The District Attorney's Office and the Public Defender's Office will attempt to identify potential candidates at Bail Hearings in an effort to streamline the Treatment Court referral process. However, candidates will be considered at various stages of the Criminal Justice process and there is no strict deadline to apply.

Eligibility criteria for **all** applicants:

- Green County resident.
- Participants are charged as an adult.
- Substance use diagnosis and need for treatment.
- Voluntary participation in the program.
- The participant is able to participate in treatment activities physically and mentally (within guidelines of the American with Disabilities Act);
- Is able to be behaviorally appropriate (not routinely display verbal/physical aggression or sexually suggestive speech/behavior) with regard to other participants or staff.
- Must be supervised on Probation, Parole, or Extended Supervision by the Department of Corrections, while participating in Treatment Court or by the District Attorney's Office pursuant to a Deferred Prosecution or Judgment Agreement.

Eligibility criteria for **Post Plea/Pre-Conviction** include:

- Low-level drug or drug-related property charges, including felonies or other charges perpetuated by addiction.
- Applicants must negotiate an agreement with the District Attorney and have that agreement approved by the trial Judge.
- Applicants are at risk of going to prison.

Eligibility criteria for **Post-Adjudication** include:

- Prior felony and/or misdemeanor convictions.
- Drug/alcohol offense or drug/alcohol-related property offense, such as theft, forgery or burglary or another offense perpetuated by addiction.
- OWI and related offenses.
- Applicants must plead guilty or no contest to an offense, as outlined in the Plea Agreement and be placed on Probation.
- Applicants are at risk for going to prison.

## DISPOSITION

**Post Plea/Pre-Conviction:** Applicants must plead guilty or no contest to one or more charges pursuant to a Plea Agreement. If the agreement is approved, the Court will accept the Plea, but prior to the Court entering a Judgment of Conviction, the Court will approve a Deferred Prosecution Agreement and sign an order to that effect. If the participant successfully completes the Treatment Court program, the District

Attorney's Office will ask the Court to effectuate the terms of the Deferred Agreement which may include dismissal of a charge or charges.

**Post-Adjudication:** Applicants enter the Treatment Court program after the Court accepts a Plea of Guilty or No Contest, enters a Judgment of Conviction, and places the participant on Probation.

The applicant is fully informed of their options and the likely sentence if not processed through Treatment Court. The applicant must provide a release of information for all Treatment Court personnel. The participant can withdraw that waiver at any time, but will be withdrawn from Treatment Court immediately thereafter.

**ATR:** Applicants are offered an Alternative to Revocation Agreement which is signed off by the offender, DOC agent, and DOC Supervisor. Applicants have also signed the Treatment Court Contract and agreed to its terms. The agent submits an ATR Treatment Court Referral Packet which is reviewed by the team and notification is given to the Agent of Record if the offender is accepted into Treatment Court. The participant is also informed that if they fail to successfully complete Treatment Court as a condition of their ATR they may face revocation of their DOC supervision.

In any of the above scenarios, a Treatment Court Contract should be signed and filed with the Court in each of the Court cases for which the participant is entering into the program. The Treatment Court Contract should be filed at the time of the Plea and Sentencing Hearing, when applicable.

## **DISQUALIFICATION CRITERIA**

The TAD Grant places the following restrictions on program eligibility:

- (1) In this section, "violent offender" means a person to whom one of the following applies:
  - (a) The person has been charged with or convicted of an offense in a pending case and, during the course of the offense, the person carried, possessed, or used a dangerous weapon, the person used force against another person, or a person died or suffered serious bodily harm.
  - (b) The person has one or more prior convictions for a felony involving the use or attempted use of force against another person with the intent to cause death or serious bodily harm.

Per Green County policy, the Treatment Court team shall assume the following about these restrictions:

- A referred person may be excluded from participation in Treatment Court due to "violent offender" status only if the applicable charge or conviction is a felony.
  - Use of force
  - Repeated acts
  - Age of the crime
  - Age of the person at the time the crime was committed
  - Successful treatment completion
  - Victim agreement with placement in the Treatment Court

The Treatment Court team shall determine whether the person is excluded from participation due to violent offender status prior to proceeding with standard screening activities. The Treatment Court Coordinator/Case Manager may ask the District Attorney's Office for assistance in obtaining information as to the person's past convictions or pending charges. If alternate funding sources are available, that consideration will be taken into account during the referral process.

## **REFERRAL, SCREENING, AND ENTRY PROCESS**

There is no difference in the processing of Pre-Adjudication or Post-Adjudication defendants in the entry process. An adult who has been arrested for a drug offense or a drug related offense will undergo the following basic process in the criminal justice system:

**In-custody:** Defendant is arrested and the initial screening is attempted within the first forty-eight hours or before Bond Hearing. This initial screening process looks at eligibility.

**Released:** Applicants are released pending investigation. The applicant is encouraged to schedule an intake screening with the Treatment Court Coordinator, within three business days after being released from custody to begin the application process.

**Walk-ins:** If they have gone through appropriate referral channels will be allowed to begin the entry process if there is staff availability. Otherwise, they will be scheduled at that time for a future appointment.

### **Process:**

**Step 1:** Upon arrest, the Green County Jail staff will complete the short version of a drug use screening form and refer applicable cases to the Green County District Attorney's Office.

**Step 2:** The Treatment Court Coordinator and Treatment Court Treatment Provider will conduct an initial screening of all referred cases for eligibility for the Treatment Court using the COMPAS Pre-Trial Risk Assessment, AODA Bio-Psychosocial Assessment and intake forms. An initial eligibility determination will be made. A Pre-Trial appearance will be scheduled within twenty business days.

**Step 3:** For those applicants who meet the initial criteria, the Treatment Court Coordinator will administer a full COMPAS Assessment to evaluate risk and need along with any supplemental screening tools deemed necessary. This will be completed prior to the applicant's Pre-Trial appearance.

- The Treatment Court Coordinator/Case Manager will meet with the applicant between Pre-Trial and Plea/Sentencing to ensure that the applicant is willing and able to comply with all requirements of the Treatment Court program.

**Step 4:** The Treatment Court team meets weekly and will review cases considering all information. A decision is made at that time by majority vote of one vote per discipline. The Treatment Court Judge will step out during this part of the process. This meeting will take place prior to the applicant's return/Plea appearance.

- An applicant may be disqualified upon a vote of the Treatment Court team that the applicant would not be appropriate to participate in Treatment Court based on the discretion of the

Treatment Court team. The discretion is based upon subjective criteria which includes, but is not limited to:

- Assaultive and/or abusive history of applicant.
- Mental Health of applicant.
- Resources available to meet applicant's needs.
- History of non-compliance with the Court, DOC, or Treatment Providers.
- Safety concerns of Treatment Staff and other participants.
- Conflict of Interest with another Treatment Court participant.
- An applicant's MAT and their ability to comply with Treatment Court requirements and drug testing.

**Step 5:** The accepted applicant will appear at Plea/Sentencing and stipulate to the Deferred Prosecution, or plead guilty to the charges agreed upon by the District Attorney and Defense Counsel.

Once accepted, the participant will meet with the Treatment Court Coordinator to complete a case plan (identifying and prioritizing educational, family, medical, and housing, employability needs, and any additional needs indicated in the COMPAS results) and program orientation.

**Step 6:** Once admitted into the Green County Adult Treatment Court the participant will be required to attend a comprehensive Substance Use and Mental Health Assessment to diagnose a substance use disorder along with any possible Mental Health disorders. This comprehensive Clinical Assessment will be used to direct treatment planning for the participant in the Treatment Court.

- At any time throughout the program, a participant may be referred back to the traditional Court setting if they do not meet diagnostic criteria for a substance use disorder. However, if the transfer is necessitated by a level of care or diagnostic issue, it will be considered an administrative discharge.

## **CASE MANAGEMENT**

Each participant is referred to the Treatment Court Coordinator/Case Manager and, if on Probation, the participant will also have a DOC Agent for case planning and monitoring accountability. Information gathered through the administration of the COMPAS and a comprehensive Bio-Psychosocial Assessment includes alcohol and drug use history, history of behavioral issues, medical, education and employment concerns as well as family information.

The foundation of supervision is individualized case management, which means that a comprehensive, individualized case plan is developed with and signed by each participant. The case is reviewed regularly for changes and modifications. The case plan is based on the COMPAS and Bio-Psychosocial Assessment and includes the participant's plan to repair the harm done to the victim and/or community (including community service), their plan for education and employment; housing, a plan for relapse prevention and a pro-social support system in the community.

The Case Manager is expected to facilitate the participants accomplishment of their objectives and assist the participant in obtaining the *collateral services* that he/she needs such as supportive housing, employment skills training, GED classes, childcare, transportation, and other needs.



Transportation is the responsibility of the participant. The Treatment Court team may, at its discretion, provide transportation services to participants with a bona fide need. The extent and conditions of the transportation services provided are at the discretion of the Treatment Court team and may vary depending on resource availability and other considerations.

Initially, the Case Manager meets with the participant at least once per week and random specimen and preliminary breath tests are collected a minimum of twice per week. As the participant progresses through the program, the contacts decrease according to phase; however, specimen and preliminary breath tests remain a continued requirement throughout the duration of participation.

