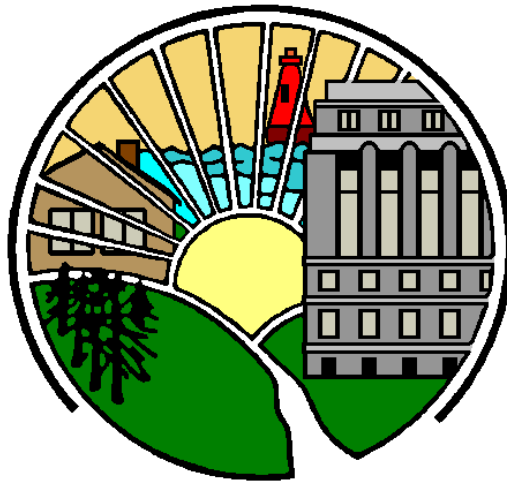


Sheboygan County Treatment Court Program



Policy and Procedure Manual

**Sheboygan County Treatment Court
Sheboygan County Health & Human Services
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Sheboygan, WI 53081
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MISSION STATEMENT

The mission of the Sheboygan County Drug & Alcohol Treatment Court is to provide a comprehensive diversion program of supervision, treatment, and rehabilitation to break the cycle of substance abuse and criminal behavior. The program is designed to enhance public safety, reduce recidivism, and decrease substance abuse in our community by using a respectful, trauma-informed approach and evidence-based, individualized treatment that supports lifelong recovery from addiction.

INTRODUCTION

The Sheboygan County Treatment Court is specifically designated and staffed to handle cases involving drug and alcohol convicted individuals through an intensive, judicially monitored program of drug/alcohol treatment, rehabilitation services, and strict community supervision.

The Treatment Court concept is a non-traditional, innovative approach to prosecution of individuals who are addicted to drugs and/or alcohol that was first developed in Miami, Florida, in 1989. The Treatment Court concept has since received widespread attention as an effective treatment strategy for substance-involved criminal individuals. There are more than 3,500 such programs now in operation in jurisdictions throughout the nation.

Treatment Courts are built upon a unique partnership between the criminal justice system and substance use treatment resources, one that structures treatment interventions around the authority and personal involvement of a Treatment Court Judge. Treatment Courts are also dependent upon the creation of a non-adversarial courtroom atmosphere where a Treatment Court Judge and a dedicated team of court officers and staff work together toward a common goal of breaking the cycle of drug/alcohol abuse and criminal behavior.

Unique opportunities and challenges are involved in working with drug/alcohol-involved convicted individuals. As a result, treatment and rehabilitation strategies must recognize several important factors related to this population. Individuals who

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struggle with addiction are most willing to accept intervention when they are in the crisis created by an arrest and associated incarceration. As a result, therapeutic intervention should begin as soon as possible following the arrest. Preventing gaps in communication and ensuring participant accountability are both critically important. Court supervision must, therefore, be coordinated and comprehensive. Addiction to drugs/alcohol is a longstanding, debilitating, and insidious condition; treatment must be comprehensive and long-term. Addiction to drugs/alcohol seldom exists in isolation from other serious problems that undermine rehabilitation, so treatment must include integration of other services such as vocational training, enrollment in educational courses, enhancement of budgeting skills, and assistance with employment readiness. As many participants will have histories of trauma and others will have a co-occurring mental illness, specialized therapeutic services will be offered to those in need. Finally, relapse and non-linear progress are part of the recovery process. As a result, progressive incentives and sanctions are critical to the success of the Program's intervention strategies.

Primary goals of The Sheboygan County Treatment Court Program include:

- Reduce drug/alcohol-related crimes to improve safety of community
- Reduce participant contacts with the Criminal Justice System, i.e., recidivism
- Involve participants in an intensive treatment program designed to achieve total abstinence from illicit drugs, non-prescribed prescription medication and alcohol
- Promote self-sufficiency and enable participants to become productive and responsible members of the community, i.e., real and effective rehabilitation.

The following benefits may also be achieved in pursuit of the primary goals:

- Reduce criminal justice costs through reduced reliance on incarceration for drug/alcohol-related felons
- Increase community awareness of Sheboygan County's drug and alcohol problems
- Promote community participation in addressing drug and alcohol problems as a result of community outreach for funding and collaboration

KEY COMPONENTS

Research has demonstrated that problem-solving courts that comply with the Ten Key Components of Treatment Courts listed below, have significantly better outcomes (*Adult Treatment court Best Practice Standards, 2013*). Sheboygan County Treatment Court strives to achieve these goals in order to ensure the Court is practicing within an evidence-based framework.

1. Treatment courts integrate alcohol and other drug treatment services with Justice system case processing.
2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
3. Eligible participants are identified early and promptly placed in the treatment court program.
4. Treatment courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
5. Abstinence is monitored by frequent alcohol and other drug testing.
6. A coordinated strategy governs treatment court responses to participants' compliance.
7. Ongoing judicial interaction with each treatment court participant is essential.
8. Monitoring and evaluation to measure the achievement of program goals and also gauge program effectiveness.
9. Continuing interdisciplinary education promotes effective treatment court planning, implementation, and operations.
10. Forging partnerships among treatment courts, public agencies, and community-based organizations generates local support and enhances treatment court effectiveness.

POLICIES AND PROCEDURES

Multi-disciplinary Team

The Sheboygan County Treatment Court operates under the direction of a multi-disciplinary team. This team is led by the Treatment Court Judge who makes all decisions with input from the Treatment Court Team. In addition to the Treatment Court Judge, the team includes:

- A representative from the District Attorney's Office
- A representative from the Public Defender's Office
- A probation Agent from the Department of Corrections
- A Treatment Court Coordinator, Program Evaluator, and Treatment Providers from Sheboygan County Health & Human Services (SCHHS)
- A representative from Sheboygan Police Department
- A representative from Sheboygan Sheriff's Department
- Additional members include CPS representative, Sober Living representative, CCS Case Manager and IPS Case Manager.

Each week, the Treatment Court Team meets prior to court to review each participant's case. Case discussions include sharing information about progress in treatment, results of drug/alcohol screens, and whether each participant is engaging in activities identified in his/her case plan. Case reviews are designed to inform the Team of overall progress as well as any struggles participants may be having. The Team uses this information to make adjustments to case plans, decisions about incentives or sanctions, and ways to support each participant's recovery and success in the program. The treatment court team receives overview and guidance from the Sheboygan County Criminal Justice Advisory Committee. This Committee assists with the following: data evaluation, policy and procedures reviews, program document updates and community outreach.

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Team Member Roles and Responsibilities

Specific expectations apply within the capacity of the following Treatment Court Team member roles and/or organizational Team representation:

Sheboygan County Circuit Court - Judge

- a. Is the leader, communicator, educator and community collaborator of the treatment court team
- b. Presides in the treatment court for no less than two consecutive years
- c. Administers sanctions and incentives based on the team's recommendations
- d. Presides over the court proceedings and monitors appropriate application of discipline, sanctions and incentives while maintaining the integrity of the court
- e. Brings together stakeholders for planning and evaluation and coordinates innovative solutions
- f. Utilizes his or her community leadership role to create interest in and develop support for the program.
- g. Effectively leads the team in developing protocol and procedures
- h. Contributes to the education of peers, colleagues, and the judiciary about the efficacy of Treatment Courts
- i. Asks open-ended questions, affirming the defendants' conduct and views, and whenever appropriate reflecting back on the defendant's comments and summarizing the content
- j. Avoids blaming, shaming, discounting, arguing with, confronting, labeling, and belittling participants and must not permit others to do so
- k. Interacts with each participant no less than three minutes during each court review

Sheboygan County Circuit Court – Court Support Staff

- a. Clerk of circuit court keeps criminal court file. Access to and retention of the file is governed by the laws and procedures pertaining to criminal court cases.
- b. Court reporter records court proceedings at Termination or Graduation
- c. Documents the progress of the treatment court proceedings in relation to the criminal case and records any judicial action taken in relation to it. This file may include:
 - i. Any order referring the defendant to treatment court
 - ii. Any notice admitting or rejecting the defendant to the program
 - iii. Any order staying the criminal court proceedings

