

TREMPEALEAU COUNTY RECOVERY COURT PROGRAM

PARTICIPANT'S HANDBOOK



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I. INTRODUCTION

Welcome to the Trempealeau County Recovery Court Program. The Recovery Court Program is under the direction of Judge Charles V. Feltes. This handbook is designed to answer questions, address concerns and provide overall information about the Recovery Court Program. As a participant, you will be expected to follow the instructions given in Recovery Court by the Judge and comply with the treatment plan developed for you by the Recovery Court Team. Your Participant Handbook will detail what is expected of you as a Recovery Court Participant and review general program information. All participants are encouraged to share this handbook with family and friends.

II. TREMPEALEAU COUNTY RECOVERY COURT PROGRAM

Trempealeau County Recovery Court is a treatment based alternative to jail, prison and the standard probation model. The justice system works cooperatively with treatment agencies and other rehab services to provide a participant with all the possible tools needed to get into recovery, stay in recovery and lead a productive, crime-free life.

The key components of the Trempealeau County Recovery Court include:

- Immediate intervention. The sooner a person is placed in treatment following a crisis, the more successful the outcome. In Recovery Court, an individual can move from arrest or other court action to Recovery Court and treatment in a little as two weeks. More common adjudication processes typically take several months.
- Voluntary Entry into the program. Participants who decide to enter and voluntarily commit to a program are more likely to succeed.
- Graduated Sanctions and Rewards. Participant accountability is an important piece to recovery and continued success. Incentives for participants include fewer urine tests (UA) or court appearances: gift certificates, recognition of success, and graduation to the next phase of the program. A system of graduated sanctions includes reduced privileges, community service and increased UA tests.
- Program Phases for Short Term Goals. The Recovery Court Program is divided into four phases in order to provide short term goals for the participants to meet. Short term goals are developed for individuals to have a better chance of success. Participants meet regularly with the Recovery Court Judge to review their progress, and address positive and negative behaviors. As the participant successfully completes a phase, he/she is rewarded by not having to continue in such an intensive program.
- Graduation from the Program. The graduation portion of the Recovery Court is the final phase of the program, designating the end of the intensive program.

III. ELIGIBILITY STANDARDS

Potential candidates meeting the following criteria will be considered for admission to the Trempealeau County Recovery Court Program.

- A. Resident of Trempealeau County.
- B. The participant is convicted in Trempealeau County. Will accept out of county convictions.
- C. Each participant must have a diagnosis of substance abuse or dependence.

- D. Proposed participants will be post-adjudication for the offenses of 4th offense or higher OWI, and felony: possession, possession with intent to deliver, delivery, or sale of a controlled substance or a drug related crime. (Reviewed on a case by case basis). Other cases if the defendant has drug or alcohol issues.
- E. No prior convictions for violent crimes and no prior felony convictions involving a weapon.
- F. Must be on adult probation.
- G. No chronic mental illness.
- H. The Recovery Court Coordinator, along with a Human Services Mental Health evaluator or designee may interview each defendant referred for possible participation in the program. Each proposed participant will participate in any assessments requested by staff, treatment providers, or others involved in the screening process. The Recovery Court Coordinator will make a recommendation to the Recovery Court Team, who will either admit or deny the application.
- I. The Recovery Court Participant must voluntarily agree to abide by the Recovery Court Program rules.
- J. All in-state or extraditable warrants or pending charges must be resolved at the time Recovery Court participation begins.
- K. The offender must be 17 years of age or older.
- L. The participant must be amenable to treatment.
- M. If participating as an ATR, the participant waives any collateral challenge to Recovery Court proceeding to include termination criteria, in any subsequent probation/parole revocation proceedings to include sentencing after revocation.

IV. RECOVERYCOURT SUPERVISION

As a Recovery Court Participant, you will be required to appear in Recovery Court on a regular basis. At each appearance, the Judge will be given a progress report prepared by your treatment team regarding your drug test results, attendance and participation in treatment. The Judge may ask you questions about your progress, and discuss any specific problems you have been experiencing. If you are doing well, you will be encouraged to continue with the Program and work with your treatment team toward graduation. If you are not doing well, the Judge will discuss with you and the treatment team and determine further action. If you commit program violations, i.e., missed or altered UA/PBT tests, failure to attend individual or group counseling, failure to attend 12-step meetings, the Court will impose sanctions. (See Sanctions) With repeated violations of program expectations, or a failure to progress satisfactorily, the Court may impose the ultimate sanction of discharge from the Program. Failure to appear in Court on the date and time you are scheduled could result in a warrant being issued for your arrest and you being placed in custody.