The Case Manager provides information on each participant to the team and attends weekly judicial staffing's and reviews.

Case Managers are expected to be familiar with a wide and diverse scope of resources available to their participants in the community and assist participants in obtaining the necessary services and programs.

## **PRESCRIPTION MEDICATION POLICY**

Participants choosing to enter the Treatment Court must agree to cease the use of all mood-altering chemicals that would render a positive specimen or preliminary breath tests, including, but not limited to: narcotics, tranquilizers, sedatives, stimulants, opiates, CBD and other marijuana products, and opiate-based medications. If an individual is taking a prescription medication under a Doctor's care when they enter the program, the team will work with the individual and the Doctor to determine the best course of action.

If, during the course of participation, it becomes necessary for a participant to take prescription medication, prior approval must be sought using appropriate medical documentation and a decision will be made by the Treatment Court team using all supporting evidence.

Participants will designate one Primary Care Physician and Psychiatrist when entering the program. Participants will only see their designated Physician for routine care. The Physician will be informed by the participant that the participant is in Treatment Court and any prescribed medications must be approved by the Treatment Court team. The participant shall sign a release of information between the Treatment Court Clinician and designated Physician/Psychiatrist.

The prescribing Physician or Psychiatrist may be asked to provide medical justification to the team as part of their decision-making process.

Medication Assisted Therapy (MAT) is a widely used and beneficial tool in addiction recovery. MAT and other therapy-assisted medications like those used for Mental Health diagnosis will be approved and can be used by participants; however, these medications must be prescribed, taken appropriately, and are strictly monitored throughout the duration of programming. A participant's choice in MAT or MAT provider, and any logistical issues that may arise therefrom, are the responsibility of the participant and not an excuse for failing to meet other Treatment Court obligations.

If an emergency arises where a prescription is necessary, it must be obtained in coordination with the prescribing Doctor, your Treatment Court Treatment Provider, and DOC Agent. If a participant obtains a Doctor's prescription, the following must be done:

1. Inform the participant's Doctor of his/her history of substance use and his/her current involvement with the Treatment Court and current treatment participation. Ask if there are non-narcotic pain medications or alternative forms of medical treatment available.
2. Participants must immediately advise the Clinician, DOC Agent and Treatment Provider of the prescription(s) received.
3. If directed by the Clinician, DOC Agent, Treatment Provider or Court, the participant will make his/her prescription available in order to count the number of pills used from the date the prescription was filled.
4. Once the prescription has expired or the time all pills should have been used, none of the pills will be in the possession of the participant. A positive drug test after that time due to use of "leftover medication" will be a violation of the program.

## **OVER-THE-COUNTER MEDICATIONS AND FOODS TO AVOID WHILE BEING DRUG/ALCOHOL TESTED**

It is the participant's responsibility to limit exposure to the below list of products. It is the participant's responsibility to read labels or inquire of a pharmacist or assigned Case Manager before using/consuming the following products. Use of the products detailed below will NOT be allowed as an excuse for a positive drug, breathalyzer, or SCRAM test. When in doubt, do not use or consume:

**1. Cough and Other Liquid Medications:** Alcohol containing cough/cold syrups such as Nyquil. Other cough syrup brands containing ethyl alcohol. All prescription and over-the-counter medications must be reviewed with your Case Manager before use. Non-alcohol containing cough/cold remedies are readily available at most pharmacies and major retail stores.

**2. Non-Alcoholic Beer/Wine:** Although legally considered non-alcoholic, NA beers (Sharps, O'Doul's, etc.) contain a residual amount of alcohol that may result in a positive test result for alcohol, if consumed.

**3. Food and Other Ingestible Products:** There are numerous other consumable products that contain ethyl alcohol. Flavoring extracts such as vanilla or almond extract, and liquid herbal extracts (such as Ginkgo Biloba), could result in a positive screen for alcohol or its breakdown products. Food cooked with wine and flambé dishes (alcohol poured over a food and ignited such as cherries jubilee, baked Alaska) must be avoided.

**4. Mouthwash and Breath Strips:** Most mouthwashes (Listerine, Cepacol, etc.) and other breath cleansing products contain ethyl alcohol. The use of mouthwashes containing ethyl alcohol may produce a positive test result. Non-alcohol breath fresheners are readily available and is an acceptable alternative.

**5. Hygiene Products:** After shaves, colognes, hairsprays, mousse, astringents, bug sprays (Off) and some body washes contain ethyl alcohol. While it is unlikely that limited use of these products would result in a positive test for alcohol, excessive, unnecessary, or repeated use of these products could affect test results. Participants must use these products sparingly to avoid reaching detection levels.

**6. Solvents and Lacquers:** Many solvents, lacquers and surface preparation products contain ethyl alcohol. Both excessive inhalation of vapors, and topical exposure to such products, can potentially cause a positive test result for alcohol. Frequency of use and duration of exposure to such products must be kept to a minimum. There are alternatives to nearly any item containing ethyl alcohol. A positive test result will not be excused by reference to use of an alcohol-based solvent. If a participant is employed where contact with such products cannot be avoided, this must be discussed with the Treatment Court Coordinator/Case Manager.

**7. Poppy Seeds:** It is possible to test positive for opiates after having consumed poppy seeds. Poppy seeds contain trace amounts of opium, which like heroin, is derived from the poppy plant. Research measuring the amount of seeds necessary to produce a positive result is varied. To avoid this issue, participants must avoid consuming poppy seeds. If a participant insists a positive result is due to poppy seeds, that person will be required to test again the following day.

**8. CBD, Hemp, and THC Products:** Some products may contain trace amounts of illegal THC. To avoid potential positive test results, participants should avoid consuming all Hemp products.

**9. Secondhand Marijuana Smoke:** A positive test result due to the passive inhalation of second-hand marijuana smoke is not feasible given the conditions necessary to produce the 50 ng/ml level at which the Green County Treatment Court program tests. In various studies on passive inhalation, positive results have occurred where individuals were exposed to the smoke of 4-16 marijuana cigarettes in an extremely small, sealed, unventilated area for one hour a day over the course of several days. The conditions were extremely uncomfortable, causing watering of the eyes and irritation to the mucous membrane of the nose and throat. The few positive test results were detected at the 20 ng/ml level which is the most sensitive testing level.

The only study where the results were detectable at the 50 or 100 ng/ml level were a product of hour-long exposure in the above sealed conditions to 16 cigarettes over 6 consecutive days. It is highly unlikely that the extreme conditions necessary to produce **any** positive test (even at the lowest 20 ng/ml level) could be encountered in a real-life situation without, at least, the tacit consent of the participant.

*Accordingly, it is the Treatment Court participant's responsibility to remove him/herself from the situation. The Treatment Court Contract requires a participant to avoid associating with individuals using or possessing illegal substances.*

## **PHYSICIAN DISCLOSURE/PRESCRIPTION TREATMENT POLICY**

Treatment Court participants are required to notify any medical practitioner whom they have visited for medical treatment of the following information:

- I am a participant in the Green County Treatment Court program.
- I am required to disclose that I have an addiction to chemical substances.
- Unless absolutely medically necessary in the treatment of an illness or injury, I am **not** to be prescribed a medication containing a narcotic/addictive drug or any other type of medication they may interfere with the treatment of my addiction. This includes stimulants for ADD/ADHD.
- I must request that my practitioner write on my medical file that I am a participant in the Treatment Court, and sign and date the file.
- I must request a copy of this entry from my practitioner and will present it

to my Case Manager at my next scheduled contact.

- Failure to comply with this policy may result in application of a sanction and/or termination from the Treatment Court program.

## **DRUG/ALCOHOL TESTING**

Drug/alcohol testing (hereinafter “drug testing”) is one of the most important components to program integrity. Evidence has shown that drug tests must be frequent, random, and credible; accuracy is essential. The Green County Treatment Court program uses certified All Rise Adult Treatment Court Best Practice Standards in Drug and Alcohol Testing to measure a participant’s progress in the program and hold that person accountable to the program requirements. Participants are required to submit to specimen and preliminary breath testing throughout their participation in the Treatment Court program. Specimen testing may include urinalysis, sweat patch, oral swab, or such other testing as deemed appropriate by the Treatment Court, in its sole discretion.

All Treatment Court participants that are involved in the program are informed of the treatment testing policies and procedures at the time of enrollment. Treatment Court participants will sign an agreement to comply with the Treatment Court testing requirements, including the direct observation of the sample submission and the reporting of results to the Treatment Court team. The Treatment Court team will determine therapeutic adjudgments or sanctions for positive drug tests.