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- iv. Any waiver pertaining to court proceedings (waiver of confidentiality regarding discussion of treatment-related issues, waiver of ex parte contact by judge)
- v. Any proceedings or orders regarding sanctions
- vi. Any order or notice of defendant's voluntary termination from the program
- vii. Any proceedings or orders regarding involuntary termination from the program
- viii. Any acknowledgement of successful completion of the program
- ix. Any letters or information that go directly to the judge
- x. Processes orders of the court

*Office of Sheboygan County District Attorney – **Prosecutor from District Attorney's Office***

- a. Operates in a non-adversarial manner, promoting a sense of a unified team
- b. Ensures community safety concerns by maintaining eligibility standards while focusing on the benefits of therapeutic programs
- c. Negotiates with Defense attorney for optimum incentive to attract potential participants to Treatment Court program
- d. Monitors participants progress to define parameters of behavior that allow for continued program participation
- e. Protects and promotes public safety
- f. Develops efficient method of conducting legal screens on potential Treatment Court participants
- g. Adopts a less punitive approach than traditional criminal case processing
- h. Educates the office on the programs and the successes
- i. Actively encourages pro-social behavior to support graduation
- j. Promotes efficacy of Treatment Court's behavior modification techniques
- k. Argues for swift response to participant behavior

*Office of Sheboygan County Public Defender- **Public Defender/Defense Attorney**¹*

- a. Realizes that the adversarial nature of traditional criminal courts may be a roadblock to open communication and a hindrance to recovery
- b. Understands that a large component of participant success depends upon the belief that he/she needs treatment
- c. Prior to being accepted into Treatment Court, Adversary Counselor will competently represent the client in treatment court, to include being familiar with treatment, procedures, resources, and the likelihood of success of the participant

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- d. Prior to being accepted into Treatment Court Adversary Counselor will assure each Treatment Court participant is fully advised of the requirements of the program prior to agreeing to participate
- e. Design format of entry into Treatment Court that streamlines traditional case processing
- f. Insist that legal and clinical screens are promptly conducted
- g. Ensures prompt admittance into program and start of rehabilitative treatment
- h. Prior to being accepted into Treatment Court Adversary Counselor advises client regarding rigors of Treatment Court program
- i. Prior to being accepted into Treatment Court Adversary Counselor advises client regarding all rights waived as participant in Treatment Court in contrast to rights waived in traditional criminal proceedings
- j. Prior to being accepted into Treatment Court, Adversary Counselor assists in creating and executing all participant waivers and contracts that promote client's best interest;
- k. Prior to being accepted into Treatment Court, Adversary Counselor advises the client of the choice to enter the program, options, sanction models, consequences if fails to complete, and benefits of graduation (i.e. the client must choose the program voluntarily)
- l. Prior to being accepted into Treatment Court Adversary Counselor assures program considers best interest of the client from a legal perspective
- m. Actively demands participant accountability; advocates for prompt incentives and sanctions in response to client behavior
- n. Assures program is not unduly burdensome on client and considers client's integration into law-abiding society
- o. As counsel, shields client from ineffective counselor; as team member, protects integrity for Treatment Court program by monitoring effectiveness of all components of client care and supervision
- p. Prior to being accepted into Treatment Court, Adversary Counselor assures client understands all waivers and contracts prior to execution of said documents and assists in completion of client contracts and waivers
- q. At staffing, actively listens for undue encroachment upon client liberties or disparate treatment of participants
- r. As counsel, serves as "voice of client" in pointing out deficiencies of Treatment Court program; as team member, seeks productive means of addressing deficiencies
- s. When appropriate, encourages clients to be forthcoming and honest regarding their recovery process
- t. Assures that completion of Treatment Court leaves client in more favorable position than normal course of criminal proceedings

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¹ The Public Defender will fulfill the role as a team member subject to ethical considerations. If the Public Defender is unable to fulfill the role due to a conflict of interest, the participant will be advised to seek the advice of adversary counsel.

Sheboygan County Health & Human Services – Coordinator

- a. Develop rapport with all team members based on information sharing
- b. Arranges screening appointments with potential program candidates following the District Attorney's determination of legal eligibility
- c. Tracks and communicates screening outcomes to the Treatment Court Team
- d. Maintains up-to-date record on prior incentives and sanctions given to assure consistency
- e. Discusses Treatment Court Program with the client in an unbiased manner with full disclosure of expectations and responsibilities associated with participation in the interest of securing informed consent
- f. Educates referral sources and the community about eligibility standards and program goals
- g. In non-court settings (staffing), reports on history of team decisions regarding incentives & sanctions for each participant
- h. Tailors each required document, including client contract, to the needs of the Treatment Court program
- i. Works with each discipline to assure all documented procedures, contract, releases, etc. reflect the best, most therapeutic, interest of the client
- j. Periodically reviews all documents and procedures for continued applicability and efficacy
- k. Develops team resource strategies to acquire funding (grant writing, community outreach)
- l. Supports monitoring of budget for Treatment Court and orders supplies, including drug testing materials and participant treatment books
- m. Assists with the creation and maintenance of program eligibility standards, operating procedures and rules to include assisting with development of client contracts, confidentiality releases, and entry procedures
- n. Participates in CORE data collection system to monitor client compliance, identify trends and provide information for process and outcome evaluation
- o. Creates interagency linkages to address clients' ancillary needs (medical, mental health, education, vocational, skills training, employment training)
- p. Develops police and corrections linkages to improve supervision and inter-agency coordination
- q. Manages daily operations, maintains and updates participant files

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- r. Helps to promote a productive work environment where each team member can participate
- s. Conducts regular and ongoing quality assurance
- t. Manages daily operations and filing systems
- u. Directs clients to business office to determine ability to pay, monitors changes in client's employment, and requests that they return to the business office to determine if employment changes affect ability to pay for services so that adjustments can be made
- v. Provides a monitoring function to the team (along with supervision and law enforcement): e.g. reporting on a participant's activities in the community and supervising participation in community service

*Sheboygan County Probation & Parole – **Probation Agent***

- a. Protects public safety
- b. Complete or report risk and need assessment (COMPAS) to determine high risk/high needs program eligibility
- c. Provides coordinated and comprehensive supervision to ensure accountability and minimize participant manipulation and/or deviation
- d. Provides a monitoring function to the team (along with law enforcement and treatment): i.e. going on joint home visits, reporting on a participant's activities in the community, and supervising participation in community service
- e. Develops effective measures for drug testing and supervision compliance reporting that provides timely information to the team
- f. Provides case management duties to assist clients with the services needed in the holistic approach to success
- g. Coordinates the utilization of available community-based services (health, victims' services, housing, transportation, education, vocational training)
- h. Collaborates with Treatment Providers in completion of participant's case plans

*City of Sheboygan Police Department – **Law Enforcement Officer***

- a. Provides information of participant appropriateness from law enforcement sources to the team and makes recommendation to the team
- b. Assists in development of an efficient method of conducting legal screens on potential Treatment Court participants and assists with background investigations
- c. Provides a monitoring function to the team (along with supervision and treatment): i.e. going on joint home visits, reporting on a participant's

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- activities in the community, and supervising participation in community service
- d. Assists in the apprehension of participants when a Probation warrant has been issued
- e. Acts as a liaison between the Drug and Alcohol Treatment Court program and the police department(s)
- f. Attends and participates in client staffing by providing progress reports, making recommendations, and identifying supervision and ancillary services needed
- g. Acts as a liaison to police agencies, providing education, information and training on the importance of the Treatment Court program to community safety and the benefits of law enforcement in collaborating with the Treatment Court
- a. Disseminates information to officers that come in contact with Treatment Court participants to assure reasonable and appropriate measures are used when checking the participants for compliance

