

*5<sup>th</sup> Judicial District  
Felony Drug Court  
Policy and Procedure Manual  
Effective 05/18/2015*

**SECTION 1.0  
Eligibility**

**SECTION 1.1**

**STATE RECOMMENDATIONS:**

No person has a right to be admitted into drug court.

**5th JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

The 5<sup>th</sup> Judicial Drug Court is a Post Sentence Drug Court. Clients do not have a right to be admitted into Drug Court. Either the Prosecutor, Defense Attorney or sentencing Judge in the County where the felony was committed recommends the client for Drug Court. Drug Court is a privilege and a onetime opportunity. Clients might meet the Substance Abuse Assessment (GAIN) and the Criminogenic Risk Assessment (LSI) and not be accepted into Drug Court. When evaluating the clients for eligibility for Drug Court the Team members can present information to show cause as to why a client should not be accepted. Acceptance is a team decision however the Judge makes the final decision when all entrance criteria is met. Previous convictions of a sexual offense will prevent the client from being accepted into Drug Court.

**SECTION 1.2**

**STATE RECOMMENDATIONS:**

No person shall be eligible to participate in drug court if:

The person is currently charged with, or has pled or been found guilty of, a felony in which the person committed or attempted to commit, conspired to commit, or intended to commit a sex offense. [IC 19-5604.b.2]

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

1. Except as otherwise provided, a Drug Court Referral by Counsel shall not be made until after entry of a guilty plea on new charges or after entry of admissions on a probation violation (or the finding of a probation violation after evidentiary hearing) or if after retained jurisdiction upon entry of the Order of Probation with

drug court as a term and condition. **A Referral for Drug Court shall be made at the time the defendant's case is set for Sentencing and/or Disposition on a Probation Violation so as not to delay the date set for Sentencing or Disposition.**<sup>1</sup>

2. The appropriate "box" on the referral shall be checked, below, and any information requested shall be included.

3. The Drug Court Referral shall be presented to the defendant's sentencing judge and shall be filed by the judge's clerk. The judge's clerk shall transmit the referral by email to the drug court coordinator and counsel of record.

4. The defendant shall be ordered to appear at drug court the first court date after the date of referral.

<sup>1</sup> A sentencing judge may initiate a Drug Court Referral at the time of sentencing, disposition on a probation violation or at a Rider Review hearing where the sentencing judge has placed a defendant on probation with Drug Court as a term and condition of probation without prior referral to Drug Court for eligibility determination. The sentencing judge or clerk shall prepare the Drug Court Referral Form.

### **SECTION 1.3**

#### **STATE RECOMMENDATIONS:**

Each drug court shall establish written criteria defining its target population addressing the following considerations:

- A. Drug court is not intended for offenders with low criminogenic risk of recidivism. Drug court is intended for offenders with a moderate- high to high risk of recidivism and high level of criminogenic needs (within a recommended range of LSI-R composite scores between 18-40) Based on Idaho specific drug court outcome data, offenders with an LSI-R composite score above 33 require additional resources for success).
- B. Drug courts should consider acceptance of offenders with offenses influenced by drug use in addition to drug or DUI specific offenses when establishing the target population.
- C. Drug courts should consider offenders with at least one prior felony offense.

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<sup>1</sup> A sentencing judge may initiate a Drug Court Referral at the time of sentencing, disposition on a probation violation or at a Rider Review hearing where the sentencing judge has placed a defendant on probation with Drug Court as a term and condition of probation without prior referral to Drug Court for eligibility determination. The sentencing judge or clerk shall prepare the Drug Court Referral Form.

- D. Offenders with a felony offense who are at risk of incarceration should be given priority for admission.
- E. Individuals who are failing to comply with conditions of probation because of substance dependence or addiction and who are being or may be charged with a probation violation, with potential incarceration, should be screened and considered for possible drug court participation.
- F. Persons currently charged with, who have pled or have been adjudicated or found guilty of, a felony crime of violence or a felony crime in which the person used either a firearm or a deadly weapon or instrument may be admitted at the discretion of the drug court team and with the approval of the prosecuting attorney as specified in IC 19-5604, as amended 2011.

## 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

### TARGET POPULATION

The target population of the Fifth Judicial District Drug Court is:

- A. Those who score an 18 or higher on the LSI for criminogenic risk, placing them in the medium to high criminogenic risk category, and those who meet substance abuse assessment criteria. Clients with an LSI score above 33 require extra resources. Generally those above 40 will not be accepted unless the Judge feels we have the resources to provide the needed services to the client.
- B. The 5<sup>th</sup> District will consider clients that have been sentenced for Felony drug, DUI or other offences that have a substance abuse as an underlying problem. They must be older than 18 years of age, throughout the Fifth Judicial District.
- C. The 5<sup>th</sup> District will not deny clients from Drug Court if they have other felonies.
- D. Clients who are at risk of Incarceration will be given priority to enter Drug Court if they meet the entrance criteria.
- E. If individuals are failing to comply with conditions of probation because of substance dependence or addiction and who are being or may be charged with a probation violation, with potential incarceration, will be screened by the Prosecuting Attorney. The Prosecutor will then recommend the client for Drug Court if the Prosecutor feels the client would qualify. They would go thru the standard screening process for Drug Court.

- F. Persons charged with, who have pled or have been adjudicated or found guilty of, a felony crime of violence or a felony crime in which the person used either a firearm or a deadly weapon or instrument may be admitted at the discretion of the drug court team and with the approval of the Prosecuting Attorney as specified in IC 19-5604, as amended 2011. This will be done on a case by case basis.
- G. No person shall be eligible to participate in drug court if the person is currently charged with, or has pled or been found guilty of, a felony in which the person committed or attempted to commit, conspired to commit, or intended to commit a sex offense.

## **SECTION 1.4**

### **STATE RECOMMENDATIONS:**

Each drug court shall establish a written procedure for deciding how individuals will be considered for acceptance into drug court, including who will have input into that decision, the criteria for inclusion and exclusion (established in Guideline 1.3), and the establishment of final control for admittance by the presiding drug court judge.

### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

The 5<sup>th</sup> Judicial Drug Court is a Post Sentence Drug Court. Clients are referred into drug court by either the Prosecuting Attorney, Defense Attorney or the sentencing Judge. The client is instructed to obtain a LSI and a GAIN Assessment plus a Mental Health screening and if they meet that criteria. The active members of that Drug Court Team will be allowed to give input as to acceptance with the Drug Court Judge making the final decision, which will be done in staffing.

Also see Guideline 1.3.

## **SECTION 1.5**

### **STATE RECOMMENDATIONS:**

Each drug court shall identify eligible individuals quickly, screen them as soon as possible, advise them about the program and the merits of participating, and place them promptly in the drug court in order to capitalize on a triggering event, such as an arrest or probation violation, which can persuade or compel participants to enter and remain in treatment.

*Comment: Research suggests that admitting participants into drug court within 20 days of arrest shows improved outcomes and reduced costs.*

## 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

After a Client has been referred to Drug Court by the court they have 21 days to complete the intake requirements. If they fail to engage in the application process they will be remanded back to the court for an alternative sentence; unless there are circumstances that delayed the application process that were out of the control of the client making the application. The Drug Court Judge has the final decision as to when they are remanded back.

### **SECTION 1.6**

#### STATE RECOMMENDATIONS:

Coerced treatment is as effective as or more effective than voluntary treatment. Participants should not be excluded from admission solely because of prior treatment failures or a current lack of demonstrated motivation for treatment. Drug courts should implement motivational enhancement strategies to engage participants and keep them in treatment.

## 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

Clients may not recognize their substance related or mental health problem and may require monitoring and motivating strategies to engage in treatment and to progress through the stages of change. Although treatment attempts and motivation is assessed, a client having no motivation or failed treatment experience does not prevent admission.

### **SECTION 1.7**

#### STATE RECOMMENDATIONS:

Payment of fees, fines, and/or restitution is an important part of a participant's treatment, but no one, who is otherwise eligible, should be denied participation solely because of inability to pay.

Courts should establish a clear payment plan with offenders at intake, work closely with offenders throughout drug court participation to keep fee payments current, and develop procedures for recording unpaid drug court fee balances remaining at the time of graduation as a civil judgment. The practice of deferring graduation until balances are paid is discouraged because of its impact on operational costs and ability to admit new participants.

The practice of allowing large drug court fee balances to accrue and then deferring graduation until these balances are paid is discouraged because of its impact on drug court operational costs and the court's ability to admit new participants. Courts should develop procedures for post-graduation collection of

unavoidable fee balances, for example filing a civil judgment or other post-graduation collection procedures.

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

Fees, treatment, fines and restitution are not considered when a client makes application to Drug Court. We do require a budget from everyone coming into Drug Court. The Coordinator's Office appraises the clients of their costs as it relates to the amounts owing. A Financial Contract is also signed at entrance to Drug Court with a plan of how they plan to fund Drug Court. If the clients have met their treatment goals but have not yet meet their financial obligations within the 18 months. These clients will be closed as a Drug Court Client. They will then be transferred back to Probation and Parole. The clients must complete payment of all Drug Court fees, treatment, fines and restitution before they can be released from probation. These Clients can be requested to attend Drug Court on occasion to give an update of their financial status. The Drug Court Judge can review the client's participation in Drug Court and decrease the Drug Court fees if he feels that is appropriate. Drug Court does not have the right to decrease the fees and restitution as these were previously set before starting Drug Court.

Clients can obtain, at any time, a summary of charges in Drug Court from the Coordinator's Office. In general, the Drug Court fee is \$1,500.00 which covers the participant for approximately 12-18 months of treatment in drug court. No refunds will be given once drug court fees are paid. Additional costs may be applied to participants that are in the drug court program over 18 months (rate of \$125.00 per month).

**SECTION 1.8**

**STATE RECOMMENDATIONS:**

Drug court participants shall be responsible for payment of the cost of treatment, based on the established Department of Health and Welfare sliding fee scale, which recognizes all court related fees, fines, and other payments as deductions from income. Participants eligible for payment for treatment under the Medicaid program will be billed for through Medicaid with no co-payment required.

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

At the time of Intake and every 90 days, all participants complete a BPA Financial Eligibility form which determines their cost of treatment based on the established DHW sliding fee scale. The State will pay the Medicaid rate to the provider and the client cannot be based on the established DHW sliding fee scale. Those clients not on Medicare will also be required to follow the Health and Welfare sliding fee scale. The State Drug Court fees will pay the amount that they qualify for. Above that rate the client is responsible for any amount above the amount not funded by the State. Clients who transfer to our Drug Court out of the area will have to have Medicare or self fund the total amount of their

treatment. This is due to the fact that clients from another District will not be using funds appropriated for our District. The Judge is the final voice as to transfers being funded out of our District funds.

## **SECTION 1.9**

### **STATE RECOMMENDATIONS:**

Cooperation among drug courts is encouraged, within the constraints of available resources, to facilitate transfer of eligible applicants or current participants to the drug court that is most accessible to them or to the most appropriate problem-solving court (including but not limited to DUI court, Misdemeanor/DUI Court, Mental Health Court, and Child Protection Drug Court). Such transfers are contingent on meeting the receiving courts' written target population criteria. The receiving court may be transferred jurisdiction in accordance with Idaho Criminal Rule 20.

### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

#### **Transfers from other Drug Courts:**

- A. A Client may transfer from another jurisdiction as a self-pay. The cost will follow the District's Drug Court fees outlined in Section 1.8.
- B. If there is a need and funding is available in our District, the Judge can allow for clients to be funded under the 5<sup>th</sup> District's funding.
- C. The County Prosecutor as well as the Drug Court Judge and Drug Court Coordinator must approve those requesting a change of Drug Court to the 5<sup>th</sup> Judicial District.
- D. The Client wishing to transfer must meet all of the entrance requirements just the same as a client from the 5<sup>th</sup> Judicial District.
- E. The Client wishing to transfer must also meet all of the same graduation criteria as those from our district.

## **SECTION 1.10**

### **STATE RECOMMENDATIONS:**

Participants with a mental illness should be accepted and/or retained in drug court if the mental health evaluation indicates they are amenable to the drug court model, if appropriate treatment resources are available.

### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

The Department of Health and Welfare Behavioral Health is the Mental Health provider for the Fifth Judicial District Drug Court. The Department screens recommended applicants to determine if the client is amenable to the drug court model. Behavioral Mental Health provides necessary services including

medication management and treatment for co-occurring disorders if the client qualifies for services. A psychosocial rehabilitation specialist from DHW is part of the Fifth Judicial District Drug Court Team to help facilitate those services.

The 5<sup>th</sup> Judicial Drug Court's Treatment Provider is required to have personnel who meet the requirements of a LPC, LMSW, LCPC, LCSW or Equivalent. Who can effectively identify an individual that has a mental health diagnosis and a substance abuse issues. Co-existing mental health disorders can interfere with treatment if left untreated. The Treatment Provider must also have screening and assessment protocols which assesses the clients need for mental health interventions. The need for interventions will be communicated to Drug Court on the Staffing Report and also in staffing so the psychosocial rehabilitation specialist from DHW can help the Team make referrals for services. These services could be provided by DHW, The Treatment Provider or other Providers with the proper services for that client.

## SECTION 2.0

# IDENTIFICATION AND ASSESSMENT

### SECTION 2.1

#### STATE RECOMMENDATIONS:

Prospective drug court Participants should be identified through a structured screening process designed to determine if they meet the drug court target population eligibility criteria.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

##### SCREENING PROCEDURES

Established Screening Process:

1. Initially begins with the county prosecutor's office
  - a. Screen for violent/sex offenses
  - b. Screen for previous drug offenses / past criminal history
  
2. Once recommended by the prosecutor's office and the judge, the defendant meets with the Drug Court Coordinator's Office. The defendant is then screened based on the following:
  - a. LSI score of 18 or higher to place the defendant in the medium to higher risk category (The LSI is administered by the State of Idaho Probation and Parole)
  - b. Substance abuse assessment (GAIN) in written form received by the Drug Court Coordinator.



- c. NCIC report for previous offenses
  - d. Defendant must be a resident within the Fifth Judicial District or meet the funding and guidelines to transfer in to the District's Drug Court.
  - e. Have a Mental Illness Screening if the team feels there is a need.
3. If the defendant meets the eligibility requirements, then he/she is discussed by the drug court team. The defendant is then either accepted or denied.

## **SECTION 2.2**

### **STATE RECOMMENDATIONS:**

Each drug court candidate shall undergo a substance abuse assessment [IC 19-5604] prior to acceptance into drug court. Screening procedures shall include, at a minimum the Global Appraisal of Individual Needs- Short Screener (GAIN-SS). If it can be obtained on a timely basis, and the candidate meets other eligibility criteria, the full GAIN-Initial (GAIN-I) is preferable.

### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

The 5<sup>th</sup> Judicial District Gain Provider's clinical staff are required to be certified GAIN-I Administrators. Clinical staff are trained through the national training model, received coursework certificate, and completed the Quality Assurance review process for administering the GAIN as described in chapter 8 (certification) of the manual.

