



**FARIBAULT, MARTIN &
JACKSON
MULTI-COUNTY
ADULT SUBSTANCE ABUSE
COURT**

**PROGRAM STANDARDS
AND
PRACTICES**

Table of Contents

TABLE OF CONTENTS	2
FORWARD	3
BACKGROUND	5
PROGRAM OVERVIEW	6
MISSION STATEMENT	7
GOALS	8
ORGANIZATION AND STAKEHOLDERS	9
TARGET POPULATION	13
NON-DISCRIMINATION POLICY	13
ELIGIBILITY CRITERIA	14
PROGRAM ADMISSIONS	16
JUDICIAL SUPERVISION AND COURT PROCESS	21
PROGRAM COMPONENTS	22
CASE MANAGEMENT	29
GRIEVANCE POLICY	32
PRESCRIPTION & MEDICAL ISSUES	33
INCENTIVES AND SANCTIONS	34
MANAGEMENT AND EVALUATION OF INFORMATION	40
EVALUATION OUTCOME	43
FORMS	48
FMJ MULTI-COUNTY ASAC FOUNDING & COORDINATING COMMITTEE	83
FMJ MULTI-COUNTY ASAC COMMUNITY RESOURCES	84
FUNDING FOR FMJ MULTI-COUNTY ASAC	85
PARTICIPANT HANDBOOK	86

FORWARD

The following document shall provide a general framework of common principles, policies and practices for the Faribault, Martin and Jackson Multi-County Adult Substance Abuse Court, hereinafter known as the ASAC Program. The purpose of these standards and policies is to:

- Minimize duplication of efforts and ensure greater coordination of ASAC.
- Maximize coordination and sharing of resources.
- Strengthen efforts to obtain Federal funding.
- Facilitate coordinated long-range plans for financing ASAC.

Developed through a consensus of involved Faribault, Martin and Jackson County agencies (hereinafter FMJ) the standards include all the elements that are considered essential to the operation of the ASAC Program held in Martin County, Minnesota. Collectively they represent a required minimum program model. Specific practices are also described to provide examples of actions that should be taken to ensure conformity to the FMJ Multi-County standards.

The program is intended to reflect the unique needs and operational environment of FMJ's Court jurisdiction. However it is clear that there is a need for overall uniformity as to basic components and operational procedures and principles. Therefore this document is an attempt to outline those fundamental standards and policies to which the FMJ Multi-County ASAC should subscribe.

Drug Court represents a very non-traditional approach to adult offenders who have been identified as moderate to heavy substance abusers. Drug Courts are built upon a unique partnership between the criminal justice system and the drug treatment community, one which structures treatment intervention around the authority and personal involvement of a single Drug Court Judge. Drug Courts are dependent upon the creation of a non-adversarial courtroom atmosphere where a single judge and a dedicated team of court officers and staff work together toward a common goal of breaking the cycle of drug abuse and criminal behavior.

We encourage readers to learn more about Drug Courts by reading publications and research on Drug Court outcomes. The following list of Web sites should help to further increase your knowledge of the principles and successes of drug courts.

National Drug Court Institute/National Association for Drug Court Professionals: Contains facts, research, resources, and publications

<http://www.ndci.org/>

National Criminal Justice Reference Service: Contains a wide variety of publications

http://www.ncjrs.org/drug_courts/publications.html

Office of Justice Programs (OJP) - Supporting the Drug Court Process: What You Need to Know for Effective Decision Making and Program Evaluation

<http://www.ncjrs.org/pdffiles1/bja/197259.pdf>

OJP - Drug Court Planning Initiative: Training and publications

<http://www.dcpj.ncjrs.org/>

American University: Research, publications, projects, technical assistance, news

<http://www.american.edu/justice/drugcourts.html>

BACKGROUND

Drug courts were first initiated in the late 1980's in an effort to reduce the abuse of drugs/alcohol and related criminal activity. Drug courts offer an option for individuals whose criminal justice involvement is central to their alcohol and other drug (AOD) use. In exchange for successful completion of a treatment program the court may dismiss the original charge, reduce or set aside a sentence, offer some lesser penalty or offer a combination of these.

Because Drug Courts represents a non-traditional approach for adult offenders who have been identified as moderate to heavy substance abusers they allow for a relationship to form between the offender and judge, which helps reinforce the offender's commitment to fight addiction.