*Sheboygan County Health & Human Services – **Treatment Providers***

- a. Conducts comprehensive assessment of participant using the ASAM (**American Society of Addiction Medicine**) Criteria and Texas Christian University (TCU) Drug Screen
- b. Utilizes results of comprehensive assessment to create a treatment plan
- c. Ensures that participants be evaluated in timely, consistent intervals to measure progress or lack thereof in each of the 6 ASAM Dimensions
- d. Protects integrity of Treatment Court program by providing competent, high quality, evidence-based treatment and therapeutic interventions
- e. Performs in-service training of all team members regarding substance abuse addiction and treatment
- f. Collects and maintains documentation of participants' involvement in treatment and progress toward treatment goals
- g. Provide information regarding Treatment Court participant's progress to each team member
- h. Remains abreast of best practices of the field
- i. Creates treatment environment that is encouraging and restorative
- j. Maintains and ensures competence of collaborating treatment providers
- k. Maps, along with other team members, community resources that can assist program participants at little to no cost

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Sheboygan County Sheriff's Department- Day Reporting Staff

- a. Contributes to the Drug & Alcohol Treatment Court process by conducting randomized drug and/or alcohol testing on participants
- b. Develops procedures for drug testing that include clear chain of custody of samples and the opportunity for retesting
- c. Collaborates with contracted drug testing company and follows protocols for testing that enables timely results to be provided to the team to inform decisions regarding behavioral response/action being taken in an expedient manner (i.e. sanction, incentive)
- d. Prior to administering a drug test, will ask participants if there has been any use of mind-altering substances (other than their valid prescription medication) to promote honesty and direct court responses to positive drug screens
- e. Provides capacity to conduct drug and/or alcohol testing 7 days per week including holidays
- f. Informs Treatment Court Coordinator of the results of testing conducted on each Treatment Court participant in a timely fashion
- g. Will monitor testing supplies and complete orders timely to ensure adequate supplies

Sheboygan County Health & Human Services – Evaluator

- a. assists the Treatment Court team in developing, capturing, and communicating useful and useable information for key stakeholders and other audiences
- b. monitors outcome measures and communicates findings to the treatment court team
- c. Identifies problems or areas of concern so the team can make necessary adjustments to the program
- d. Educates the team on trends and ways to monitor goal accomplishment
- e. Facilitates team education including state treatment court conferences, cultural competence training and equity and inclusion training
- f. Supports monitoring of Treatment Court Budget
- g. Performs case reviews as a method of quality improvement

Eligibility Criteria

- a. Be an established Sheboygan County resident
- b. Be evaluated as high risk-high needs using a validated risk and needs assessment tool
- c. Assessed as having a severe Substance Use Disorder

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- d. Charged with and/or convicted of a felony in Sheboygan County involving the possession, use, or sale of a controlled substance or other crime motivated by substance use
- e. Be at the post-conviction state of criminal proceeding at the time of entry in the treatment court program
- f. Have a minimum of 24 months of supervision available
- g. Agree to sign all releases of information, as requested, and comply with the Treatment Court Conditions/Terms of Participation

Exclusionary Criteria

- a. Be a violent offender by Federal definition. “Violent offender” is defined as an individual who: Is charged with or convicted of an offense (presenting offense) that is punishable by a term of imprisonment exceeding one year, during the course of which offense or conduct:

The person carried, possessed, or used a firearm or dangerous weapon;
There occurred the death of or serious bodily injury to any person; or
There occurred the use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (a) or (b) is an element of the offense or conduct of which or for which the person is charged or convicted; or

An offense that has as an element of attempted use, or threatened use of physical force against the person or property of another, or any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

- b. Have a history of any offense, within the past 10 years that includes: manufacture, delivery, possession with intent or conspiracy to commit these offenses involving 5 or more grams of cocaine, 1,000 grams of marijuana or 20 plants, 3 or more grams of heroin or 3 or more grams of methamphetamine.

Previous participation in Treatment Court will not exclude the ability to re apply for Treatment Court. It will be the team’s discretion for admittance.

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Referral and Legal Processing

The Sheboygan County Treatment Court is a post-conviction structured treatment court. The referral process begins in one of two ways, a new arrest or the decision to consider Treatment Court Program participation as an alternative to revocation (ATR) for a particular participant. Referrals to the Treatment Court Program should take place as soon as possible after the arrest of a potential participant.

At the time of referral, information known about the applicant should include how the applicant meets the Treatment Court eligibility criteria. The applicant's attorney and/or Probation Agent (in the case of an ATR) will discuss the option of participation in the Treatment Court with him/her. The rules and responsibilities, structure and format, and the basic expectations of the program will be explained to the applicant. If the applicant is interested, willing and able to participate, the Treatment Court application/releases of information/expiate form are completed with their attorney. The application is submitted to the Treatment Court Coordinator. The application is subsequently reviewed by the District Attorney's office for legal eligibility.

The applicant will then participate in a risk and needs assessment using the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS). If a COMPAS was completed within the last year, the pre-existing COMPAS assessment scores can be used; a previous assessment can also be updated if new information is available. If a new COMPAS assessment is needed, the applicant may be evaluated by the probation agent, coordinator, or treatment provider. In addition to the COMPAS, each applicant will be evaluated using the Texas Christian University Drug Screen-V (TCUDS-V) to determine whether he/she has a severe Substance Use Disorder. This screening tool can be administered by the Treatment Court coordinator or treatment provider. If the participant's scores on the COMPAS and TCUDS-V, respectively, meet the criteria for admission to the program, the individual is admitted to the program. If scores do not meet criteria for admission, the individual's attorney will be notified. If admitted, the District Attorney will subsequently proceed with making an offer to the applicant and his/her attorney. If the applicant accepts the offer for the new charge, he/she must enter a plea of guilty or no contest to the charge and be sentenced by the Trial Court Judge.

Each participant will be informed of the rules, outlined in the Participant's Handbook.

1. Always tell the truth. Overcoming alcohol or drug addiction is not easy, yet

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thousands of individuals do it every year with the help of others. Your success will take your best effort, including a commitment to honesty.

2. Do not possess or consume illegal drugs, paraphernalia, any controlled substance not currently prescribed to you, alcohol or any substance that contains alcohol. Be responsible for what goes into your body; **NO** poppy or hemp seeds; **NO** non-alcoholic beer or wine; **NO** CBD products; **NO** mouthwash and/or cough syrup or other over the counter medications that contain alcohol.
3. Do not share or give drugs to others. This is considered dealing and/or middling and is treated as drug dealing, regardless if you take money or not. This may be a different understanding of your definition of dealing and therefore we want to stress the importance of this point.
4. Do not tamper with alcohol or drug testing. Tampering with urine or interfering with testing is a very serious offense and will result in a sanction and/or possible termination from the program.
5. Inform all treatment providers (including doctors and dentists) that you are enrolled in the Sheboygan County Treatment Court Program and should not be taking medications that are addictive in nature (e.g. opioids, benzodiazepines, amphetamines).
6. Tell the Treatment Court Team about any medications, including over-the-counter medications, that you are taking. Avoid all over-the-counter medications that contain alcohol or ephedrine.
7. Cooperate with all alcohol and/or drug tests. Be responsible for what goes into your body; no poppy seeds, hemp seeds, CBD, Delta 8, Delta 9, Delta 10, non-alcoholic beer or wine. No mouthwash, cough syrup or other over the counter medications that contain alcohol.
8. Do not associate with or remain in the presence of others who are using illegal drugs, non-prescribed medications, or alcohol. Changing people,

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places, and things associated with your substance use is necessary for recovery.

9. Follow the treatment/case plan created for you and attend all treatment sessions, including individual and group therapy.
10. Be on time to court, all Treatment Court related appointments, and treatment sessions. You are encouraged to use a calendar as you are responsible for making and keeping all of your appointments.
11. Always comply and cooperate with curfew checks and other check-ins by law enforcement.
12. Obey the law. This includes driving a vehicle without a valid driver's license.
13. Report any police contact to your probation agent and the Treatment Court Coordinator immediately, whether or not you are arrested.
14. Tell your Probation Agent and the Treatment Court Coordinator any time you have a change of phone number, address, employment, or schooling.
15. Pay all Treatment Court related fines, court fees and any other financial obligations.
16. Do not gamble or enter a gambling casino.
17. Behave appropriately in court, at all Treatment Court related appointments and treatment sessions.
 - a. Inappropriate behavior will not be tolerated and may result in your termination from the program. Do not make threats toward other participants, counselors, or any members of the Treatment Court Team, nor behave in a threatening, aggressive, or profane manner.
 - b. Do not bring your children to court.
 - c. Do not have cell phones or other electronic devices turned on in court.