The 5<sup>th</sup> Judicial District's Gain Provider's will only do the assessments and present a proposed treatment program for each client.

The 5<sup>th</sup> Judicial District's Treatment Provider must also be certified to do the GAIN-I. The Treatment provider will only do the GAIN-I and Treatment Plan for those who cannot be accommodated by the District's designated GAIN-I Provider on a timely basis as determined by the Drug Court Coordinator's Office.

The drug court candidate must have a qualifying diagnosis of substance abuse / alcohol dependence.

If the GAIN-I evaluation recommends residential treatment that candidate will not be eligible for the drug court program as residential treatment requires a much higher level of care than what drug court can provide.

## **SECTION 2.3**

### **STATE RECOMMENDATIONS:**

Each drug court candidate shall undergo a criminogenic risk assessment. [IC 19-5604] prior to acceptance into drug court, such assessment procedure shall include, at a minimum the Level of Services Inventory – Revised (LSI-R) prior to acceptance into drug court. [IC 19-5604]

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

Every Client making application for the 5<sup>th</sup> Judicial Drug Court must complete a LSI-R. The number reported after it is scored by Probation and Parole is one of the criteria that has to be met for entrance into Drug Court.

The LSI will also be part of the information considered for the Client's Treatment plan. The LSI will be used by the Provider's administering the GAIN-I to help formulate a treatment plan for that Client.

LSI-R scores below 18 will not be accepted into drug court. LSI-R scores above 40 will not be accepted into drug court, unless the Drug Court Judge states otherwise. Of note, IDOC will be making changes in 2015 to LSI scores and classifications.

#### **SECTION 2.4**

#### STATE RECOMMENDATIONS:

Because a significant percentage of drug dependent/addicted offenders also have a diagnosable mental illness, drug courts shall develop procedures to identify participants with a mental illness, to refer them to an available mental health provider for evaluation and treatment, and to seek regular input from that provider regarding these participants. Screening for mental illness shall use consistent state criteria.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

The 5th Judicial Drug Court's Treatment Providers utilize the standardized GAIN I assessment to evaluate if further mental health assessments are needed. If it indicates that further services are needed. The Provider then informs the Drug Court Coordinator and follows up at Staffing so the mental health issues can be addressed by the team and proper services be obtained. If the Team feels the client needs more services than Drug Court can provide the client is remanded back to the Court System.

When a Client makes application to Drug Court they are instructed to contact Health and Welfare Mental Health for a screening to see if the client has utilized any previous services with them. Mental Health is then to report back to the Drug Court Coordinator's office if they see a need for Mental Health services or treatment.

There are also other Mental Health services in our community where clients can also be referred for treatment that might be deemed necessary.

## **SECTION 2.5**

### **STATE RECOMMENDATIONS:**

The treatment plan for substance abuse or dependence shall be based on a clinical assessment, performed by a qualified professional, including a GAIN-Interview (GAIN-I).

### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

Client's substance abuse or dependence is assessed on the GAIN-I. Clients are not accepted into the 5th Judicial Drug Court if they only have substance abuse. They must be diagnosed to be dependent upon a drug to meet this requirement. The GAIN-I must also be administered by a qualified Counselor.

## **SECTION 2.6**

### **STATE RECOMMENDATIONS:**

Participants shall be initially assessed by both court and treatment personnel to ensure that individuals are suitably matched to appropriate treatment and interventions designed to address their identified criminogenic needs.

### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

Prior to acceptance into the Drug Court program all applicants are screened by the Substance Abuse Treatment Provider which operates under the ASAM criteria. The treatment provider will work with the Drug Court team to develop the appropriate levels of care for each individual based on ASAM criteria. Substance Abuse Treatment Staff participate as members of the Drug Court team and are an integral part in plan development for each participant.

# **SECTION 2A**

## **Admittance Procedures**

### **SECTION 2.1A**

#### **STATE RECOMMENDATIONS:**

**NOTHING IN POLICIES**

## 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

### PROCEDURES FOR ADMITTANCE:

1. Either the Prosecuting or Defense Attorney reviews defendants' cases to determine if the defendants' charges meet the appropriate charge criteria for Drug Court.
  - a. If so, the client is referred to apply for Drug Court.
2. The primary Judge discusses the Drug court program with the defendant. If the defendant is not interested, then the proceeding continues in normal fashion.
3. If the defendant wants to apply for drug court, the Judge then informs the defendant to attend the next Drug Court session and completes the Order to Participate in Drug Court
4. The Judge also informs the defendant of:
  - a. Program length
  - b. Treatment length - 1 year; and
  - c. ½ year of aftercare meetings
  - d. Participant has to enter plea of guilty to felony charge, which cannot be changed unless the program is successfully completed
  - e. Participant loses all constitutional rights in Drug court
  - f. Can be tested at any time for drug usage
  - g. House/car/person/effects can be searched at any time without a warrant and without Participant's permission
  - h. Participant has to attend all meetings
  - i. Treatment
  - j. 12-Step meetings
  - k. Court sessions
  - l. Any other new charges could get the Participant expelled back for sentencing after the Drug Court Judge reviews the charges
  - m. Sanctions for non-compliance, poor attitude, lack of participation, and any traffic law violations will be issued. The following is a partial list of behavior for which sanctions are possible:
    - i. Non-Compliance
    - ii. New Charges
    - iii. Poor Attitude
    - iv. Positive Drug Tests or two diluted drug tests
    - v. Missed Drug Tests
    - ii. Missed Treatment Sessions
    - iii. Lack of Participation
    - iv. Missed 12-Step Meetings
    - v. Lack of Payment to Drug Court Program or Treatment provider
    - vi. Participant is not attending required schooling
    - vii. Participant is not employed
    - viii. Participant shows a lack of effort in participating in the program
    - ix. Participant's attitude is poor
    - x. Failure to complete previously ordered sanctions

(This list is not exhaustive and is representative only. It is subject to change per Drug Court team recommendations.)

5. Payment- No refunds will be given to participants for any reason.
  - a. \$1500 drug court fee consists of 12-18 months of participation in drug court program
  - b. Other possible fees
  - c. extension of program- Additional fees of \$125.00 per month will be assessed to participants in the drug court program over 18 months
    - i. other classes as directed
    - ii. additional UA/lab testing fees, shipping and handling fees
6. Participant must have some form of transportation in order to attend the required program meetings and court sessions.
7. The Drug Court Coordinator requests and receives the LSI on the defendant from Probation and Parole.
8. The Drug Court Coordinator requests and receives a copy of the Treatment Provider's assessment and treatment program for the defendant. (See Exhibit #4)
9. The Drug Court Coordinator determines whether funding and space are available for the defendant and requests a NCIC Background check.
10. The Drug Court Coordinator presents a report of the findings to the Drug Court Team during staffing.
11. The Drug Court Team reviews the findings and the defendant's activity in attending Drug Court.
  - a. The Drug Court Team makes the following recommendations:
    - i. Approved
    - ii. Not Approved, did not meet qualifications
12. After recommendation is made:
  - a. If approved, the original judge takes guilty plea and orders the defendant to Drug Court (See exhibit #1)
  - b. If not approved, the original Judge takes the plea of those not qualified and proceeds as if Drug Court was not an option.
13. If accepted, the defendant may be conditionally accepted pending sentencing or final disposition and continues on to Drug Court, is accepted into Drug Court officially, starts treatment, and begins drug testing.

## SECTION 3.0

# Treatment & Treatment Providers

### SECTION 3.1

#### STATE RECOMMENDATIONS:

Treatment paid for by state funds shall be provided in programs approved by the Idaho Department of Health and Welfare under promulgated *Rules and Minimum*

*Standards Governing Alcohol / Drug Abuse Prevention and Treatment Programs,* which have been revised to address the needs of drug court participants.

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

Any Provider in the 5<sup>th</sup> Judicial District providing services to any Drug Court Client must meet Health & Welfare guidelines to provide the treatment.

**SECTION 3.2**

**STATE RECOMMENDATIONS:**

Each drug court shall implement procedures to assure that treatment services are delivered within available financial resources.

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

The 5<sup>th</sup> Judicial Drug Court has set OP as the highest level of treatment for Drug Court Clients. Our District has set \$3,000.00 as a maximum amount available for a client for treatment in the 18 month program. Any client needing extra services such as IOP or any other costs must be approved by the Drug Court Coordinator and many times these costs must be approved by the Supreme Court. When the Treatment Plan is prepared for a client entering the program the estimated costs for the client must be submitted to the Coordinator's Office by that treatment provider to be monitored by the Drug Court Coordinator's Office. The report by the Supreme Court that is maintained and sent to the Coordinator's Office monthly will assist the Coordinator's office to monitor these costs.

**SECTION 3.3**

**STATE RECOMMENDATIONS:**

Information regarding the specific treatment services delivered is essential for drug courts to cost-effectively manage the drug court. Communication between treatment providers, DHW/Management Service Contractor, and drug court team shall take place on a monthly basis and include the following minimum elements:

- A. Projected treatment costs per client (according to the treatment plan)
- B. Expenditures, per services, monthly and year-to-date, by client
- C. Expenditures, per provider, monthly and year to date, by services

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

- A. The Treatment Provider is to submit these costs through the WITS program once the Treatment plan has been produced and discussed with the Client.

- B. The Treatment Provider will submit the Expenditures per services, monthly and year to date to the WITS program. DHW/<Management Service Contractor for each client with a copy of the billing to the Drug Court Coordinator's Office.
- C. The Treatment Provider will submit the Expenditures per provider, monthly and year to date to the WITS program. DHW/<Management Service Contractor for each client with a copy of the billing to the Drug Court Coordinator's Office.

### **SECTION 3.4**

#### **STATE RECOMMENDATIONS:**

Drug court treatment is intended for chemically dependent/addicted individuals assessed as being of moderate to high criminogenic risk (recommended range of LSI-R composite scores between 18-40).

#### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

The 5<sup>th</sup> Judicial Drug Court only takes Clients who score 18-40 on the LSI unless the Judge feels that there are services available and ample resources to treat those with a elevated LSI score. The Judge makes the final decision when clients score above 40.

### **SECTION 3.5**

#### **STATE RECOMMENDATIONS:**

Treatment shall be provided to address identified, individualized criminogenic needs with the expectation that the treatment program will consist of a majority of the treatment interventions being evidence-based practices, delivered with fidelity.

#### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

The Drug Court Treatment providers must use evidenced based practices in treatment delivered with fidelity. Since treatment is to be individualized and should address specific participant needs. The client's treatment plan will be based on the Criminogenic needs of the clients as indicated in the LSI and assessments.

The programs used by the Treatment Providers in our District must be on file in Sharepoint in the proper areas under their Treatment Tab.

### **SECTION 3.6**

#### **STATE RECOMMENDATIONS:**

Group size for group treatment interventions shall not regularly exceed twelve members unless the fidelity of the specific intervention is based on a different number.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

The 5th District has set the optimal group size to be between 10-12 participants. The exception to this may apply to Family Education group depending on how many “family members” a participant may bring. There may also be some uncontrollable circumstances, such as a sick counselor, that requires groups to be combined for a short term. However, on a regular basis, group size should not exceed 10-12 participants.

### SECTION 3.7

#### STATE RECOMMENDATIONS:

Treatment shall include the following:

A cognitive behavioral model, including interventions designed to address criminal thinking patterns.

- Techniques to accommodate and address participant stages of change. Members of the drug court team should work together to engage participants and motivate participation. The consistent use of techniques such as motivational interviewing and motivational enhancement therapy have been found to reduce client defensiveness, foster engagement, and improve retention.
- Family education and / or treatment to address patterns of family interaction that increase the risk of re-offending, to develop family understanding of substance use disorders and recovery, and to create an improved family support system.
- Referral of family members to appropriate community resources to address other identified service needs.
- Incorporation of parenting, child support and custody issues, and the needs of children in the participant’s family into the treatment plan and addressing these needs through the effective use of community resources.
- Frequent, regular clinical/treatment staffings to review treatment goals, progress, and other clinical issues for each participant.
- The prompt and systematic reporting to the drug court team of the participant’s behavior, compliance with, and progress in treatment; the participant’s achievements; the participant’s compliance with the drug court program requirements; and any of the participant’s behavior that does not reflect a recovery lifestyle.
- Progressive phases that include the focus and goals described below:



1. The focus of Phase 1 is Orientation, Stabilization and Initial Engagement. During this phase participants are expected to attempt to establish initial abstinence; understand and accept that he or she has an alcohol/drug dependence/addiction problem; demonstrate initial willingness to participate in treatment activities; become compliant with the conditions of participation in drug court; establish an initial therapeutic relationship; and commit to a plan for active treatment.
2. The focus of Phase 2 is the provision of Treatment. During this phase participants are expected to demonstrate continued efforts at achieving abstinence; develop an understanding of substance abuse and offender recovery tools, including relapse prevention; develop an understanding and ability to employ the tools of cognitive restructuring of criminal/risk thinking; develop the use of a recovery support system; and assume or resume socially accepted life roles, including education or work and responsible family relations.
3. The focus of Phase 3 is Transition to Community Engagement. During this phase participants are expected to demonstrate continued abstinence; demonstrate competence in using relapse prevention, recovery, and cognitive restructuring skills, in progressively more challenging situations; develop further cognitive skills such as anger management, negotiation, problem- solving and decision making, and financial and time management; connect with other community treatment or rehabilitative services matched to identified criminogenic needs; demonstrate continued use of a community-based recovery support system; and demonstrate continued effective performance of socially-accepted life roles.
4. The focus of Phase 4 is Maintenance of recovery skills and supports. During this phase participants are expected to demonstrate internalized recovery skills with minimal program support; maintain abstinence, demonstrate ability to identify relapse issues, and intervene; and contribute to and support the development of others in earlier phases of the drug court program.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

The 5<sup>th</sup> District Drug Court offers a best practice program called Strengthening Families Program (SFP) based on total family participation and addresses family risks and needs.

The 5<sup>th</sup> District substance abuse treatment provider currently offers family therapeutic treatment classes to each Drug Court participant. All drug court participants are required to attend weekly community support meetings and obtain a sponsor.

## **TARC:**

**Response: A.** The Treatment and Recovery Clinic (TARC) completes a Socrates Stages of Change on every participant at the time of assessment and every 90 days thereafter while a participant is in treatment. This allows us to gauge the participant's readiness for change and allows us to foster motivation for change by using such techniques as Motivational Interviewing skills to work through the stages of change.

**Response: B.** TARC provides a 12 week Family Education group to educate participants and their family members or those individuals identified as a positive support system. This group educates participants and their family/support system regarding substance use, risk of relapse, relationship issues, stressors, and gives them skills to implement to improve their social environment. TARC also provides identified participants with Family Therapy to address more specific participant and family/support system issues.

**Response: C.** TARC utilizes our Case Management to coordinate, link, refer and monitor treatment services and community resources to participants, which includes Environmental issues and Family issues.

