

ATHENS-CLARKE COUNTY STATE DUI COURT POLICY AND PROCEDURE MANUAL



N. Kent Lawrence State DUI Court
325 E. Washington St., Suite 430
Athens, GA 30601
706-613-3206 / 706-208-5236 (facsimile)
Established 2001

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DUI Court History

The Athens DUI Court was originally designed and implemented in February 2001 in the State Court of Clarke County under the direction of the Honorable Judge N. Kent Lawrence. The Solicitor-General endorsed the specialized program targeting impaired drivers, which expanded to include Municipal Court cases. In October 2002, the Program's operational components were enhanced as a result of additional funding from the Georgia Governor's Office of Highway Safety.

The Athens DUI Court has been selected four times (2008, 2011, 2014, and 2017) to serve 3 year terms as an Academy training court by the National Center for DWI Courts (NCDC) and National Highway Traffic Safety Administration (NHTSA) .

Steering Committee

The current Steering Committee is a joint effort shared by all the Athens-Clarke County Accountability Courts. The Steering committee utilizes persons from the community including representatives of: treatment agencies for both mental health and substance use disorders, recovery community, Athens Community Foundation, Athens Chamber of Commerce, Law Enforcement and other Athens-Clarke County employees to provide guidance on key issues such as program policy and objectives, community outreach, and other vital matters related to the program.

Vision

The DUI Court strives to promote public safety and save lives while targeting those with substance use disorders in order to improve the quality of their lives and those around them.

Mission Statement

The primary mission of the Athens-Clarke County DUI Court is to provide early intervention for repeat alcohol and drug offenders. This includes enhanced community and legal supervision, substance use treatment, and continuing community support.

Goals and Objectives

The goal is to instill hope and improve the quality of our participants' lives while increasing community safety and reducing DUI recidivism. Participants are provided with the tools to live free from substance use and repeat legal involvement. An objective is to provide participants education, evidence based treatment, connection with services and community resources, and develop a strong support system that will assist participants with maintaining long-term recovery.

Program Structure

The DUI Court program is a post-conviction, abstinence based, substance use treatment, and intensive supervision program for offenders with multiple convictions for driving under the influence of alcohol. The program has a capacity of 120 participants. The minimum program length for a participant is 14 months.

The Program was implemented in 2001 using a policy manual written collaboratively by founding members of the DUI Court Team. The DUI Court Team consists of a state court judge, a magistrate court judge, the Athens-Clarke County Solicitor-General and his chief assistant, a representative from the Athens-Clarke County Public Defender's Office, the DUI Court Coordinator, a probation officer, a police officer, a case manager, a clinical case manager, licensed counselors, a supervising treatment coordinator, a representative of the Diversion Center, and a drug and alcohol testing consultant.

Substance use treatment for the DUI Court is provided by licensed counselors from Family Counseling Services of Athens, Inc., and a member of the Department of Human Services Registry for the State Multiple Offender Program. The Team is charged with providing a continuum of services including treatment, coordination of ancillary services, and the referral of participants to enhanced treatment as needed.

Target Population and Eligibility

The DUI Court target population is offenders with moderate to severe substance use disorder and/or: arrests for two (2) DUIs in five (5) years; arrests for three (3) or more DUIs in a lifetime; or a blood alcohol level (BAC) of 0.15 or higher at the time of arrest. The Court also considers individuals with an offense related to a history of a substance use disorder, substance use, or individuation on a case by case basis. In order to be eligible for the program, an offender must:

- A. meet the legal requirements to participate in the program after being screened by the Solicitor-General and the DUI Court Coordinator;
- B. meet the clinical requirements to participate in the program after being screened by a treatment clinician;
 - a. The LS/CMI (Level of Service/Case Management Inventory) is the primary screening instrument used to determine level of care on each participant.
 - b. High Risk/High Need is the target population determined by the screening tool.
- C. agree to participate in the DUI Court and sign a written contract;
- D. live within 20 miles of the Athens-Clarke County Courthouse; and
- E. have no convictions for a violent felony or sexual offense;

Co-occurring Disorders

The team will strive to accept any person with a co-occurring disorder as long as: the person's primary diagnosis is substance use disorder; the co-occurring disorder will not prevent the person from meaningfully engaging in treatment; and the co-occurring disorder will not prevent the person from being able to comply with the rules and requirements of the program.

Entry Process

It is the goal of the DUI Court for a participant to be able to enter the program as soon as possible after arrest. Research has shown early placement and intervention with a drug or alcohol offender leads to greater likelihood of success of a participant in the program. Multiple offender DUI cases are placed on a specialized arraignment calendar within 10-17 days of arrest in order to expedite consideration for the program. All of these cases are reviewed for eligibility for entry into the Program.

Referrals also may come from local police departments, the solicitor-general's office, magistrate judges, municipal court judges, state court judges, probation departments, treatment providers, or defense counsel. All referrals are screened by the prosecutor's office and the DUI Court Coordinator based on the circumstances leading to arrest, an offender's criminal history, and other relevant factors. If a person wishes to be considered for the DUI Court, the person is screened by a licensed clinician using the M.A.S.T., C.A.G.E and the B.M.S.E. After all the screenings, if an offender is determined to meet program requirements and eligible for acceptance, the offender is given two plea offers: one offer incentivizes and requires participation in DUI Court while the other is a non-DUI Court offer.

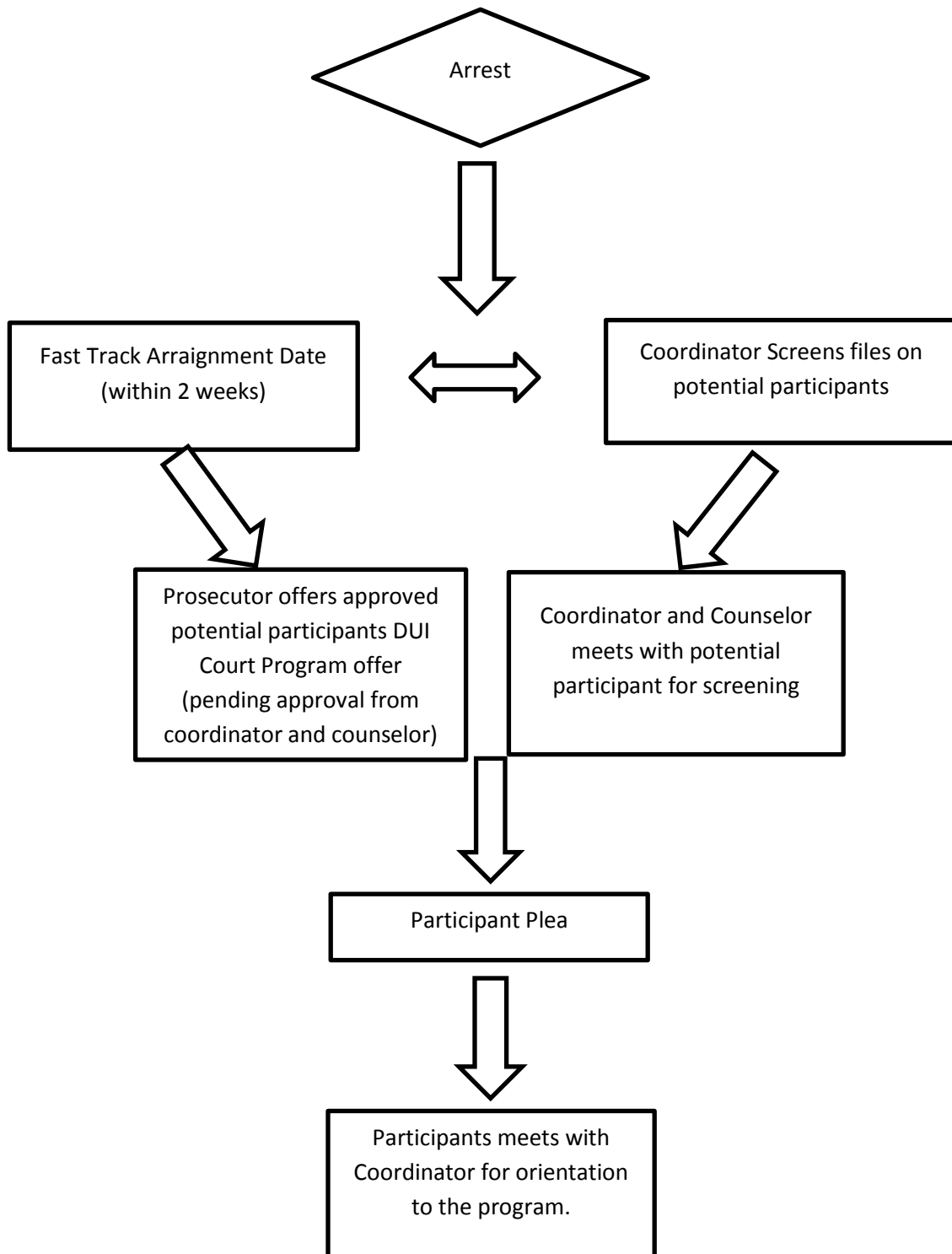
The DUI Court Team may accept non-DUI offenders if their behavior is known to be the result of substance use disorder. The Court will comply with the requirements and provisions set forth in the Georgia Crime Victim's Bill of Rights.