Warrants and/or new arrests could result in your termination from the Recovery Court Program. Other violations which could result in termination include missing drug tests, demonstrating a lack of investment by failing to cooperate with treatment, violence or threats of violence directed at the treatment team or other participants. All decisions regarding termination from the Program will be made by the Recovery Court Team.

V. RECOVERYCOURT PROCEEDINGS

The Recovery Court calendar is a priority and will be a specialized, separate court, operating on a bi-weekly basis and dedicated to the assessment, treatment, and supervision of eligible candidates. Recovery Court shall be held every other Wednesday from 9:00 –11:00 a.m. The treatment team will meet prior to court at 7:30 a.m.

VI. PROGRAM RULES

As a Recovery Court Participant, you will be required to abide by the following rules:

- 1. Do not use or possess any alcohol or other drugs.**
 - Sobriety is the primary focus of the Recovery Court Program. Maintaining a drug free lifestyle is the most important aspect of your recovery program.
- 2. Attend all ordered treatment sessions.**
 - This includes individual and group counseling, educational sessions and 12 step meetings. If you are unable to attend a scheduled session, you **MUST** contact the treatment person or probation agent before a session is missed.
- 3. Report to your probation agent and/or Recovery Court Case Manager as directed.**
 - If you have any problems making an appointment, contact your probation agent immediately. Some meetings with your Probation Agent will be conducted in your home.
- 4. Be on time.**
 - You are expected to be on time to court and to your treatment sessions. If you are late for treatment, you may not be allowed to attend your counseling session and will be considered non-compliant. Contact your treatment provider if there is a possibility that you may be late.
- 5. Do not make threats towards other participants or staff or behave in a violent manner.**
 - Violent or inappropriate behavior will not be tolerated and will be reported to the Court. This could result in termination or other sanctions from the Recovery Court Program.
- 6. Act and dress appropriately for court and treatment sessions.**
 - Act appropriately when in the courtroom. You are expected to respect the Court, Judge and all Recovery Court personnel. As a participant you will be expected to wear a shirt or blouse, pants, dress, skirt or shorts of reasonable length. Clothing bearing drugs or alcohol themes or promoting or advertising drug or alcohol use is considered inappropriate. Sunglasses are not to be worn inside the Courtroom or treatment center unless medically approved. Speak with your treatment team if you need assistance with clothing. No eating, chewing gum, or talking out of turn in the courtroom.
- 7. Always tell the truth.**
 - The Trempealeau County Recovery Court was established to combine AODA treatment with a criminal justice approach to give you the best opportunity to change. However, this will take your best effort and truthfulness on your part.
- 8. Obey all traffic laws and pay outstanding traffic fines.**
 - Do **NOT** drive a vehicle if you **do not possess** a valid driver's license. Participants who drive without a valid license may be expelled from the program.
- 9. Avoid any premises where the primary purpose of the business is the sale of alcohol.**
- 10. Attend all court sessions as ordered.**
- 11. Maintain your residence in Trempealeau County throughout the length of the program.**
- 12. Follow the treatment plan as directed by the Recovery Court Team.**
- 13. Do not violate the law.**
 - If you engage in any criminal act, you can be expected to be terminated from the Program and be prosecuted for the pending charges.
- 14. Tell your probation agent and/or Recovery Court Case Manager, within 48 hours, if you move or change your telephone number or disconnect your telephone.**
- 15. Tell your probation agent and/ or Recovery Court Case Manager within 48 hours if you change your employment.**

16. Get permission from your probation agent and/or Recovery Court Case Manager before leaving Trempealeau County if the request is to stay overnight.
17. Submit urine and/or breath samples for testing upon request.
18. Understand that the program is at least 15 to 18 months and that participant fee for the Recovery Court is \$750. You may reduce that amount to \$500 by completing 40 hours of community work service hours, within Trempealeau County. Approval for out of county Community Service must be authorized by the Recovery Court Team.
19. Understand that you may not opt out of the Recovery Court Program.
 - While admission to the Recovery Court is voluntary, once enrolled, participants cannot leave the program unless they graduate or are terminated. (see Graduation and Termination)
20. If restitution is owed, you must pay a monthly amount monthly to your probation agent.
21. Participant must pay treatment fees as required by Human Services.
22. Participants must submit a request to the Case Manager if they wish to leave the area for an extended period of time. (This could be for work, medical purposes, vacation or any other appropriate reasons.) This request will be submitted to the team for approval. These requests must be submitted at least 2 weeks prior to departure.