**Response: D.** TARC utilizes our Case Management to coordinate, link, refer and monitor treatment services and community resources to participants, which includes Environmental issues and Family issues. Participants may access our Life Skills group, Parenting with Dignity, to address parenting skills.

**Response: E.** TARC Counselors participate in weekly Drug Court staffing. TARC Counselors and Case Managers have Clinical Staffing every week to discuss treatment goals, participant progress or any issues. TARC also has participants attend Clinical Staffing, when necessary to discuss any concerns. TARC counselors meet with clients, individually, as needed to review progress and address any issues. Participants with Case Management will meet with their Case Manager at least monthly to review goals, progress, and any concerns. TARC Counselors or Case Manager will provide monthly Clinical staffing notes on each participant and 90 day reviews with each participant.

**Response: F.** TARC Counselor will attend weekly Drug Court; will post required information on Share Point at required times; complete Incident Reports at time of incident; send e-mails when needed; and make phone calls to Coordinator when needed to discuss participant progress or concerns.

**Response: G1** During Phase 1 each participant is given an intake, assessment, orientation to the building and services offered at TARC, this process initiates the engagement of treatment. Participants are also administered a Socrates Stages of Change to identify their stage of change and motivation for change. This allows Counselors to address the participants understanding of dependence/addiction; scores the participants willingness to participate in treatment and establishes therapeutic relationships. Depending on participants needs, they may participate in Early Recovery Group, Moral

Recognition Group, Relapse Prevention Group, and Family Education Group. During this phase, most participants will attend Early Recovery, MRT, and RP groups; deferring Family Education until Phase 2 or 3. Participants may also be in need of Anger Management, Thinking for Good, Parenting, or Life Skills Development groups but again these groups tend to be deferred until Phase 2 or 3 based on participant immediate need. All participants develop a treatment plan which identifies their treatment activities. All participants will be assigned a Case Manager during this phase to assist in linking, coordinating, and monitoring needed services in the community. Through the use of Individuals, identified groups, drug testing, case management and environmental stability, participants begin to establish abstinence and compliance with the program. This phase lasts approximately 12 weeks.

**Response: G2.** During Phase 2, participants complete a 90 day review which measures progress, identifies continued need, and are given an updated Socrates to measure their progression through the stages of change. During this Phase, participants should be demonstrating knowledge gained from groups, individuals, Recovery Support Services, and Case Management services. During this Phase, participants should continue to participate in MRT, RP and may begin Family Education Group (this depends on initial assessment and progress through treatment). During this Phase participants may also be engaged in groups such as: Anger Management, Thinking for Good, Parenting, or Life Skills Development groups, but again these groups may be deferred until Phase 3 based on participant immediate need. All participants update their treatment plan to review what has been completed and identify the treatment activities that need to be completed. During this Phase, participants should be utilizing Case Management services to assist in linking, coordinating, and monitoring community services and social environmental concerns. Through the use of Individuals, identified groups, drug testing, case management and environmental stability participants should be demonstrating abstinence, demonstrating an understanding of dependence/addiction, using tools learned in Phase 1, complying with the program, and developing a recovery support system. This phase lasts approximately 12 weeks.

**Response: G3** During Phase 3, participants complete a 90 day review which measures progress, identifies continued need, and are given an updated Socrates to measure their progression through the stages of change. During this Phase, participants should be actively using knowledge and tools gained from groups, individuals, Recovery Support Services, and Case Management services. During this Phase some participants may still be finishing Relapse Prevention and MRT (depending on progress) or they may have completed by this time. Participants should be participating in Family Education Group (this depends on initial assessment and progress through treatment). During this phase participants may also be engaged in groups such as: Anger Management, Thinking For Good, Parenting, or Life Skills Development groups, depending on client need. All participants update their treatment plan to review what has been completed and identify the treatment activities that need to be completed. During this Phase, participants should continue to utilize Case Management services, when needed, to assist in linking, coordinating, and monitoring community services and social environmental concerns. Through the use of Individuals, identified groups, drug testing, case management and environmental stability participants should be actively demonstrating abstinence, have a

solid working knowledge of dependence/addiction, actively using tools learned in Phase 1 and 2, complying with the program and mentoring new participants, and have a stable recovery support system. This phase lasts approximately 12 weeks.

**Response: G4** During Phase 4, participants complete a 90 day review which measures progress, identifies continued need, and are given an updated Socrates to measure their progression through the stages of change. During this Phase, participants should be actively using knowledge and tools gained through Early Recovery, Moral Reconciliation Group, Relapse Prevention Group, Family Education Group, and any additional groups they have attended. During this phase participants should have graduated Outpatient Treatment and be engaged in After Care. All participants should have completed all treatment activities on their treatment plan. During this Phase, participants may continue to utilize Case Management services, when needed, to assist in linking, coordinating, and monitoring community services and social environmental concerns. Through the use of drug testing, case management and environmental stability participants should be maintaining abstinence, using tools learned in treatment on a daily basis, complying with the program, and have a stable recovery support system. This phase lasts approximately 12 weeks.

#### **WALKER CENTER:**

1. Walker Center uses Cognitive Behavioral Therapy (CBT) models and motivational strategies in our counseling approaches.
2. Clients will participate weekly in recovery skills groups, individual and family counseling, drug testing and 12-step or other mutual support groups. One important technique used to enhance clients motivation is to do a decisional analysis which clarifies what the individual stands to lose or gain by continued drug use or criminal behaviors.
3. Walker Center staff utilizes the SOCRATES Stages of Change at intervals throughout treatment to gauge client's readiness to change and create treatment objectives and methods specific to move client through the Stages of Change.
4. Walker Center provides 12 weeks of multi-family Family Education Group as part of treatment curriculum to educate clients and their family members regarding the dynamics needed for the family to support positive recovery and create their own healthy recovery. Group education includes understanding the addictive process, effective communication, boundary setting, stress management, and how to create fun in recovery.
5. Walker Center provides individual family/couples counseling as needed to address patterns of family interaction that increase the risk to return to use or re-offend.
6. Walker Center utilizes family education group, family counseling and case management as means to refer family members to appropriate community

- resources to address other identified service needs including Alanon, housing, job search, parenting, child care, vocational services and many others.
7. Walker Center utilizes College of Southern Idaho Addiction Studies practicum students and Boise State University Social Work interns to continually update referral information to increase effectiveness and ease of linking to needed services.
  8. Walker Center utilizes individual and group treatment to identify parenting, child support and custody issues and the needs of the children in the client's family. Through treatment plan objectives the appropriate issues are addressed in treatment groups, Life Skills Education or individual sessions.
  9. If the needs are not able to be addressed in treatment or through Life Skills Education, appropriate referral for the issues needing to be addressed are met through community resource with Department of Health and Welfare, school systems and community parenting classes to name a few.
  10. Walker Center policy mandates that staff have weekly meetings to review treatment goals progress and address any barriers to treatment. Drug Court clients are reviewed at frequent intervals throughout treatment including at the completion of any treatment group, if a use of substance or other high risk situation is identified to ensure client is progressing with treatment goals. Counselors meet with clients individuals at least once per month to review progress towards treatment goals and to update treatment plan as needed.
  11. Walker Center assigned counselor that represents Drug Court participates in daily staffing with other counselors to ensure up to date information is available regarding treatment.
  12. Walker Center staff report promptly to drug court team on client's behavior, compliance with treatment attendance and progress towards treatment goals. Information is shared daily with counselor assigned to represent drug court through internal staffing. If any high risk situation or use is reported, the Drug Court coordinator is contacted by phone immediately.
  13. Walker Center staff complete weekly updates are expected into SharePoint.
  14. Information from weekly Drug Court staffing is shared immediately as appropriate to entire Walker Center clinical staff.
  15. During the initial engagement phase of Drug Court, Walker Center staff set the expectation for abstinence. Based on DiClemente's Stages of Change Model, counselors begin to establish the initial therapeutic relationship working with clients to identify their willingness to change.
  16. During Phase 1 the client is being oriented to the Drug Court process by the coordinator and the counselor. Upon completion of GAIN-I assessment, the

client's stage of change will be noted which usually range from Pre-contemplation (Not yet acknowledging that there is a problem or behavior that needs to be changed), Contemplation (Acknowledging that there is a problem but not yet ready or sure of wanting to make a change) or Preparation (Getting ready to change).

Walker Center counselors use motivational interviewing to reduce initial treatment resistance. Clients with criminological risks are less responsive to "being told to do something" but rather respond to encouragement for self-determination. During this process, counselors ask permission to discuss topics, elicit perceptions of the problem, and offer factual information to the client allowing for examination by the client. Normalizing ambivalence and helping the client "tip the scale" toward change are appropriate treatment strategies. Counselors help the client to clarify goals and list personal steps for change. Walker Center uses *Cognitive Behavioral Therapy* to address current destructive patterns of thinking and behaving. The treatment plans target reduction of the client's risks, change cognitive distortions and criminogenic tendencies. These approaches also emphasize emphatic interpersonal skills and build skills to increase better decision making.

17. During Phase 2 of drug court, the focus is on Treatment. During this phase the client is expected to demonstrate continued efforts at achieving abstinence. Walker Center staff work to create environmental structure and support that allows the client to share honestly and without judgment about their progress towards abstinence. During this process the client develops an understanding of substance use and the recovery tools needed along with criminal behaviors that are both linked and separate from substance use.
18. Clients learn to identify destructive thinking such as:
  - a. Immature or developmentally arrested thoughts.
  - b. Poor problem solving and decision making.
  - c. An inability to consider the effects of one's behavior (ripple effect).
  - d. An egocentric viewpoint with a negative view or lack of trust in other people.
  - e. A hampered ability to reason and accept blame for wrongdoing.
  - f. A mistaken belief of entitlement, including an inability to delay gratification, confusing wants and needs, and ignoring the rights of other people.
  - g. A tendency to act on impulse, including a lack of self-control and empathy.
  - h. An inability to manage feelings of anger.
  - i. The use of force and violence as a means to achieve goals.
19. After the client is able to identify the criminal behaviors, thinking errors and time bomb tactics, the client then can develop skills to restructure thinking and utilize recovery support system effectively as the client learns to trust others. Clients

- during treatment set goals associated with work, education and family responsibilities and continued personal recovery efforts.
20. During Phase 3 of drug court, the focus during treatment is on the transition to community engagement. The client has treatment plan objectives that include use of pro-social skills, active engagement in 12 step recovery process including meeting attendance, having sponsorship that is utilized, doing service work and other 12 step recovery activities.
  21. During relapse prevention groups, the client learns how to describe accurately the life transitions they are encountering and how to manage these low risk, moderate risk and high risk events with emphasis on reaching out to others, processing thinking with others to avoid “first thought wrong” impulsive behavior.
  22. During Phase 4 of drug court, maintenance of recovery skills and support is the focus.
  23. Walker Center has established Alumni Support Groups. Alumni Support Groups are offered in 5 locations across Idaho including Twin Falls, Boise, Sun Valley, Gooding, Idaho Falls free of charge for as long as the alumni wishes to attend.
  24. Alumni Support Groups serve as an aftercare component for drug court clients. Clients have alumni support to discuss the effectiveness of their personal relapse prevention plan while being encouraged to continue updating this plan. Clients are expected to maintain active involvement with 12 step program including sponsorship. During this once per week contact with alumni, clients continue to identify their relapse risks and intervene together to develop alternative solutions to relapse issues.
  25. Drug Court clients participate in treatment at the Walker Center which occurs over a minimum of 9 months with timeframes extending longer based on the client’s “Stage of Change”.
  26. Phase 1 lasts approximately 12 weeks consisting of Outpatient Groups.
  27. Phase 2 for approximately 12 weeks consisting of Relapse Prevention and MRT groups.
  28. Phase 3 for approximately 12 weeks with a wrap up of Relapse Prevention along with CSC and Life Skills groups.
  29. Phase 4 consists of the Alumni Support Group (aftercare) that lasts at least an additional 12 weeks.
  30. Treatment at the Walker Center is based on individualized treatment plan goals that are created throughout treatment and address the substance use and criminal issues.
  31. No set timeframes are associated with the phases but rather on the goal that is to be completed.
  32. Each curriculum has objective and estimated timeframes for completion but each individual makes progress towards treatment goals at their own pace and movement through the Stages of Change.
  33. The Walker Center team review treatment plan goals at least every 90 days and work collaboratively with the Drug Court team to move the participant through the Drug Court phases.

**Preferred Child Family Services:**

1. PCFS uses an eclectic approach, in which a cognitive behavioral model and client centered approaches (like motivational interviewing).
2. PCFS uses several screenings at the time of intake to assess initial readiness to change. These screenings include the SOCRATES, MAST, and DAST. All of these screening tools are evidenced based. To address change or progress through the stages of change, specific treatment planning objectives and assignments are assigned that cater to the current stage of change. Motivational interviewing techniques are used throughout the duration of treatment to move and then keep a client in the action stage of change.
3. Clients are encouraged to bring family to treatment groups one time per month. During this time, education is provided to the family/support people about family disease of addiction, family healing, communication, relapse risks, relationship resolution, and boundaries. Additionally, if a client and/or a client's family has individual needs, clients are encouraged to attend family therapy.
4. PCFS aims to link client and families with all resources that are available within the community. Alanon/12 step recovery, faith based recovery, housing, clothing needs, food needs, vocational services, parenting groups, drug and/or alcohol screening, and transportation.
5. PCFS is a full service clinic, and both custodial and mediation services are offered in this agency. Additionally, there are counselors within each office location who specialize in working with families and children. There are professionals in each agency who are trained in Strengthening Families.
6. PCFS conducts formal weekly staffing sessions where client progress is reviewed. Client's behavioral progress, treatment plan goals, recovery related issues, and social network issues are addressed in these staffing sessions. Although formal staffing sessions are scheduled to occur one time weekly, supervision about cases typically occurs daily interagency. Clinical staffing are documented in the client's electronic health record. PCFS representative meets weekly with the Drug Court team to discuss wraparound services being offered or rendered, and all around progress is discussed. This is recorded in the state SharePoint files. Clients also meet with their counselor bi-weekly, to be an active member of their own treatment team, and can assess their own progress as well as receive feedback about improvement needed in specific areas.
7. PCFS staff is committed to staying in close contact with Drug Court Coordinator and supervision officer. Any behavioral concerns, relapse, or community safety identified issues are swiftly addressed.