Drug courts transform the roles of both criminal justice practitioners and AOD treatment providers. The judge is the central figure in a team effort that focuses on sobriety and accountability as the primary goals. Because the judge takes on the role of trying to keep participants engaged in treatment providers can effectively focus on developing a therapeutic relationship with the participant. In turn treatment providers keep the court informed of each participant's progress so that rewards and sanctions can be provided.

Drug courts create an environment with clear and certain rules. The rules are definite, easy to understand and most important compliance is within the individual's control. The rules are based on the participant's performance and are measurable. For example, the participant appears in court or does not, attends treatment sessions or does not; drug testing reveals drug use or abstinence. The participant's performance is immediately and directly communicated to the judge who rewards progress or penalizes noncompliance. A drug court establishes an environment that the participant can understand--a system in which clear choices are presented and individuals are encouraged to take control of their own recovery.

PROGRAM OVERVIEW

The FMJ Multi-County Adult Substance Abuse Court (ASAC) held in Martin County, Minnesota is an eighteen month intensive program that utilizes a strength-based approach for participants. Individual plans will be constructed for each participant where strengths, competencies and personal resources can be applied to building solutions to combat addiction and criminal conduct. Participants may enter Adult Substance Abuse Court, otherwise referred to as “drug court”, through two different tracks: post-adjudication and probation violations. The initial “Phases” (see Phase descriptions in the Program Components section) of the ASAC intervention are intensive and gradually transition to less intensive intervention as the participant progresses. Throughout the program participants are linked with appropriate specialized and ancillary services. The court may also impose additional requirements as needed.

FMJ Multi-County Adult Substance Abuse Court is a court that has been specifically designated and staffed to supervise non-violent adult defendants who have been referred to a comprehensive and judicially monitored program of drug treatment and rehabilitation services. Adult substance abusers often lack the “hitting the bottom” motivation that dependent users have - and often use in the recovery process. Because of the unique problems and opportunities that present themselves in working with drug involved criminal defendants, intervention and rehabilitation strategies must be “reality-based”. ASAC’s program must therefore recognize that:

Addicts are most vulnerable to successful intervention when they are in the crisis of initial arrest and incarceration, so *intervention must be immediate*.

Preventing gaps in communication and ensuring offender accountability are of critical importance, so *court supervision must be coordinated and comprehensive*.

Addiction seldom exists in isolation from other serious problems, which undermine rehabilitation, so *intervention must include other available services and resources such as educational assessments and job placement*.

Relapse and intermittent progress are part of the recovery process, so *sanctions and incentives must be integral to the ASAC intervention strategy*.

The program will include a focus on family issues. It is recognized that some families involved within the program are dysfunctional and, despite the program’s best efforts will not change sufficiently to support the offender’s needs. ASAC therefore must equip participants with life and coping skills and, if necessary, strive to find alternative role models.

MISSION STATEMENT

Faribault, Martin and Jackson County District Courts in the Fifth Judicial District of Minnesota will provide a post-plea, Multi-County Adult Substance Abuse Court program to reduce chemical abuse and criminal behavior of non-violent adult offenders. ASAC's mission is to break the cycle of crime and addiction by providing chemically-addicted offenders with a multidisciplinary strategic response of treatment, support and legal accountability, thereby enhancing the quality of life of the community. The Adult Substance Abuse Court provides strength-based interventions promoting healthy lifestyles, accountability for actions and positive family relationships through a collaborative effort between the Adult Justice System and the community. This collaboration results in educated and productive adults, healthy families and stronger, safer communities.

GOALS

ASAC has three primary goals.

GOAL # 1: Promote Public Safety

Objective: Reduce substance abuse.

Objective: Reduce criminal activity among participants.

Objective: Increase offender compliance over traditional probation supervision.

Objective: Assist offenders to reduce their risk to re-offend.

GOAL # 2: Reduce Systems Costs

Objective: Reduce cost of detention.

Objective: Reduce criminal justice system and social services costs (other than incarceration).

GOAL # 3: Improve the Life of the Offender

Objective: Assist offenders to achieve long-term chemical abstinence while helping them to resist relapse during the program.

Objective: Improve offender's employment/education performance and attendance.

Objective: Strengthen families of participants by providing intensive, multi-systemic services.

Objective: Improve offender's and his/her family's social and economic structure.

Objective: Teach offender the skills needed to have a relationship with family members.