Guilty Plea and Sentencing

The guilty plea is entered in front of a judge from the Athens-Clarke County State Court. Prior to the plea being entered, the DUI Court contract is signed by the offender, the defense attorney, the Solicitor-General, and the DUI Court Coordinator. The plea agreement and additional DUI Court sentence requirements are read in open court and provided to the offender. The offender then acknowledges receipt and understanding of all portions of the sentence and DUI Court requirements by initialing all documents. After sentencing is given an appointment card for program orientation and group placement. No DUI charge shall be dismissed as a condition of completing the program.

Orientation and Assessment

During Orientation for the program, the participant meets with the program coordinator to A) receive program instructions and the Participant Handbook, B) set up in the call-in system for random drug screens, C) begin the LSI-R assessment and/or DUI RANT, and D) participant is given an appointment to meet with counseling to begin treatment orientation. The participant will also meet with the probation officer to receive reporting instructions and give a base-line urine drug screen.



Team Member Roles and Responsibilities

DUI Court Judges

The DUI Court Judges provide supervision for the program and lead the DUI Court Team. The judges shall maintain a current knowledge of the law and research on best practices in accountability courts. The judges shall attend all pre-court staffing sessions and Status Conferences. The judges shall interact frequently and respectfully with all participants. The judges shall work closely with Team members. The judges shall give due consideration to input from all members of the Team. The judges must always maintain their judicial independence.

Solicitor-General

The Solicitor-General screens applicants for eligibility, serves on the DUI Court Team, attends DUI Court Sessions and is actively involved in ongoing development of the DUI Court. In addition, the Solicitor-General is responsible for recommending or not recommending consideration for participation in the program.

In addition, the Solicitor-General represents the State and makes recommendations after consultation with the probation officer and Team at any hearings where a participant is alleged to have violated the terms or conditions of the program.

Defense Attorney

The defense attorney team member attends DUI Court sessions, serves on the DUI Court Team, and is actively involved in ongoing development of the DUI Court.

Probation Officer

The DUI Court probation officer actively oversees the supervision of all participants. The probation officer is responsible for the day-to-day activities of the participants and consults with the Team when problems arise. The probation officer does home visits and monitors compliance with program regulations.

Counselors

A counselor is assigned to each participant in the DUI Court, and it is this counselor that first provides a clinical assessment of the participant to develop an individualized comprehensive treatment plan. This counselor shall manage the treatment during the time that the individual is a participant in the DUI Court. Each counselor reports to other members of the DUI Court Team during staffing to keep the Team informed of each participant's progress through treatment. The

counselor shall communicate all information pertinent to a participant's continued recovery to the judges and the rest of the Team in order to properly treat each participant. For a more detailed description of duties see Attachment A "Service Provided by Family Counseling Service"

Treatment Case Manager

The treatment case manager is a member of the DUI Court Team and works closely with the counselors and DUI Court Team. The treatment case manager shall meet with participants and treatment providers on a regular basis, and shall be responsible for facilitating evaluations, making treatment referrals, preparing treatment plans, and coordinating treatment. For a more detailed description of duties see Attachment A "Service Provided by Family Counseling Service"

Case Manager

The case manager works closely with the probation officer, court coordinator, and counselors. The case manager is responsible for case management and organization of information regarding the participants. The case manager plays a key role in participant interaction, monitoring compliance, and taking payments. The Case Manager will assist the Treatment Case Manager with locating and facilitating entry of participants into programs or treatment that provides a higher level of care such as Intensive Outpatient, Inpatient, or sober-living environments. The Case Manager will also assist participants with obtaining other community resources or ancillary services.

Court Coordinator

The court coordinator is a member of the DUI Court Team. The coordinator participates in the development and maintenance of eligibility standards, operating procedures, and rules for the DUI Court. The coordinator develops strategies to maintain funding for the program, reviews service contracts, and monitors program certification and operating procedures. The coordinator shall be responsible for data collection to monitor participant compliance and to provide a basis for evaluation of the DUI. The coordinator also works on and completes grants that are crucial to the program's funding.

Police Officer

A police officer with the Athens-Clarke County Police Department is the main liaison between the DUI Court and other local law enforcement agencies. The police officer also assists in the supervision of the participants, particularly during the evening hours and in the field. The police office also keeps the team advised of current trends in the community and any past or present interactions of participants with law enforcement.

Drug Testing Advisor

The drug testing advisor answers questions from the DUI Court Team concerning drug testing and the effects of drugs and other medications on testing results and on the participants.

This person also evaluates drug testing reports and closely monitors the tested drug levels. The drug testing advisor provides information on current testing trends and drug use in the local population as well as other relevant observations of participants..

Diversion Center

A representative from the Athens-Clarke County Diversion Center answers questions concerning the status of any participant who has been placed in the Diversion Center. The representative also acts as a liaison between the DUI Court and participants residing within the Center by helping to facilitate any necessary communication, transportation issues, and employment status updates.

DUI Court Team: Ethical Considerations

The relationship between Team members and participants shall be professional, with all interactions based on adopted Athens-Clarke County Standards of Professional Conduct. Team members shall always maintain professional and objective personal conduct between themselves and the participants, the participants' families, and a participants' associates. Team members shall always maintain personal concern within the bounds of their professional responsibilities, so as to safeguard the welfare of the participant both during and after enrollment in the DUI Court.

Team members are prohibited from developing personal relationships with participants including sexual or romantic relationships, employment of participants, or engaging in business relationships with participants who are active in DUI Court. Their relationships with participants should never include behaviors on the part of the team member which would be abusive or damaging to the participant. Team members must disclose pre-existing social ties or relationships with a participant prior to the individual's placement into DUI Court.