- 8.** During phase one of treatment, each client receives a substance abuse evaluation from which a problem list is identified. Client receive an intake, orientation, and pre-discharge plan. Utilizing the assessment and screening forms mentioned in Item I of this form, and the master problem list, an individualized treatment plan is developed. Depending on individualized needs, clients are recommended to participate in Early Recovery skills for a minimum of 12 weeks. This group utilizes the MATRIX recovery program (an EBP) to raise awareness of the severity of addiction, increase internal motivation for change, and promote growth through the stages of change and the establishment of elementary recovery skills. This group occurs twice per week. Clients also attend a co-occurring group, which addresses two problems occurring at the same time. This could be substance abuse and trauma or substance abuse and relationship issues for example. This group occurs one time weekly. In this phase, clients also attend individual treatment session where individual needs can be addressed as well as progress. This phase last about 12 weeks.
- 9.** During phase two of treatment, a 90 day review of the clients progress is completed. Needs are re-assessed as well as their progress through the stages of change. Problems identified are revisited, and any new problems are added. During this phase, clients should be demonstrating effective use of skills most of the time, should be participating in recovery support services such as drug testing and case management. In this phase, emphasis is placed on relapse prevention. Clients are attending relapse prevention groups, and are focusing on developing advanced skills that will promote long term recovery. In this phase, clients continue to attend individual treatment session where individual needs can be addressed as well as progress. This phase last 12-16 weeks.
- 10.** During phase 3, clients should be maintaining abstinence and gaining stability in their personal lives. Another 90 day review is completed. Needs are re-assessed as well as their progress through the stages of change. Problems identified are revisited, and any new problems are added. Here, clients should have enough neurobiological healing to participate in a cognitive based program that addresses criminogenic risks as well as thinking errors. In this phase, clients continue to attend individual treatment session where individual needs can be addressed as well as progress. This phase last approximately 16 weeks, but is primarily based upon client effort.
- 11.** In phase four, clients should be completing or have already completed their cognitive behavioral portion of the treatment track, and should be transitioning into aftercare services. Before discharge, all previous identified problems should be resolved or deferred. Client should demonstrate gained knowledge through a written exit exam and pass with a score of at least 80%. They should provide and present a written relapse prevention plan that they can use after discharge. They should have an active sponsor. They should be demonstrating financial responsibility. Client should participate in the discharge process, and be an active participant in the creation of the discharge plan.

## **SECTION 3.8**

### **STATE RECOMMENDATIONS:**

Treatment Phases 1 /2 / 3 shall consist of a minimum of nine months in total. Phase 4 shall consist of a minimum of three months.

### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

- Phase 1 lasts approximately 12 weeks
- Phase 2 for approximately 12 weeks
- Phase 3 for approximately 12 weeks
- Phase 4 consists of the Alumni Support Group (aftercare) that lasts a minimum of 12 weeks and continue in aftercare until a Graduation is held and the client has met all of the graduation criteria.

## **SECTION 3.9**

### **STATE RECOMMENDATIONS:**

Movement through the drug court treatment phases shall be based on individual participant progress and demonstrated competencies associated with each phase and not based on arbitrary timeframes in each phase, other than the minimum timelines specified in section 3.8.

### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

#### **PREFERRED CHILD FAMILY SERVICES:**

Movement into phases is collaboratively decided by the wraparound team. Based on progress in treatment and the community, the client should be staffed to move. The client should show increased readiness to change, increased internal motivation, demonstration of learned skills, and lengthening of abstinence skills.

#### **TARC:**

Response: TARC will staff participant progress at Drug Court, with Coordinator, with Clinical Staff and with Participant on a regular basis. Based on progress, participant will be moved through the phases.

#### **WALKER CENTER:**

Treatment at the Walker Center is based on individualized treatment plan goals that are created throughout treatment and address the substance use and criminal issues.

1. No set timeframes are associated with the phases but rather on the goal that is to be completed.

2. Each curriculum has objective and estimated timeframes for completion but each individual makes progress towards treatment goals at their own pace and movement through the Stages of Change.
3. The Walker Center team review treatment plan goals at least every 90 days and work collaboratively with the Drug Court team to move the participant through the Drug Court phases.

### **SECTION 3.10**

#### **STATE RECOMMENDATIONS:**

Treatment intensity/phase assignment shall be based on treatment need, and shall not be adjusted as a means of imposing a sanction for non-compliance, unless such non-compliance indicates a clinical need for the change in treatment phase.

#### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

##### **PREFERRED CHILD FAMILY SERVICES:**

PCFS will staff progress interagency as well as with the wraparound team. Based upon progress or lack thereof the client can be recommended to move or return to a previous phase. At times, it is clinically appropriate to return a client to a specific group if the client is failing at apply those skills.

##### **TARC:**

Response: TARC will staff participant progress at Drug Court, with Coordinator, with Clinical Staff and with Participant on a regular basis. Based on progress or lack of progress, participant will be moved through the phases and assigned appropriate treatment activities. Treatment intensity shall be based on client and clinical needs, not as a sanction.

##### **WALKER CENTER:**

Walker Center will staff clients progress at Drug Court weekly meetings, with Drug Court Coordinator and with client during individual sessions. Based on progress or lack of progress towards treatment goals, client will be recommended to move through the phases and will be attending appropriate treatment activities.

Walker Center treatment is based on clinical need and is not used as a sanction.

### **SECTION 3.11**

#### **STATE RECOMMENDATIONS:**

Treatment services should be responsive to ethnicity, gender, age, and other characteristics of the participant.

5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

**TARC:**

Response: Participants have the right to impartial access to treatment, regardless of race, religion, gender, ethnicity, age, handicap, or other characteristics. TARC shall be sensitive and responsive to participants needs based on race, religion, gender, ethnicity, age, handicap, or other characteristics.

**WALKER CENTER:**

Walker Center treatment services are responsive to ethnicity, gender, age and other characteristics of the participant.

Walker Center has gender specific relapse prevention treatment tracks to address the unique gender risks.

In addition, Walker Center has sensitivity to the Spanish speaking client and the cultural dynamics associated with how to develop sober support system.

**PREFERRED CHILD FAMILY SERVICES:**

PCFS does not discriminate against those who are identified as under privileged. This includes those who are of color, women, gay/lesbian/bisexual/transgendered, or those with mental or physical disabilities. PCFS counselors follow strict codes of ethics in which discrimination is strictly prohibited. Treatment is tailored to the individual demographic needs of the client.

**SECTION 3.12**

STATE RECOMMENDATIONS:

Approved addiction treatment medications should be utilized in conjunction with treatment services if there is approved need and resources are available.

5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

**TARC:**

Response: TARC shall use appropriate community resources and referrals to addiction treatments regarding medication.

**PREFERRED CHILD FAMILY SERVICES:** PCFS will use appropriate referrals to primary care physicians for the use of medications to control Dimension I (withdrawal or intoxication) issues.

**WALKER CENTER:**

Response: If Drug Court approves addiction treatment medications, Walker Center staff has the training and resources to assist the client with this need as our Medical Director is an American Society of Addiction Medicine certified Addictionologist.

### **SECTION 3.13**

#### **STATE RECOMMENDATIONS:**

The treatment provider shall have detailed written guidelines describing how it will provide any of the treatment activities that are its responsibility, and the drug court shall have written guidelines describing how the remaining treatment activities will be implemented.

*Comment: Nothing herein is intended to recommend that the treatment provider perform all of the treatment activities listed in section 3.6. For example, in a particular drug court, the Department of Correction may provide cognitive restructuring intervention and the local sheriff may provide urinalyses drug testing.*

#### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

##### **TARC:**

Response: TARC is capable of providing Intensive Outpatient treatment (9+ hours per week), Outpatient treatment (less than 9 hours per week) and Recovery Support services, including: Case Management, drug testing, transportation, and Life Skills Education to all participants who qualify for services. If needing a more detailed outline- see TARC P&P.

##### **WALKER CENTER:**

Walker Center is capable of providing a continuum of treatment services based on ASAM Placement Criteria from Assessment to Intensive Outpatient, Outpatient, Residential treatment, Early Intervention, Recovery Support Services including Life Skills, Transportation, Drug Testing and Case Management.

Walker Center has the facilities and resources to expand to meet needs in a quick manner.

**PREFERRED CHILD FAMILY SERVICES:** PCFS determines appropriate level of treatment by the ASAM placement criteria. Additionally, needs are individually recognized and treatment track is tailored in this way.

### **SECTION 3.14**

#### **STATE RECOMMENDATIONS:**

It is preferable that the drug court has a single treatment provider (that can make referrals to other ancillary treatment if individual circumstances require such referral). Should multiple providers be used a selection process will be used to clearly set expectations of treatment services to be provided and no more than two providers are used.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

**PREFERRED CHILD FAMILY SERVICES:** Preferred Child and Family Services is a “full service behavioral health clinic”. This agency offers substance abuse services, for both adolescents and adults, at a .5 level to a II.1 level. This agency offers case management services, too. Additionally, Masters and Doctoral level counselors provide co-occurring needs, trauma informed care, family therapy, custodial evaluations, mediation, psychiatric evaluations, mental health evaluations, and CBSR. ALL staff who treat substance abuse clients have a Bachelor Degree or higher in some type of psychological or social work field. Some also have specialties in Addiction.

#### **TARC:**

Response: TARC is a “full service” Substance Use Disorder treatment facility that is licensed through the Department of Health and Welfare and a network provider for Business Psychology Associates. TARC is approved to provide Level I & II.I for adolescents and adults; Adult/Adolescent Drug Court; Drug Testing Services; Clinical Case Management Services; Basic and Intensive Case Management Services; Life Skills Education; and Transportation.

TARC has one Licensed Clinical Social Worker, one Licensed Master Social Worker (who is testing for her Clinical next month), a CADC with approximately 11 years experience working with Co-Occurring Disorders, and a CADC that has approximately 6 years experience in this field. TARC has 3 Case Managers, all with a minimum of Bachelor’s degrees and each has experience working with Substance Use, families, and children. TARC has a drug testing facility with 2 full time and 2 part time staff. TARC has 1 employee designated to provide transportation.

Since the initial certification of TARC, we have received an annual audit from DHW/CSAT which we scored an overall **95.46%** allowing us 2 years before our next audit (max time allowed). We have received 2 Clinical Supervision audits conducted by BPA, both resulting in an **84%** allowing us to have annual audits (max time allowed). We have received 3 annual audits conducted by BPA with the following results: 2009-General Funding= **94%**; Problem Solving Court Funding= **98%**; 2010-General Funding= **100%**; Problem Solving Court Funding= **98%**; 2011-General Funding= **100%**; Problem Solving Court Funding= **99%**. Allowing us 1 year before our next audit, which is max time allowed. We were also reviewed and met criteria for Dual Diagnosis Capable.

## **SECTION 3.15**

### **STATE RECOMMENDATIONS:**

The treatment representative shall attend all drug court staffing and court sessions.

### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

#### **TARC:**

Response: TARC shall have the designated Drug Court Counselor and/or Case Manager present at all drug court staffings and court sessions. If, for any reason, these staff are not available, TARC shall send a representative to attend.

**PREFERRED CHILD FAMILY SERVICES:** Preferred Child and Family Services has designated one employee to manage all drug court participants. This person shall be available for staffing each week, conduct assessments and treatment planning, and compile SharePoint notes.

#### **WALKER CENTER:**

1. Walker Center has a dedicated full-time staff person that attends all drug court staffing and court sessions.
2. This staff person does the initial assessment in the majority of referrals to begin the initial engagement process.
3. This staff person is the primary counselor for drug court participants in the initial phase of treatment with the exception of Spanish speaking participants.
4. In later stages of treatment, when gender specific or other treatment tracks merit the client to have another primary counselor, the drug court assigned counselor is responsible for daily staffing of clients to ensure continuity of information from the treatment provider to the drug court team.

## **SECTION 4.0**

### **CASE MANAGEMENT & SUPERVISION**

#### **SECTION 4.1**

### **STATE RECOMMENDATIONS:**

Judicial assignment should be made on the basis of interest in the problem-solving court model and should be expected to last for a minimum of three years.

Research has demonstrated that frequent rotations or short-term assignments of judges adversely affect outcomes.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

The Drug Court Judge will hold court weekly unless stated otherwise. Association and Residence restrictions may be placed on the drug court participant at the discretion of the court. Employment and Education requirements may also be imposed on the drug court participant by the court.

#### **SECTION 4.2**

##### STATE RECOMMENDATIONS:

In Phases 1 and 2 participants shall regularly appear before the judge in court at least twice a month or more frequently if the participant is not in compliance with drug court requirements.

*Comment: Research shows that participants with a higher criminogenic risk have better outcomes if they appear in court regularly rather than “as needed”, based on non-compliance. Both weekly and bi-weekly frequencies of court status hearings have shown positive outcomes.*

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

Phase 1 participants will attend court weekly. Phase 2 participants will attend court once every other week. Participant court appearances may be increased at the discretion of the court.

#### **SECTION 4.3**

##### STATE RECOMMENDATIONS:

The frequency of court appearances shall ordinarily decrease as the participant progresses through the phases of treatment. In Phases 3 of drug court, the client shall appear before the judge in court at least once per month. In Phase 4, court appearances before the judge may be determined by the individual drug court.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

Phase 3 and Phase 4 participants will attend court once every 3 weeks. Participant court appearances may be increased at the discretion of the court.

#### **SECTION 4.4**



**STATE RECOMMENDATIONS:**

The drug court team shall include, at a minimum, the judge, prosecutor, defense counsel, probation/community supervision officer, treatment provider, law enforcement representative, and coordinator. The team may also include other members such as mental health providers, health providers, drug testing personnel, and vocational services personnel.

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

Drug Court team members will attend staffing and court weekly (when available).

**SECTION 4.5**

**STATE RECOMMENDATIONS:**

Prior to each of his or her court appearances, each participant's treatment progress and program compliance shall be discussed at a staffing by the drug court team. During that staffing, the drug court team shall also discuss rewards or sanctions for the participant and phase movement or graduation. Staffing's shall include the active participation of:

- (A) Judge
- (B) Coordinator
- (C) Probation officer
- (D) Prosecutor
- (E) Defense Counsel
- (F) Treatment Provider
- (G) Law Enforcement Representative

*Comment: Research has clearly demonstrated that the active participation of all team members is directly tied to positive outcomes and cost-effectiveness for the drug court.*

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

All of the above Team member attend staffing each week. If they are not able to be in staffing they send a representative from their office. Those attending as a substitute should be familiar with the progress of the Drug Court Clients under their responsibility. Also see the Drug Court Team Organization Chart.

**SECTION 4.6**

**STATE RECOMMENDATIONS:**

Drug court team members shall meet at least 2 times per month if not every week for drug court staffings to consider participant acceptance into drug court, to monitor participant progress, and to discuss sanctions/ rewards and Phase

movement or graduation. Each drug court shall specify who will be members of the drug court team, beyond those specified at a minimum in Section 4.4.

*Comments: Optimally, participation in staffings should be in person but communications technology may be utilized (examples: webinar, conference calls, streaming video, and web-cam). Although every effort should be made for all drug court team members to attend all staffings, exceptions may be made for vacations, health issues, or emergencies.*

#### 5<sup>TH</sup> JUDICIAL DISTRICT DRUG COURT PROCEDURES:

In the 5<sup>th</sup> Judicial District Drug Court staffing is held every week before court. The Drug Court Team discusses the progress of all those who are in the program that are coming to Court that week. The Drug Court team also discusses those clients who are making application into drug court as well as their status as it relates to the entrance requirements. Also see Section 1.3 Target Population.