ORGANIZATION AND STAKEHOLDERS

A. ASAC Steering Committee

The ASAC Steering Committee provides oversight of the program. The committee is comprised of representatives from judicial administration, adult court, prosecutor's office, public defender's office, probation department, Human Services, Public Health, law enforcement agencies and treatment provider. The Steering Committee will hold regularly scheduled reviews for quality assurance to revisit the target population addressing the following: resource changes, drug of choice changes, new drugs introduced and demographic changes of the arrestee population in the counties. The Steering Committee will also address any changes suggested by the evaluator. The Steering Committee is responsible for setting major policy regarding the ASAC.

B. ASAC Team

The ASAC team in Faribault, Martin and Jackson Multi-County Drug Court is comprised of the ASAC Judge, Prosecutor, Public Defender, ASAC Coordinator, probation, law enforcement and public health, Human Service staff, mental health provider and treatment providers. While the ultimate decision-making authority resides with the ASAC Judge, the ASAC team works in collaboration toward the common goal of rehabilitation of the drug court participant. Team meetings are held prior to ASAC hearings to review cases to be heard that day. The ASAC team meets weekly to discuss problem cases in depth.

C. ASAC Stakeholders Group

The ASAC Stakeholder group is composed of a large group of volunteer representatives from the community and also includes the members of the ASAC Steering Team. They review ASAC's progress, make recommendations to the Steering Team and plan community support functions, i.e. mentor program, celebration of National Recovery Month.

D. Alumni Program Organization

ASAC Alumni group is a formal organization that holds regular meetings. A drug court staff and/or alumni volunteer undertake the responsibility for organizing and facilitating the meetings. Meeting agendas will typically be put together by the person charged with organizing the meeting or based on suggestions from group members. The alumni group should have a significant amount of autonomy so that the group members feel a sense of ownership and are therefore more likely to participate regularly. ASAC can support the group, however, by designating a staff person to serve as liaison and, if possible, providing office space where the alumni group can work and store files and other material.

E. Team Roles and Responsibilities

1. ASAC Judge

The ASAC Judge shall supervise compliance with the ASAC Program by reviewing the weekly progress reports and input from each participant and will use various incentives and sanctions, both positive and punitive, to encourage compliance with the ASAC Program. The judge will establish a rehabilitative relationship with the participant and his/her family through intensive interaction during court appearances. The judge shall stress the court's desire that each participant successfully complete the program while making it clear the consequences of noncompliance. The judge will assume not only the role of judge but also of mentor, providing encouragement to each participant and/or his/her family. The judge will appoint any replacement to the ASAC Team and will also be responsible for all appointments to the Steering Committee.

2. ASAC Prosecutor

The ASAC Prosecutor will participate fully as an ASAC team member, operating in a non-adversarial manner, promoting a sense of a unified team presence. He or she will ensure community safety concerns by maintaining eligibility standards while participating in an environment that focuses on therapeutic outcomes.

3. ASAC Defense Counsel

The ASAC Public Defender will participate fully as an ASAC team member. The public defender will participate as a team member operating in a non-adversarial manner while promoting a sense of unified team presence. The ASAC Public Defender will evaluate the offender's legal situation and ensure that the offender's legal rights are protected. The Substance Abuse Court Public Defender will effectively advise the defendants on their legal rights, legal options, program conditions and sentencing outcomes and monitor client progress to ensure appropriate program participation.

4. ASAC Coordinator

The ASAC Coordinator will participate fully as a team member and is responsible for the administrative and financial aspects of the program, public relations, collaboration with other participant justice and community agencies and the facilitation of all meetings. The ASAC Coordinator shall serve as an interagency and interdepartmental liaison for correspondence, reports, case records and all other related matters. The Coordinator, following input from the ASAC Team, makes policy decisions affecting the day-to-day operation of the ASAC. The coordinator will oversee data collection and evaluation. The coordinator is responsible for orientation of all new team members. The coordinator will ensure that gender, age and culturally specific services are available and will ensure that the program is serving the target populations and targeted enrollment.

5. ASAC Probation Officer

The ASAC Probation Officer will monitor the participant's compliance with ASAC program requirements and the law. The ASAC Probation Officer will participate fully as a drug court team member and is responsible for providing primary case management services for each participant.

6. ASAC Chemical Dependency Specialist

The ASAC Chemical Dependency Specialist will participate fully as a drug court team member and will ensure that participants and their family receive the highest level of care available. The Chemical Dependency Specialist will conduct competent and timely assessments of participants and develop and implement interventions that are sensitive to issues of race, culture, religion, gender, age, and ethnicity and are also developmentally appropriate. The Chemical Dependency Specialist will report progress that provides the team with sufficient and timely information to implement incentives and sanctions. They will educate the ASAC Staffing Team on drug use trends and the details related to drug treatment.