TREATMENT OVERVIEW

Orientation Intake, orientation, level of care screening	Extended Assessment <i>Foundations Groups</i>	Active Treatment <i>Early Recovery Groups</i>	Relapse Prevention <i>Relapse Prevention Group</i>	Sustained Recovery <i>Recovery Management/Integration Group</i>
<p>Sentencing Initial meeting with Probation Officer</p> <p>Baseline Drug Screen</p> <p>Substance Use Disorder Evaluation</p> <p>LSI-R or RANT Risk/Assessment</p>	<p>Minimum 8 groups</p> <p>One Community Support Meeting per week</p> <p>Rotating check-in (if required) or Status Conference weekly</p> <p>Minimum of one individual counseling session per month</p>	<p>Minimum 24 groups</p> <p>One Community Support Meeting per week</p> <p>Rotating check-in (if required) or Status Conference weekly</p> <p>Minimum of one individual counseling session per month</p>	<p>Minimum 4 groups</p> <p>One Community Support Meeting per week</p> <p>Rotating check-in (if required) or Status Conference weekly</p> <p>Minimum of one individual counseling session per month</p>	<p>Minimum 2 groups (2 hr)</p> <p>Community Support Meetings</p> <p>1st check-in and 2nd Status Conference of each month</p> <p>Minimum of one individual counseling session per month</p>

**Functionality of
Treatment Groups**

**Minimum
Requirements of
Participant**

GRADUATE

Monthly
Group (2 hr)

Individual treatment plans may determine a need for additional requirements/contact

Court Phases	Phase 1 Stabilization	Phase 2 Planning	Phase 3 Action	Phase 4 Maintenance	Phase 5 Graduation
	<p>Minimum of 60 days</p> <p>14 consecutive days no suspect, elevated, dilute, or positive UDS screens.</p>	<p>Minimum of 90 days</p> <p>60 days no UDS issues or Sanctions</p> <p>Comply with Supervision and Treatment</p>	<p>Minimum of 120 days</p> <p>60 days no UDS issues or Sanctions</p> <p>Comply with Supervision and Treatment</p>	<p>Minimum of 150 days</p> <p>120 days no UDS issues or Sanctions</p> <p>Comply with Supervision and Treatment</p>	<p>Continuing Care</p>

Phase Structure and Commencement Criteria

For any phase progression in DUI Court, participants must be clinically appropriate, as determined by their individual counselors, as well as meet all supervision requirements. Court Phases and Treatment groups are separate. The level of treatment needed by each participant is determined by individualized treatment plans. Participants must be financially current, or on an approved payment plan, or designated indigent status in order to advance to the next phase. Participants must also meet all testing and Supervision requirements in order to apply for phase ups.

The participant's level of treatment shall be determined based upon the individualized level of need. Should a participant need increased treatment (halfway house or recovery residency, intensive outpatient or inpatient treatment facility, or detox center), a counselor and the rest of the DUI Court Team shall coordinate placement at such a facility. Seeking alternative treatment outside of the DUI Court is not allowed without prior approval.

Writing projects will be assigned during each phase of treatment. Participants are expected to apply themselves to the best of their ability and will meet with their counselor to review each project. The completed assignments will reflect a participant's progress and are an integral part of the treatment process. Counselors will evaluate projects, participation in group and individual counseling sessions, time in current phase, drug and alcohol test results, and other relevant information to determine a participant's readiness to move on to the next phase.

In order to qualify for "Ready to Graduate" status in the program, a participant must meet all previous phase requirements, including completion of all treatment obligations. They also must be current with all DUI Court and probation fees, on payment plan, or in indigent status while attending all required appointments with their probation officer and appearing for all call-in drug screens. A minimum of 120 days of negative drug testing is required prior to a participant being deemed eligible for graduation from the program.

A major goal of the DUI Court Team is to support each participant's progress throughout the phases toward graduation from the DUI program. Graduation is an important milestone, providing the participant and the DUI Court Team an opportunity to reflect on the personal journey each participant has experienced during the program. Participants are encouraged to maintain their relationship with the DUI Court after graduation as alumni or as a mentor to other participants.

Termination Criteria

The goal of the DUI is for every participant to successfully complete the program. Notwithstanding, a participant could jeopardize their ability to participate with significant or repeated violations of program rules including, but not limited to: new criminal offenses, repeated technical probation or program violations, continued drug/alcohol use, attempts to circumvent drug testing procedures, dishonesty, or refusal to meaningfully engage in treatment. Every effort will be made to meet the treatment/program needs of each participant, thereby minimizing the potential for dismissal from the DUI Court.

Any participant facing a recommendation of dismissal from the program shall be provided written notice of the allegations and provided the right to a hearing with the opportunity to be represented by an attorney. The consequences of removal from a DUI Court shall be comparable to those sustained in other similar cases before the presiding judge. The sentence shall be reasonable and not excessively punitive based on the reasons for termination from the DUI Court.

Incentives and Sanctions

Incentives for participants while in the program can include community service credits for phasing up in treatment, judicial praise, leaving status conference early, being named a “Star”, attending DUI Court events, restoration of license or issuance of ignition interlock permit, waiver of court fees, waiver of Department of Driver Service fees, and more. Transportation assistance through bus passes for the local bus route to help ease the burden of cost of transportation on participants lacking a driver’s license. The DUI Court program also works with the local vocational college and community programs to help participants receive job training opportunities to aid in employment placement.

Consequences for participants’ behavior shall be predictable, fair, consistent, and administered with evidenced-based principles of effective behavior modification. Recommended sanctions shall gradually escalate and be applied in a consistent and appropriate manner to match a participant’s level of compliance. There will be no indefinite time periods for sanctions, including those sanctions involving flash jail sanctions or detention. Participants are subject to progressive positive drug screen sanctions prior to being considered for termination, unless there are other acts of noncompliance affecting this decision.

The DUI Court Team will maintain both an Incentive Matrix and Sanction Matrix. The team will review and update both the Incentive Matrix and Sanction Matrix annually.

Increased treatment shall never be imposed as a sanction for any violation. However, notification of every alleged violation is forwarded to a participant’s treatment clinician to determine if a revised treatment plan should be implemented for that participant based upon the violation. Implementation of a revised treatment plan recommended by a counselor may result from any alleged violation and shall not be considered a sanction. Honesty is a core component of the Athens-Clarke County DUI Core. The Court may favorably consider self-disclosure-of-use as a mitigating factor when sanctions are imposed.

Dilution Protocol

In the event of a dilute urine drug screen, the following procedure will be initiated. The goal is education and prevention at an early stage in the program.

1st Dilution:

- Participant will receive education through Dilution class and/or counselor.
- Participant will begin documenting diet through food/fluids log.
- Participant may be required to undergo a medical physical.
- Participant will be put on the Call2Test list 3x per week for minimum of 4 weeks.
- Verbal reprimand

2nd Dilution:

- Participant will be required to test 3x per week for minimum of 4 weeks, first thing each morning.
- Participant will be required to receive additional education regarding dilutes, and continue meeting with Counselor.
- Participant may be required to undergo a medical physical.

- Community service

3rd Dilution:

- Participant will be required to test first thing each morning for 2 weeks.
- Possible referral to consult a specialist, such as a Nephrologist.
- Possible Jail time.