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Cell phones will be confiscated if they ring during court. If you are on electronic monitoring, ensure your battery is charged to avoid disruption.

- d. No food or gum is allowed in the courtroom. The only beverage permitted is water.
- e. Use the restroom before court. Do not leave court during a hearing.
- f. Dress appropriately for court and all appointments. Clothing displaying inappropriate language, drugs, alcohol, gang symbols or colors, is prohibited. Hats or hoods are not to be worn in court.

After being accepted and enrolled, each participant will meet with the Treatment Court Coordinator to review and sign authorizations to release information, review and sign the Ex Parte Waiver, and complete the Ability to Pay (ATP) Process for the cost of treatment with a representative of the billing office at Sheboygan County Health & Human Services (SCHHS). The Treatment Court Coordinator can answer any questions the participant has at this time.

Program Overview

Admission and Orientation

Once all initial assessments are completed and necessary forms signed, the applicant is officially admitted to the Treatment Court Program. With this, he/she receives a Participant Handbook which provides an overview of the Treatment Court Program and the associated rules, responsibilities, procedures and expectations. The participant will also receive information about the Weekly Report Form and the expectation that it be completed and turned in to the coordinator on Thursday at court each week. If the participant does not have to appear at court that week they will need to make arrangements to get their forms to the coordinate before court.

Consents and Confidentiality

Once accepted but before the participant begins the Program, he/she will be asked to sign an authorization to release information to the entire Treatment Court Team. This will allow the Multi-disciplinary Team to share information and communicate with each other to coordinate all components of the Treatment Court Program. All information shared with the Team is confidential; no information will be shared

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outside of the Team without expressed and written permission from the participant. All team members utilize secured email systems through their place of employment. If any confidential information needs to be shared with a team member who does not have secure email, those emails are to be encrypted. An authorization to release information is also signed for the participant's attorney, which supports communication between the Treatment Court Team and the participant's legal representative.

Although court records are ordinarily available to the public, Drug and Alcohol Treatment records are protected by Federal Law (42 CFR). Treatment information and progress reports are kept separate from court files. The confidentiality of each treatment record is maintained; treatment files will be securely maintained by SCHHS in a locked cabinet at their office.

Assessments

Upon entering the Treatment Court Program, each participant will be evaluated by the treatment providers. This comprehensive assessment using the American Society of Addiction Medicine (ASAM) Criteria will provide information to support the creation of an individualized case plan. All participants will be encouraged to share information honestly about their life, including their history of substance abuse and any history of emotional problems, mental illness, and/or trauma. With this information, the treatment providers can identify what level of treatment the participant needs as well as whether the participant is in need of specialized treatment services and make appropriate referrals.

Treatment Court Hearings

Each participant is required to appear in court on a regular basis, the frequency of which will depend on the Phase the participant is in as well as his/her progress. Failure to appear may result in a warrant for a participant's arrest and detention in jail until he/she can appear in court. In court, each participant speaks for him/herself directly to the Treatment Court Judge. Participants are encouraged to ask questions and voice any concerns they may have about the program or his/her case plan. When appearing before the Treatment Court Judge, the Judge may ask questions, discuss problems, and/or recognize participant achievements. If a participant is doing well, he/she will be encouraged to continue with the program and work with the treatment team toward graduation. If a participant is not doing well, the Judge will address

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concerns with the participant and the treatment team to determine if further action is needed. If a participant commits program violations, the Court may impose sanctions. With repeated violations of program expectations or a failure to progress satisfactorily, the court may impose the ultimate sanction of termination from the program. If participants have questions about court appearances, they will be encouraged to contact the Treatment Court Probation Agent and/or the Treatment Court Coordinator.

Treatment

Intensive Treatment for Substance Dependence is critical to Treatment Court Program success. It is absolutely vital that each participant cooperate fully, which includes following all instructions and recommendations of treatment providers and participating actively in all therapy sessions and groups. Treatment Court Treatment Providers assess what level and intensity of treatment will best meet each participant's needs and make a recommendation to the court. This recommendation may include: detoxification, residential, or outpatient treatment. Treatment providers communicate with the rest of the Treatment Court Team during weekly staffing about each participant's attendance, participation, and progress in treatment. Each participant's progress is closely monitored and treatment plans are reviewed and modified as needed throughout the program.

Costs

Each participant will be responsible to pay for treatment services provided during his/her participation in the Treatment Court Program. The cost will be determined based on the participant's ability to pay (ATP). If the participant has health insurance, this may also be used to cover the cost of treatment services.

After admission to the program but prior to beginning treatment services, each participant will meet with a representative of the Business Office of SCHHS. This representative will obtain insurance information for each participant (as needed) and The Wisconsin Uniform Fee System will be used to determine the participant's ATP. There will be support during the program for learning effective money management and budgeting skills.

It is likely that each participant's ATP will change during the program as one of the goals of the Treatment Court Program is to support participants in finding a job. After a participant begins work, his/her ATP will be reassessed to determine financial responsibility based on the change in income. Reassessments of each participant's ATP will occur with each change in income thereafter.

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Rule of 40

All participants in Phases I-III in the Treatment Court Program will be required to document 40 hours per week of meaningful and/or productive activity. At least 10 of these hours must be dedicated to treatment-focused activities each week. Participants use a Rule of 40 log sheet to keep track of their hours and must turn the log in weekly to the Treatment Court Coordinator before court each week.

Treatment Focused activities (minimum of 10 hours/week) include Treatment Court hearings, individual and group therapy sessions, contact with a sponsor, community support meetings, 12-Step work, and reading recovery literature. Other approved activities include community service at a pre-approved site, working or applying for employment, exercise, appointments with your Probation Agent and the Coordinator, time spent participating in alcohol and/or drug testing, educational classes/school, and educational or therapy homework. What will not count toward the rule of 40 is time spent traveling, daily chores, volunteer work or community service that is not pre-approved and recreational activities (e.g. disc golf, bowling).

House Arrest

There are various times in the program that a client may be placed on house arrest. Clients are expected to follow the rules of house arrest. This includes creating a weekly schedule and submitting it to the Treatment Court Coordinator and/or other chosen team member by the designated date that is provided by the Coordinator. This the schedule will then be reviewed by the Coordinator and/or other designated team member and the schedule will be approved or denied. If schedule is denied, the Coordinator and/or other team member will provide suggested changes to the schedule. If a client wants to change anything in their schedule after approval, they must provide 24-hour notice and the Coordinator and/or designated team member will review the change request.

If any changes occur over the weekend (Saturday and Sunday) or designated County Holidays, the change request must be submitted to the Coordinator and/or other chosen team member by the closest business day prior to the weekend and/or holiday.

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If the client is outside of approved hours, meaning left early, returned late, and/or went somewhere outside of their approved schedule the client must inform the Coordinator immediately.

Allowed Actives:

- Support meetings (AA, NA, CA, SOS, SMART Recovery, sober events, etc)
- Individual/group treatment
- Doctor appointments
- Work
- Appointments with Probation/Parole Agent
- Grocery Shopping: 2 hours total per week
- Church
- Work Search: provide applications
- Education: this includes high school/college/vocational school. School schedule is required and must be submitted.
- Appointment with Coordinator
- Appointment with CCS and/or IPS
- Court Appearances
- Fitness Center

Any other requests must have prior approval from the Treatment Court team. Failure to follow any of the above rules may cause suspension or revocation of privileges.

Drug & Alcohol Testing

The Sheboygan County Treatment Court monitors abstinence with frequent alcohol and drug testing of all participants. We use alcohol and drug testing because it is scientifically valid, legally defensible, and therapeutically beneficial. Addiction is an insidious disease. Alcohol and drug testing aids in the development of refusal skills, monitors efficacy of treatment strategies, reinforces the importance of abstinence, and supports recovery. Alcohol and drug testing is critical to combat denial and foster personal responsibility in each Treatment Court participant. Moreover, research has demonstrated that effective alcohol and drug testing is critical to participant success in treatment courts.