7. ASAC Researcher/Evaluator

The Substance Abuse Court Researcher/Evaluator will be involved in all phases of planning to ensure the effective and ongoing development of data collection and evaluation component that deals with relevant information critical to the enhancement of the program. While not a fully participatory member of the staffing team the evaluator will be familiar with its policies, procedures and the program process, and will ensure that the information system assists the team in monitoring the progress of the participants in the program and program development. The evaluator will help review the data in the database to ensure quality control. The evaluator will analyze the data to measure the accomplishments of the program and organize and display the results in such a means that stakeholders can view the activity, process and actual offender outcomes against targets and benchmarks.

8. ASAC Law Enforcement Officer

Law Enforcement will participate fully as a drug court team member and will report to the ASAC team information pertaining to participant performance in compliance checks and all other relevant information concerning participants' law abiding status. The Probation Officer will be responsible to get the list of names of the substance abuse court participants to the appropriate Law Enforcement agencies. A minimum of twice a week at random times an officer will stop at the participant's home and perform compliance checks, including PBTs and urinalysis. If chemical use is found the right to arrest for obvious drug or alcohol use will be up to the officer's discretion.

If an arrest is not made the suspicion of drug use or alcohol use is to be reported to the probation officer immediately for inclusion at the participant's next court review.

The officer will also report any non-compliance of drug court programming to include but not

limited to curfew violations, family violence and lack of respect to authority figures.

9. ASAC Public Health Nurse

~~The Public Health Nurse will participate fully as a drug court team member and will report to the substance abuse court team information pertaining to the participant's health, involvement in learning and understanding HIV/STD's. The Public Health nurse will report to the Substance Abuse Court team progress of all participants on a weekly basis.~~

10. ASAC Mental Health Provider

The Mental Health Specialist (Sioux Trails) will participate fully as a team member and will report to the substance abuse court team information pertaining to the participant's mental health case management, medication, group involvement and doctor appointments. The mental health worker will report to the drug court team progress of all participants that are being seen for mental health services.

11. ASAC Human Services Representative

The primary purpose of ASAC is to increase public safety by treatment of drug-addicted persons who commit crimes related to their use of alcohol or controlled substances. To that end case processing is based on the need to ensure that chemical dependency treatment of addicted offenders is immediate upon entry into the criminal justice system in order to increase its effectiveness and to ensure the most efficient use of the public monies available for rehabilitation. It is the goal of ASAC to refer offenders for chemical use evaluations within hours of their first appearance before the District Court. Upon completion of the chemical health assessment those eligible for treatment will have a referral made on the same day and placement will begin as soon as a program has an available opening. To enable this process, Human Services in Faribault, Martin and Jackson Counties is committed to providing sufficient staffing to assure expedited assessments and treatment referrals. The Human Services Representative participates as an active member of the Staffing Team and Steering Committee.

TARGET POPULATION

Target Population (Based on Mission Statement)

- A. Adult residents of Faribault, Martin and Jackson Counties with “chemical dependency” issues
- B. Be a legal resident of the United States
- C. Pled guilty of a non-violent felony ~~or gross misdemeanor~~ (FMJ ASAC lacks the ability to supervise a participant on probation for a gross misdemeanor)
- D. Found in violation of probation
- E. Male or female
- F. Age 18 or older
- G. Exhibiting current High Risk Behaviors
- H. Be physically able to complete the program, within the parameters of the Americans with Disabilities Act
- I. Have a source of funding for treatment such as Rule 25 funding or insurance ~~or meet ASAC sliding scale fee to assist with funding~~
- J. Those with habitual chemical abuse patterns defined as chemically dependent (substance use disorder-severe or substance use disorder-moderate and chemically dependent according to the most recent ICD guidelines)

Non-Discrimination Policy

It is the policy of the Faribault, Martin and Jackson Multi-County Adult Substance Abuse Court that no person will be discriminated against on the basis of: race, color, creed, religion, national origin, gender and marital status, status with regard to public assistance, disability, sexual orientation or age.

ELIGIBILITY CRITERIA

A. General Eligibility Factors

Participation in ASAC is available to persons 18 or older.