Treatment Protocol

Participants receive substance use treatment based on a standardized assessment of their particular treatment needs. Substance use treatment is not provided to reward desired behaviors, punish infractions, or serve other non-clinically indicated goals. Treatment providers are trained and supervised to deliver a continuum of evidence-based interventions that are documented in treatment manuals. Treatment shall include standardized, evidenced-based practices and other practices recognized by the Substance use and Mental Health Services Administration National Registry of Evidence-Based Programs and Practices and which comply with the Georgia DUI Court Treatment Standards. Currently, Treatment providers use The Seeking Safety model to structure group sessions along with interventions from Motivational Interviewing (MI), Motivational Enhancement Therapy (MET), The Stages of Change, Prime Solutions, Cognitive Behavioral Interventions-Substance use (CBI-SA), Seeking Safety, Mindfulness Based Therapies, and Strengths and Empowerment based therapies. Treatment providers seek yearly continuing education credits to ensure they are trained on the most recent Standardized and Evidence-based practices.

Individualized Care for ACC DUI Court Participants

Participants in the Athens-Clarke County DUI Court program undergo a comprehensive evaluation process upon entering the program. A clinician administers a clinical interview, in combination with the ANSA and LSI-R assessment tools, to determine a diagnosis (Substance Use Disorder – Mild, Moderate, Severe) for each participant. During this process, the individual needs of the participant are identified, and the participant begins Phase 1 of the program. Phase 1 is an extended assessment period (allowing a minimum of 8 weeks) to determine the participant’s individual needs and challenges and how to address them in a treatment setting. Individualized treatment plans may be implemented at any phase of the program in order to respond to the changing needs and challenges of a participant.

Examples of Individualized Treatment Interventions:

- | | |
|--|--------------------------------------|
| Individual Counseling Sessions | Family Violence Intervention Program |
| Gender Specific Group Counseling | Anger Management Classes |
| Phoenix Project | Community Support Meetings |
| Diversion Center Programming | Referral to higher level of care |
| Increasing drug testing and/or home visits | Recovery Community Involvement |

The above interventions may be utilized as substitutions or in conjunction with the Phase 2 (Active Treatment) or Phase 3 (Relapse Prevention) groups built in to the program curriculum.

Maternity Leave Protocol

A participant may be put on Maternity Leave if necessary during their participation in the program. The goal is continued communication between the participant and the Team.

- Participant will continue to participate in Call-to-Test and individualized treatment plan until admitted to hospital.
- Upon admission to hospital, participant must contact counselor and probation officer to inform team members of updated medical status.
- Upon release from the hospital, the participant must contact their counselor and probation officer to update team members of medical status.
- Seven days after release from hospital, the participant is responsible for contacting their counselor to set up an individual appointment. At this time, the counselor will assess the participant for appropriate level of participation in treatment.

Transportation Assistance

Each member of the DUI Court Team discusses with the participant the consequences of driving while the participant's license is suspended. For participants without a license, the Team shall discuss creating a transportation plan to ensure that the participant has transportation to program requirements. Participants who do not have a valid driver's license are offered multiple forms of transportation assistance. The DUI Court Team has a partnership with "Bike Athens", providing access to bicycles for our participants. "The Bus" (Athens mass transit) provides a limited number of free passes for distribution to Program participants, and the program may receive grant funds to assist in transportation.

The Team shall take all reasonable steps to assist participants in completing all requirements for license reinstatement prior to graduation. The Team shall stay current on all applicable licensing laws in the state of Georgia and shall strictly enforce all driving restrictions.

Supervision Protocol

Driving under the influence presents a significant danger to the public. Increased and intensive supervision and monitoring of participants by the court, probation department, law enforcement, and treatment provider must occur as part of a coordinated strategy to intervene with repeat and high-risk DUI offenders, to ensure accountability of participants, and to protect against future impaired driving.

The probation officers assigned to the DUI Court shall complete home and/or work visits and coordinate electronic monitoring of participants as needed. Each participant has a supervision plan based on his or her level of need and risk. The supervision plan will be modified as needed throughout the participant's time in the program.

The plan could include the use of 24 Hour Alcohol electronic monitoring device, GPS electronic monitoring, curfews, or a participant being placed into the Athens-Clarke County Diversion Center.

The Athens-Clarke County Diversion Center, which is operated by the ACC Corrections Department, provides quality cost-effective management of non-violent offenders, whose confinement in traditional incarceration would limit them from more quickly integrating into society. The Diversion Center provides opportunities for individuals to maintain current employment, as well as assists in job placement if unemployed. Participants living in the Diversion Center are given the opportunity to attend DUI Court requirements, including Status Conferences, check-ins, and treatment group sessions.

Drug and Alcohol Testing Protocol

Effective drug testing must be random, frequent and observed. A call-in system is used to ensure random selection, and a minimum of two (2) urine screens a week are required during the first four (4) phases in the program. All urine collections are to be observed by a member of the Athens-Clarke County DUI Court Team or Drug Lab Technician. Urine samples are collected at The Athens-Clarke County Drug Lab located at 110 Bray Street Athens, GA 30605.

Urine samples shall be tested by the Athens-Clarke County Drug Lab using full panels including EtG assays for alcohol detection. A chain of custody is established using evidence collection forms requiring signatures of all parties involved in the collection and transportation of the sample.

Results for samples shall be available within 48 hours of the sample's arrival in the lab. In the event that a single urine sample tests positive for more than one (1) prohibited substance, the results shall be considered as one (1) positive drug screen.

If a participant disputes the results provided by the Drug Lab, a confirmation can be requested by the participant. The sample will be packaged and shipped with chain of custody forms to a nationally certified lab paid for by the participant. If the sample comes back as "not confirmed," the cost of the confirmation test is credited to the participant's fees.

Dilutions of urine samples and failure to appear for a screen are treated as "positive" samples. Dilution is measured by tests for both Creatinine. Positive screens and verbal admissions of drug or alcohol use shall not be used as the basis for a new criminal prosecution.

Judicial Interaction

The DUI is conducted by an elected state court judge with a magistrate and municipal court judge assigned to assist. The judges shall maintain a current knowledge of the law and research on best practices in accountability courts. The judges shall attend all pre-court staffing sessions. However, staffing sessions begin with a block of time in which the judges are not present, allowing the DUI Court Team to discuss petitions for revocation that have not appeared previously in front of the judge or any other matter that needs to be addressed outside of the presence of the judges. The judges shall interact frequently and respectfully with all participants. The judges shall give due consideration to input from all members of the Team.

Participant reviews during Status Conferences shall be conducted on each participant individually to optimize program effectiveness. The Judge shall strive to spend an average of three minutes with each participant during status review.

Staffing

All members of the DUI Court Team are required to attend each staffing meeting and Status Conference. The staffing meetings shall be held at the courthouse bi-weekly prior to each Status Conference session. Each meeting is typically held within the DUI Court Office Thursday afternoons 1:00-4:00 pm prior to Status Conference. During the staffing meetings, the treatment providers shall present written progress reports for each participant. The entire DUI Court Team shall review each participant's progress report and make comments or suggestions for changes in their supervision/treatment plan.

Status Hearings

Status Conferences occur every other week and at a minimum of two times a month. These hearings will be held at the Athens-Clarke County Courthouse. During Status Conference sessions, the judges will discuss each participant's progress in the program and address any problems or concerns that a participant may have. Important information about program schedules and phase progression shall be disseminated to participants during these sessions. Sanctions are held separately at designated court times to address any court related issues.