### **Drug Test Processes:**

- 1. Alcohol:** If the participant has gum, ice, candy, etc. in their mouth they are asked to remove the object before beginning the collection process. The participant must abstain from food or drink for 10 minutes prior to providing the drug test sample. This includes the use of cigarettes, chew, etc. 1) A staff member will request that a PBT be completed on the Alco-Sensor FST Breathalyzer. 2) A staff member will install a mouthpiece. 3) A staff member will complete a temperature check of the device. 4. A staff member will complete a blank check of the device. 4). A staff member will give the participant instructions on how to use the PBT, ‘Make a seal around the mouthpiece, take a deep breath, and blow until I tell you to stop.’ 5) A staff member will coach the participant while testing. 6). The staff member will then share the results with the participant and document the PBT test results within the participant’s electronic file. 7) If a participant produces a positive test result on the PBT device, they will be asked to retest 10-15 minutes later. The participant will be encouraged not to leave the Treatment Court Office prior to providing another test. If the participant leaves the Treatment Court Office prior to submitting a retest, it will be considered an automatic positive and their initial test results will be what is noted.
- 2. Saliva:** If the participant has gum, ice, candy, etc. in their mouth they are asked to remove the object before beginning the collection process. The participant must abstain from food or drink for 10 minutes prior to the collection of oral fluid. This includes the use of cigarettes, chew, etc. Carefully, the participant will be instructed to perform the following steps in order to properly conduct their own sample collection. 1) A Green County Treatment Court Participant Contract and Disclosure Form will be provided to the participant and completed, together, with a staff member. 2) The staff member will obtain the Forensic Fluids Chain of Custody form and fill out their portion prior to handing off the Chain of Custody, collections device, and clear bag to the participant to minimize contact. At this time, the participants will complete their sections of the Chain of Custody form. 4)

A staff member will instruct the participant to remove the contents of the package. 5) Without touching the pad, a staff member will have the participant remove the collection device from its package by the plastic handle. 6) The participant will place the pad over or under their tongue for 5 minutes or until the indicator turns blue. The Chain of Custody form can be completed at this time. 7) The staff member will have the participant pop the cap off of the collection tube. Then have them insert the saturated pad into the tube and replace the cap tightly. 8) The participant should remove a signed and dated seal from the finished chain of custody form and seal the tube as shown above. 9) In sight of the participant a staff member will fold the Chain of Custody form into quarters. Insert the sealed specimen tube and completed form into the clear plastic specimen bag. 10) In sight of the participant a staff member will seal the specimen bag and place it into the prepared shipping bag. The shipping bag will then be sent to Forensic Fluids for testing. *\*Both parties should wash their hands before and after the collection process.*

**3. Sweat:** Carefully, the participant will be instructed to perform the following steps in order to properly conduct their own sample collection. 1) A Green County Treatment Court Participant Contract and Disclosure Form will be provided to the participant and completed, together, with a staff member. 2) Before applying the Sweat Patch, the trained staff member must clean the application area-typically the upper arm, with an alcohol wipe. 3) The Sweat Patch is then applied by the staff member. The absorbent pad is held in place with the adhesive polyurethane film. This tamper-evident membrane allows the Sweat Patch to be worn continuously for up to seven to ten days. The optional PharmChek Overlay can be applied to extend the wear period up to 14 days, which can vary depending on the individual. 4) During the sample collection process the participant does not need to change any daily activities, but must still treat the patch with care. The patch and polyurethane overlay can be worn while the participant showers, exercises, works, and sleeps. 5) Removal of the Sweat Patch. When the required collection period ends, the participant returns to the Treatment Court Office for removal. A staff member will examine the Sweat Patch for any damage or abnormalities, making note of any potential attempts to tamper with the membrane or pad. 6) The participant will begin peeling the membrane away from the skin, starting at the corner. Once the absorbent pad is exposed, the staff member will grip it with a pair of one-time-use tweezers while removing the remainder of the membrane. 7) The staff member then removes the pad, examining it and the membrane for any signs of damage, including puncture marks, cuts, and/or tears in the Sweat Patch's components. 8) Submission of the sample and Chain of Custody. Using the tweezers, the staff member then, in sight of the participant, places the pad in the provided sample bag, closing the bag with a security seal. The seal has a printed barcode and number that matches the serial number of the Chain of Custody form. The sample is then mailed to the lab for PharmChek. *\*Both parties should wash their hands before and after the collection process.*

**4. Urine (Instant):** 1) The participant will be instructed what steps to perform in order to properly conduct their own sample collection. 2) A Green County Treatment Court Participant Contract and Disclosure Form will be provided to the participant and completed, together, with a staff member. 3) A Treatment Court staff member will accompany the participant of the same gender to the bathroom for an observed urine screen. In the case that there is not a staff member present of the same gender, a blue dye tab will be placed in the toilet of the bathroom before the participant is asked to provide their sample. 4) Prior to the participant providing their urine sample, they will be asked to empty their pockets, etc. before entering the bathroom. 5) Both the participant and staff member will return back to the Treatment Court Office to wait for 5 minutes before reading the initial urine test results. 6) The initial test results will be shared with the participant and then

documented in their electronic health file. *\*Both parties should wash their hands before and after the collection process.*

**Confirmation Testing:** Confirmation testing is completed at the specific drug tests' corresponding lab. Aside from the PBT and urine test, the saliva and Sweat Patch are automatically sent to their specific lab and processed for testing results. The MedTox urine tests screen for initial positive results. If a Treatment Court participant does not agree with their initial urine test results, they can ask that the urine screen be sent to the lab for confirmation and complete the corresponding Chain of Custody form to do so.

1. **Sweat Patch (PharmChek) Confirmation Testing:** Its stringent inspection protocol prior to any testing beginning guarantees the sample is uncontaminated. If there are any signs of tampering, contamination, or damaged or opened security seals, the lab(s) will reject the sample as unreliable for testing. If the sample is determined reliable for testing, the lab then analyzes the sample for evidence of drug use. The immunoassay testing process also uses a two-step verification that requires the presence of both the parent and drug and the metabolite for cocaine and methamphetamines, whereas most drug tests only identify the metabolites of these drugs. When a positive result is detected and confirmed through both the immunoassay and the LC/MS/MS tests, the reporting party receives the test results through an encrypted web portal. From application to removal to testing, the Chain of Custody is kept completely secure through detailed documentation, specific protocols for all steps of the testing and submission, and strict security standards at the lab.
2. **Saliva (Forensic Fluids) Confirmation Testing:** Forensic Fluids lab uses FDA approved ELISA (Enzyme Linked ImmunoSorbent Assay) plates for all of their drug screens. This screening process indicates whether a sample is negative or positive for a certain drug or a group of drugs, but does not give you a quantitative value or number. False positives come from the screening process. LC/MS/MS Confirmation. The ELISA immunoassay will cross react with other chemicals/drugs that are structurally similar to each other. For example, Ephedrine and other cold medications may cross-react with a Methamphetamine or Amphetamine screen, causing a false positive. For these reasons, all of the lab's screens are followed by confirmation via LC/MS/MS (Liquid Chromatography Tandem Mass Spectrometry), for positive identification and quantitation. LC/MS/MS identifies the drug individually. Forensic Fluids labs use the most advanced instruments available for confirmation. LC/MS/MS is more accurate and precise than alternative technologies. It also provides higher sensitivity and selectivity than other methods. With LC/MS/MS each drug is positively identified by its unique chemical fingerprint. This eliminates the possibility for false positives and allows the drug testing results to be entered for testimony in court.

**Drug Test Tamperers:** If a participant tampers with a drug test of any kind, this *could* result in grounds for termination. Such tampering includes, but not limited to adulterants, dilutions, and substitutions of any kind, using another individual's bodily fluids, applying a foreign object to the body/drug test to manipulate it in any way, etc.

Drug testing occurs primarily at the Treatment Court's Office. The Treatment Court staff utilize a PBT machine for alcohol testing, Forensic Fluids company for saliva testing, PharmChem company for sweat testing, and MedTox company for urine testing.

**Reconnect and Checking In:** Participants are required to check in to the Reconnect reporting app each day, including weekends and holidays. Upon enrollment into the Treatment Court program, the participants are assigned a unique PIN number and log in information to do so. If a participant is required to test they are to report to the Treatment Court Office, or otherwise directed. If a participant fails to report for their required drug test, it is considered an ‘automatic positive’ and they will receive a therapeutic adjustment and/or sanction depending on the circumstance surrounding the missed test.

Participants choosing to enter the Treatment Court must agree to cease the use of all mood-altering chemicals that would render a positive specimen test including, but not limited to: narcotics, tranquilizers, sedatives, stimulants, opiates, and/or opiate-based medications. If during the course of participation, it becomes necessary for a participant to take prescription medication, prior approval must be sought using appropriate medical documentation and a decision will be made by the Treatment Court team using all supporting evidence. The prescribing Physician or Psychiatrist may be asked to provide medical justification to the team as part of their decision-making process.

Medication Assisted Therapy (MAT) is a widely used and beneficial tool to addiction recovery. MAT and other therapy-assisted medications like those used for Mental Health treatment will be approved and can be used by participants; however, these medications must be prescribed, taken appropriately, and strictly monitored throughout the duration of programming. A participant’s choice of medical provider, or medication, for MAT cannot affect the participants ability to fulfill their Treatment Court requirements.

The Treatment Court refrains from sanctioning a participant solely based on use, especially in early phases of the program. However, a participant being dishonest about use, or failing to report to Court, therapy, or testing, may be sanctioned.

If a participant chooses to challenge the result of a drug test, the cost of the lab testing is the participant’s responsibility to pay (see Drug Testing Fees located under Program Fees). If the drug test result vindicates the participant, the cost shall be refunded to the participant.

The Treatment Court team will accept the laboratory test result as final.

## **PHASE OVERVIEW**

The Green County Adult Treatment Court program is a five-phased, highly structured program. The length of time varies depending on a participant’s individual progress.