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Each participant will be assigned a personal identification number which will be utilized for mandatory daily calls to Options Laboratory. Participants will be chosen for alcohol and/or drug testing by random, unannounced selection 7 days per week, implemented through a randomization system of Options Laboratory. Each participant is required to log on to Reconnect App on phone or call the telephone number each day to find out whether or not they will be expected to provide a urine sample for drug and/or alcohol testing. If they need to test on a particular day, they must present to the Day Reporting Program at the Sheboygan County Detention Center where testing is administered at designate testing times. The Treatment Court Team Probation Agent, coordinator and/or treatment providers may also request a participant to take a drug and/or alcohol test at any of their respective offices.

Our Treatment Court team strives to follow best practices when administering alcohol and drug testing. These include the following:

1. Professionals collecting samples must be trained
2. Professionals collecting samples will be of the same gender as the participant or a medical professional
3. Removal of clothing/personal items associated with tampering sample
4. Collection of samples will be administered at the Detention Center Day Reporting site (or alternate location) that offers both privacy & security, minimizes access to water sources, and occurs in an area with minimal/simple decor
5. Use of direct observation during sample collection
6. Utilization of sample inspection criteria (e.g. temperature, physical characteristics)
7. Adhere to the written procedures for custody and control of samples
8. Use secure and appropriate specimen storage

These procedures for alcohol and drug testing are explained and reviewed with all participants verbally and in the Participant Handbook. Further, participants of Treatment Court are notified of and must agree to the following alcohol and drug testing expectations:

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1. I will be tested for the presence of drugs in my system on a random basis according to procedures established by the Sheboygan County Treatment Court.
2. I will be given a location and time frame in which to report for my drug test.
3. It is my responsibility to get to the location where the drug test will be administered.
4. If I miss a test, it will be considered a positive test and I may be sanctioned.
5. If there is not sufficient quantity of urine in the sample for the drug test, it will be considered a positive test and I may be sanctioned.
6. If I drink excessive liquids to dilute the urine sample, it will be considered a positive test and I may be sanctioned.
7. If I substitute or alter my urine sample or try in any way to modify my body fluids for the purposes of changing the drug test results, it will be considered a positive test and I may be sanctioned.

Samples that test positive for illicit substances, non-prescribed medication, or alcohol metabolites may be sent to Options Laboratory for confirmation. These results will be available to the Treatment Court team in a timely manner to enhance the effectiveness of the Judge's response to the results. The ultimate goal of this comprehensive testing methodology is to effectively monitor abstinence and develop therapeutic intervention strategies that promote behavioral change and support recovery.

In the interest of promoting the importance of honesty in recovery, participants will be asked about whether their sample will test positive for illicit substances, non-prescribed medication, or alcohol prior to sample collection. If they honestly report use of alcohol or drugs and this is confirmed by test results, the Treatment Court Judge will take into consideration the participants' willingness to be honest with the team when making decisions in court. Sanctions delivered following incidents in which participants are not forthcoming or lie about substance use are designed to provide a consequence for dishonesty, not the using behavior. Team members understand that using behaviors are part of the disease of addiction. Similarly, sanctions may be delivered when participants engage in behaviors of specimen tampering. The Treatment Court alcohol and drug testing procedure is designed to

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minimize opportunities for tampering with the urine sample. To this end, samples are tested for creatinine and adulteration agents.

Court Proceedings

The Treatment Court calendar is a priority and will be a specialized, separate court, operating on an as needed basis, and dedicated to the evaluation, treatment, and supervision of p admitted to the Treatment Court Program. The Treatment Court shall be held each week, except as ordered by the court. A closed staffing will take place one hour prior to the Treatment Court hearing, or as otherwise directed by the Treatment Court Judge. All Treatment Court participants must be in the courtroom before the start of each Treatment Court hearing, unless otherwise excused by the Treatment Court Judge or the Treatment Court Coordinator.

At the staffing, the Treatment Court Team will advise the Treatment Court Judge of the progress and/or any violation of each participant. During each Treatment Court hearing, the Treatment Court judge will discuss each case with the participant, and any other persons interested in the welfare of the Treatment Court participant, as the Judge deems appropriate. Sanctions will be imposed for violations. All hearings will be held on record.

Incentives

The Sheboygan County Treatment Court Judge and Team Members recognize participants for meeting expectations and following the rules of the program using Incentives. Incentives are to be determined and implemented as soon after the positive behavior as possible. See addendum A for Incentive & Sanction Matrix.

Incentives can include but are not limited to:

Recognition/Praise from the Treatment Court Judge

Certificate of Recognition/Completion

Transition to the next Phase

Later Curfew

Applause in Court

Gift Certificate (movies, food, gas cards, grocery store items, etc.)

Bus passes

Books

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Travel privileges

Opportunity to be a peer mentor (not a sponsor) to a new participant

Motivational Bracelets

Reward Basket

Snack from the basket

Sanctions

Any violations of the Drug & Alcohol Treatment Court program rules may result in immediate sanctions or consequences as determined by the Treatment Court Judge and Team. Sanctions are to be determined and implemented as soon after the violation as possible. In an effort to treat each participant fairly, the Treatment Court Team uses a Sanctions Grid or chart which provides options for how to respond to various violations. This provides the Treatment Court Team with a basic framework that supports consistency and fairness when delivering sanctions to participants. See addendum A for Incentive & Sanction Matrix.

*Sanctions can include, but are not limited to:

Warnings – Verbal and/or written

Increased alcohol and drug testing

Increased supervision (by probation agent and/or coordinator)

Changes in curfew

Jail time (does not count toward days of abstinence)

Community service hours

Loss of travel privileges

Loss of day(s) toward Phase Advancement

Written assignments (essays, letter to the court, etc.)

Verbal/written apologies to the Treatment Court Team

Electronic monitoring

Sober Link

House Arrest

Increased court appearances

Behavior Contract

Round Table meeting

GPS Bracelet

**Based on the seriousness of the violation, termination from the program may be recommended.*

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Dress Code

Our choice of dress and attire may communicate any variety of messages, can influence how we are perceived by others, and can pose either barriers or possibilities in human interaction. All Drug Court participants shall strictly adhere to the following basic dress code at all court appearances, treatment sessions, probation meetings, groups and any community activities associated with the program. If you need assistance with appropriate clothing, please speak with your coordinator, counselor, case manager or probation agent.

- No clothing is allowed bearing any alcohol/drug advertisement or message.
- No clothing with gang symbols or words.
- No profane language or graphics on clothing.
- Tops of pants must meet the bottom of shirts with no bare skin or under garments showing.
- Hats, sunglasses, and headphones are not to be worn.

Pregnancy Policy

If a participant enters the program pregnant or gets pregnant during their time in the Treatment Court program it is important for the participant to stay in communication with the team. Participants will engage in all programming until they give birth (unless doctor orders state otherwise). Once the participant gives birth, they may choose to have programming paused for two weeks. A discussion with the Coordinator and Treatment provider will determine the parameters of this pregnancy leave. After the two week paused programming, the participant is expected to re-engage with the expectations and rules of Treatment Court.

This is subject to change on a case by case basis. Participants will need to provide doctor documentation if the above guidelines are to be adjusted.

The Phases

The Treatment Court Program is divided into 5 Phases. Each Phase has specific goals, responsibilities, and expectations. Each participant must successfully complete all requirements in each phase before moving to the next phase. Achieving and maintaining abstinence from mood-altering substances and honesty will be

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emphasized in each of the 5 Phases. Participants are informed that time spent in confinement or other controlled environments will not count towards abstinent time for Phase advancement. Further, participants must have 90 days of independent living in the community before advancing to Phase 4 or 5. That is, if incarcerated or participating in residential treatment, the participant must have 90 days following their release from jail or completion of the residential program before moving to these higher level Phases.