Program Management

The DUI Court Team shall maintain ongoing and timely communication with all Team members regarding the progress or issues facing participants. The treatment provider shall provide reports on the progress of each participant before each staffing session. The entire Team shall be present for the every other week staffing sessions and Status Conferences.

The DUI Court Team shall meet every six months at a minimum, to discuss potential modifications of program philosophy, requirements, and policies. All participating agencies shall devote effort to maintaining a flexible program with highly structured rehabilitative components.

DUI Court Team meetings are kept confidential. No information disclosed can be the basis for prosecution of new crimes, and no Team member shall be required to testify in regards to any information discussed or disclosed during a DUI Court Team meeting or Status Conference.

Confidentiality Protocol

The DUI Court is required by law to maintain the privacy of each participant. The confidentiality of participants' alcohol and drug treatment records are protected under Federal regulations: Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2 and the HIPAA Privacy Rule, 45 CFR 160, 162, and 164. The DUI Court Team shall comply with all confidentiality requirements through HIPAA. Upon entrance into the program, each participant signs a Release of Confidential Information Form. This form allows communication between the Athens DUI Court and Treatment Clinicians, County Probation, the Public Defender, the Solicitor General, Drug Testing Lab, and other agencies pertaining to the individual. The individual as needed, on a case-by-case basis may sign additional Release of Information Forms.

Participants Rights and Grievance Procedure

DUI Court participants are expected to comply with all recommended aspects of treatment and supervision. Participants have the option to submit grievances in the form of letters to be reviewed by the Team at staffing. If a participant disagrees with a team decision, that participant could file a motion to modify sentence in the court proceeding. A hearing would be held pursuant to notice and with all due process rights. Failure to comply with treatment or supervision will result in a summons to Court for a petition to revoke probation. The Solicitor-General and public defender representatives work to ensure that participants are provided sufficient notice of any alleged violation and afforded all due process rights during probation revocation proceedings, including the right to a hearing and legal representation if requested. DUI Court petitions are heard during DUI Court specific hearing dates set each Tuesday and Thursday.

Disparate Impact Statement

No person shall be excluded on the basis of sex, race, color, socioeconomic status, religion, creed, age, national origin, ancestry, sexual orientation or identity, pregnancy, marital or parental status. Citizens who have historically experienced sustained discrimination or reduced social opportunities because of their race, ethnicity, gender, sexual orientation, sexual identity, physical or mental disability, religion, or socioeconomic status shall receive the same opportunities to participate as other citizens.

Documentation

The DUI Court uses both electronic and paper files for documentation on each participant. FivePoint Solutions is the primary source for electronic documentation for programmatic, drug testing, and treatment matters. This is a web based case management system required by the state of Georgia. The DUI Court also utilizes JAG Probation case management for track probation matters. Paper files are used to store any hard copies of Sentencing paperwork on each active participant. The DUI Court maintains an electronic catalogue on all previous participant files, with three layers of backup.

Data Reporting

Participant data is gathered using multiple computerized databases including FivePoint Solutions, JAG Probation Management, and Wintox Testing Management. Information from participant surveys, review of participant data, and findings from evaluations are used to make any necessary modifications to program operations, procedures, and practices.

The DUI Court provides all requested data to the Georgia Administrative Office of the Courts as required by the Council of Accountability Court Judges, including a comprehensive end-of-year report.

Evaluation Design

A 2002-2008 NHTSA study found the program had reduced DUI recidivism rates (11%) compared to non-DUI Court offenders (23%). The Georgia Council of Accountability Court Judges requires that our Court be reviewed according to the Georgia DUI Accountability Court Standards every 2 years. The Georgia Council of

Accountability Court Judges requires that our court undergo Peer Review every two years. Following certification, our court was peer-reviewed with feedback according to the state and national model.

Fees and Fiscal Management

As a condition of participation in the DUI Court, each person is responsible for the cost of treatment and supervision. Being either employed or a full-time student is an expectation of the program unless a participant has a documented disability that limits or prevents employment, The DUI Court Team will address it on a case-by-case basis. The DUI Court fees will be collected in the DUI Court main office during regular business hours or during Status Conference by the Coordinator or Case Manager. No person shall be denied entry or denied services based on their financial status. The DUI Court actively seeks grant funds to subsidize the participation of indigent and lower income participants.

A one-time orientation fee of \$100.00 is required. This fee includes intake, orientation, a level of care assessment, and a baseline drug screen. Each participant is responsible for payment of \$280.00 a month while in Phases 1-3 (\$235.00 participant fee/\$45.00 supervision fee). The \$235.00 fee covers all Group counseling, individual counseling, check-ins, drug-screens and case management services. Upon completion of Phase 3 and movement into Phase 4, the monthly fee is reduced to \$130.00 a month (\$85.00 participant fee/\$45.00 supervision fee) until graduation or expiration of probation, whichever comes first. Charges accrue on the 1st of each month and are charged based upon the phase the person is in on that date.

No person will be removed from the program for a failure to meet their financial obligations if it is not willful. For participants that struggle financially, the Court will seek to assist the participant through a financial evaluation or financial education, a review of employment and possible employment opportunities, a review of skills, and review of education, It is a goal to improve a participants ability to take care of themselves and their financial obligations.

Continuing Education

The DUI Court Team participates in the State of Georgia Accountability Court Conference each year and the Georgia DUI Court Operational Tune-Up training a minimum of every three years. A rotating selection of team members attend the NADCP Annual National Conference.

Counselors are required to attend a minimum number of training hours of education to maintain licensing and certification. Attorneys and judges are required to attend a minimum number of CLE and CJE training hours to maintain their Georgia bar status and judicial status in good standing. All new Team members are required to attend formal training provided by the Georgia Council of Accountability Court Judges.

Community Resources, Partnerships, and Ancillary Services

The DUI Court actively engages in forming and nurturing relationships between the Court and various community partners including local businesses, other government agencies, and treatment courts in surrounding areas. The Court facilitates these relationships through forums, informational sessions, public outreach, and other forms of marketing.

If the participant is in need of additional services, we will strive to provide, or make the necessary referrals for, ancillary services that are available. We currently collaborate with the following services:

- Athens Justice Coalition of Care for assistance with academic and employment training opportunities through the “Phoenix Project”
- Family Counseling Service of Athens offers anger management classes for family violence, as well as additional family counseling
- The Athens Mercy Clinic provides indigent medical care
- Project Safe for domestic violence interventions and support
- The Cottage for sexual assault interventions and support
- Athens Specialty Care Clinic for HIV/AIDS population
- Athens Nurses Clinic for Low Income/Indigent medical care
- The Food Bank for low income basic needs
- Advantage Behavioral Health Systems for higher “levels of care” treatment for mental illness and substance use detox
- The Palm House for sober living environment
- Acceptance Recovery Center (ARC) for long-term residential substance use treatment.

Memorandums of Understanding

The purpose of the MOU is to define the mission and goals of the Court and the roles of the agencies and team members. This Agreement is entered into the N. Kent Lawrence DUI Court (“The Court”), Athens-Clarke County Solicitor General’s Office, Family Counseling Services of Athens, Inc., Athens-Clarke County Police Department, Western Circuit Public Defender’s Office, Athens-Clarke County Diversion Center, Athens-Clarke County Probation, and all Judges. A copy is attached as Attachment “E”.