Each Phase consists of specific requirements for transition into the next phase. An application process will be used to ensure consistent and smooth transition from one phase to the next. The Treatment Court team will review the Phase Application and the Phase requirements to ensure that each aspect of the Phase has been successfully met prior to granting permission for advancement. Phase Advancement will not occur if a participant is sanctioned, or has outstanding sanctions yet to be completed, while otherwise eligible for Phase Advancement.

The components of each phase include: Judicial interaction, supervision, AODA/Mental Health, case management, testing, and Law Enforcement. Within each component there are requirements and goals that will be met to ensure the participants’ success in each phase.

**SEE THE FOLLOWING CHART FOR AN OUTLINE OF THE PHASE  
STRUCTURE**

**\*Phase Structure may be subject to change based upon the evolving Treatment Court Standards.**



	<b>PHASE 1 90 Days*</b>	<b>PHASE 2 90 Days*</b>	<b>PHASE 3 90 Days*</b>	<b>PHASE 4 90 Days*</b>	<b>PHASE 5 90 Days*</b>
Court Component	<b>Court Appearance Every Week</b> Prosecution and Defense Represented at Staffing and Court Sessions Staffing Every Week Sanctions/ Incentives Phase Advancement	<b>Court Appearance Every Week</b> Prosecution and Defense Represented at Staffing and Court Sessions Staffing Every Week Sanctions/ Incentives Phase Advancement	<b>Court Appearance Every Two Weeks</b> Prosecution and Defense Represented at Staffing and Court Sessions Staffing Every Two Weeks Sanctions/ Incentives Phase Advancement	<b>Court Appearance Every Three Weeks</b> Prosecution and Defense Represented at Staffing and Court Sessions Staffing Every Three Weeks Sanctions/ Incentives Phase Advancement	<b>Court Appearance Every Four Weeks</b> Prosecution and Defense Represented at Staffing and Court Sessions Staffing Every Four Weeks Review of Aftercare Plan Sanctions/ Incentives <b>Graduation</b>
Supervision Component	<b>Supervision Every Week</b> Staffing Every Week Sanctions/ Incentives	<b>Supervision Every Week</b> Staffing Every Week Sanctions/ Incentives	<b>Supervision Every Two Weeks</b> Staffing Every Two Weeks Sanctions/ Incentives	<b>Supervision Every Three Weeks</b> Staffing Every Three Weeks Sanctions/ Incentives	<b>Supervision Every Four Weeks</b> Staffing Every Four Weeks Sanctions/ Incentives <b>Exit Interview</b>
AODA/Mental Health Treatment Component <i>Individualized</i>	<b>AODA Assessment MH Assessment/Rule Out Determine Level of Care Residential As Needed AOA Treatment 3X Per Week 1 Individual Session Per Week</b> Sanctions/ Incentives Peer Support Meetings Weekly	<b>Ongoing Clinical Re-Assessment 2-3 Days TX Per Week MH Rule Out/Six Months 1 Individual Session Per Week</b> Sanctions/ Incentives Peer Support Meetings Weekly	<b>Ongoing Clinical Re-Assessment AOA Treatment As Needed MH Treatment As Appropriate Aftercare 1 Day Per Week 1 Individual Session Per Week</b> Sanctions/ Incentives Peer Support Meetings Weekly	<b>Ongoing Clinical Re-Assessment AOA Treatment As Needed MH Treatment As Appropriate 1 Individual Session Every Two Weeks</b> Sanctions/ Incentives Peer Support Meetings Every Other Week	<b>Ongoing Clinical Re-Assessment Aftercare 1 Day Per Month 1 Individual Session Every Three Weeks</b> Sanctions/ Incentives Peer Support Meetings Every Three Weeks
Case Management Component <i>Individualized</i>	<b>Treatment Court Orientation Case Management Sessions Weekly Employment, Community Service, or Vocational (10hrs) Phase Advancement Application</b> <i>*Case Management at minimum may increase based on need*</i>	<b>Phase Orientation Case Management Sessions Weekly Employment, Community Service, or Vocational (15hrs) Victim Impact/Service Learning Phase Advancement Application</b> <i>*Case Management at minimum may increase based on need*</i>	<b>Phase Orientation Case Management Every Two Weeks Attend 2-4 Self-Help Sessions Weekly Obtain gender appropriate sponsor/mentor Employment and/or Vocational (20hrs) Phase Advancement Application</b> <i>*Case Management at minimum may increase based on need*</i>	<b>Phase Orientation Case Management Every Three Weeks Attend 2-4 Self-Help Sessions Weekly Maintain Gender Appropriate Sponsor/Mentor Employment and/or Vocational (25hrs) Phase Advancement Application</b> <i>**Case Management at minimum may increase based on need*</i>	<b>Graduation Orientation Case Management Every Four Weeks Attend 2-4 Self-Help Sessions Weekly Maintain Gender Appropriate Sponsor/Mentor Employment and/or Vocational (30hrs) Graduation Application Develop Approved Life Plan Alumni Program Initiation Exit Interview</b> <i>*Case Management at minimum may increase based on need*</i>
Testing Component	<b>Drug and Alcohol Testing Minimum 2X Weekly</b> Random Drug Testing and Random Breath Testing Upon Request <i>*Testing may be done at any time including; weekends, holidays, evenings and during home visits.</i>	<b>Drug and Alcohol Testing Minimum 2X Weekly</b> Random Drug Testing and Random Breath Testing Upon Request <i>*Testing may be done at any time including; weekends, holidays, evenings and during home visits.</i>	<b>Drug and Alcohol Testing Minimum 2X Weekly</b> Random Drug Testing and Random Breath Testing Upon Request <i>*Testing may be done at any time including; weekends, holidays, evenings and during home visits.</i>	<b>Drug and Alcohol Testing Minimum 2X Weekly</b> Random Drug Testing and Random Breath Testing Upon Request <i>*Testing may be done at any time including; weekends, holidays, evenings and during home visits.</i>	<b>Drug and Alcohol Testing Minimum 2X Weekly</b> Random Drug Testing and Random Breath Testing Upon Request <i>*Testing may be done at any time including; weekends, holidays, evenings and during home visits.</i>
Law Enforcement Component	<b>Staffing Every Week</b> Drug and Alcohol Testing Upon Request <b>Home Visits Upon Request Curfew Monitoring 9P-5A</b>	<b>Staffing Every Week</b> Drug and Alcohol Testing Upon Request <b>Home Visits Upon Request Curfew Monitoring 10P-5A</b>	<b>Staffing Every Two Weeks</b> Drug and Alcohol Testing Upon Request <b>Home Visits Upon Request Curfew Monitoring 11P-5A</b>	<b>Staffing Every Three Weeks</b> Drug and Alcohol Testing Upon Request <b>Home Visits Upon Request Curfew Monitoring 12A-5A</b>	<b>Staffing Every Four Weeks</b> Drug and Alcohol Testing Upon Request <b>Home Visits Upon Request</b>
Criteria for Advancement	Regular attendance in the Treatment Court program, regular attendance for office visits, substance free for minimum of 21 consecutive days, and the completion of the Phase Advancement	Compliance with treatment and supervision, substance free for a minimum 42 of consecutive days, and the completion of the Phase Advancement Application.	Compliance with treatment, supervision, prosocial activity, sober support network, substance free for a minimum of 60 consecutive days, and the completion of the Phase Advancement Application.	Comply with treatment, supervision, maintain pro-social activities, support, begin, maintain employment, etc. substance free for a minimum of 75 consecutive days.	Comply with treatment, supervision, maintain pro-social activities, support, begin, maintain employment, etc. substance free for a minimum of 90 consecutive days immediately prior to graduation, and the

	<p>Application.  <i>*Advancement in the program is subject to the Treatment Court team to ensure that you have taken away what was intended to be in each phase.</i></p>	<p><i>*Advancement in the program is subject to the Treatment Court team to ensure that you have taken away what was intended to be in each phase.</i></p>	<p><i>*Advancement in the program is subject to the Treatment Court team to ensure that you have taken away what was intended to be in each phase.</i></p>	<p><i>*Advancement in the program is subject to the Treatment Court team to ensure that you have taken away what was intended to be in each phase.</i></p>	<p>completion of the Commencement Application.  <i>*Advancement in the program is subject to the Treatment Court team to ensure that you have taken away what was intended to be in each phase.</i></p>
--	--	--	--	--	---

## GRADUATION REQUIREMENTS

Participants will graduate from the Treatment Court program as scheduled if the following requirements are met:

- Minimum 90 days sober immediately prior to advancement, abstaining from all mood-altering chemicals.
- Application to and approval of the Treatment Court team.
- Completion of all phase requirements and case plan goals.
- Actively enrolled or working towards a high school diploma or GED, if applicable and reported by Case Manager.
- Employed, actively seeking employment, or enrolled in vocational training to include postsecondary education reported by Case Manager.
- Participating in a recovery support group, alumni group or some other alternative, structured support system.
  - In-person participation is required at support meetings unless an alternative is approved by the Treatment Court for extenuating circumstances.
- Payment of program fees and financial responsibility proven, as reported by Case Manager.
  - Unpaid program fees may be converted to a Civil Judgment, but will not prevent a participant's Phase Advancement or their graduation from the Treatment Court program.
- Living in a safe, stable residence.
- Sanctions occurring within 90 days of graduation may result in a graduation application being denied or postponed.