#### **SECTION 4.7**

##### STATE RECOMMENDATIONS:

All drug court team members shall be specifically identified in the “consent(s) for disclosure of confidential information”, signed by each participant.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

The 5<sup>th</sup> Judicial District Release of Information form is completed by every Client making application for Drug Court. This application contains all of the Drug Court Team Members and also every organization in the Community that shares information with Drug Court. The Client must initial the line for every organization to allow disclosure of confidential information to them. The client can also specifically identify anyone they choose so information can be given to them on how they are progressing in Drug Court. See Exhibit 1A.

#### **SECTION 4.8**

##### STATE RECOMMENDATIONS:

The judge shall serve as the leader of the drug court team, and shall maintain an active role in the drug court processes, including drug court staffing, conducting regular status hearings, imposing behavioral rewards, incentives and sanctions, and seeking development of consensus-based problem solving and planning.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

In the 5<sup>th</sup> Judicial District the Judge is leader of the Drug Court Team and as such maintains control of the processes of Drug Court. All decisions administered by the Judge as the Team Leader is final.

#### **SECTION 4.9**

##### **STATE RECOMMENDATIONS**

Community supervision / probation shall play a significant role in the drug court. Each drug court shall work with the Department of Correction and/or misdemeanor probation to coordinate home visits and other community supervision activities and regular communication as determined by the drug court team.

It is understood that supervision in the drug court setting will be individualized to the needs of participants as determined by the drug court team and will generally exceed the minimum risk -based supervision standards required by the Idaho Department of Correction.

##### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

Probation and Parole's role on the Drug Court Team is very important to Team. They are the only Drug Court Team Members that are authorized to supervise the clients in the community. Because we are a Felony Post Sentence Drug Court Clients are placed on Probation and Drug Court is a Term of their probation.

#### **SECTION 4.10**

##### **STATE RECOMMENDATIONS:**

Each drug court shall have a written drug testing policy and protocol describing how the testing will be administered, standards for observation to ensure reliable specimen collection, how quickly results will be available to the team, the laboratory to be used, procedures for confirmation, and process for reporting and acting on results.

##### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

Participants in drug court provide random urinalysis testing. Testing can be conducted 7 days per week including holidays. Participants are required to call into the drug testing line daily and listen for either their phase or UA number. If that participants phase or UA # is selected the participant is required to complete their UA test the same day. All UA tests are observed. If a participant tests positive during their UA (and denies any drug/alcohol use) the UA is sent to the lab for confirmation. If the lab test result comes back as positive the participant is billed for the lab testing fee (including shipping and handling fees).

Approved UA testing facilities are TARC, District 5 Probation and Parole, Jerome County Misdemeanor Probation, Cassia County Misdemeanor Probation. As a general rule, Drug Court participants are expected to be drug free, including the use of prescription medication. When seeking medical attention, participants are required to always ask for non-narcotic medication. If the medical professional feels that only a narcotic pain killer will work, participants are required to get a written note from the professional indicating such.

#### **SECTION 4.11**

##### **STATE RECOMMENDATIONS:**

Monitoring of abstinence through truly random, observed urinalysis or other approved drug testing methodology shall occur no less often than an average of twice weekly or ten times per month throughout drug court participation. More frequent drug testing may be required for randomization but is neither evidence-based nor cost-effective except in the case of alcohol testing which may be necessary on a more frequent basis.

##### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

Drug testing is selected on a random basis. TARC assigns drug testing dates for participants. TARC does use a calendar, phase, and phone call system that Drug Court clients can access.

#### **SECTION 4.12**

##### **STATE RECOMMENDATIONS:**

Drug court staff shall routinely have drug test results within 48 hours.

##### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

TARC, Cassia County Probation and Jerome County Probation report UA results the day of onsite screenings. UA results are then posted on to Share Point the day the participant completes the onsite screening. The Drug Court Coordinator receives e-mails and paper copy of lab results once they are available.

#### **SECTION 4.13**

##### **STATE RECOMMENDATIONS:**

Drug testing shall be available on weekends and holidays

##### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

The Drug Testing Provider for the 5<sup>th</sup> Judicial District in Burley, and Twin Falls will allow the Drug Court to schedule Drug Testing on 3 weekend days during any given month. These three days will never be back to back. The Coordinator

allows the Drug Testing facility to pick the weekend days where these 3 days fall. The Calendar for Drug Court is prepared one month in advance.

TARC schedules testing on random weekends and holidays.

#### **SECTION 4.14**

##### **STATE RECOMMENDATIONS:**

The drug court shall give each participant a handbook setting forth the expectations and requirements of participation including:

- A. Clear written guidelines identifying possible sanctions and incentives and how those sanctions and incentives will be utilized
- B. Court contact information with dates, times and court locations
- C. Drug testing locations, times and process
- D. Treatment contact information, location(s) and expectations
- E. Probation contact information
- F. Coordinator contact information
- G. Fees and costs of participation
- H. Graduation criteria

##### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

The Drug Court Coordinator reviews the handbook with the participant and answers any questions the participant may have. Each participant is given a copy of the drug court handbook.

The following topics are discussed:

- A. Clear written guidelines identifying possible sanctions and incentives and how those sanctions and incentives will be utilized.
- B. Court contact information with dates, times and court locations
- C. Drug testing locations, times and process
- D. Treatment contact information, location(s) and expectations
- E. Probation contact information
- F. Coordinator contact information
- G. Fees and costs of participation
- H. Graduation criteria

#### **SECTION 4.15**

##### **STATE RECOMMENDATIONS:**

Research has shown that for sanctions to be effective, they must be, in order of importance: (a) certain, (b) swift, (c) perceived as fair, and (d) appropriate in magnitude. While sanctions for noncompliance should generally be consistent, they may need to be individualized as necessary to increase effectiveness for particular participants. When a sanction is individualized, the reason for doing so

should be communicated to the participant to lessen the chance that he or she, or his or her peers, will perceive the sanction as unfair.

Research has shown that successive sanctions imposed on a participant should be graduated to increase their effectiveness.

Increased treatment intensity shall be based upon clinical need and not imposed as a sanction for noncompliance as specified in Section 3.10

*Comment: It is important that the judge convey to the participant that any sanction for noncompliance is separate from any change in treatment intensity*

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

Response: Treatment staff shall have frequent communication with the participant and Coordinator to discuss any behaviors or concerns that might warrant a sanction. Treatment staff shall work with the Coordinator, Drug Court Team, and participant to determine certain, swift, fair, and appropriate sanctions. Based on progress or lack of progress, participant will be moved through the phases and assigned appropriate treatment activities. Treatment intensity shall be based on client and clinical needs, not as a sanction.

#### **SECTION 4.16**

#### STATE RECOMMENDATIONS:

Positive responses, incentives, or rewards to acknowledge desired participant behavior shall be emphasized over negative sanctions or punishment.

*Comment: Research shows that at least four positive reinforcements to each punishment are most effective.*

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

Drug Court participants scheduled to attend court are able to select one (1) treat assuming that the client had a good week without any sanctions.

Drug Court participants that are advanced in phase are able to select one (1) large treat and either a movie pass, College of Southern Idaho event pass or a gym pass (based on availability).

#### DRUG COURT INCENTIVE PROGRAM

Summary: The National Drug Court Institute has found that programs that utilize a proper balance of incentives and sanctions produce better outcomes. Research indicates that tangible incentives may be particularly impactful for high-risk,

antisocial offenders because many of these individuals are not accustomed to receiving positive reinforcement.

Objective: To increase desirable behaviors and to reduce undesirable behaviors.

Method: Beginning October, 2014, the drug court team members will nominate one (1) drug court participant that has willingly made positive changes in their life and demonstrates the following characteristics: honesty, integrity, resilience, a positive attitude and self-awareness. The Drug Court Judge will have the final say as to who is selected.

During court, the Judge explains to the audience why that participant was selected as the “Pick of the Month”. The “Pick of the Month” is announced first in court, given a signed certificate from the Judge and given the opportunity to address the audience as to what has helped to make them successful. The drug court team may also include an additional incentive tailored for the participant including either: 1 hour curfew extension for 1 week, or be allowed to leave court early.

Each participant selected as the “Pick of the Month” ” (deeming they are in good standing) will be given the opportunity to be selected as the “Pick of the Quarter where they will be granted one (1) week towards early phase advancement, a daily planner and a credit of \$125.00 off their drug court fees.

1<sup>st</sup> Quarter: January 1 to March 30

2<sup>nd</sup> Quarter: April 1 to June 30

3<sup>rd</sup> Quarter: July 1 to September 30

4<sup>th</sup> Quarter: October 1 to December 31

Participant measures of success:

- Attend all treatment sessions and participate in group
- Attend all UAs and remain sober from all mind or mood altering substances
- Obtain and maintain employment
- Make regular payments towards court ordered financial obligations
- Attend weekly support meetings and utilize support from their sponsor
- Participants identify what/when/where/how they utilize treatment tools in their daily life

## **SECTION 4.17**

### **STATE RECOMMENDATIONS:**

Graduation Criteria shall include at a minimum:

- A. Successful completion of substance abuse treatment
- B. Successful completion of the chosen cognitive restructuring program (e.g. MRT, CSC)
- C. 6 months of continuous abstinence from alcohol or other drugs

- D. Maintenance of responsible vocational or educational status for a reasonable period of time
- E. Demonstrated effective use of a community-based recovery support system
- F. Payment of fees or an agreed upon payment plan for any outstanding balance
- G. Acceptable written relapse prevention plan

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

Response: A. At the time of assessment and throughout the course of treatment participants needs will be identified and addressed. Participants will create and update their treatment plan throughout treatment, identifying treatment activities, recovery support services, progress towards goals, and requirements needed for successful completion and graduation from treatment. Once the participant has successfully completed these activities and met requirements, participant will be recommended for graduation from treatment.

Response: B. At the time of assessment and throughout the course of treatment participants needs will be identified and addressed. Participants will create and update their treatment plan throughout treatment, identifying treatment activities (including cognitive restructuring programs), recovery support services, progress towards goals, and requirements needed for successful completion and graduation from treatment. Once the participant has successfully completed these activities and met requirements, participant will be recommended for graduation from treatment.

#### **SECTION 4.18**

##### STATE RECOMMENDATIONS:

All members of the drug court team shall maintain frequent, ongoing communication of accurate and timely information about participants to ensure that responses to compliance and noncompliance are certain, swift and coordinated.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

Response: Treatment providers shall have frequent and ongoing communication with the participant, Coordinator, and Drug Court Team to discuss the participants compliance and noncompliance with treatment. Treatment Counselors and/or Case Managers will attend weekly Drug Court; will post required information on Share Point at required times; complete Incident Reports at time of incident; send e-mails when needed; and make phone calls to Coordinator when needed to discuss participant progress or concerns.

#### **SECTION 4.19**



## STATE RECOMMENDATIONS:

The drug court shall have a written policy and procedure for adhering to appropriate and legal confidentiality requirements and should provide all team members with an orientation regarding the confidentiality requirements of 42 USC 290dd-2, 42 CFR Part 2.

## 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

Response: Treatment providers obtain a Release Of Information from all clients involved in Drug Court. TARC adheres to HIPAA requirements and 42 CFR part 2. In addition, every participant receives a copy of the Client Rights which states:

### **Confidentiality Agreement**

1. Clients, parents, guardians, significant others, and any one involved in any type of treatment at the Treatment and Recovery Clinic agrees to keep information about other clients and personal information discussed in group confidential.

### **Confidentiality of Alcohol and Drug Abuse Patient Records**

1. The confidentiality of alcohol and drug abuse client records maintained by this program is protected by Federal Law (AOD 42 CFR Part 2) and regulations. Generally, the program may not say to a person outside the program that a client attends the program, or disclose any information identifying a client as an alcohol or drug abuser **UNLESS**:
  - a. The client consents in writing, or
  - b. The disclosure is allowed by a court order, or
  - c. The disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit, or program evaluation.

Violation of the Federal Law and regulations by a program is a crime. Suspected violations may be reported to appropriate authorities in accordance with Federal regulations.

Federal Law and regulations do not protect any information about a crime committed by a client either at the program or against any person who works for the program or about any threat to commit such a crime.

Federal Laws and regulation do not protect any information about suspected child abuse or neglect from being reported under State Law to appropriate State or local authorities.

Federal Laws and regulation do not protect any information about suspected adult abuse or neglect from being reported under State Law to appropriate State or local authorities.

## SECTION 4.20

## STATE RECOMMENDATIONS:

Participants shall sign the statewide uniform consent for disclosure of confidential information upon application for entry into drug court.

*Comment: The statewide uniform Consent for Disclosure is attached as Appendix A.*

## 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

Response: Treatment providers obtain a Release Of Information from all clients involved in Drug Court. Treatment providers adhere to HIPAA requirements and 42 CFR part 2. In addition, every participant receives a copy of the Client Rights which states:

### **Confidentiality Agreement**

2. Clients, parents, guardians, significant others, and any one involved in any type of treatment agrees to keep information about other clients and personal information discussed in group confidential.

### **Confidentiality of Alcohol and Drug Abuse Patient Records**

2. The confidentiality of alcohol and drug abuse client records maintained by this program is protected by Federal Law (AOD 42 CFR Part 2) and regulations. Generally, the program may not say to a person outside the program that a client attends the program, or disclose any information identifying a client as an alcohol or drug abuser **UNLESS:**
  - a) The client consents in writing, or
  - b) The disclosure is allowed by a court order, or
  - c) The disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit, or program evaluation.

Violation of the Federal Law and regulations by a program is a crime. Suspected violations may be reported to appropriate authorities in accordance with Federal regulations.

Federal Law and regulations do not protect any information about a crime committed by a client either at the program or against any person who works for the program or about any threat to commit such a crime.

Federal Laws and regulation do not protect any information about suspected child abuse or neglect from being reported under State Law to appropriate State or local authorities.

Federal Laws and regulation do not protect any information about suspected adult abuse or neglect from being reported under State Law to appropriate State or local authorities.

## SECTION 4.21

## STATE RECOMMENDATIONS:

Care shall be taken to prevent the unauthorized disclosure of information regarding participants. Progress reports, drug testing results, and other information regarding a participant and disseminated to the drug court team, shall not be placed in a court file that is open to examination by members of the public. Information regarding one participant shall not be placed in another participant's file such as duplicate copies of group progress notes describing progress or participation of all group members.

## 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

### Drug Court Team Confidentiality Agreement

I, as a participant, guest or staff of the Fifth Judicial District Drug Court ("Court"), hereby acknowledge that the information, records or other materials which are in the possession of the Court and which may be subject to release or disclosure during the course of the Court staffing, hearings, including graduation ceremonies, and/or any other session are, and information obtained by your access to SharePoint as a matter of law and regulation, confidential and/or privileged.

Confidential and/or privileged information, records, or other materials includes, but is not limited to, the participant's identity, drug court activities, and treatment. I further agree to hold any information disclosed by the Court during the course of the staffings/court hearings or through access to SharePoint be strictly confidential and further agree that I will not share or otherwise disclose any such information to any other person or entity in any manner.

If I am a member of the press or other media, I further agree that I will not identify or disclose information about any Court participant, including photographing or filming such person in an identifiable manner, unless I have obtained their written permission.