Appendix

Attachment A

Services Provided by Family Counseling Service

Expectations For Assigned Treatment Clinicians:

1. Create Individual Treatment Plan with clients on caseload and review Treatment Plan monthly to assess appropriateness of plan (and to change plans as the client's needs change) [see Attachment B].
2. Create Revised Treatment Plans as needed for clients on caseload and review and update ASAM Level every six months.
3. Plan, organize, and facilitate group (create group topic relevant to population of clients, engage clients in group topic, encourage open and honest communication between group members, redirect conversations as needed towards therapeutic topics, note Change Talk in group participants to enhance Motivational Interviewing, prepare and complete Group Note [see Attachment C] after group, email Team with group roster, collect 12-Step / Community Support Meeting sheets, and review upcoming programming requirements for clients).
4. Utilize evidence based treatment modalities to include but not limited to: MRT (Moral Reconciliation Therapy) for Criminal Thinking Group/Curriculum, Seeking Safety for Women's group, trauma, and PTSD curriculum, TREM (Trauma Recovery Empowerment Model) for Men's group curriculum, CBT (Cognitive Behavioral Therapy), Motivational Interviewing, Prime Solutions (Substance Use Disorder Curriculum), Logotherapy (Finding meaning in life) Curriculum, Strengths Perspective, and Mindfulness Based Perspective (Yoga class).
5. Facilitate Individual Sessions with each assigned client for a minimum of one-hour once per month up to one individual session per week depending on phase/need/treatment plan. These sessions may include family treatment or couples treatment as needed.
6. Approve and review medications for clients and enter any new medications into the accountability court case management (ACCM) system.
7. After-hours crisis availability for clients and coverage through FCS's on-call answering system for after-hours crises.
8. Attend treatment court staffing bi-weekly 1 – 4 pm.
9. Attend one Status Conference per month 4 pm – 7 pm.

10. Meet with other treatment clinicians and Team Supervision Officer(s) bi-weekly for staffing on Wednesdays 9:30 – 11:00 am.
11. Prepare ACCM notes for bi-weekly team staffing and status conference and prepare graduation notes/bios for graduating clients as needed.
12. Report group attendance weekly to Team by email for every group offered
13. Review, track, and respond to emails and Urine Drug/Alcohol screen results in a timely manner; respond to positive uds' with by producing a Revised Treatment Plan and submit plan to probation within 5 days of positive test.
14. Attend trainings to receive CEU's and keep licensure up to date.
15. Attend staffing at FCS weekly on Thursday 9:30- 11 am to review caseload and cases with peers and supervisors
16. Attend bi-weekly supervision to review cases with supervisor.
17. Attend quarterly planning sessions (2-3 hours) with Team.
18. Attend Academy Court responsibilities yearly (including full Status Conference and staffing)
19. Attend peer review sessions as requested by treatment court

Expectations Specific to Lead Treatment Clinician:

1. Substance Use Disorder Evaluation with all potential ACC DUI Court clients and follow up by email with appropriate partners regarding results of screening.
2. Orientation with new ACC DUI Court clients (assign counselor and group), send email to Court Team with information re: new clients, create initial individual treatment plan for new clients, have a block of 4 hours available each week for Evaluations and Orientations.
3. Complete assessments for all new participants including completing LSI-R, MICP (Multi Consumer Information Profile), ANSA (Adult Needs and Strengths Assessment) with Substance Use D/O Evaluation (ASAM level) for potential SDC clients, report ASAM level, drug/alcohol history, and LSI-R findings into ACCM.

4. Work on case management with Case Management Specialist to include assisting in seeking placements of clients with a third-party provider when a client needs a higher level of care or service that is not provided by FCS such as Intensive Outpatient, Sober Living Environment, Inpatient Treatment or other ancillary services such as medical, dental, vocational, or mental health.

5. Team lead for treatment side of team- keep agenda for retreat topics, inform treatment team of changes, implement changes, act as liaison between treatment team and court team to integrate transitions, work with Case Manager to update paperwork, handbook, etc. yearly or as needed. Complete Monthly Calendar outlining groups and other participant responsibilities. [See Attachment D as example.]

6. Assure that all clinicians are coordinating to provide evidence-based treatment and following NADCP Best Practices, CACJ Adult DUI/Drug Court Standards, and CACJ Adult DUI/Drug Court Treatment Standards.

Attachment C

DUI/Drug Court
Group Note
HIPPA Service Code H004 HQ

Client: _____ Date: _____

Time In: _____ Time Out: _____

Court Phase: **I** **II** **III** **IV**

Title of Group: _____

Check in: _____

Claim time: _____

Group topic _____

_____ Actively participated	_____ Attentive	<u>Attitude</u>
_____ Shared	_____ Disengaged	_____ Positive
_____ Self-disclosed	_____ Disruptive	_____ Negative
_____ Gave feedback	_____ Other _____	

Comments: _____

Assessment: ___ **No change since last visit**

Mood: ___ Appropriate ___ Anxious ___ Depressed ___ Irritable ___ Euphoric/Elevated

Affect: ___ Appropriate ___ Intense ___ Flat ___ Inappropriate ___ Labile

Motor: ___ Normal ___ Excessive ___ Slowed

Insight: ___ Present ___ Partial/Limited ___ Absent ___ Increased re: _____

Thought: ___ Logical ___ Tangential ___ Racing ___ Loose ___ Incoherent

Suicide/violence risk: ___ None ___ Ideation only ___ Threat ___ Gesture ___ Rehearsal ___ Attempt – Actions taken _____

Staff Signature _____

Attachment D:

Athens-Clarke County DUI/Drug Court JUNE 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
May 26	May 27 <ul style="list-style-type: none"> •Mike's CBT Group 5-6 pm •Tim's Healthy Lifestyle Group 6-7pm •Mike's Men's Grp 6-7:30 pm 	May 28 <ul style="list-style-type: none"> •Cate's Foundations Group 5-6 pm 	May 29	May 30 <ul style="list-style-type: none"> •Counselor Check In 1-2 pm (phase 4 attends) • No Yoga today. •Cate's Relapse Prevention Group 4-5 pm 	May 31 No group today.	June 1 <ul style="list-style-type: none"> •Cheran's Foundations Grp 9:30 -10:30am •Cheran's Women's Group 10:30 – 11:45am •Cheran's Men's Group 12- 1:30 pm
2	3 <ul style="list-style-type: none"> •Mike's CBT Group 5-6 pm •Tim's HEALS: Emotion Regulation Group 6-7pm •Mike's Men's Grp 6-7:30 pm 	4 <ul style="list-style-type: none"> •Cate's Foundations Group 5-6 pm 	5	6 Status Conference 4 or 5:30 pm, at the Courthouse	7 <ul style="list-style-type: none"> •Cheran's Relapse Prevention Group 3-4 pm. 	8 <ul style="list-style-type: none"> •Cheran's Foundations Grp 9:30 -10:30am •Cheran's Women's Group 10:30 – 11:45am •Cheran's Men's Group 12- 1:30 pm
9	10 <ul style="list-style-type: none"> •Mike's CBT Group 5-6 pm •Tim's HEALS: Emotion Regulation Group 6-7pm •Mike's Men's Grp 6-7:30 pm 	11 <ul style="list-style-type: none"> •Cate's Foundations Group 5-6 pm 	12	13 <ul style="list-style-type: none"> •Counselor Check In 1-2 pm •Dilution class with Cate 2 pm •Cate's & Cheran's Relapse Prevention Group 4-5 pm •Yoga with Cheran ,4-5 pm •Cate's Integration Grp 5-6 pm 	14 <ul style="list-style-type: none"> •Cheran's Integration Group 3-5 pm (what we used to call phase 4) 	15 <ul style="list-style-type: none"> •Cheran's Foundations Grp 9:30 -10:30am •Cheran's Women's Group 10:30 – 11:45am •Cheran's Men's Group 12 – 1:30 pm