*\*Any of these requirements can be modified/waived by the Treatment Court team under special circumstances.*

## INCENTIVES, SANCTIONS, AND THERAPEUTIC ADJUSTMENTS

**Incentives Defined:** A positive consequence that is the direct result of and is a reward for the participant's positive behavior.

**Sanctions Defined:** The imposition of negative consequences in response to undesirable behaviors. They must be predictable, consistent, and immediate.

**Therapeutic Adjustments Defined:** A therapeutic adjustment is not a sanction. It is a change in therapeutic programming designed to assist a client in exploring themselves, their issues, and solutions more thoroughly. Examples of therapeutic adjustments, in the short-term, include assignments designed to assist a participant in exploring a particular problem situation that may, or may not, also have led to actual sanctions. These assignments are given with an eye towards understanding how the problem happened, other alternatives actions that may have been available at the time, and how to put those alternatives into action and practice so that they may be more readily utilized in reality. Longer term therapeutic adjustments may include Phase Extension or extended time in the program. Again, these should be understood not as punishments, but as opportunities to have the time to come to new understandings and develop new skills in areas that are unresolved or are causing the participant difficulties. Another therapeutic adjustment

would be changes in level of care designed to allow the participant time away from stressful situations and the challenges of everyday life in order to focus on recovery for a period of time before returning to regular life and Treatment Court programming.

The sanctions and incentives will be applied as soon as possible after notice of the participant's behavior. The Treatment Court should provide a 4:1 ratio of incentives to sanctions when at all possible. The principle applied is that the participant should receive the least restrictive sanction based upon earlier behavior and sanctioning.

## Treatment Court Incentives Matrix

Low	Medium	High
Verbal Praise	Reduced supervision requirements	Supervised day trips
Small tangible rewards	Less frequent Probation appointments	Movie outings
Health foods (e.g. tea, protein bars, fruit, trail mix)	Less frequent Status Hearings	Intramural sports
Coffee mugs	Enhanced Treatment Court Status <ul style="list-style-type: none"> <li>● Appointment as in program peer mentor</li> <li>● Assistant to group leader</li> <li>● Self-help group facilitator</li> <li>● All-Star or Deans List</li> </ul>	Travel privileges
Stickers	Fishbowl drawings <ul style="list-style-type: none"> <li>● Rewards from a fishbowl that may earn tangible or non-tangible incentives of varying magnitude</li> <li>● <i>E.g. haircut, gas card, gift certificate.</i></li> </ul>	Weekend passes out of county
Birthday or holiday cards	Posted Accomplishments <ul style="list-style-type: none"> <li>● Pro-sobriety artwork or writing essays displayed in Court room, Treatment Court Office, or Probation Office</li> <li>● Photos of participants receiving GEDs or other awards</li> <li>● Letters of commendation from Employers or Teachers</li> </ul>	Phone check-ins
Books or children's books	Written Commendations <ul style="list-style-type: none"> <li>● Letters of attainment from the Judge</li> <li>● Progress reports or report cards from Treatment Providers, Probation Agents, or Case Manager</li> </ul>	Ambassadorships <ul style="list-style-type: none"> <li>● Represents the Treatment Court to outside agencies, such as church groups, legislators, and/or the media.</li> </ul>
Toiletries	Supervised Social Gatherings <ul style="list-style-type: none"> <li>● Sober dances</li> </ul>	Commencement ceremony

	<ul style="list-style-type: none"> <li>● Picnics</li> <li>● Picture day/family day (food and games provided to invited family members and friends).</li> </ul>	
Frames and certificates	<p>Symbolic Rewards</p> <ul style="list-style-type: none"> <li>● Sobriety chips</li> <li>● Sobriety keychains</li> <li>● Sobriety marbles</li> <li>● Sobriety tokens</li> <li>● Copy of addiction readings</li> </ul>	Flowers and/or framed diplomas
Picture album		Picture taken with the Judge and staff
Serenity stones		Delivering thankfulness speeches
<p>Recognition in Court</p> <ul style="list-style-type: none"> <li>● Handshake from Judge</li> <li>● Round of applause in Court</li> <li>● Certificate of accomplishment for achieving a clinically important milestone</li> </ul>		<p>Hearing speeches from</p> <ul style="list-style-type: none"> <li>● Local or national speakers or Politician(s)</li> </ul>
		<p>Words of redemption and congratulations from</p> <ul style="list-style-type: none"> <li>● Arresting Law Enforcement Officer</li> </ul>

**Treatment Court Sanction Matrix**

**\*\*Treatment responses will be used to address specific behaviors and are not sanctions\*\***

<u><b>Intensity</b></u>	<u><b>Violation</b></u>	<u><b>Sanctions</b></u>
<p><b>Low</b></p> <p>Early in the program</p> <p>Infrequent violation</p> <p>Lengthy period of compliance before violation</p>	<ul style="list-style-type: none"> <li>● <u>Dishonesty</u></li> <li>● Missed appointment</li> <li>● Missed drug test</li> <li>● Failure to complete pro-socials</li> <li>● Inappropriate behaviors</li> <li>● Missed check-in</li> <li>● Late to Court</li> <li>● Late/missed meetings, therapy, etc.</li> <li>● Incomplete assignment</li> <li>● Not reporting Law Enforcement contact</li> <li>● Missed medication count</li> <li>● Noncompliance with treatment recommendations</li> <li>● Noncompliance with community supervision rules</li> <li>● Continued use</li> <li>● Curfew violations</li> </ul>	<p>Dishonesty is considered a serious violation.</p> <p>Verbal warning</p> <p>Written/verbal apology</p> <p>Community service</p> <p>Courtroom detention</p> <p>Jail</p>
<p><b>Medium</b></p> <p>Multiple violations/ Pattern of violations</p> <p>More serious violations regardless of length of time in program</p>	<ul style="list-style-type: none"> <li>● <u>Dishonesty</u></li> <li>● Missed appointment</li> <li>● Missed drug test</li> <li>● Failure to complete pro-socials</li> <li>● Inappropriate behaviors</li> <li>● Missed check-in</li> <li>● Late to Court</li> <li>● Late/missed meetings, therapy, etc.</li> <li>● Incomplete assignment</li> <li>● Not reporting Law Enforcement contact</li> <li>● New criminal charges</li> <li>● Inappropriate contact with other participants</li> <li>● Failure to report prescribed medications</li> <li>● Missed medication count</li> <li>● Failure to complete sanction</li> <li>● Being in an establishment where the primary purpose is the sale or consumption of alcohol</li> <li>● Noncompliance with treatment recommendations</li> <li>● Noncompliance with community supervision rules</li> <li>● Continued use</li> <li>● Curfew violations</li> </ul>	<p>Dishonesty is considered a severe violation</p> <p>Community service</p> <p>Jail</p> <p>Saturday reporting and/or day reporting</p> <p>Additional Court appearances</p> <p>Courtroom detention</p> <p>Increased community restrictions</p> <p>Possible termination</p>

	<ul style="list-style-type: none"> <li>● Traffic violations (more severe for traffic crime (OWI) participants)</li> </ul>	
<p><b>High</b></p> <p>Continued violations</p> <p>Increased severity of violations regardless of time in program</p>	<ul style="list-style-type: none"> <li>● <u>Dishonesty</u></li> <li>● Missed appointment</li> <li>● Missed drug test</li> <li>● Failure to complete pro-socials</li> <li>● Inappropriate behaviors</li> <li>● Missed check-in</li> <li>● Late to Court</li> <li>● Late/missed meetings, therapy, etc.</li> <li>● Incomplete assignment</li> <li>● Not reporting Law Enforcement contact</li> <li>● Drug test tampering</li> <li>● New criminal charges</li> <li>● Absconding (week or more)</li> <li>● Diverting sanctions</li> <li>● Violent or threatening behavior</li> <li>● Evidence indicating participant is involved with drug dealing activity, assaultive behavior, or driving while under the influence of any mood-altering chemicals including alcohol</li> <li>● Failure to report prescribed medications</li> <li>● Missed medication count</li> <li>● Failure to complete sanction</li> <li>● Noncompliance with treatment recommendations</li> <li>● Noncompliance with community supervision rules</li> <li>● Continued use</li> </ul>	<p>Dishonesty is considered a severe violation</p> <p>Saturday reporting and/or day reporting</p> <p>Courtroom detention</p> <p>Team roundtable</p> <p>Increased community restrictions</p> <p>Electronic surveillance</p> <p>Jail</p> <p>Termination</p>

<b>Overriding Factors</b>	
<b>Mitigating/Stabilizing Factors</b>	<b>Aggravating/Destabilizing Factors</b>
<ul style="list-style-type: none"> <li>● Employment stability</li> <li>● Residential stability</li> <li>● Presence of positive support network</li> <li>● Enrolled in educational programming</li> <li>● Positive adjustment while in Treatment Court</li> <li>● Accepting full responsibility for actions</li> <li>● Awareness of proximal and distal goals, what is realistic for the participant to accomplish at that time</li> </ul>	<ul style="list-style-type: none"> <li>● Violation is directly related to current offense</li> <li>● Continues pattern of previous criminal behavior</li> <li>● Unstable home situation</li> <li>● Inability of participant to support self</li> <li>● Evidence of escalating Mental Health symptoms, or drug/alcohol addiction</li> <li>● Chronic pattern of violations</li> <li>● Precontemplation stage not improving</li> <li>● Lack of any appropriate program in recommended response level</li> <li>● Escalating pattern of negative choices/behaviors</li> <li>● Critical threat to community safety</li> </ul>

**TERMINATION CRITERIA**

The following circumstances **will result** in a participant being unsuccessfully terminated from the Treatment Court program.