The Court assumes no responsibility or liability on behalf of any participant or guest in staffings/court hearings/access to SharePoint with respect to the manner in which any such participant or guest uses or employs information, records, or other materials disclosed by the Court.

I further understand that any disclosure made regarding a participant's substance abuse assessment or treatment is bound by 42 U.S.C. §§ 290dd-2 and Part 2 of Title 42 of the Code of Federal Regulations governing confidentiality of alcohol and drug abuse patient records.

Violation of these regulations is punishable by a fine not more than \$500.00 in the case of a first offense, and not more than \$5,000.00 in the case of each subsequent offense.

I acknowledge that I have read and fully understand the contents of the instant agreement and further agree that said agreement becomes effective as of the date of its execution and is effective until such time as it is otherwise terminated upon written notification.

#### Client Consent to Ex Parte Communication

Participants in the Fifth Judicial District Drug Court are informed that under ordinary circumstances, an attorney for the State is not permitted to communicate with them directly about the subject of their case without the consent of my lawyer or an order from a court. IDAHO R. PROF. CONDUCT 4.2 (2004). Participants are also been informed that an attorney, theirs or anyone else's, is not permitted to communicate with a judge without the other lawyer being present. (This is referred to as *ex parte* communication.) IDAHO R. PROF. CONDUCT 3.5 (2004). However, because of the nature of the Fifth Judicial District Drug Court and the Drug Court Team's frequent need to make decisions regarding their treatment or rehabilitation, participants consent to and authorize the State's attorneys to communicate with them without their lawyer being present during their participation in the Fifth Judicial District Drug Court. Participants also consent to and authorize their lawyer, and any opposing lawyer, to communicate *ex parte* with the judge regarding their participation in the Fifth Judicial District Drug Court.

## SECTION 5.0 EVALUATION

### SECTION 5.1

#### STATE RECOMMENDATIONS:

Specific and measurable criteria marking progress should be established and recorded in ISTARs for each drug court participant (i.e. drug testing results, compliance with program requirements, sanctions and incentives, participation in treatment, payment of fees, etc.).

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

The State has outlined the information that is required to be recorded in ISTARs for each client. This information is tracked and maintained in ISTARs by the Drug Court Coordinator's Office.

### SECTION 5.2

#### STATE RECOMMENDATIONS:

Specific and measurable goals for the overall drug court should be established and used as parameters for data collection and information management.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

This information is established by the State and the 5<sup>th</sup> Judicial Drug Court enters this information into the ISTARs system. This allows equal comparison between Drug Courts in the State.

### **SECTION 5.3**

#### STATE RECOMMENDATIONS

Drug Courts shall utilize the ISTARs Drug Court Module to record participant information and information on participation, phase movement and graduation.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

The 5<sup>th</sup> Judicial District recognizes the ISTARs DATA MODULE as the Drug Court reporting program for the State of Idaho. We gather Drug Court information on each client and enter that information in the Drug Court Module.

### **SECTION 5.4**

#### STATE RECOMMENDATIONS:

A wide variety of timely and useful reports shall be available from ISTARs for review by drug court team members but such reports will not include information that identifies individual participants.

#### 5TH JUDICIAL PROCEDURES:

Odyssey, ISTARs and SharePoint reports will be created as needed.

### **SECTION 5.5**

#### STATE RECOMMENDATIONS:

Drug courts shall provide utilization data to the Idaho Supreme Court promptly by the 10<sup>th</sup> of the month. The utilization report provides at a minimum, the number of participants active in drug court at the start of the month, the number of new admissions to drug court during the month, the number of unsuccessful terminations and graduates during the month, and the number of participants enrolled on the last day of the month.

#### 5TH JUDICIAL PROCEDURES:

Utilization reports are submitted monthly to the Idaho Supreme Court as instructed.

#### **SECTION 5.6**

#### STATE RECOMMENDATIONS:

Data to assess whether the drug court is functioning as intended, should be collected throughout the course of the program, particularly in the early stages of implementation.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

The 5th Judicial Drug Court complies with state recommendations as outlined.

#### **SECTION 5.7**

#### STATE RECOMMENDATIONS:

Outcome evaluations using comparison groups should be implemented to determine long-term effects of the drug court.

#### 5TH JUDICIAL PROCEDURES:

The 5th Judicial Drug Court complies with state recommendations as outlined.

#### **SECTION 5.8**

#### STATE RECOMMENDATIONS:

Initial drug court intake information must be obtained for each participant assessed for entry into drug court. Complete intake information must be obtained for all participants who enter drug court. This data must be entered into the ISTARS drug court module. This information is essential to evaluate the effectiveness of the Idaho Drug Courts.

#### 5TH JUDICIAL PROCEDURES:

When Clients make application to The 5<sup>th</sup> Judicial Drug Court information obtained in the entrance process is used. This information is printed out for signatures of clients. There is a page included for ISTARS that extracts all information needing entered. This information is then entered by the Administrative Assistant to Drug Court.

#### **SECTION 5.9**

**STATE RECOMMENDATIONS:**

The district court of each county which has implemented drug court(s) shall annually evaluate the program's effectiveness and provide a report to the Supreme Court, if requested.

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

Participant information is obtained on each participant at time of enrollment into the Fifth Judicial District Drug Court. Participant information is filed as a hard copy as well as entered into the ISTARs module.

**SECTION 5.10**

**STATE RECOMMENDATIONS:**

A client feedback evaluation should be conducted twice-per-year by each drug court.

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

Client feedback evaluations are to be completed on each client once at the end of Phase II and the other at graduation. If clients opt out of Drug Court and/or remanded back to the court. Drug Court will ask that they also complete and evaluation sheet. See Exhibit 2A.

**SECTION 5.11**

**STATE RECOMMENDATIONS:**

An annual report, *The Effectiveness of Idaho Drug Courts* will be presented to the Governor and the Legislature by the *Idaho Drug Court Coordinating Committee*, no later than the first day of the Legislative session.

**5TH JUDICIAL PROCEDURES:**

The District Drug Court and all of its providers will assist the State by gathering any information or assistance we can render to make sure this report is correct and complete.

**SECTION 5.12**

**STATE RECOMMENDATIONS:**

Evaluation results/ recommendations should be reviewed and implemented at frequent intervals and used to analyze operations, modify program procedures, gauge effectiveness, change therapeutic interventions, measure and refine program goals, and make decisions about continuing or expanding the program.

#### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

The District Policy Manual governs our policies and procedures it is always being changed to meet the needs of our District. With the State's Peer Review added for all Drug Courts. We anticipate many ideas being shared and even more ideas and to improve our effectiveness as we continually improve. The Drug Court and the Providers are to adhere to the policy manual. The Judge does have the final jurisdiction for Drug Court policies and procedures.

#### **SECTION 5.13**

##### **STATE RECOMMENDATIONS:**

Evaluation results should be shared widely.

##### **5TH JUDICIAL PROCEDURES:**

The 5th Judicial Drug Court complies with state recommendations as outlined.

## **SECTION 6.0 PARTNERSHIPS / COORDINATION OF SERVICES**

#### **SECTION 6.1**

##### **STATE RECOMMENDATIONS:**

A formal written agreement shall provide the foundation for collaboration, working relationships, and operating policies and procedures at the statewide level, between the Idaho Supreme Court, the Idaho Department of Health and Welfare and the Idaho Department of Correction, updated as needed.

##### **5TH JUDICIAL PROCEDURES:**

Procedures outlined above are currently handled at the State level.

#### **SECTION 6.2**



#### STATE RECOMMENDATIONS:

Each drug court shall have a formal written agreement (eg. MOU) to provide the foundation for collaboration, working relationships, and operating policies and procedures at the local level, among the key agencies responsible for the operation of each local drug court. The agreement will be signed by the executive authority for each key agency, including at a minimum, the judicial district, the prosecutor, public defender, probation agency, treatment provider and County Commission, updated as needed.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

The MOU agreement will be signed by the executive authority for each key agency, including at a minimum, the judicial district, the prosecutor, public defender, probation agency, treatment provider and County Commission, updated as needed.

### **SECTION 6.3**

#### STATE RECOMMENDATIONS:

Each drug court should work to establish partnerships with additional public and private agencies and community-based organizations in order to generate local support and enhance drug court program effectiveness.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

In the 5<sup>th</sup> Judicial District all team members are encouraged to help build community support for Drug Court and seek partnerships to help improve the Drug Court program. The District Drug Court and its providers are available to provide education to those in the community needing expertise in this area.

### **SECTION 6.4**

#### STATE RECOMMENDATIONS:

The Trial Court Administrator in each District should convene a meeting on an annual basis engaging the executive authority of each stakeholder agency or organization to identify and address district-wide issues affecting the operations and outcomes of the district's problem-solving courts.

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

The Trial Court administrator with the assistance of the Coordinator and Judge will meet yearly with all stakeholders that work with Drug Court to distribute and

gain support for Drug Court in the District. The Administrator will also seek input on improvements that might be considered.

## **SECTION 6.5**

### **STATE RECOMMENDATIONS:**

The Coordinator for each drug court shall convene a team meeting for addressing program issues such as policy changes, program development, quality assurance, communication, and problem-solving at least twice a year.

### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

The District Coordinator will meet with all the members of the team twice yearly. One meeting will be to discuss the Policy and Procedure Manual for corrections or changes need to be adopted. The other meeting will be to discuss the outcomes from the program and address issues as they relate to the interaction of the Team.

## **SECTION 6.6**

### **STATE RECOMMENDATIONS:**

The Judge for each drug court shall convene meetings at least twice a year to provide for cross-disciplinary and team development training for all members. The Judge, as team leader, is responsible for assuring participation. The Drug Court Coordinator is responsible for assessing training needs and arranging training. Local, state, or national resources may be used including various distance learning opportunities such as video presentations or webinars.

### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

The Drug Court Judge will meet with all the members of the team twice yearly. One meeting will be to discuss the Policy and Procedure Manual for corrections or changes need to be adopted. The other meeting will be to discuss the outcomes from the program and address issues as they relate to the interaction of the Team.

## **SECTION 6.6**

### **STATE RECOMMENDATIONS:**

A local coordinating committee of representatives from organizations and agencies including the court, law enforcement, corrections, treatment and rehabilitation providers, educators, health and social service agencies, community organizations and faith community should meet regularly to provide feedback and input to the drug court program and aid in the acquisition and distribution of resources related to the drug court.

#### 5TH JUDICIAL PROCEDURES:

The 5th Judicial Drug Court complies with state recommendations as outlined.

#### **SECTION 6.8**

##### STATE RECOMMENDATIONS:

A state or regional training conference for drug court teams should be held annually, budget funds permitting.

##### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

This guideline is under the direction of the State for training. The 5<sup>th</sup> Judicial Drug Court will consider it resources to assist those who might need resources to attend to be able to attend when possible.

#### **SECTION 6.9**

##### STATE RECOMMENDATIONS:

Information on national and regional, drug court training opportunities will be disseminated to all drug courts, by the Statewide Drug Court Coordinator.

##### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

The 5<sup>th</sup> Judicial Drug Court will consider it resources to assist those who might need resources to attend to be able to attend when possible.

## **SECTION 7.0 DRUG TESTING**

#### **SECTION 7.1**

##### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

###### CONTRACTING FOR PROVIDER

The 5<sup>th</sup> Judicial District Drug Court maintains a signed contract with all treatment providers.

#### **SECTION 7.2**

## 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

Drug Court participants are prohibited from using alcohol and controlled substances and will be subject to random urinalysis testing. Upon admission into the Drug Court program participants are given the phone number to call every day to check to see if he/she is to be tested on that day.

Hours and location of testing:

### **Burley**

Location: Cassia Misdemeanor Probation Department  
1501 Albion Ave. Apt.#1  
Burley, ID 83318  
Ph#: 878-7361

Hours: 6:00-9:30 AM, Monday – Friday. Weekend/Holiday testing 7:00-9:00 AM. PM testing is available upon approval by Drug Court Coordinator.

### **Jerome**

Location: Jerome Misdemeanor Probation Department  
233 West Main St.  
Jerome, ID 83338  
Ph#: 644-2767

Hours: 9:00-10:30 AM, Monday – Friday. Weekend/Holiday testing must be done at TARC. PM testing is available upon approval by Drug Court Coordinator.

### **Twin Falls**

Location: Twin Falls Treatment and Recovery Clinic  
239 3<sup>rd</sup> Ave N.  
Twin Falls, Idaho 83301  
Ph#: 735-4377

Hours: 6:30-9:45 AM, 7 days per week. PM testing is available upon approval by Drug Court Coordinator.

Preferred Provider contracts are reviewed annually. Contracts can be terminate by either party upon written notification.

## **SECTION 7.3**

## 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

### **UA Testing Procedures:**

## **MALES:**

1. Participants should remove jackets, coats, and large pocket items before entering the lavatory. Purses or other carried items should be left outside of the lavatory.
2. All Participants should wash their hands with soap in cold water and thoroughly dry them prior to voiding.
3. Participants must roll up any long-sleeved shirt or blouse and the collector should examine the Participant's arms and hands before voiding occurs.
4. The collector should document any unusual occurrences in the collection process on the UA log and in the Participant's case file.
5. The Collector puts on protective gloves.
6. Participants undo pants so complete pubic area is in view.
7. The Collector then gives the sample cup to the Participant. **The collector must have an absolute view of the Participant voiding into the collection bottle or cup.** The collector must physically observe the urine leaving the Participant's body. The collection bottle must be at least ½ full or more.
8. The Collector then takes the collected sample.
9. The Participant is then allowed to finish and wash hands
10. The Sample is then checked by the Collector for temperature.
11. The dip test is applied.
12. Results are recorded with both the provider and Drug Court.

## **FEMALES:**

1. Participants should remove jackets, coats, and large pocket items before entering the lavatory. Purses or other carried items should be left outside of the lavatory.
2. All Participants should wash their hands with soap in cold water and thoroughly dry them prior to voiding.
3. Participants must roll up any long-sleeved shirt or blouse and the collector should examine the Participant's arms and hands before voiding occurs.
4. The collector should document any unusual occurrences in the collection process on the UA log and in the Participant's case file.
5. The collector must put on protective gloves.
6. The Participant must undo her pants so that the complete pubic area is in view.
7. The collector then gives the sample cup to the Participant. **The collector must have an absolute view of the Participant voiding into the collection bottle or cup.**
8. The Participant must take the collection cup and place it under her by turning her arm outside of her body so that the direction her hand and collection cup go is under her upper leg and backside.
9. The Collector must physically observe the urine leaving the Participant's body. The collection cup must be at least ½ full or more.
10. The Collector then takes the sample.
11. The Participant is then allowed to finish and wash her hands.

12. The sample is then checked by the Collector for temperature.
13. The dip test is applied.
14. Results are announced and are recorded.

UA's reported as dilute will be viewed as positive and as an attempt to mask or defeat a UA.