16 Father's Day	17 •Mike's CBT Group 5-6 pm •Tim's HEALS: Emotion Regulation Group 6-7pm •Mike's Men's Grp 6-7:30 pm	18 •Cate's Foundations Group 5-6 pm	19	20 •Counselor Check In 1-2 pm •Cate's Relapse Prevention Group 4-5 pm •No Yoga today.	21 • No Relapse Prevention group today-meeting on 6/13 at 4 pm instead.	22 •Cheran's Foundations Grp 9:30 -10:30am •Cheran's Women's Group 10:30 – 11:45am •Cheran's Men's Group 12 – 1:30 pm
23 <hr/> June 30	24 •Mike's CBT Group 5-6 pm •Tim's HEALS: Emotion Regulation Group 6-7pm •Mike's Men's Grp 6-7:30 pm	25 •Cate's Foundations Group 5-6 pm	26	27 Status Conference at the Courthouse: 4 or 5:30 pm (phase 4 attends)	28 •Cheran's Alumni Group 3-5 pm (participants who have graduated)	29 •Cheran's Foundations Grp 9:30 -10:30am •Cheran's Women's Group 10:30 – 11:45am •Cheran's Men's Group 12 – 1:30pm

*Counselors: Cheran Bodry-Stone lcsw, Tim Hinkle lpc, Mike Rentschler lpc, Cate Gaddy lmsw.
Call to set appointments with your counselor at (706)549-7755, fax (706)549-0428.*

SDC Treatment Plan

Client: _____

Date of Review: _____

Court Phase: _____

Treatment Group: _____

Client will attend the following group or groups:

Client will attend ____ individual sessions with counselor per month

Client will attend ____ 12-step meetings or community support meetings per month

Client will obtain:

- Recent letter (within last 6 months) from their Psychiatrist stating diagnosis, need for prescriptions and prescription information.
- Signed release of information for past medical/mental health, or substance use disorder records.

Referral to:

- | | |
|--|--|
| <ul style="list-style-type: none"><input type="checkbox"/> Mental Health Treatment<ul style="list-style-type: none">-Insurance: yes or no-ABHS, Shifa Clinic<input type="checkbox"/> Parenting Class<ul style="list-style-type: none">-Prevent Child Abuse Athens<input type="checkbox"/> Family/Domestic Relations Counseling<ul style="list-style-type: none">-FCS, Other Counseling Agency<input type="checkbox"/> Residential Treatment/Higher Level of Care<ul style="list-style-type: none">-ASAM Level: _____<input type="checkbox"/> Health Care<ul style="list-style-type: none">-Insurance _____-Mercy Clinic, Shifa Clinic, Nurses Health Clinic<input type="checkbox"/> Dental Care<ul style="list-style-type: none">- Insurance: yes or no-Athens Tech Dental Clinic<input type="checkbox"/> Anger Management Classes<ul style="list-style-type: none">-FCS or other agency<input type="checkbox"/> Housing Assistance<ul style="list-style-type: none">-Salvation Army, Housing Authority, Halfway house | <ul style="list-style-type: none"><input type="checkbox"/> Trauma Group or Trauma Counseling<ul style="list-style-type: none">-Men's or Women's Group<input type="checkbox"/> Thinking for a change or MRT<input type="checkbox"/> For Participants children or grandchildren<ul style="list-style-type: none">-DFCS, Sesame Street Materials, Doctor, Psychiatrist, etc.<input type="checkbox"/> MAT Program<input type="checkbox"/> Halfway House or Sober Living Facility<input type="checkbox"/> Basic Needs/Food/Help paying bills<ul style="list-style-type: none">-Food Bank, ARK, Food Stamps<input type="checkbox"/> Finances/Budgeting<ul style="list-style-type: none">-ARK<input type="checkbox"/> Phoenix Program<ul style="list-style-type: none">-Employment, GED, Job Skills Training, Education<input type="checkbox"/> Life Enrichment Activities<input type="checkbox"/> Obtain Sponsor or Mentor<input type="checkbox"/> Other <p>_____</p> <p>_____</p> |
|--|--|

Attachment E:

N. Kent Lawrence DUI Court (Athens DUI Court)

Memorandum of Understanding

Parties: This Agreement is entered into the N. Kent Lawrence DUI Court (“The Court”), Athens-Clarke County Solicitor General’s Office, Family Counseling Services of Athens, Inc., Athens-Clarke County Police Department, Western Circuit Public Defender’s Office, Athens-Clarke County Diversion Center, Athens-Clarke County Probation, and all Judges. All parties collective listed shall be referred to as “Team”.

Purpose of this Memorandum of Understanding: The purpose of this MOU is to define the mission and goals of the Court and the roles of the agencies and team members.

Mission and Goal of Court: All parties to this Agreement endorse the mission and goals of the treatment court which seeks to provide treatment and accountability to persons who are convicted of DUI (or convicted of another crime as a result of a substance use disorder) that are high risk and high need. The purpose of the Court is to increase community safety, to provide a meaningful alternative to incarceration, give participants a chance for rehabilitation and recovery, to hold people accountable, and to provide participants tools to be healthy, productive members of society. The Court seeks to address criminal thinking, substance/alcohol use disorders, trauma, and mental and physical health, in order for participants to realize an improved quality of life. The parties recognize that for the goals and mission of the treatment court to be successful, cooperation and collaboration must occur within a network of systems.

Standards and Best Practices: The parties agree that the Court will follow all National Best Practices and Georgia State Standards including:

NADCP Adult Drug Court Best Practice Standards

NADCP 10 Key Components of Drug Courts

NCDC 10 Guiding Principles of DWI Courts

Georgia Council of Accountability Court Judges (CACJ) Adult DUI/Drug Court Standards
CACJ Adult DUI/Drug Court Treatment Standards

Individual Agency Responsibilities and Staff Commitments:

Court Judge

1. The Judges will ensure a cooperative atmosphere for attorneys, probation officers, law enforcement, and treatment providers to stay focused on the task of providing participants with treatment and rehabilitation opportunities.
2. The Judges will ensure the integrity of the treatment court is maintained by having an understanding of the program's policies and procedures.
3. The Judges will participate as an active member of the Staffing Team and will chair the treatment court team.
4. The Judges will assist in motivating and monitoring the participants of the treatment court.
5. The Judges will gather information from the treatment court team and make all final decisions on incentives, sanctions, and therapeutic interventions that effect the participants.
6. The Judges will act as a mediator to develop resources and improve interagency linkages.
7. The Presiding Judge shall be designated by State Court and shall be assisted by another judge or judges.

Court Coordinator

1. Assist in providing general oversight to the treatment court to include meeting attendance, grant reporting, and administration of budget (to include management of contracts), program support, funding solicitation and community outreach.
2. Facilitate communication between team members and partner agencies.
3. Assist with organizing court, events and meetings and compiling supporting materials to disseminate to stakeholders and providers of services to maintain linkages.
4. Ensure the Court policies and procedures are updated annually and followed during program operations.
5. Ensure all team members follow confidentiality regulations and all appropriate forms are signed and circulated to the appropriate agencies.
6. Provide oversight of the statistical database and evaluation process of the treatment court.
7. Assist in providing or seeking continuing training for the treatment court team.