1. A new offense involving the distribution, sale, or manufacture of a controlled substance.
2. A new offense of violence.
3. A new offense resulting in a prison sentence.
4. The participant's request to be terminated from Treatment Court.
5. Revocation of a participant's Probation, Parole, or Extended Supervision.
6. Allegations that a participant has engaged in conduct so as to endanger the safety of other participants.
  - a. One example would be the delivery of a prohibited substance to another participant, whether or not criminal charges have been issued.
7. The participant's mental stability has become such that it is clear that they have become a danger to themselves or others, or their mental stability has resulted in disruptive or inappropriate behavior that makes it impossible for them to continue to progress through the program.
8. The participant revoking signed Releases of Information.

The following circumstances **will result** in a participant being considered for termination from the Treatment Court program, and barring any extenuating circumstances **will result** in termination.

1. Unsuccessful discharge from a treatment facility.
  - a. The State is not required to prove why a participant was unsuccessfully discharged from a treatment facility, but is required to prove that a participant was unsuccessfully discharged from a treatment facility.
2. A new non-bail jumping felony offense or OWI-related offense.

The following circumstances **may result** in a participant being considered for termination from the Treatment Court program.

1. Refusal, failure to comply with, or violation of program requirements, rules, sanctions, or procedures in a significant or repeated fashion.
2. A new non-violent misdemeanor or bail jumping offense.
3. Non-compliance with treatment.
4. Multiple failures to appear for and/or positive results of specimen or preliminary breath tests.
5. Absconding from or refusing to participate in the program, supervision, and/or treatment including sanctions.

## **SUBSTITUTION**

A participant facing termination shall have the right to a neutral Judge to decide whether to terminate a participant from Treatment Court. This right shall be exercised when the participant is notified of the Termination Motion, and after having the opportunity to confer with Counsel. Once the right of substitution is waived, the waiver may not be rescinded.

## **AUTOMATIC TERMINATION**

The Treatment Court team is required to provide a Motion to Terminate and evidence of the following to support termination of a participant without the requirement for a Termination Hearing.

1. The participant's supervision, Probation, or Parole has been revoked.
  - a. Revocation may be proved by a Revocation Order and Warrant.
    - i. The valid waiver of a Revocation Hearing, or a decision of an Administrative Law Judge, ensures a Due Process Hearing is provided to a participant and is a prerequisite of a Revocation Order and Warrant.
2. A signed waiver of the right to a Termination Hearing and a waiver of the right to Counsel.
3. Upon a determination that a participant no longer has the mental capacity to comply with the requirements of the program.
4. Failure to complete a treatment plan within 30 days of signing the Treatment Court Contract.
5. Absconding from or refusing to participate in the program, supervision, and/or treatment for 30 days or more.
6. Upon the Treatment Court team submitting the required motion and proof to the Court, the participant shall be terminated from the program without a hearing. Notice shall be provided to the participant of their termination.
7. As appropriate, a participant may be administratively discharged for any of the above reasons.
8. Upon a finding by a Court the participant has become legally incompetent (sec. 971.13, Wis. Stat.).

## TERMINATION PROCESS

1. If a Treatment Court team member or members believe there have been violations that may constitute grounds for termination of a participant from the Treatment Court program, then the team will vote whether or not a Termination Motion should be filed.
2. If the Treatment Court team recommends termination, then the participant will be notified in writing of the alleged violation(s) at a Treatment Court Hearing. If the participant fails to attend Treatment Court, notice will be sent by US mail to the last known address.
3. The participant may admit, not contest, or deny the violation(s) after a colloquy with the Judge ensuring they are freely, knowingly, and voluntarily choosing to admit the violation or violations and waive any hearing.
  - a. A signed written waiver may be substituted for an oral waiver at a hearing.
4. The participant may stipulate to any or all of the violations without waiving the right to contest the termination itself.
5. If the participant denies the violations, a hearing will be set; the participant also has the option of requesting a different Judge for the proceedings.
6. If a participant has not waived the hearing, they are expected to continue to follow the rules and policies of the Treatment Court, including drug testing. They are expected to attend all requirements except when their behavior continues to exhibit a pattern of rule violations and their behavior is contrary to the functioning of the program. The Treatment Court Judge may advise the participant to refrain from Treatment Court appearances until the Termination Hearing is held. All other expectations of the program are required. A participant being incarcerated, not because of an action of the Treatment Court, is not a defense for not complying with program requirements.
7. The participant will be given the option to continue all expectations of the Treatment Court Contract while awaiting the hearing. Depending on the allegations, the treatment and case plan may be adjusted somewhat until the hearing.
8. At the hearing the participant may be represented by an attorney if they so choose. The parties may request advance disclosure of evidence in a manner similar to discovery obligations. At the Termination Hearing, all parties may present evidence and call witnesses, and the alleged violation(s) may be proven or rebutted by any relevant evidence having probative value, including disclosures made during treatment and counseling, so long as the parties are accorded a fair opportunity to rebut hearsay evidence.

9. At such Hearing, the burden is on the party requesting expulsion to present information the participant should be expelled from the program. The burden is the preponderance of evidence. Rules of evidence do not apply. Hearsay is permitted, although the Court will consider the reliability of any information provided. The participant may call witnesses or present an argument against expulsion. Cross-examination is also permitted. The Hearing will be in open Court.
10. If the participant fails to appear at the Termination Hearing, the allegations against the participant will be deemed to be not contested, the allegations will be accepted as fact without testimony, and the Termination Motion will be granted.
11. The Treatment Court Judge shall determine if the violation or violations have occurred. If the allegation is a new offense, the Court will make the determination based upon probable cause. If the allegation is any other type of violation, the Court will determine the violation by a **preponderance of the evidence**. If a violation or violations are found, the participant will be terminated from Treatment Court.
  - a. The filing of an Information shall constitute a finding of probable cause.
  - b. A defendant being bound over for trial after the filing of a misdemeanor complaint shall constitute a finding of probable cause.
12. If the participant is terminated they will be sentenced by the Court of original jurisdiction.

## **PROGRAM FEES**

**Drug Testing Fees:** If a participant requests a retest and/or disputes the original lab testing results and the test comes back indicating the presence of a prohibited substance, the participant will be responsible for the drug screening fees.

**Treatment Court Fees:** Upon formal admittance into the Green County Adult Treatment Court program, the Green County Court will impose an initial program fee of \$40. The participant will then be charged \$10 per week, thereafter, that they are enrolled in the program.

**Treatment Court Material Fees:** The first copy of treatment materials is provided to the participant at no charge. Participants may be required to purchase copies of materials, books etc. if duplicate materials are needed.

**Unpaid Treatment Court Fees:** Unpaid program fees may be converted to a Civil Judgment, but will not prevent a participant's Phase Advancement or graduation from the Treatment Court program.

## **STAFFING AND COURT RULES**

The Green County Adult Treatment Court staffing occurs each week for approximately one and a half hours. The disciplines represented at the staffing table include: Judge, District Attorney, Public Defender,

Behavioral Health Supervisor, Treatment Court Coordinator, Treatment Provider(s), Recovery Coach/Peer Specialist, Probation Agent, and Law Enforcement.

The Treatment Court Coordinator prepares brief, written updates on each participant which is provided to and reviewed with the entire team. Input on sanctions, incentives or other program related responsibilities imposed on participants is provided, with decisions arrived at by consensus.

Judicial review sessions are held weekly with participants' attendance linked to their current phase. Select members of the staffing team will be present during Court, and all members will participate in staffing. The Green County Adult Treatment Court requires strict and specific courtroom compliance with dress and behavior. A list of these rules can be found below:

### **Rules on Treatment Court Attire:**

1. Participants must wear appropriate Courtroom approved clothing while in the Court. You may be asked to change your clothes if staff notices you to be wearing inappropriate clothing. Please dress in clean and conservative clothing.
2. Clothing bearing drug or alcohol related themes, promoting or advertising alcohol or drug use are prohibited. This includes clothing advertising bars or substance use activities of any kind.
3. Please consult with the Treatment Court Coordinator if you have questions concerning what clothing is appropriate to wear while participating in the program.

### **CONFIDENTIALITY**

Any program that specializes, in whole or in part, of providing treatment counseling, or assessment and referral services for individuals with AOD (Alcohol or Drug) problems must comply with the Federal confidentiality regulations (42 C.F.S. s2.12(e)). The Federal regulations apply to programs that receive Federal funding. Treatment Courts though, should be noted, while including treatment that is subject to the Federal confidentiality laws mentioned also include a judicial component that is open to the public. We will first discuss the confidentiality laws and then the judicial information component.

Two Federal laws and a set of regulations guarantee the strict confidentiality of information about persons including individuals receiving alcohol and drug use assessment and treatment services. The legal citation for these laws and regulations is 42 U.S. C. SS 290dd-3 and ee-3 and 42 C.F.R. Part 2.