B. Qualifying Factors

OFFENDER BASED:

1. Pled guilty of a non-violent felony ~~or gross misdemeanor~~
2. Substance Use Disorder-severe diagnosis (or moderate and meets criteria for chemical dependency by most recent ICD guidelines)
3. Meet criteria for treatment¹
4. Are able to participate in intervention activities

OFFENSE BASED:

1. Have pled guilty to a non-violent felony ~~or a gross misdemeanor~~

C. Disqualifying Factors

OFFENDER BASED:

1. Found in possession of a weapon with the evidence of intent to use
2. Severe psychological problems
3. Medical condition(s) requiring immediate ongoing attention
4. Transportation problems exist and no resources are available to remedy the problem
5. Acutely mentally ill or suicidal

OFFENSE BASED

1. Dealing or manufacturing for profit for reasons other than to support own use or use for the offenders close-knit group
2. Offenders with past or current adult sex offenses

* *Some defendants charged with Manufacture, Conspiracy or Attempt to Manufacture, Sales or Possession with Intent to Sell Controlled Substances may be considered for drug court on a case-by-case basis. Any evidence of ongoing drug dealing will exclude the defendant from the program.

¹ Using Rule 25 placement criteria

** FMJ Multi- County ASAC Steering Committee

D. Adult Violent Offenders Statement

FMJ Multi-County Adult Drug Court Program will follow all guidelines of funding agencies (both state and federal) while receiving their funds.

Federal funds preclude taking offenders with violent felony convictions into the drug court program. If a person has a prior misdemeanor conviction, even though threatened or actual use of force; or use, possession, or carrying of a firearm or dangerous weapon occurred during the offense, the person is not a violent offender according to the federal guidelines. The guidelines limit prior offenses that cause a person to be categorized as a “violent offender” to **felony convictions.*

See Appendix for Violent Offense List

E. Suitability

Offenders may meet eligibility requirements yet not be suitable for FMJ ASAC. Defendants with alcohol and/or drug related offenses will be considered eligible; however, consideration for suitability will focus on those offenders who have a viable chance for recovery and represent the least risk to public safety.

Defendants not suitable include:

- Transient workers
- Low cognitive functioning

Program Capacity: 30 participants

PROGRAM ADMISSIONS

A. Referral Process

Participants are identified and referred by the county prosecutor, public defender, probation or private attorneys. The Judge can also refer individuals from the adult court docket. In the event of new arrest/charge of any qualified offense the prosecutor will provide an initial “legal screen” for eligibility. Upon meeting that eligibility potential participants are referred to the ASAC Defense Counsel for the defense consultation and then to the Coordinator/ASAC Probation Officer for the initial screenings. The final authority regarding admission into the Drug Court program is the District Court Judge. The county attorney has the right to veto a referral to the Drug Court.

B. Defense Counsel Consultation

The alleged offender will meet with defense counsel to discuss the decision whether or not to enter into the Drug Court program. Defense counsel will review the factual allegations of the offense, fully advise the adult of legal rights and defenses and discuss the advantages and disadvantages of entering the Drug Court. Defense counsel will further advise the client about the rules and conditions of FMJ ASAC and will review all forms to be signed as a condition of participation. If the adult indicates a desire to enter Drug Court, the defense counsel will communicate the decision to the FMJ ASAC team.

C. Screening

Adults referred to FMJ ASAC will be screened by the prosecutor’s office for criminal eligibility. If eligibility criteria is met the ASAC Probation Officer will conduct an interview and administer the Level of Service Inventory (LS-CMI), MAYSI-2 Mental Health Screen and, if needed, other screening instruments. A Rule 25 chemical health assessment will be completed by human services. The ASAC coordinator will assist probation with the interview. Initial screening/interview will be conducted within 48 hours of receiving referral (excluding weekends and holidays). All individuals must have a diagnosis of moderate to severe substance use disorder as identified by the screening tool. If diagnosed at the moderate level, the participant must also meet criteria for chemical dependency according to the most recent ICD guidelines.

D. Final Determination of Entry

Upon completion of the screening, the results of the screening will be presented to the ASAC Team for final determination of eligibility to enter into the program. The ASAC team will consider the results of the screening tools, discuss any concerns presented about the participant and decide whether or not to allow the participant into the program. The final authority regarding

admission into the ASAC program is with the ASAC Judge. Upon acceptance into the program, the participant will be added to the next ASAC Court Docket.