8. Prior to an individual's acceptance into the Court, the Coordinator shall provide information regarding the structure and requirements of the Court.

Case Management

1. Monitor participant status in the program, using a data tracking system and maintain documentation regarding employment, education, financial responsibilities and attendance at court required events.
2. Maintain and organize all documentation received by treatment, probation and participants for presentation at regularly scheduled meetings in order to provide status updates on DUI/Drug Court Program participants to all team members
3. Pre-screen case files, track and analyze Fast Track disposition data
4. Provide administrative support to the coordinator
5. Maintain a document detailing recent positive drug tests or tests of concern to the team.
6. Maintain a document detailing eligibility to 'phase up' as related to recent court sanctions and tests of concern.
7. Work with treatment clinician to assist in seeking placements of clients with a third-party provider when a client needs a higher level of care or service that is not provided by FCS such as Intensive Outpatient, Sober Living Environment, Inpatient Treatment or other ancillary services such as medical, dental, vocational, or mental health.

Prosecutor

1. The Prosecutor will participate as an active member of the Staffing Team.
2. Assist in identifying defendants arrested for specific offenses that meet program eligibility requirements, including but not limited to repeat DUI offenders.
3. When appropriate the Prosecutor may help resolve other pending legal cases that affect participants' legal status or eligibility.
4. Participate as a Team member, operating in a non-adversarial manner during court, to promote a sense of a unified Team presence.
5. The Prosecutor will serve as a liaison to communicate topics of interest and concern between the Solicitor General's Office and The Court

Public Defender

1. Participate as an active member of the team, operating in a non-adversarial manner during court, to promote a sense of a unified Team presence.
2. Ensure the constitutional rights of the participant are protected and advocate generally for the interests of individuals in the program
3. Serve as a liaison to communicate topics of interest and concern between the Western Circuit Public Defender's Office and The Court.

Probation Officer

1. Provide comprehensive case management and field supervision of treatment court participants and to participate as an active member of the Staffing Team.
2. Provide coordinated and comprehensive supervision and case management to include telephone contact, office/home/employment visits, as well as random field visits to participants' homes.
3. Provide the treatment court staffing team with sufficient and timely information regarding violations of probation and behavioral concerns to implement sanctions, incentives, and therapeutic interventions.
4. Monitor/assist the participant compliance and progress to the adherence of the Judgement and Sentence order and program requirements.
5. Utilize and deliver cognitive-behavioral interventions to address criminal thinking and increase a readiness for change.
6. Notify team members of disposition of probation violations.

Treatment Providers

1. Participate fully as a Team member and will work as a partner to ensure the success of treatment court participants.
2. Operate in conjunction with the treatment court team for the assessment and placement of participants in the appropriate level of care to meet their treatment needs.
3. Provide progress reports to the Team prior to staffing, so the Team will have sufficient and timely information.
4. Prior to acceptance into the program, conduct an evidence based assessment to determine whether the individual is appropriate for participation in the Court.
5. Provide evidenced-based, individualized treatment that includes individual and group counseling.
6. Coordinate the utilization of community-based services such as health and mental health services, victims' services, housing, entitlements, transportation, education, vocational training, and job skills training and placement to provide a strong foundation for participants.
7. Ensure all confidentiality forms are signed with the client and the team.
8. Report failures to attend counseling sessions to the Court within twenty four hours.

Law Enforcement

1. Law Enforcement will assist the treatment court team in monitoring of participants and will designate specific officers to perform the service for the term of this Agreement and will assign a representative to participate in the court staffing

meetings to provide appropriate information and insight from the law enforcement community's perspective.

2. Help to identify potential and eligible treatment court participants.
3. Serve as a liaison between the treatment court team and the community and provide information to the treatment court team on community issues related to alcohol and drug use.
4. Provide information and support to participants in the community, encouraging them to succeed in the treatment court.

Drug Lab Operator

1. Observe, record and transmit results of drug screens and participant results.
2. Through research and training maintain knowledge of best practices for drug testing and emerging trends in substance abuse and sample tampering
3. Inform the team of any medical or behavioral issues which become apparent.
4. Reinforce the message of the Court when communicating with participants.

Diversion Center Superintendent

1. Provide information to the Team regarding participant's compliance with Diversion Center rules
2. Communicate with Coordinator, Probation Officer and Treatment Provider to allow participants to progress in the Court while still being compliant with Diversion Center Rules
3. When possible provide an alternative location for drug testing for a small number of participants with challenging schedules as approved by Superintendent and Probation Officer.

Role of All Team Members

1. The team shall include at least one other judge who shall assist the Presiding Judge and also be bound by this Memorandum.
2. In addition to regularly scheduled Staffings and Status Conferences, the team shall schedule planning sessions at least quarterly to address broad programmatic issues so as to continue to improve the program and avoid interfering with the regular discussion of participants
3. All team members will participate in Staffings and advocate for effective incentives, sanctions, and therapeutic interventions for program compliance or lack thereof.
4. To the extent possible all team members shall attend all Status Conferences, Staffings, Graduations, and Planning Sessions.
5. To the extent possible all team members shall regularly attend training on best practices and emerging trends in accountability courts. All team members shall actively seek to

stay informed and educated as to the National Best Practice and State Standards, emerging research and trends.

6. All team members shall be trained in and mindful of the role of trauma in the lives of many participants and be mindful of the principals of trauma informed care when interacting with participants.
7. All team members will contribute to the education of peers and colleagues, in the efficacy of the Court and serve to inform the public regarding the efficacy of the Court.

In creating this partnership and uniting around a single goal of addressing an underlying problem affecting our community, we pledge to enhance communication between courts, law enforcement, advocacy groups, and treatment programs. Through this linkage of services, we expect greater participation and effectiveness in addressing treatment court participants involved in the criminal justice system.

All parties agree to be represented in the treatment court team. The treatment court team will be responsible for modifying and amending this Agreement. The treatment court team will address problems and issues as identified and develop policy and program modifications.

Confidentiality: The parties to this Agreement understand that the confidentiality of participants' alcohol and drug treatment records are protected under Federal regulations: Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2 and the HIPPA Privacy Rule, 45 CFR 160, 162, and 164. The parties agree to comply with all confidentiality requirements.

Agreement Modifications: Any individual agency wishing to amend and/or modify this Agreement will notify the coordinator of this issue(s). The coordinator will present the issue(s) to the Steering Team for the purpose of modifying and/or amending the Agreement. The issues will be decided by consensus (if possible) or by simple majority, if not.

IN WITNESS THEROF, the parties have caused their duly authorized representative to execute this Agreement.

Charles Auslander III, State Court Judge and Presiding Judge,

Date

Benjamin Makin, Magistrate Court Judge

Date

Ryan Hope, Municipal Court Judge

Date

Lee Rushton, Court Coordinator

Date

Will Fleenor, Prosecutor

Date

Paige Spivey, Public Defender

Date

Gary Bowen, Probation Officer

Date

Cheran Bodry Stone, Treatment Provider

Date

Cate Gaddy, Treatment Provider

Date

Mike Rentschler, Treatment Provider

Date

Lt. Tim Scott, Law Enforcement Liaison

Date

Cecily Evans, Drug Lab Operator

Date

Daniel Young, Diversion Center Superintendent

Date