These laws and regulations are designed to protect patients' privacy rights in order to attract people into treatment. The regulations restrict communications more tightly in many instances than, for example, either the doctor-patient or the attorney-client privilege. Violation of the regulations is punishable by a fine of up to \$500 for a first offense or up to \$5,000 for each subsequent offense.

Federal confidentiality laws and regulations protect any information about an individual if the individual has applied for or received any AODA-related services from a program that is covered under the law. Services applied for or received can include assessment, diagnosis, individual counseling, group counseling, treatment, or referral for treatment. The restrictions on disclosure apply to any information

that would identify the individual as an alcoholic or other drug abuser, either directly or by implication. The general rule applies from the time the individual makes an appointment. It applies to individuals who are mandated into treatment as well as those who enter treatment voluntarily. It also applies to former participants or patients. The rule applies whether or not the person making an inquiry already has the information, has other ways of getting it, has some form of official status, is authorized by State law, or comes armed with a subpoena or search warrant.

Information that is protected by Federal confidentiality regulations may always be disclosed after the individual has signed a proper consent form. The regulations also permit disclosure without the individual's consent in several situations, including medical emergencies, program evaluations and communications among program staff. Individuals who refuse to sign consent forms permitting essential communications will be excluded from the program.

Legal records are generally open to the public and may also be open for inspection and duplication. Treatment Courts are composed of interconnected agencies working towards the same goal. Participants are required to sign a release of information allowing exchange of information pertaining to my eligibility and or participation in the program with staff members at the following organizations/agencies:

The Green County Circuit Court, the Green County District Attorney, the Wisconsin State Public Defender, a participant's private attorney, the Wisconsin State Department of Corrections, the Green County Sheriff's Department, Monroe Police Department Officer, the Green County Health Department, Green County Hybrid Court Counselor, Green County Coordinator/Case Manager, Green County Recovery Coach/Peer Support Specialist, and the Green County Human Services Department.

The purpose of and the need for this exchange of information is to determine eligibility and/or acceptability for the Green County Adult Drug Court Program (AHCP) program and, upon entering the program, to monitor progress in treatment and supervision. The information to be disclosed is the assessment, diagnosis, medications, recommendations, attendance record, behavior and attitude, drug test and BAC results, and compliance. Additional information may be disclosed as it directly relates to the AHCP case.

Legal and court records as noted are not subject to the same Federal confidentiality laws and are, therefore, not kept or maintained in the participant treatment record but rather are maintained in separate records by the Court. Behavioral responses to treatment, results of diagnostic testing including, but not limited to urinalysis, oral swab testing, preliminary breath test, and other laboratory testing, may disclosed and/or communicated both orally and in writing in the Court record during a participant's participation in the AHCP program.

Staffing reports are sent out using a program that restricts printing of the staffing reports and ends access to them at the end of the day on which the Hearing occurs. The exception to this is for the Judge who uses the reports to write notes for the Hearing. At the end of the day on which the Hearing occurs the Judge copies the notes into a notebook which is considered confidential and is not subject to open records requests or any other disclosure requirements. The Judge then shreds those reports.

The Clerk's Office maintains "Minutes" for Treatment Court Hearings just as for all other Court proceedings; however, in keeping with Best Practice Standards set forth by WATCP guidelines, the Treatment Court Hearing Minutes reflect Court appearances only and omit any description of confidential

information (it should be noted that the Treatment Court Minutes will reflect a jail sanction where applicable, along with the Order for Purposes of sentence credit. The Treatment Court Minutes will also reflect any Termination Hearing(s) and Motion(s) filed in accordance therewith so that Hearing Notices may be properly mailed to the participant, State Public Defender or other Counsel as appropriate).

## **Individual Agency Responsibilities and Staff Commitments**

### **The Green County Department of Human Services Department**

Shall assign a Hybrid Court Coordinator/Case Manager who will provide the following services:

1. Evaluate potential participants for eligibility.
2. Conduct COMPAS assessments and intakes.
3. Make referrals for programming as needed.
4. Verify and monitor participant compliance with program requirements.
5. Schedule room for CJCC meetings.
6. Take notes at team and CJCC meetings.
7. Distribute notes from team and CJCC meetings.
8. Collect all relevant information and distribute at team and CJCC meetings.
9. Facilitate client staffing other than those preceding court hearings.
10. Set an agenda for staffing.
11. Advocate effectiveness of the program with community resources.
12. Help coordinate funding sources/grant writing/grant management.
13. Gather data for evaluators.
14. Maintain a confidential file on each participant.
15. Assist in maintaining and monitoring the budget of the Hybrid Court program, to include participant's rewards, supplies, AODA treatment, community donations and drug and alcohol testing.
16. Recommend appropriate sanctions and incentives.
17. Maintain team fidelity to evidence-based Treatment Court Standards.
18. Assist with collecting breath, saliva, sweat, and urine samples for the purpose of testing for alcohol and drug use.

Shall assign a Treatment Professional or Professionals who will provide the following services:

1. Conduct substance use screens and assessments.
2. Make referrals for programming as needed.
3. Provide substance use treatment.
4. Verify participant compliance with program and treatment requirements to Hybrid Court Coordinator including:
  - a. Number of meetings attended.
  - b. Report drug or alcohol use and compliance with sobriety.
  - c. Report number of absences (excused or unexcused).
  - d. Enrollment in Mental Health Treatment.
  - e. Opinion as to the progress of participants.
5. Recommend appropriate sanctions and incentives.
6. Advocate effectiveness of the program with community resources.
7. Assist with collecting breath, saliva, sweat, and urine samples for the purpose of testing for alcohol and drug use.

Shall assign a Recovery Coach/Peer Support Specialist who will provide the following services:

1. Assist with substance use treatment.



2. Recommend appropriate sanctions and incentives.
3. Maintain team fidelity to evidence-based Treatment Court Standards.
4. Verify participant compliance with program and treatment requirements to Treatment Court Coordinator including:
  - a. Number of meetings attended.
  - b. Report drug or alcohol use or compliance with sobriety.
  - c. Report number of absences (excused or unexcused).
  - d. Enrollment in Mental Health Treatment.
  - e. Provide an opinion as to the progress of participants.
5. Advocate effectiveness of the program with community resources.
6. Assist with collecting breath, saliva, sweat, and urine samples for the purpose of testing for alcohol and drug use.
7. Assist with making referrals for programming as needed.
8. Assist participants seeking to engage in community recovery programs.
9. Assist with data collection and data entry.

Shall assign a Supervisor who will provide the following services:

1. Monitor budget and financial management with assistance from the Human Services Fiscal Department.
2. Review policies and practices and monitor the need for changes.
3. Facilitate Treatment Court team/staff meetings.
4. Set agenda for meetings.
5. Coordinate funding sources/grant writing/grant management.
6. Monitor data management system.
7. Supervise day-to-day operations.
8. Maintain and monitor the budget of the Treatment Court program, to include participant's rewards, supplies, AODA treatment, community donations and drug and alcohol testing.
9. Provide a representative for the Advisory Board (CJCC) and attend meetings as needed.

### **The Green County District Attorney's Office**

Shall provide the following services:

1. Review potential participants for eligibility.
2. Make referrals to Treatment Court.
3. Maintain a non-adversarial role during Treatment Court proceedings except for Termination Hearings.
4. Attend Treatment Court team staffing and Court sessions.
5. Actively participate in staffing.
6. Recommend appropriate sanctions and incentives.
7. Serve as community advocate for the effectiveness of the program.
8. Provide a representative for the Advisory Board (CJCC) and attend meetings as needed.

### **The Office of the State Public Defender**

Shall assign a staff attorney who will provide the following services:

1. Attend Hybrid Court team staffing and Court sessions. The Public Defender is a member of the team and does not represent participants.
2. Maintain a non-adversarial role during Treatment Court proceedings except for Termination Hearings.
3. The Public Defender will encourage the participants to be truthful with the Judge and Treatment Court staff since admitting drug or alcohol use in Court will not be the basis for new criminal charges.
4. The Public Defender will be an active member of the Hybrid Court team.
5. The Public Defender will advocate for appropriate due process when a client is facing sanctions or terminations and will recommend appropriate sanctions and incentives.
6. Refer participants to the Office of the Public Defender for representation in termination proceedings if eligible.
7. The public defender will answer basic (non-case related) legal questions of participants and potential participants who are not represented by counsel.
8. The public defender will be a community advocate for the Hybrid Court program and will explain the program to private bar attorneys.
9. The public defender will strive to ensure that the Hybrid Court Program is fair, consistent, and in compliance with recognized standards on the operation of treatment courts. The SPD representative will participate in staffing, Hybrid Court itself, and all meetings of the Hybrid Court Team.
10. Provide a representative for the Advisory Board (CJCC) and attend meetings as needed.