Failure to comply with any program rules will result in sanctions and possible termination from the Recovery Court Program.

VII. INTAKE/REFERRAL

Referrals to the Recovery Court Program should take place as soon as possible after the arrest of a potential Recovery Court candidate. Referrals can come from the following sources:

1. The Arresting Agency
2. The District Attorney's Office
3. The Defense Attorney
4. The Department of Corrections
5. The sentencing Judge
6. Treatment provider

It is anticipated that the potential candidate will be given information regarding the Recovery Court Program either at the time of arrest or by the District Attorney. A referral to the Recovery Court Program will be made. If the potential candidate agrees to the conditions of the Recovery Court Program, the Recovery Court Team will immediately begin the screening and assessment process. If the Recovery Court Team deems the potential candidate appropriate, according to the eligibility standards, the potential candidate will then be reviewed for either approval or rejection into the program.

VIII. TREATMENT & TESTING

A comprehensive AODA assessment will be completed on each participant. After the assessment is completed, the Recovery Court Team will determine the level and location of each participant's treatment.

Potential candidates will agree to a clinical assessment within 30 days of acceptance to the program. Participants will be responsible to schedule the assessment with their health care provider. If the participant does not have insurance the Recovery Court will fund the assessment.

A critical component of successful Recovery Court participation involves intensive supervision and unscheduled UA/PBA testing to determine compliance with the rules of the Recovery Court Program.

All Recovery Court participants will be subject to random drug testing through the NORCHEM SENTRY system. These tests will be administered by a Trempealeau County Health Care employee. In addition, random PBT (preliminary breath test) and urinalysis tests will be administered by the participants probation agent, Recovery Court Case Manager, the Recovery Court Coordinator and the Trempealeau County Sheriff's Department. All tests shall be observed by the party administering the tests.

Participants will be required to call a toll free phone number on a daily basis during an established time frame. Each participant will state their name and identification number, at that time the participant will be informed if they have been selected to report for a test or not. The selection of participants to be tested is generated randomly by a computer software system. This selection process will be random and based on previous positive tests, new criminal activity or other Recovery Court Sanctions. Those selected to test will report to a designated facility during time frames established by the Recovery Court.

Failure to report, for a test, in a timely manner will be considered a positive test.

All medications must be approved by the team. A participant must take all medications as prescribed. Documentation from the participant's physician must be submitted to the Recovery Court Team and approved by the team.

Recovery Court participants are prohibited from using cough syrups and other medications such as Nyquil that contain alcohol. Also Recovery Court participants are not allowed to use dietary supplements, energy drinks, herbal products, sports nutrition powders, or anything not regulated by the FDA. In addition, Non-alcoholic beer and wine are also prohibited from consumption. The participants shall refrain from using mouth wash or breath strips that contain ethyl alcohol. If there is any question in the participants mind they should discuss the situation with the Recovery Court Team.

A short screen mental health assessment (GAIN, short screen) will be completed on all participants upon acceptance into the Recovery Court. The purpose of this assessment is to identify clients who have one or more behavioral health disorders. The results of the assessment will assist the participant in integrating mental health services with their substance abuse treatment. Future periodic assessments will be completed to measure any behavioral health changes.

IX. PHASE I

The Trempealeau County Recovery Court shall consist of 4 phases.

The minimum requirements for successful completion of Phase I are:

- Bi-weekly appearances before the Recovery Court Judge
- Attend treatment as recommended by treatment provider
- 60 consecutive days of total abstinence from the use of drugs and alcohol, not including time spent during incarceration
- Attend 3 support meetings each week (must be documented)
- All participants must complete a Mental Health assessment within 4-6 weeks of acceptance.
- At least one home or office visit per week with Probation Agent and/or Recovery Court Case Manager.
- Obtain sober sponsor, not a relative.

- Unscheduled alcohol, drug and other mood altering substance testing.
- Follow all other recommendations as determined by Recovery Court Team
- Application must be made to the court for phase advancement and approved by the Recovery Court Team.
- Must provide letter of support for phase advancement from participant's support network.
- A minimum payment of \$50.00 towards Recovery Court fees must be made prior to advancing to Phase II.
- Complete a Short Screen GAIN. assessment prior to entering Phase II.