E. Orientation Services

The ASAC orientation is a mandatory part of the program. The ASAC Coordinator is responsible for coordinating and conducting orientation. Participants are notified in writing of the time and date. The orientation will include an overview of the ASAC Program, including an explanation of the role of the court, supervision and treatment. Participant will be given handouts, contracts and an irrevocable consent to release information. Appropriate papers will be signed at orientation. Contracts will be discussed and reviewed for signature at the first appearance. The first ASAC appearance will be scheduled and participants will be informed of when to attend. A base line drug test will be taken.

F. Assessments

Upon completion of orientation and after signing all of the required paperwork, the participant will be referred to the necessary providers for the purpose of completing the assessments as deemed appropriate by the ASAC team.

The Treatment Specialist will conduct a comprehensive chemical dependency assessment. Assessment criteria should include: substance use indicators of early substance use, substance use before or during school, peer involvement in substance use or daily use of one or more substances. Psychosocial indicators should include physical or sexual abuse, parental substance abuse, change in employment performance or attendance, peer involvement in serious crimes marked change in physical health and involvement in serious criminal behavior.

Participants are referred to the team's mental health professional for the Trauma Symptom Inventory-2 (TSI-2). With this screen and collateral information from the team, the mental health professional determines if further screening or assessment is warranted.

Upon admission all participants are subject to a variety of measures used for tracking progress and program efficacy. This includes an anonymous survey of the participant's perceptions of their current status. The Evaluator also conducts the Government Performance and Results Act (GPRA) Client Outcomes Measures. Every six months and at discharge participants in the program complete both the survey and GPRA, if possible.

Based on information from the assessments the Adult Probation Officer and Treatment Specialist will develop a comprehensive, coordinated, strength-based individual plan of treatment and rehabilitation services for each participant and their family. The treatment plan will be developed in collaboration with the ASAC Team, the adult and family.

FMJ's ASAC recognizes that living in a rural area, participants generally need to drive in order to be successful members of society. To that end, participants are referred to the Fifth District's Ignition Interlock Program Coordinator to determine license status and eligibility to reinstate

driving privileges, if applicable, and make a plan for license reinstatement. The plan is to be completed during the first phase of Drug Court. The team will monitor compliance with the plan to determine if a good faith effort has been made by an offender to reinstate driving privileges.

G. Treatment Plan

The ASAC will utilize a multi-systemic, therapeutic approach to treatment that is a family and community based intervention. The treatment plan will be a comprehensive, coordinated, strength-based individual plan of treatment and rehabilitation services for each participant and their family. The treatment plan will be developed in collaboration with the ASAC Team, the adult and family. This plan will address employment performance, peer relationships, chemical abuse/dependence and self-esteem issues regarding each adult participant in addition to his/her family situation.

Substance abuse issues for the family will be incorporated into the plan. Within a context of support and skill building, the plan will place developmentally appropriate demands on the adult and/or family for responsible behavior. Identified problems throughout the family will be explicitly targeted for change and the strengths of each system will be used to facilitate such change. A crucial aspect of this approach will be its emphasis on promoting behavior change in the participant's natural environment. This plan will assist family members with development of the skills and resources needed to address the difficulties that arise in living with a recovering substance user and to empower participants to cope with the family, peer, employment and social problems. The treatment plan is reviewed every court appearance and revisions are made according to ongoing assessment and goals that have been achieved.

The assessment of the adult and family will include careful and thorough consideration of the cultural perspectives of the participant and their families and the cultural relevance of the process of treatment. The treatment plan will incorporate a variety of strategies that build on cultural strengths. Assistance will be provided to assist the adults and their families in accessing other appropriate cultural groups and resources within the community.

Special interventions for the participant (based on assessments) could include the need for building coping skills and decision making skills. The cognitive approaches would be geared to the participant's developmental level, emotional, psychological and cognitive, as well as age. The focus would be on the strengths of the participant.