## **SECTION 7.4**

### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

**HAIR TESTING** - Hair testing will be ordered under the following conditions:

1. A hair test can be administered at any time during Drug Court participation if the Drug Court team has reason to question a participant's sobriety.
2. Hair test costs are included in participants Drug Court fees.

## **SECTION 7.5**

### **5TH JUDICIAL PROCEDURES**

#### **UA testing frequency**

##### **Minimum Urine Tests:**

1. Pending **at least** 2 times per week
2. Phase 1 **at least** 2 times per week
3. Phase 2 **at least** 2 times per week
4. Phase 3 **at least** 2 times per week
5. Phase 4 **at least** 2 times per week.
6. Anytime a Member of the Drug Court Team has reason to Question a Participant's sobriety

#### **Alcohol testing frequency**

As often as requested by the Drug Court team.

## **SECTION 7.6**

### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

**COST OF TESTING:** Cost for UA testing is negotiated between the Drug Court Coordinator and the testing provider during annual contract review. All payments to providers will be paid through the 5<sup>th</sup> Judicial District Drug Court.

Costs are included in the participant's preliminary fees. Drug Court collects all fees from participants.

## SECTION 7.7

### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

#### DISPUTED TESTING RESULTS:

1. Following the announcement of the results of the test the participant is then given the opportunity to object to the results and have the sample sent to the lab for verification.
2. The cost of lab confirmation, shipping and handling is not included in the Drug Court fees.
3. Upon a positive lab confirmation additional costs may be added to the participants drug court fees.
4. If UA Provider & coordinator have cause to be suspicious of a UA sample, it may be sent to the lab.
5. If no challenge is requested at the time the sample is given; the opportunity to appeal is lost.
6. The Drug Test provider then provides written copy of the results to the Drug Court Coordinator.
7. The Drug Court Coordinator includes that information in the staffing reports as well as distribution to Drug Court team members on a daily basis.
8. The Drug Court participant may be charged a \$25.00 shipping and handling fee for drug tests that are sent to the lab for confirmation.

## SECTION 7.8

### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

#### DRUG TESTS

1. Failure to produce and insufficient sample will be recorded and disciplined accordingly. The client can make a 2<sup>nd</sup> attempt at their own expense.
2. If the client does not produce a UA sample they will be required to fill out an incident report. The client may be given a saliva test. However, saliva tests will not take place of a UA test. The client will be billed for the saliva test \$6.00.
3. **Missed UA tests will not be made up.** The Drug Court Coordinator can request a test if he feels there is a need.
4. If there is a Missed UA then that client must report directly to the Coordinators office and fill out an incident form. If the incident happens on a weekend the client will need to come in on Monday. If it happens in Burley the participant must fill out an incident report with Cassia County Probation or with Drug Court Clerk in the Cassia Courthouse.
5. Test performed by other agencies **will not** excuse any of the above conditions for failure to test.
6. If the client fills out a trip permit and it is approved other UA testing arrangements may be made at the Coordinator's discretion.

7.

#### TESTING WHEN ON VACATION

1. Participant must fill out a Trip Permit form and obtain approval BEFORE the event.
2. Participant may have to take a UA when they return at their expense.

#### TESTING FOR EMPLOYMENT

1. All drug court participants that are Pending, in Phase 1, Phase 2, Phase 3 and Phase 4 must when their number is called.
2. The Coordinator's office will work with that client to try to keep them employed and make arrangements to have the client conduct evening testing when appropriate.

### SECTION 7.9

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

If the treatment provider suspects a participant of being under the influence of drugs/alcohol, then:

1. **DO NOT** drug test the participant. Contact the Drug Court Coordinator to inform or leave a message of their suspicions.
2. Advise the Client to contact the Drug Court Coordinator.
3. Drug Court Coordinator will arrange for the Drug Testing the following day.

## SECTION 8.0

### Cost of Drug Court

### SECTION 8.1

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

The Idaho State Supreme Court funds outpatient treatment programming for drug court participants.

### SECTION 8.2

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

The 5th Judicial Drug Court complies with state recommendations as outlined. Medicaid funded participants are billed through Optum Idaho. Optum determines the amount of services covered based on the client's needs.

### SECTION 8.3



**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

**OTHER FUNDING:**

- A. Participants who self-fund are responsible for 100% of the total costs for treatment and testing which is paid to the 5<sup>th</sup> Judicial Drug Court.
- B. The 5<sup>th</sup> Judicial Drug Court will pay providers for 100% of costs incurred by the client.

**SECTION 8.4**

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

**DRUG TESTING COSTS:** Reference Section 7.0 Drug Testing

**SECTION 8.5**

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

**OTHER TREATMENT COSTS:**

- A. Participants may be required to attend classes not covered by Drug Court funding. Costs incurred must be paid by the individual.
- B. If a participant is sent to inpatient treatment, the participant will be responsible for 100 % of the costs incurred.
- C. Any books or special materials needed are not covered by grant money. These fees will be paid by the client directly to those providing the services.

**SECTION 8.6**

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

**FAILURE TO COMPLETE TREATMENT**

- A. Failure to complete phases in appropriate time could result in added costs to the participant.
- B. If participant fails to complete Drug Court fees will be added to restitution costs.

**SECTION 8.7**

**5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

**MOVEMENT TO ANOTHER PHASE:** Unless otherwise authorized by the judge, a Participant's fees must be current before they are able to move to a higher phase.

# SECTION 9.0

## Sanctions and Rewards

### SECTION 9.1

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

EXAMPLES OF NON-COMPLAINE: The following is a list of some of the more common reasons for a Participant to receive sanctions:

1. Positive Drug Tests or two tests showing diluted UA's
2. Missed Drug Tests
3. Missed Treatment Sessions
4. Missed 12-Step Meetings
5. Lack of Payment to Drug Court Program or Treatment Provider
6. Participant is not attending required schooling
7. Participant is not employed
8. Participant shows a lack of effort in participation in program
9. Participant's attitude is poor
10. Failure to complete previously ordered sanctions
11. Missing court appearances, being late to court or to treatment sessions.

This list is not exhaustive and is subject to change per Judge's discretion.

### SECTION 9.2

#### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

##### LIST OF DRUG COURT SANCTIONS

1. Jail -length to be determined by the drug court team
2. Community Service - see community service section
3. Increased Drug Testing
4. Increased Treatment Sessions and/or extra 12-Step Meetings
5. Sheriff's Work Detail Program
6. Proof of job search
7. Proof of educational enrollment
8. Proof of attendance at extra 12-Step meetings
9. Contract with Participant
10. Curfew
11. Home monitoring
12. Written assignments
13. Other sanctions as appropriate

This list is not limited to these items and may change per the Judge's discretion and/or the Drug Team's discretion

### **SECTION 9.3**

#### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

##### **COMMUNITY SERVICE**

- A. Hours or days of community service is decided by the drug court team during the weekly staffing session.
- B. Community service is ordered by the Judge in court
- C. Where the Participant is to complete community service is determined by the Drug Court Coordinator
- D. The Participant must provide the signed approval slip back at next court appearance.
- E. Community service must be completed by the participant's next scheduled court date
- F. Community service is to be completed for non-profit organizations and organizations supporting Drug Court.

##### **INCENTIVE PROGRAM:**

See section 4.16

## **SECTION # 10 REMOVAL FROM DRUG COURT**

### **SECTION 10.1**

#### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

Participants can be expelled from Drug Court for failure to adhere to the Drug Court Rules.

### **SECTION 10.2**

#### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

##### **OTHER CHARGES**

- A. If a Participant is charged with another crime that is similar to the charge that brought him/her into drug court initially, that Participant can be expelled from Drug Court.
- B. If a Participant is charged with another crime that is not similar to their initial charge, the Judge will review/evaluate the charge and will make the final decision as to expelling or sanctioning the Participant out of Drug Court.

### **SECTION 10.3**

#### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

RELAPSE: Relapse alone is, generally, not a reason for removal from Drug Court, unless it demonstrates a pattern of non-compliance.

### **SECTION 10.4**

#### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

##### **LACK OF EFFORT**

- A. Lack of effort on the Participant's part can lead to expulsion.
- B. Expulsion for lack of effort will be the decision of the Drug Court team with the Judge making the final decision.

### **SECTION 10.5**

#### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

Failure to adhere to payment arrangements may result in a sanction.

### **SECTION 10.6**

#### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

ABSCONDING: If a participant absconds from the program, he/she may be expelled from Drug Court. The Judge will issue a bench warrant and have the Participant held in jail until the Drug Court Team can review the Participant's case in staffing.

### **SECTION 10.7**

#### **5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:**

##### **DECEPTION**

- A. Deception and lack of honesty will not be tolerated in the Drug Court Program.
- B. If a Participant is caught being deceptive in treatment or during drug testing, he/she may be expelled from Drug Court.
- C. The Judge has final authority to expel the Participant for deception and dishonesty.

### **SECTION 10.8**

#### **5th JUDICIAL DISTRICT DRUG COURT PROCEDURE:**

EXPELLED PARTICIPANTS: If a Participant is expelled from Drug Court, the Drug Court Judge will order a PSI (pre-sentence investigation) and set a date for sentencing/disposition. The client will return to their sentencing Judge. The Participant may remain in jail until his/her sentencing.

## SECTION # 11.0

# THE COURT ROOM

### SECTION 11.1

#### 5th JUDICIAL DISTRICT DRUG COURT PROCEDURE:

- A. Drug court sessions are not replacement sessions for treatment.
- B. If a Participant is asked to attend an extra court session their regular court schedule will not be changed.
- C. If a Drug Court session falls on a holiday, that session will be held on a different day during that week.
- D. If the Drug Court Judge is not available and alternate Judge may be assigned to conduct Drug Court.
- E. If an alternate Judge is not available the Drug Court Coordinator will conduct interviews in lieu of Drug Court.
- F. All Participants will dress appropriately for the drug court session. Requirements are outlined in participant's handbook.
- G. No Participant will be advanced to a different phase in court without total team input during staffing.
- H. Participants will address the Judge with respect and honesty.

### SECTION 11.2

#### 5th JUDICIAL DISTRICT DRUG COURT PROCEDURE:

##### COURTROOM CLERK

- 1. Records all court sessions
- 2. Recorded minutes are the official drug court record
- 3. Prepares and distributes all official documents
- 4. A copy of staff meeting notes are given to clerk prior to Drug Court to aid in preparation of official court minutes.

### SECTION 11.4

#### 5th JUDICIAL DISTRICT DRUG COURT PROCEDURE:

##### PARTICIPANTS

- 1. All Participants will dress appropriately for the drug court session. Requirements are outlined in participant's handbook.

2. No Participant will be advanced to a different phase in court without total team input during staffing.
3. Participants will address the Judge with respect and honesty.
4. Children may attend Drug Court. However, if the participant is placed in custody the participant must have someone available to take care of the child.

## SECTION 11.5

### 5th JUDICIAL DISTRICT DRUG COURT PROCEDURE:

#### MEDIA

- Media may be allowed in the courtroom at the Judge's discretion only.
- Prior to the session, the Judge forewarns the media that the drug court sessions are confidential sessions due to federal regulations of 42 U.S.C. 290dd-2 and 42C.F.R. Part 2.
- Once the court session begins, the Judge announces that the media are present and that the drug court sessions are confidential sessions due to federal regulations of 42 U.S.C. 290dd-2 and 42 C.F.R. Part 2. He announces that the information obtained in the courtroom is to remain within the courtroom and that the media is not to disclose any information pertaining to individual cases.
- If television cameras are to be allowed at the Judge's discretion, the cameraman is instructed not to record Participants' faces.
- If reporters/media would like to speak with a Participant or graduate, the Judge instructs them to obtain permission from the Participant first. Speaking with the media is solely the Participant's decision. No Participant has to speak with the media.

## SECTION 11.6

### 5th JUDICIAL DISTRICT DRUG COURT PROCEDURE:

#### PUBLIC, FAMILY, & FRIENDS ATTENDING DRUG COURT

Those attending must follow the established courtroom procedures, such as:

- Security: Subject to security search at the front door of the judicial building
- Attire: Will be presentable for a courtroom setting. All hats must be removed. No: midribs, tank tops, short shorts, extremely worn jeans/shirts, clothing bearing profanity or offensive language.
- Cell Phones: Absolutely no cell phones will be allowed within the Courtroom
- Children: While court is in session, the noise level should be at a minimum. Any disruptions will need to be immediately taken out of the courtroom.

## FAMILY & FRIENDS

Are able to attend the court session, but are also warned of the confidentiality requirements as established by 42 U.S.C. 290 dd-2 and 42 C.F.R. Part 2.

## PUBLIC

The public is able to attend the court session at the judge's discretion, but is also warned of the confidentiality requirements as established by 42 U.S.C. 290 dd-2 and 42 C.F.R. Part 2.

# SECTION # 12.0 GRADUATION

## SECTION 12.1

### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

#### GRADUATION: SOBRIETY

All participants must be clean and sober for a minimum of 6 months in order to graduate successfully.

## SECTION 12.2

### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

#### GRADUATION:

A graduation ceremony will be held on an as needed basis for those participants who successfully complete the requirements of the Fifth Judicial District Drug Court program.

Those in attendance may include:

- Participants
- Participant's family & friends
- Drug Court Team Members
- Attorneys
- Judges
- Legislators
- Other local Drug Court teams
- Local Media
- Any other invited guests

## SECTION 12.3

### 5TH JUDICIAL DISTRICT DRUG COURT PROCEDURES:

**GRADUATION: FEES**

All Drug Court fees as well as restitution fees must be paid in full to before they are eligible for graduation.



## **APPENDIX**

### **Drug Courts Program Office - 10 Key Components**

1. Drug 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 placed promptly in the drug court program.
4. Drug 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 drug court responses to participant compliance.
7. Ongoing judicial interaction with each drug court participant is essential.
8. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
9. Continuing interdisciplinary education promotes effective drug court planning implementation, and operations.
10. Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness.

### **National Institute on Drug Abuse - Principles of Drug Addiction Treatment**

1. No single treatment is appropriate for all individuals.
2. Treatment needs to be readily available.
3. Effective treatment attends to multiple needs of the individual, not just his or her drug use.
4. An individual's treatment and services plan must be assessed continually and modified as necessary to ensure that the plan meets the person's changing needs.
5. Remaining in treatment for an adequate period is critical for treatment effectiveness.
6. Counseling (individual and/or group) and other behavioral therapies are critical components of effective treatment for addiction.
7. Medications are an important element of treatment for many patients, especially when combined with counseling and other behavioral therapies.
8. Addicted or drug-abusing individuals with coexisting mental disorders should have integrated treatment for both.
9. Medical detoxification is only the first stage of addiction treatment and by itself does little to change long-term drug use.
10. Treatment does not need to be voluntary to be effective.
11. Possible drug use during treatment must be monitored continuously.
12. Treatment programs should provide assessment for HIV/AIDS, hepatitis B and C, tuberculosis, and other infectious diseases and counseling to help patients modify or change behaviors that place themselves or others at risk of infection.