Phase 1 - Assess & Stabilize – 90 Days (minimum)

The goal of the first phase is to help the participant stabilize both physically and emotionally after he/she stops using substances, learn to manage withdrawal symptoms and clear his/her mind and body of the effects of the substance(s). During this phase each participant will be assessed, a case plan will be created, and he/she will begin treatment. During this first phase, participants will learn how the Treatment Court works and what is needed to be successful in the Program.

Participant Expectations:

1. Weekly Court Hearings
2. Develop a Treatment Plan and Comply with Treatment Recommendations
3. Comply with Conditions of Supervision
4. Develop a case plan
5. Weekly office visits with Coordinator
6. Weekly office visits with Probation Agent
7. Identify community support group meetings to attend
8. Comply with unannounced home visits
9. Complete Weekly Report Form
10. Explore looking for work, a volunteer opportunity, or education options as identified in your case plan
11. Random drug/alcohol testing
12. Assess housing needs
13. Assess medical needs
14. Change people, places and things
15. 9 p.m. curfew/curfew lifted at 5:00 a.m.

Requirements to Advance to Phase 2:

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1. Attendance at all scheduled treatment sessions and office visits (within the last two weeks of your application to phase up)
2. Abstinent from substances for 14 consecutive days at the time of application
3. Follow Case Plan
4. Demonstrate honesty
5. Attending at least one community support meeting per week
6. Identify a mentor/sponsor/recovery coach
7. Completion of Weekly Report Form with the Rule of 40 documentation
8. Weekly participation in pro-social activities
9. Begin thinking about a realistic budget
10. Complete the Phase Advancement Application
11. Submit a letter stating you believe phase advancement is beneficial to your treatment and recovery

Phase 2 – Strengthen & Motivate – 90 days (minimum)

The goal of phase 2 is to strengthen the mind, body, and spirit for treatment. Each participant will engage in treatment, learn about addiction, and begin to make behavioral and lifestyle changes to avoid relapse and move toward recovery. Participants will learn how past behavior and thought patterns led him/her to criminal activity and begin to realize that there are alternative ways to live.

Participant Expectations:

1. Weekly Court Hearings
2. Attend and participant in treatment
3. Comply with conditions of Supervision and your case plan
4. Bi-weekly office visits with Treatment Court Coordinator
5. Bi-weekly office visits with Probation Agent
6. Attend at least one community support meeting weekly
7. Complete Weekly Report Form and the Rule of 40 each week
8. Begin looking for work, a volunteer opportunity, or explore educational options.
9. Consistent completion of Weekly Report Form
10. Participate in at least two unannounced home visits per month
11. Begin pro-social activities

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12. Weekly random drug/alcohol testing
13. Secure (or maintain) sober housing
14. Address medical needs
15. Participate in financial/budgeting consultation
16. Change people, places and things
17. 10 p.m. curfew/curfew lifted at 5:00 a.m

Requirements to Advance to Phase 3:

1. Attendance at all scheduled treatment sessions and office visits (within the last two weeks of your application to phase up)
2. Abstinent time minimum of 30 consecutive days
3. Follow Case Plan
4. Weekly attendance at community support meetings
5. Identify mentor/sponsor/recovery coach
6. Consistent completion of the Rule of 40 documentation including employment, volunteering or educational classes
7. Consistent completion of Weekly Report Form
8. Weekly participation in pro-social activities
9. Complete a realistic budget
10. Complete the Phase Advancement Application
11. Submit a letter stating you believe phase advancement is beneficial to your treatment and recovery

Phase 3 – Learn, Build and Repair – 90 days (minimum)

The goal of Phase 3 is to learn skills that will support recovery and improve the participant's quality of life. Activities may include: identifying vocational and/or educational goals, exploring educational or job training programs; improving budgeting skills and seeking sober, stable housing. Identifying and addressing personal issues that have interfered in the participant's life will also be important. This may include recognizing negative patterns of thinking, learning to make better decisions, repairing relationships, and exploring other things that are getting in the way of the participant's ability to be happy and effective in the world.

Participant Expectations:

1. Weekly Court Hearings

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2. Comply with Treatment
3. Comply with Conditions of Supervision
4. Consistent completion of Rule of 40 documentation including employment, volunteering or educational classes
5. If not employed, volunteering or in school, must document applying for 5 jobs per week
6. Consistent completion of Weekly Report Form
7. Continue weekly participation in pro-social activities
8. Review and follow case plan
9. Bi-weekly office visits with Coordinator
10. Bi-weekly office visits with Probation Agent
11. Continue weekly attendance at community support meetings
12. Weekly contact with mentor/sponsor
13. Participate in at least two unannounced home visits per month
14. Weekly random drug/alcohol testing
15. Obtain or maintain independent sober housing
16. Review and maintain realistic budget
17. Change people, places, and things
18. 11p.m. curfew/curfew lifted at 5:00 a.m.

Requirements to Advance to Phase 4:

1. Attendance at all scheduled treatment sessions and office visits (within the last two weeks of your application to phase up)
2. Abstinent time minimum of 45 consecutive days
3. Create list of current pro-social activities
4. Adherence to Case Plan
5. Obtain or maintain independent sober housing
6. Demonstrate evidence of creating a sober support network (with collateral report)
7. Consistent completion of the Rule of 40 documentation including employment, volunteering or educational classes
8. Consistent completion of Weekly Report Form
9. Begin to develop After Care Plan
10. Consistent weekly attendance at community support groups
11. Continue weekly contact with sponsor/mentor/recovery coach

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12. Demonstrate compliance with developed budget
13. Complete the Phase Advancement Application
14. Submit a letter stating why you believe phase advancement is beneficial to your treatment and recovery

Phase 4 - Prepare, Plan and Practice – 90 days (minimum)

The goal of Phase 4 is to utilize what each participant has learned to establish healthy living habits and positive relationships that support recovery. Creating a network of sober social supports, taking care of obligations, participating in healthy leisure activities, and fine tuning an aftercare plan will all be important during this phase. These activities will help build the participant's confidence, strengthen recovery, and improve the quality of his/her life.

Participant's Expectations:

1. Bi-weekly Court Hearings
2. Comply with Treatment
3. Comply with conditions of Supervision
4. Review and follow case plan
5. Monthly office visit with Coordinator
6. Monthly office visit with Probation Agent
7. Participate in at least two unannounced home visits per month
8. Weekly random drug/alcohol testing
9. Develop After Care Plan
10. Attend community support meetings weekly
11. Maintain independent sober housing
12. Demonstrate compliance with budget
13. Consistent completion of the Rule of 40 documentation including employment, volunteering or educational classes
14. If not employed, volunteering or in school, must document applying for 5 jobs per week
15. Thorough completion of Weekly Report Form Areas of Progress
16. Consistent completion of Weekly Report Form
17. Maintain weekly contact with sponsor/mentor/recovery coach
18. Maintain new people, places and things
19. Midnight/12 a.m. curfew/ curfew lifted at 5:00 a.m.

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Requirements to Advance to Phase 5:

1. Attendance at scheduled treatment sessions and office visits (within the last two weeks of your application to phase up)
2. Abstinent time minimum of 60 consecutive days
3. Demonstrate maintenance of pro-social activities (rule of 40, collateral report)
4. Follow Case Plan
5. Demonstrate sober support network
6. Consistent completion of the Rule of 40 documentation including employment, volunteering or educational classes
7. Consistently thorough completion of Weekly Report Form Areas of Progress
8. Consistent weekly attendance at community support groups
9. Demonstrate use of After Care Plan
10. Create plan for alumni activities
11. Successfully implemented budget
12. Complete the Phase Advancement Application
13. Submit letter from employer, family member, or friend identifying positive changes and giving support for advancement to final phase of program
14. Submit a letter stating why you believe phase advancement is beneficial to your treatment and recovery

Phase 5 - Live the Dream – 90 days (minimum)

The goal of Phase 5 is to finalize an aftercare plan and prepare for graduation from the Treatment Court Program. By this phase, the participant has worked hard, come a long way, and achieved a lot. They are contributing to the community, becoming a positive example to participants new to the program, and feel more comfortable with all of the impressive changes they have made during the program.