X. PHASE II

The minimum requirements for successful completion of Phase II are:

- Bi-weekly appearance before the Recovery Court Judge
- Ongoing treatment as recommended
- 120 days of total abstinence from the use of drugs and alcohol
- Attendance at 2-3 support meetings each week (must be documented)
- Office visit with Probation Agent and/or Recovery Court Case Manger weekly.
- At least one home or office visit per month by Probation Agent.
- You must have weekly contact with sponsor.
- If appropriate obtain and/or maintain full time employment, education, or adhere to the 40 hour productivity rule.
- Participate in an educational program life skills and job training, if recommended.
- You must develop a payment plan for Recovery Court (all fines and financial obligations will need to be up to date, prior to completion of Phase II)
- A minimum payment of \$250.00 towards the Recovery Court fees, must be paid prior to advancing to Phase III
- Participate in uncheduled alcohol, drug and other mood altering substance
- Follow all other recommendations as determined by Recovery Court Team
- Application must be made to the court for phase advancement and approved by the Recovery Court Team.
- Participants will provide a letter of support from someone within the participants support network.

XI. PHASE III

The minimum requirements for successful completion of Phase III are:

- Bi-weekly appearances before the Recovery Court Judge. The Recovery Court Team will make a determination when appearances are changed to once a month
- Monthly appearances before the Recovery Court Judge contingent on approval from the Recovery Court Team.
- Comply with the 40 hour productivity rule, if appropriate.
- 180 days of total abstinence from the use of drugs and alcohol
- Attend 2 support meetings each week (must be documented)
- At least 2 office visits per month with probation agent and/or Recovery Court Case Manager.
- At least 1 home visit per month by probation agent and/or Recovery Court Case Manager.
- Budget management demonstrated
- Continue payment toward court fines, fees and financial obligations
- Random breath tests and urinalysis

- Follow all other recommendations as determined by the Recovery Court Team
- Application must be made to the court for phase advancement and approved by the Recovery Court Team. You may attach letters of support for advancement.
- Letter explaining why the participant is eligible for phase advancement.
- Payment of all Recovery Court fees must be made prior to completing Phase III

XII. PHASE IV-CONTINUING CARE PHASE

The minimum requirements for successful completion of Phase IV are:

- Involves continued sobriety for 8 weeks.
- Monthly Recovery Court appearances.
- Random UA's and PBT's
- A minimum of one follow up appointment with the Recovery Court Coordinator
- At least one meeting a month with Probation Agent and/or Recovery Court Case Manager.
- A final court appearance prior to graduation.
- Participate in Alumni Group, if selected by the Recovery Court Team.
- Comply with the 40 hour productivity rule, if appropriate.
- Application for graduation, along with a continuing care plan must be approved by Recovery Court Team prior to graduation
- Complete DOC workbook prior to graduation.
- Complete a Graduation Review Board Hearing prior to graduation.

XIII. GRADUATION

Upon successful completion of all four phases, including the payment of all assessed fees, and upon recommendation of the Recovery Court Team, the Recovery Court Team shall declare the Recovery Court Participant a graduate of the Recovery Court Program. The graduation ceremony will be a celebration of completing all established guidelines

XIV. MENTORING

Recovery Court Participants in Phase IV- Continuing Care Phase will be given an opportunity to assist Phase I participants in their adjustment to the Recovery Court. Upon recommendation of the Recovery Court Team, a Phase IV client will be assigned to a new Phase I client. They will then be given the opportunity to assist the Phase I client with treatment, transportation and other areas of ongoing rehabilitation.

XV. EXPECTATIONS

While Recovery Court Participants complete the Program, there are certain behaviors that will be expected of them and that will increase the likelihood they will successfully complete the program. They include:

- Take responsibility for your own behavior (both good and bad)
- No Probation rule violations
- No new arrests or criminal charges
- Attend AA/Relapse Prevention Groups as recommended.
- Attend & complete other programming as recommended.