13. Recovery from drug addiction can be a long-term process and frequently requires multiple episodes of treatment.

### **Eight Principles of Effective Correctional Intervention**

(From *Correctional Program Assessment Inventory – 2000*, Gendreau and Andrews, 2001)

1. **Organizational Culture:** Effective organizations have well-defined goals, ethical principles, and a history of efficiently responding to issues that have an impact on the treatment facilities. Staff cohesion, support for service training, self-evaluation, and use of outside resources also characterize the organization.
2. **Program implementation/Maintenance:** Programs are based on empirically-defined needs and are consistent with the organization's values. The program is fiscally responsible and congruent with stakeholders' values. Effective programs also are based on thorough reviews of the literature (i.e., meta-analyses), undergo pilot trials, and maintain the staff's credentials.
3. **Management/Staff Characteristics:** The program director and treatment staff are professionally trained and have previous experience working in offender treatment programs. Staff selection is based on their holding beliefs supportive of rehabilitation and relationship styles and therapeutic skill factors typical of effective therapies.
4. **Client Risk/Need Practices:** Offender risk is assessed by psychometric instruments of proven predictive validity. The risk instrument consists of a wide range of dynamic risk factors or criminogenic needs (e.g., anti-social attitudes and values). The assessment also takes into account the responsivity of offenders to different styles and modes of service. Changes in risk level over time (e.g., 3 to 6 months) are routinely assessed in order to measure intermediate changes in risk/need levels that may occur as a result of planned interventions.
5. **Program Characteristics:** The program targets for change a wide variety of criminogenic needs (factors that predict recidivism), using empirically valid behavioral/social learning/cognitive behavioral therapies that are directed to higher-risk offenders. The ratio of rewards to punishers is at least 4:1. Relapse prevention strategies are available once offenders complete the formal treatment phase.
6. **Core Correctional Practice:** Program therapists engage in the following therapeutic practices: anti-criminal modeling, effective reinforcement and disapproval, problem-solving techniques, structured learning procedures for skill-building, effective use of authority, cognitive self-change, relationship practices, and motivational interviewing.
7. **Inter-Agency Communication:** The agency aggressively makes referrals and advocates for its offenders in order that they receive high quality services in the community.
8. **Evaluation:** The agency routinely conducts program audits, consumer satisfaction surveys, process evaluations of changes in criminogenic need, and follow-ups of recidivism rates. The effectiveness of the program is evaluated by comparing the respective recidivism rates of risk-control comparison groups of other treatments or those of a minimal treatment group.

## **Drug Courts Program Office-Policy Considerations**

1. Drug courts should establish and formalize more effective linkages with local service delivery systems and State and local alcohol and drug agencies.
2. States and localities should explore the development of drug court treatment standards.
3. Drug court professionals and drug court treatment providers need skill-based training and technical assistance to improve engagement and retention of participants.
4. Drug courts should improve the methods and protocols for screening, assessing, and placing participant in treatment.
5. Drug courts should implement effective management information systems to monitor program activity and improve operations.
6. To achieve greater impact within the communities they service, drug courts should strive to expand capacity and demonstrate that they are integral to the justice and substance abuse treatment systems.

## REFERENCES & AVAILABLE RESOURCES

**Treatment Services in Adult Drug Courts: Report on the 1999 National Drug Court Treatment Survey** published by the US Department of Justice, Office of Justice Programs, Drug Courts Program Office.

**Defining Drug Courts: The Key Components** published by the US Department of Justice, Office of Justice Programs, Drug Courts Program Office.

**Guideline for Drug Courts on Screening and Assessment** published by the US Department of Justice, Office of Justice Programs, Drug Courts Program Office.

**Principles of Drug Addiction Treatment: A Research-Based Guide** published by the National Institute on Drug Abuse.

**Drug Court Publications Resource Guide, Fourth Edition** published by the National Drug Court Institute.

### Websites:

[www.american.edu/justice](http://www.american.edu/justice) American University Technical Assistance Program

[www.nadcp.org](http://www.nadcp.org) National Association of Drug Court Professionals

[www.ndci.org](http://www.ndci.org) National Drug Court Institute

[www.ojp.usdoj.gov/BJA](http://www.ojp.usdoj.gov/BJA) Office of Justice Programs, Department of Justice,  
Bureau of Justice Assistance

[www.ojjdp.ncjrs.org](http://www.ojjdp.ncjrs.org) Office of Juvenile Justice and Delinquency Prevention

*For Additional Information about this Manual Contact:*

*The Idaho State Supreme Court*

*Norma D. Jaeger, Coordinator*

*(208) 947-7406*

[njaeger@isc.state.id.us](mailto:njaeger@isc.state.id.us)

Those offenders who are eligible for the Fifth Judicial District Drug court must be residents of the Fifth Judicial District or those who are recommended to transfer from another Judicial District.

Screening priority will be given to those defendants who have been screened and found eligible for Drug Court, providing they have not entered a plea.

A ranking order is established based on the testing date of the LSI.

**THIS DOES NOT CONSTITUTE A WAITING LIST AND ENTERANCE OF PLEA  
WILL NOT BE HELD OFF IN ORDER TO “WAIT FOR DRUG COURT”**

Legal Last Name	First Name	MI	Date of Birth
Other Names Used		IDOC#	

I, Drug Court Participant, authorize (initial all parties that apply):

- Courts
- Prosecuting Attorney or assigned Deputy Prosecuting Attorney
- Deputy Public Defender / other Defense Counsel: \_\_\_\_\_
- Local law enforcement agency personnel or jail staff, in their capacity as drug court team member
- Idaho Department of Correction Probation or Pre-sentence staff
- Drug Testing Service Provider
- Physicians and medical records if necessary
- Department of Health and Welfare and its substance abuse management contractor
- Idaho Department of Vocational Resources
- Housing Services Provider \_\_\_\_\_
- Treatment Provider circle one Walker Center TARC Preferred Child and Family Services
- My diagnosis, urinalysis results, information about my attendance or lack of attendance at treatment sessions, my cooperation with the treatment program, prognosis and any treatment related issues
- My photo for Drug Court and related service projects

The purpose of the disclosure is to inform any person, entity, or agency listed above or participating as part of the Drug Court Team of my attendance at treatment, treatment progress, court appearances, and urinalysis results.

By placing my initials in the spaces below, I specifically understand that the following highly confidential information or records will be released, used, disclosed, received, mutually exchanged or communicated to, by among, or between any person, entity, or agency named in this authorization participating as part of the Drug court Team:

HIV/AIDS \_\_\_\_\_ Mental Health \_\_\_\_\_ Alcohol/Drug \_\_\_\_\_ Genetic \_\_\_\_\_ STD \_\_\_\_\_ TB \_\_\_\_\_

I have read this authorization/had this authorization read/explained to me and I acknowledge an understanding of the purpose of the release of information. I am signing the authorization on my own free will. I understand that this authorization will allow my treatment team to plan and coordinate services I need, to impose appropriate sanctions or rewards based on my behavior and will also allow any person, entity, or agency named in this authorization to be actively involved in my case coordination, evaluation, treatment, planning, or legal proceedings. I further understand that some or all of this information will be discussed in open court, a public forum, where any person in the courtroom may hear the information. I hereby request and give my permission for an open exchange of

information to, by, among, or between, any person, entity or agency named in this authorization or participating as part of the Drug Court Team.

I understand that this information may include material protected under federal regulations governing confidentiality of alcohol and drug abuse patient records, 42 C.F.R, Part 2, and the Health Insurance Portability and Accountability Act of 1996 (HIPPA), 45 C.F.R. Parts 160 and 164. Although HIPPA requires that consents be revocable, 42 C.F.R. S 2.35 provides that if I am mandated into treatment through the criminal justice system or I am under legal/court supervision/probation, this authorization will remain in effect and cannot be revoked by me until there has been a formal and effective termination or revocation of my release from confinement, probation, or parole, or other proceeding under which I was mandated into treatment. I also understand that if I do not comply with treatment, my non-compliance will be reported to the judge and the prosecuting attorney/deputy attorney. A photocopy or exact reproduction of this signed authorization shall have the same force and effect as this original.

**Compliance and Assurance Questionnaire**

*Please read and discuss all items and have client initial as they have read and understood each statement*

1. I have a clear understanding of my rights as a client and have been given the opportunity to discuss any of my concerns. \_\_\_\_\_
2. I understand if I decide not to sign, which is my right, I can be removed from treatment and will be reported to probation/parole, the judge and the prosecuting/deputy attorney. \_\_\_\_\_
3. I was given this release of information prior to beginning treatment services. \_\_\_\_\_
4. I have been given the summary of the confidentiality laws. \_\_\_\_\_
5. I understand that this authorization ends on a formal and effective termination or revocation of my release from confinement, probation, or parole, or other proceeding under which I was mandated to treatment. \_\_\_\_\_
6. If I am unable to read or comprehend this document, the release of information was read and explained in a manner which I understand. \_\_\_\_\_
7. I have read this authorization/had this authorization read/explained to me and I acknowledge an understanding of the purpose for the release of information. \_\_\_\_\_
8. I was provided and have the right to ask for a copy of the signed release of information. \_\_\_\_\_
9. I understand that this authorization will expire one year from the signed date of release or as stated in item 5 above. \_\_\_\_\_

Full Legal Signature of Client or Authorized Personal Representative	Relationship to Client	Date
Name of Staff Person (print)	Initiating Agency Name/Location	Date

**PROHIBITION ON RE-DISCLOSURE AND PROSECUTION:** I understand that my alcohol and substance abuse treatment records are protected under federal regulations governing Confidentiality of Alcohol and Drug Abuse Patient Records (42 C.F.R. Part 2) and that recipients of this information may re-disclose it only in connection with their official duties. Federal rules restrict any use of the information to criminally investigate or prosecute an alcohol or drug abuse patient.

Fifth Judicial District  
Drug Court Evaluation

Directions: Please complete all of the following questions to the best of your ability. All responses are confidential.

**Part I.** Please circle the answer that best describes how you feel about the judges in your case.

- |  |                |       |          |                   |
|--|----------------|-------|----------|-------------------|
| 1. The judge treats me with respect.                 | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 2. The judge is fair.                                | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 3. The judge is concerned about me.                  | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 4. Visits with the judge helps me to stay drug free. | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 5. The judge expects too much of me.                 | Strongly Agree | Agree | Disagree | Strongly Disagree |

Comments \_\_\_\_\_  
\_\_\_\_\_

**Part II.** Please circle the answer that best describes how you feel about your drug court coordinator/staff.

**My coordinator/staff was:** \_\_\_\_\_

- |  |                |       |          |                   |
|--|----------------|-------|----------|-------------------|
| 1. The coordinator/staff treats me with respect.                 | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 2. The coordinator/staff is fair.                                | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 3. The coordinator/staff is concerned about me.                  | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 4. Visits with the coordinator/staff helps me to stay drug free. | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 5. The coordinator/staff expects too much of me.                 | Strongly Agree | Agree | Disagree | Strongly Disagree |

Comments \_\_\_\_\_  
\_\_\_\_\_

**Part III.** Please circle the answer that best describes how you feel about the treatment staff.

**My treatment facilitator is:** \_\_\_\_\_

- |  |                |       |          |                   |
|--|----------------|-------|----------|-------------------|
| 1. The treatment staff treats me with respect. | Strongly Agree | Agree | Disagree | Strongly Disagree |
|--|----------------|-------|----------|-------------------|



- |  |                |       |          |                   |
|--|----------------|-------|----------|-------------------|
| 2. The treatment staff is fair.                                | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 3. The treatment staff is concerned about me.                  | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 4. Visits with the treatment staff helps me to stay drug free. | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 5. The treatment staff expects too much of me.                 | Strongly Agree | Agree | Disagree | Strongly Disagree |

Comments \_\_\_\_\_

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**Part IV.** Please circle the answer that best describes your overall experience with Drug Court.

I attend drug court in: Twin Falls County    Cassia/Minidoka Counties    Jerome County    Blaine County

- |   |                |       |          |                   |
|---|----------------|-------|----------|-------------------|
| 1. It helps me to appear in court on a regular basis.   | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 2. It helps me to report to my probation officer on a regular basis.                                | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 3. It helps me attend treatment on a regular basis.   | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 4. Drug Court is easier than jail or prison.  | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 5. Drug Court is easier than regular probation.   | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 6. I think my participation in Drug Court will help me avoid drug use in the future.                | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 7. In general, I am better off for participating in Drug Court as opposed to other court sanctions. | Strongly Agree | Agree | Disagree | Strongly Disagree |
| 8. I am personally helped through participation in Drug Court.                                      | Strongly Agree | Agree | Disagree | Strongly Disagree |

Comments \_\_\_\_\_

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**Part V.** Please rate each of the following programs by circling the answer that best describes you opinion. If you have not participated in the program as part of the Drug court, circle “Did Not Participate”.

- |                           |      |      |           |                     |
|---------------------------|------|------|-----------|---------------------|
| 1. Residential treatment: | Poor | Good | Excellent | Did Not Participate |
| 2. Outpatient treatment:  | Poor | Good | Excellent | Did Not Participate |

3. Intensive probation supervision:	Poor	Good	Excellent	Did Not Participate
4. Regular probation supervision:	Poor	Good	Excellent	Did Not Participate
5. Electronic monitoring:	Poor	Good	Excellent	Did Not Participate
6. In-home sobriety or SCRAM	Poor	Good	Excellent	Did Not Participate
7. Community service:	Poor	Good	Excellent	Did Not Participate
8. Drug testing:	Poor	Good	Excellent	Did Not Participate
9. AA / NA	Poor	Good	Excellent	Did Not Participate

**Part VI.** Please answer the remaining questions.

1. Have you been in trouble with the law before? Yes No
2. Have you been in substance abuse treatment before? Yes No
3. In your 12-step program, do you have a sponsor? Yes No
4. How long have you been clean & sober from drugs/alcohol? \_\_\_\_\_
5. Are you currently employed? \_\_\_\_\_
6. Is there room for advancement where you work? \_\_\_\_\_
7. Do you have any plans to further your education?  
\_\_\_\_\_
8. Describe your life prior to your entry into Drug Court.  
\_\_\_\_\_  
\_\_\_\_\_
9. Describe how your life has changed since being in Drug Court. \_\_\_\_\_  
\_\_\_\_\_
10. How do you intend to remain drug/alcohol free? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
11. How do you intend to remain crime free? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
12. Describe how your recovery has affected your relationships with others (include your husband/wife, children, parents, sisters/brothers and close friends). \_\_\_\_\_

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13. How will you handle stressful situations? \_\_\_\_\_

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14. Please describe in detail the following:

Two of your *1-year* goals: \_\_\_\_\_

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Do you have “life goals”? How do you intend to attain them? \_\_\_\_\_

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15. What do you like *best* about Drug Court? \_\_\_\_\_

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18. What do you like *least* about Drug Court? \_\_\_\_\_

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19. If you could change or improve Drug Court, what would you do? \_\_\_\_\_

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20. Any additional comments:

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When you have completed your answers, please return this survey to the Drug Court Coordinator.  
Thank you.