### **The Green County Sheriff's Office**

Shall provide the following services:

1. Assign a liaison that will attend Hybrid Court team meetings and assist with determining admission, treatment planning, and termination of Hybrid Court participants.
2. Collaborate with Hybrid Court coordinator and probation agent to monitor participant's scheduled treatment.
3. May collect random urinalysis tests to be tested elsewhere and perform breathalyzer tests.
4. Arrange release privileges to incarcerated participants for the purpose of treatment, unless otherwise restricted by the Hybrid Court.
5. Arrange escort of incarcerated participants to and from Hybrid Court proceedings and supervise them during the proceedings.
6. Arrange and supervise home visits/searches of participants upon request of Hybrid Court Coordinator.
7. May make referrals to the Hybrid Court program.
8. Recommend appropriate sanctions and incentives.
9. Serve as community advocate for the effectiveness of the program.
10. Provide Portal 100 information to appropriate team members.
11. Provide a representative for the Advisory Board (CJCC) and attend meetings as needed.

### **The Monroe Police Department**

Shall provide the following services:

1. Assign a liaison that will attend treatment court team meetings and assist with determining admission, treatment planning, and termination of Hybrid Court participants.
2. Provide possible referrals for the Hybrid Court program.
3. Assist with in-home visits and will check on participants, as needed and upon the request of the Hybrid Court Coordinator.
4. Community policing where officers will get to know participants of Hybrid Court.
5. Report any violations to the Monroe Police Department Hybrid Court liaison.
6. Recommend appropriate sanctions and incentives for Hybrid Court participants.
7. Partnership with community agencies to achieve Hybrid Court goals.
8. Comply with grant and state regulations.
9. Provide a representative for the Advisory Board (CJCC) and attend meetings as needed.

### **The Green County Circuit Courts**

Shall provide Judges who will provide the following services:

1. Preside over Hybrid Court proceedings.
2. Explain legal rights, options, and program requirements to proposed Treatment Court participants.
3. Impose appropriate sanctions and incentives.
4. Review treatment progress and address it directly with the participant in Court considering the recommendations of the Treatment team.
5. Preside over Termination proceedings.
6. Supervise Hybrid Court administration.
7. Maintain a Hybrid Court record.
8. Provide final decision in outcome of participant's progress or termination.
9. Attend events to assist educating the community/legislative bodies on the effectiveness of Hybrid Court.
10. Attend educational conferences to increase skills and knowledge related to being a Hybrid Court Judge.
11. Facilitate client staffing that precedes court hearings.
12. Serve as community advocate for the effectiveness of the program.
13. Provide a representative for the Advisory Board (CJCC) and attend meetings as needed.

### **Criminal Justice Coordinating Council**

All parties agree to continue to be represented in this group. This group will be responsible for modifying and amending this agreement. They will address problems and issues as identified and develop policy and program modifications.

### **Agreement Modifications**

Any individual agency wishing to amend/modify this agreement will notify the Criminal Justice Coordinating Council of the issue(s). The Criminal Justice Coordinating Council will address the issue(s) for purposes of modifying/amending the issue(s). The issue(s) will be decided by consensus, if possible, or by simply majority.

## **Termination of Agreement**

1. Individual agencies contemplating termination of their participation in this agreement shall first notify the Criminal Justice Coordinating Council of their concern. The Council will attempt to resolve the problem to ensure continuation of the Hybrid Court. If unable to resolve the problem, the individual agency or department can exercise its right to terminate this agreement by notifying all other agencies in writing a minimum of 90 days prior to such termination.
2. This agreement shall be reviewed annually by all participating agencies on or before July 11. Absent amendments, this Memorandum of Understanding shall automatically renew upon the same terms for another year.

## **Green County Criminal Justice Coordinating Council**

### **By-Laws**

#### **Article I: Name**

The name of this Council shall be the Green County Criminal Justice Coordinating Council. It will be referred to as the Council throughout these By-laws.

#### **Article II: Creation**

The Council is created by resolution adopted by the Green County Board of Supervisors and signed by the County Board Chair.

#### **Article III: Mission**

The principal mission of the Green County Criminal Justice Coordinating Council is to enhance public safety in Green County through collaboration by ensuring offender accountability, providing effective rehabilitation programs, and supporting the rights and needs of victims.

#### **Article IV: Structure**

##### **Section A: Membership**

The members of the Council are:

- A Circuit Court Judge selected by the Green County Circuit Court Judges
- County Board Member
- Sheriff
- Monroe Police Chief
- District Attorney
- Local Representative of State Public Defender
- Department of Human Services Director or Designee
- Department of Corrections Supervisor for Green County or Designee
- A Representative from the Monroe Clinic and Hospital

- Green County Law Enforcement Administrators Association Chairman or Designee
- A Representative of the Green County Public Health Department
- A member of the community with lived experience

Council Members may designate another agency Representative to participate for them and vote at Council meetings.

**Section B: Authority of the Council:**

The Council has no legal authority to order changes to Green County’s criminal justice system, but it may bring about changes through consensus by the participating agencies and branches. The Council reviews policies, programs and budgets within the criminal justice system and makes recommendations to all justice system partners, the Judiciary and Law Enforcement Committee, the Human Services Board, and County Board.

**Section C: Subcommittees and Ad Hoc Committees**

The Council may authorize the formation of Subcommittees and Ad Hoc Committees to deal with specific problems or issues. Standing Committees, Subcommittees and Ad Hoc Committees shall report their information and recommendations to the Council. The Council may authorize non-members to participate in committees.

**Section D: Meetings**

1. Meetings of the Council shall be set by the Council, the chair, or upon petition by three members of the Council. Notice of Council, Subcommittees, and Ad Hoc Committee meeting times and locations shall be provided to all members and duly posted in compliance with open meetings statutes.
2. Minutes of the Council meetings shall be recorded and distributed to all members of the Council.
3. A quorum is a simple majority of the membership described in Section A.
4. Recommendations of the Council shall be made by consensus. If consensus cannot be reached, recommendations may be made by a simple majority vote of Council Members present at any meeting.

**Article V: Officers**

**Section A: Officers**

The Council shall elect a chair, vice chair and secretary. The Council shall elect at the first meeting of the year a chair, vice-chair and secretary for a term of one year. The chair, vice chair and secretary shall serve until the next election is held.

**Section B: Duties of Officers**

The chair shall preside at all meetings. The vice-chair shall preside in the absence of the chair. The secretary shall be responsible for preparation of minutes of meetings and posting minutes and agendas in compliance with the Open Meetings Law of the State of Wisconsin.

#### **Article VI: Change in By-Laws**

The Council by 2/3rds vote of the authorized voting members shall be permitted to amend these by-laws.

### **BEHAVIORAL HEALTH TREATMENT**

Treatment Court uses Green County Human Services Treatment Providers for AODA and Mental Health services. Referrals to a higher level of care can be made if appropriate.

All participants are matched to the treatment plan that appears to be most appropriate to meet their needs. A comprehensive Clinical Assessment will identify what type of treatment is appropriate (e.g. inpatient, outpatient, primary and combinations of the two; extended care, halfway house, sober living; detox). Continuing care and relapse prevention will be a part of any treatment program selected for inclusion in the Treatment Court program. Treatment will be provided as soon as possible after formal admittance into the Treatment Court program. Our goal is to get the participant into treatment within one week from formal program admittance.

The treatment plans that are developed for each participant in the Treatment Court program will vary somewhat depending on the needs of the participant. Generally, however, the Treatment Court program will:

- Provide on-going group and individual counseling and individual peer support sessions. They may provide family sessions as needed;
- Develop a treatment plan based on an individual assessment of the participant's strengths, assets, and needs. Certain decisions regarding treatment are made based on the strengths and needs of the participant including outpatient treatment for those who have strong family relationships, or stable housing or employment;
- Address the level of severity of the problem in the treatment plan, the level of care needed, and specific situational needs, including language, literacy, housing, medical and psychological;
- Use peer groups and support circles to promote recovery; provide aftercare services, including continued case management, relapse prevention strategies and counseling and other supportive services. Participants will attend AA, Women in Sobriety, NA, or some support group alternative that facilitates their recovery during and after treatment.

Treatment Phases are goal-oriented and not based on time, although approximate duration of Phases is estimated. Generally, treatment protocol is based on the least restrictive level of care possible to address the individual's particular problem. Participants may progress from outpatient to inpatient to outpatient to extended care if necessary. The progression is based on the results of drug tests, compliance with program requirements, severity of the problem and provider, Case Manager, and participant agreement.

The length of stay varies based on individual need; the extended care criteria are used to determine the need for continued care (e.g. clinical assessment of individual's progress through treatment and the prognosis). The frequency and intensity of treatment services depends on the level of care identified in the comprehensive assessment. However, continued participation in a minimum of once monthly aftercare is required for the duration of the participant's time in the Treatment Court program.

Treatment Providers are required to develop treatment case plans, maintain participant records, monitor participants during treatment, and continue to provide case management as the participant moves into recovery in the community. The Treatment Court program Coordinator/Case Manager is also involved in case planning and supportive services with the Treatment Court Treatment Provider and the participant during treatment, aftercare and to successful completion of the Treatment Court program.

Many treatment programs have a cognitive component such as Anger Management and/or violence prevention and/or victimization groups (especially domestic violence).

Participants of the Treatment Court program are required to apply for medical assistance or health insurance through the marketplace if the participant is unemployed or ineligible for health insurance through their employer. Maintaining health insurance, if possible, will be an active piece of case management and a requirement throughout the Treatment Court program.

***The contents of the Green County Treatment Court's Policy and Procedure Manual and Participant Handbook are subject to change.***