- On-time & present for all Recovery Court proceedings
- Obtain & maintain employment
- Keep all appointments with Probation Agent, Coordinator, Recovery Court Case Manager, AND treatment providers
- Positive reports from collateral sources (spouse, parent, employer, etc...)
- If applicable, attend school and obtain HSED/GED
- Pay financial obligations as directed and in full
- No missed or dirty urinalysis or breath tests
- No verbally or physically abusive or threatening behavior
- Positive home visit situation (well kept home, no contraband)
- Maintain clean personal appearance
- Follow curfew
- Promotion to next phase
- Completion of community work service hours
- If applicable, take all prescribed medication
- Working toward obtaining Driver's License
- Save enough money to secure a residence
- Identify self as a Recovery Court Participant to Police if stopped for any reason

XVI. INCENTIVES

Incentives for maintaining sobriety and abiding by the conditions of the Recovery Court Program and Probation may include, but are not limited to, the following:

- Positive feedback/praise from the Judge or a Recovery Court Team Members
- Special acknowledgement for maintaining sobriety
- Increase in privileges
- Lowered reporting standards with the Coordinator and Probation Agent
- Reduced testing
- Education about community resources
- Phase acceleration
- Opportunity to mentor a new member
- Early termination from probation, if approved by the Department Of Corrections Supervisor
- Graduation Ceremony & Certificate

XVI. VIOLATIONS

Any Violations of the rules of the Recovery Court Program will result in the immediate imposition of sanctions, as determined by the Recovery Court Judge and/or the Team. The Recovery Court Team may individualize sanctions as deemed appropriate. Recovery Court violations are determined on a case by case situation, the Recovery Court Team will recommend violations to the Judge, based upon an individuals actions, (Recovery Court is Fair, not always Equal). Sanctions can include, but are not limited to, the following:

- Verbal warning
- Verbal admonishment by the Judge or Recovery Court Team member
- 1-3 days disciplinary custody

- Curfew
- Electronic Monitoring (EMP)
- Increased urinalysis and/or breath testing
- Increased Supervision and/or Testing
- Imposition of Jail Time
- Increased group or treatment participation
- Community work service hours
- Termination from the program
- Revocation of probation
- Half-way residential treatment
- In patient treatment

XVII. TERMINATION

A Recovery Court Participant may be terminated from the Recovery Court Program for any of the following:

- a) Commission of a violent crime
- b) Abandonment of the Recovery Court Program for four (4) weeks
- c) Clear evidence that a participant is dealing drugs or driving while under the influence of an intoxicant
- d) Clear evidence that a participant has been involved in any threatening, abusive, or violent verbal/physical behavior towards anyone
- e) Any other grounds that the Recovery Court finds sufficient for termination
- f) Revocation of Probation/Parole/Extended Supervision

XVIII. PROCESS FOR EXPULSION

Any member of the Recovery Court Team may make a Motion for Expulsion. The Motion for Expulsion will be discussed at the staffing of the Recovery Court Team, out of the presence of the Recovery Court Judge. Upon a majority of the vote, a recommendation for expulsion will be made to the Recovery Court Judge. The matter will be set for a hearing before the Recovery Court Judge at the next scheduled Recovery Court, unless the participant requests additional time to prepare for the hearing. The Motion for Expulsion hearing will be on the record in open court. If the Recovery Court Judge determines that there is a basis to grant the Motion for Expulsion, findings and conclusions will be made on the record, and the Recovery Court participant will be removed from the program. If the Recovery Court Judge is the original sentencing judge of the expelled participant and expulsion will result in the need for a new sentencing hearing, he judge will recuse himself/herself from the criminal court case after the expulsion and a new judge will be assigned to conduct the sentencing hearing.

XIX. VOLUNTARY REMOVAL

A Recovery Court Participant will **not** have the option to quit the Recovery Court Program. Successful completion of or expulsion from the Recovery Court Program are the only two acceptable ways to leave the Recovery Court Program.

XX. RECOVERY COSTS

Each Recovery Court Participant shall pay the sum of \$750 to participate in the program. A total of \$250 of this amount can be earned by doing Community Work Service of 40 hours. The Recovery Court Participant is expected to be employed before entering Phase III. At the end of Phase II, each Recovery Court Participant will have a financial plan that will include monthly payments towards the cost of the Recovery Court. The plan will enable each Participant to have the total amount paid prior to graduation.

XXI. RECOVERYCOURT TEAM

Recovery Court Judge: _____

Date and Time of Court: _____

Probation Agent: _____ Phone # _____

Treatment Counselor: _____ Phone # _____

Recovery Court Coordinator: _____ Phone # _____

Support Group Meetings: _____

AA meetings: _____

Sponsor: _____ Phone # _____

Date Entered Recovery Court: _____

Completed Phase I: _____

Completed Phase II: _____

Completed Phase III: _____

Completed Phase IV: _____

Graduation Date: _____