Participant Expectations:

1. Monthly Court Hearings
2. Comply with Treatment
3. Comply with conditions of Supervision
4. Review and follow case plan
5. Monthly office visit with Coordinator and/or Probation Agent
6. Participate in at least one unannounced home visit per month

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7. Weekly random drug/alcohol testing
8. Consider how to and begin actively supporting the effort of newer participants of the program
9. Continue to attend community support meetings weekly
10. Demonstrate success in implementation of After Care Plan
11. Maintain independent sober housing
12. Maintain employment, academic schedule and/or volunteer hours
13. Maintain new people, places and things
14. No curfew

Requirements to GRADUATE:

1. Regular attendance at treatment sessions and office visits
2. Abstinent time minimum of 90 consecutive days
3. Maintain pro-social activity
4. Maintain sober support network
5. Continue to complete rule of 40
6. Adherence to After care plan
7. Begin alumni and/or mentoring activities
8. Maintenance employment, academic schedule, or volunteer hours
9. Maintain budget
10. Complete the Graduation Application
11. Consistent weekly attendance at community support groups
12. Write and submit a *letter to a new participant*, identifying what factors will increase their success in the program
13. Submit a letter summarizing your experience in the program, what you have learned and how the program has been beneficial to your recovery

Graduation

Upon successful completion of all five phases of the Treatment Court and upon recommendation of the Treatment Court Team, the Treatment Court Judge shall declare the Treatment Court participant a graduate of the Program. A graduation ceremony will be planned to celebrate the participant's completion of all requirements of the program.

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Graduation is a very important event. Each graduating participant is encouraged to invite family and friends to join him/her at the special ceremony to witness the Treatment Court Judge and Team recognize the participant for his/her accomplishments and encourage him/her to continue in a substance free lifestyle.

Mentoring and Alumni Association

Participants in the 5th and final Phase of the Treatment Court Program may be given an opportunity to assist Phase 1 participants in their adjustment to the Treatment Court Program. Upon recommendation of the Treatment Court Team, a Phase 5 participant will be assigned to a new Phase 1 participant. This opportunity allows the Phase 5 participant to assist the Phase 1 participant with treatment, transportation, and other areas of rehabilitation.

Treatment Court Program graduates will be invited to join the Alumni Association. The rules of the association shall be established by the members of the Alumni Association and with the approval of the Treatment Court Team.

Termination Processes

A Treatment Court participant may be terminated from the Treatment Court Program for the following:

- Committing a crime
- Failing to attend scheduled Treatment Court hearings.
- Chronically failing to meet the requirements of the Treatment Court Program.
- Evidence indicating that the Treatment Court participant is involved in drug dealing or assaultive behavior.
- Undermining the program or the progress of other participants.
- Any other grounds that the Treatment Court finds sufficient for termination.

Any member of the Treatment Court Team may make a “Motion for Termination”, which will be discussed at the next staffing of the Treatment Court Team. At that next staffing, the Treatment Court Team shall assess the merits of the motion for termination by reviewing the participant’s participation in the program and the events leading to the motion to terminate. Judge is excluded in staffings regarding termination once a “motion for termination” is brought to the table. During this staffing, the team will also determine if a roundtable with the participant would be beneficial. If the team decides to have a roundtable with the participant, the Judge will be excluded from involvement. Next, during this staffing the Team

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participates in a vote. The following agencies/roles have one vote: District Attorney office, Public Defenders office, SUD Treatment team, Treatment Court Coordinator, Department of Corrections, and Law Enforcement. If needed, the Evaluator will have the tiebreaker vote.

Upon a majority vote, if the Treatment Court Team proceeds with termination, a notice containing the allegation(s) for termination shall be sent or given to the participant. The participant will be given one week to request a termination hearing. If a hearing is requested, the matter will be set for a termination hearing before the Treatment Court Judge as soon as practical to meet the interests of all parties, respecting the participant's right for assistance of counsel. The termination hearing will be on the record and in open court.

To initiate the termination hearing, the Treatment Court Coordinator shall compose a termination summary and provide a copy of Notice of Motion for Termination and Termination summary to participants' attorney and District Attorney's office. The Treatment Court District Attorney representative will file the termination summary with the court. The termination summary will serve as the summary of allegations to be

presented at a termination hearing; however new allegations learned following the filing of the termination summary and/or additional information prior to filing termination summary shall be admissible at the termination hearing, and may be referenced as an additional basis for termination of the participant.

The Court shall admit hearsay evidence at this hearing. The District Attorney will have the burden of showing, by a preponderance of evidence, the factual basis for the participant's termination from Treatment Court. The participant and his/her attorney has the right to cross examine the witnesses testifying against him/her, as well as present his/her own testimony or witnesses to dispute the evidence presented. The participant and his/her attorney may admit evidence or testimony that Treatment Court can still benefit the participant by suggesting a specific course of treatment within the Treatment Court's purview. After all testimony and evidence has been admitted, the District Attorney and the participant will be allowed time for argument before the Court. The Court will decide A) whether a violation occurred and B) whether the participant can benefit from remaining in Treatment Court in accordance with the suggested plan of treatment.

All testimony will be conducted under oath. At the hearing, Treatment Court Team Members may answer questions or offer statements of fact pertaining to the participant's participation, progress, and/or infractions during the program if within their professional scope of practice and role in the Treatment Court Program. If called to testify, Treatment Court Team Members should refrain from offering personal opinions about the recommendation for and action of termination

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of any participant. The participant may offer in-person statements of support from family members, friends, employers, etc, at the Court's discretion. Those providing statements can do so absent of swearing an oath, but the District Attorney may ask follow-up questions, answered under oath, at the discretion of the Court. If the Treatment Court Judge finds that there is a factual basis to terminate the participant from the Treatment Court Program and that the participant will not benefit from continued participation in the Program, and terminates the participant, the participant will be terminated from the program and remanded to the custody of Probation and Parole for further processing.

Administrative Discharge

If it becomes apparent to the team that the Treatment Court program is unable to meet the treatment needs of a participant, through no fault of the participant, the team may pursue Administrative Discharge of the participant, based on one or more of the following conditions:

- The team, in consultation with the treatment provider(s), determines the participant has reached a maximum therapeutic benefit
- The available resources would not appropriately and effectively meet the participant's needs
- The participant is unable to engage in recommended treatment, despite multiple efforts to adjust treatment to fit the needs
- The participant is unavailable to the treatment court team; reincarceration, medical, etc.

If the team, in consultation with the treatment provider, deems the participant is appropriate for Administrative Discharge, that decision will be communicated to the participant by a Treatment Court team member. The participant will receive a letter stating the decision of administrative discharge. Participants will also receive an Administrative Discharge Waiver where they can agree with the administrative discharge or deny it. If the participant agrees to Administrative Discharge, signed paperwork will be sent to the courts, probation agent/office, and the participant will receive a copy. If the participant opposes the Administrative Discharge, the participant may request a hearing on the team's decision, which will be handled similarly to the Termination procedures.

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Readmission

The purpose of Treatment Court is to develop life skills in order to move into a life of recovery. It is not intended to be a life-long program. It is also understood that involvement in the Treatment Court does not guarantee a lifetime of sobriety. Relapse and re-arrest are something that can occur at any point while a participant is in the program or after graduation. Participants seeking readmission will be eligible for consideration after 1 year from their Treatment Court separation date. Violation date shall be at least 1 year after the Treatment Court separation date. Participants wishing to re-enter the program will need to meet the same eligibility requirements as those applying for the first time. The participant's referral will be reviewed and evaluated by the team for readmission.

Client Rights and Grievance Process

When a participant has a complaint, or feels their rights are being violated, he/she may initiate the following grievance procedure without fear of reprisal, retaliation or discrimination:

Step One – Informal Discussion:

The complaint procedure may start with the participant's request of their assigned case manager for an informal discussion between the parties involved. This request must be made within 30 days of the incident or problem causing the grievance. However, if the grievance is regarding treatment related services, the participant may choose to file their grievance through the Sheboygan County Health and Human Services process.

Step Two – Written Complaint:

If no resolution is obtained through Step One, within 45 days of the incident, the person making the complaint should fill out a written complaint form and send it to the Treatment Court Program Evaluator. The Program Evaluator will study the complaint, make an investigation, and report the findings to the participant and the Treatment Court Team. The Program Evaluator will make a formal written decision within seven days and send it to the Participant.

Step Three – Hearing and Administrative Decision:

Within 15 days of Step Two decision, the complainant may request that the complaint be forwarded to the County Criminal Justice Advisory Committee Chair (CJAC). The CJAC Chair or their appointed designee will hold a hearing within 15 days.

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Step Four – Final Hearing and Decision:

An impartial decision maker will be appointed by the CJAC Chair to hear and make a decision for grievances in the final stage. The impartial decision maker will not have participated in making or reviewing the initial appeal and may be an individual, a board, or a commission.

The Final Stage Hearing shall be available only after exhaustion of remedies available in Steps One and Two.

The request for a final determination shall be made within 15 days after a Step Three decision. Within 20 days of conducting a hearing under Step Three, the decision maker shall mail or deliver to the Participant a written determination, stating the reasons for the findings.

The participant may, at any time, choose to use the Court instead, in which case the grievance procedure will end.

Program Evaluation

Sheboygan County Treatment Court Team strives to adhere to the expectations for monitoring and evaluation outlined in the Adult Drug Court Best Practice Standards, Volume II from the National Association of Drug Court Professionals. These Standards recommend that each treatment court routinely monitor its adherence to best practice standards and employ scientifically valid and reliable procedures to evaluate its effectiveness.

Our Treatment Court Team hopes to positively change the lives of participants by using what research tells us is effective while at the same time utilizing individualized case planning to meet the needs of each participant. As part of program evaluation, participants will be requested to provide both positive and critical feedback about the program during their participation. Information from participants will be obtained through interview, participant initiated discussions, and from surveys participants are asked to complete. The Team will utilize feedback received to make changes in the program. Participants are informed that parts of the Treatment Court Program will change during the time they are in it. Program expectations, procedures, rules, sanctions, and incentives may all change in big or small ways in response to monitoring and evaluation efforts of the Treatment Court Team and evaluation consultants.

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Positive Behavior

Incentive Matrix: “What do we want the participant to learn from this?”

Step 1. Identify the Behavior

Proximal (Expect Sooner)	Moderate	Distal (Expect Later)
<ul style="list-style-type: none"> Attendance at treatment Attendance at other appointments Home for home visits Report to UA Timeliness Payment 	<ul style="list-style-type: none"> Honesty Testing Negative Participating in Prosocial Activities Employment Progress toward Tx Goals Progress in Tx 	<ul style="list-style-type: none"> Complete Tx LOC Extended Abstinence/Neg. Tests Treatment Goals Completed Phase Goals Completed Program Goals Completed

Step 2. Determine the Response Level

		Proximal (Expect Sooner)	Moderate	Distal (Expect later)
Distal ↓ Prox	Phase 1	Small	Medium	Large
	Phase 2	Small	Medium	Large
	Phase 3		Small	Large
	Phase 4		Small	Large
	Phase 5		Small	Medium

Step 3. Choose the Responses (Paired with Judicial Approval/Verbal Praise)

3a. Therapeutic/Teaching Response

	Phase 1	Phase 2	Phase 3	Phases 4 and 5
Single Event	<ul style="list-style-type: none"> Behavior Chain Cost/Benefit Analysis 	<ul style="list-style-type: none"> Behavior Chain Cost/Benefit Analysis 	<ul style="list-style-type: none"> Behavior Chain 	<ul style="list-style-type: none"> Behavior Chain
Continued Progress		<ul style="list-style-type: none"> Change in LOC 	<ul style="list-style-type: none"> Aftercare Fqcy Re-evaluate Pharmacological Interventions 	<ul style="list-style-type: none"> Aftercare Fqcy Re-evaluate Pharmacological Interventions

3b. Supervision Responses

Phase 1	Phase 2	Phase 3	Phases 4 and 5
<ul style="list-style-type: none"> Change in Curfew Status 	<ul style="list-style-type: none"> Reduced Contacts Reduction in Home Visits 	<ul style="list-style-type: none"> Reduced Contacts Reduce Home Visits Reduce in External Monitoring Devices 	<ul style="list-style-type: none"> Reduced Contacts Decreased Drug Testing

3c. Incentive Response

Small	Medium	Large
<ul style="list-style-type: none"> Judicial approval (always) Fish Bowl Decision Dollars Example for other participants in court Handshake Candy On the A Team 	Any small and/or: <ul style="list-style-type: none"> Choice of Gift Certificate Supervisor Praise Written Praise Positive Peer Board Certificate Reduction in CS hours Reduction in program fees 	Any small, medium or: <ul style="list-style-type: none"> Framed Certificate Travel Pass Larger Gift Certificate Position as Mentor to New Participants

*NPC Research: Contact Shannon Carey (carey@npcresearch.com). Adapted from a matrix originally developed by the Harris County TX Treatment Court. Training is recommended before use. Please do not change or revise without permission. While individual responses can change, the steps and their order should remain.

[Type here]

Inappropriate Behavior

Sanction Matrix: “What do we want the participant to learn from this?”

Step 1. Identify the Behavior

Low (Less Immediate)	Moderate	High (More Immediate)	Very High
<ul style="list-style-type: none"> Late for Scheduled Event Missed payment 	<ul style="list-style-type: none"> Missed UA Failure to Complete Assignments 	<ul style="list-style-type: none"> Unexcused Absence tx Alcohol Use Drug Use Tamper with UA or device/dilute Dishonesty 	<ul style="list-style-type: none"> Criminal behavior (new crimes, drinking and driving) Arrest

Step 2. Determine the Response Level

		Low	Moderate	High	Very High
Distal ↓ Prox	Phase 1	Level 1	Level 2	Level 2	Level 4
	Phase 2	Level 1	Level 2	Level 3	Level 4
	Phase 3	Level 2	Level 3	Level 4	Level 5
	Phase 4	Level 3	Level 4	Level 5	Level 5
	Phase 5	Level 3	Level 4	Level 5	Level 5

Step 3. Choose the Responses (paired with Judicial Verbal Disapproval and Explanation)

3a. Therapeutic/Teaching Responses

Level 1	Level 2	Level 3	Level 4	Level 5
<ul style="list-style-type: none"> Behavior Chain Cost/Benefit Analysis Skill Development Homework/Practice Homework chats 	Level 1 plus: <ul style="list-style-type: none"> LOC Review Thinking Report Write letters to nursing home resident 	Level 1, 2, plus: <ul style="list-style-type: none"> Referral Medication Eval Treatment Team Review/Round Table 	Level 1, 2, 3, plus: <ul style="list-style-type: none"> Re-Assessment 	

3b. Supervision Responses

Level 1	Level 2	Level 3	Level 4	Level 5
<ul style="list-style-type: none"> ≤ 1 additional report days/week Homework chats 	<ul style="list-style-type: none"> ≤ 2 additional report days/week Home Visit Curfew (FTC) Increased supervision at child visits 	<ul style="list-style-type: none"> ≤ 3 additional report days/week Continuous Testing GPS/Electronic Monitoring Home Visit Increase frequency UA Test Additional Court Report Case Conference 	<ul style="list-style-type: none"> ≤ 4 additional report days/week Electronic Monitor Device Case Conference Curfew 	

3c. Sanction/Punishment Responses (Judicial Disapproval)

	Level 1	Level 2	Level 3	Level 4	Level 5
Community Service	≤ 4 hrs	≤ 8 hrs	≤ 16 hrs	≤ 24 hrs	≤ 32 hrs
Curfew	≤ 3 days	≤ 5 days	≤ 7 days	≤ 10 days	≤ 14 days
House Arrest	≤ 24 hrs	≤ 72 hrs	≤ 5 days	≤ 7 days	≤ 14 days
Jail			≤ 24 hours	≤ 3 days	≤ 5 days
Other				Review Placement	Termination

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