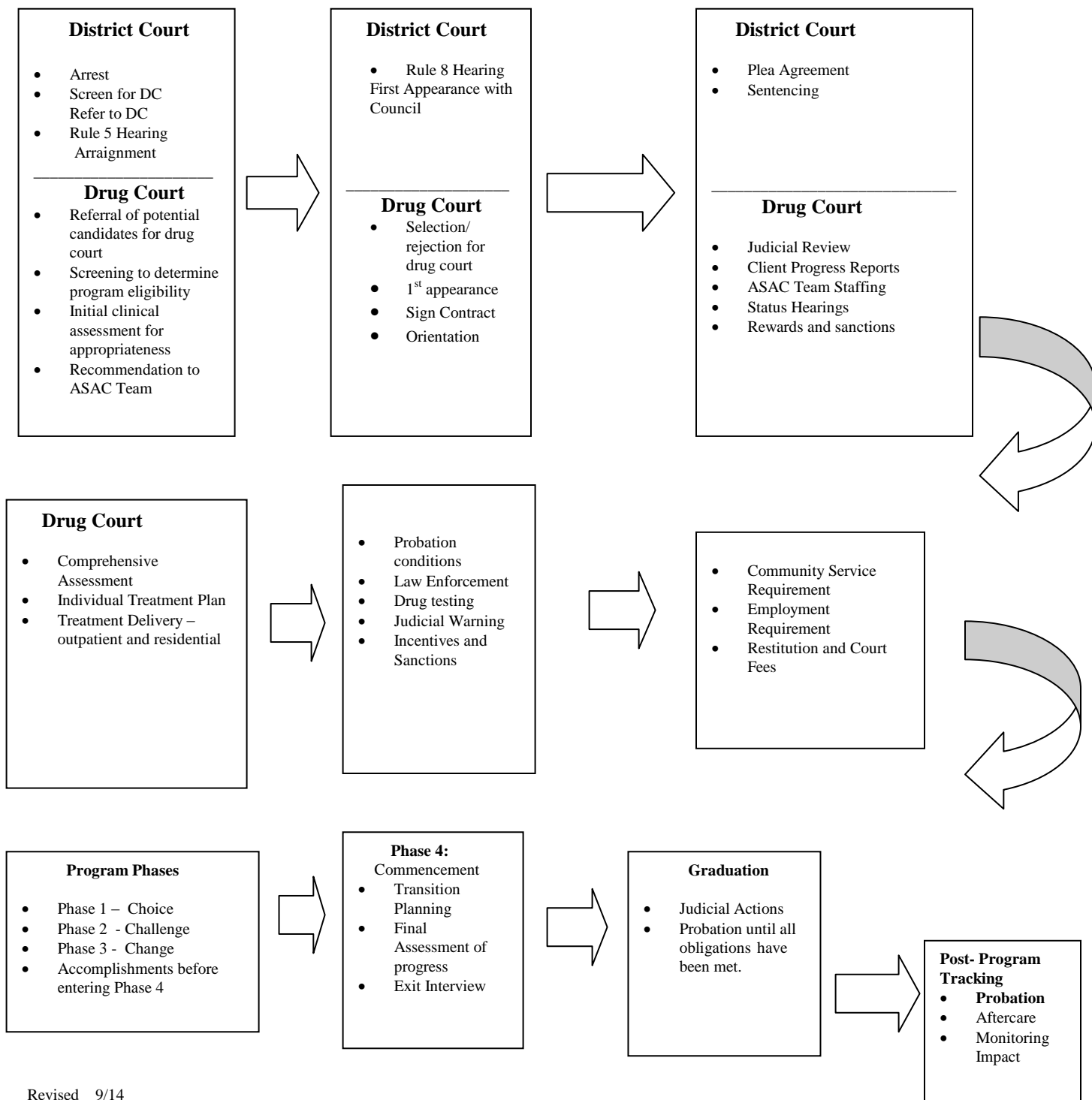
Treatment plans will be individualized for each participant taking into consideration gender and age issues. Home-based interventions will be specifically tailored to meet the needs of the age of the adult with age-appropriate goals, taking into consideration the developmental stage of the participant. Interventions for treatment for participants will take a holistic approach and will need to involve others in the community to offer the comprehensive services needed. Services could include a referral to outside agencies that focus on the contributing factors for substance abuse such as sexual abuse, domestic violence and relationship issues. Programs will be established within the community for vocational training or work requirements to encourage participants to avoid dependency on welfare or others.

If the assessments indicate a need to address anger management, violence prevention, victimization issues and values, the ASAC will incorporate those in the treatment plan. Strategies to address those issues will be used during home visits. In addition, referrals could be made to outside agencies in the community for both the adult and family members.

Services for the family may include in-home interventions. Interventions will focus on helping the family develop the capacity to understand chemical use and recovery, helping families regain their optimism and motivate them to continue to help the participant. Interventions will aim to change the way family members relate to each other by examining the underlying cause of current interactions and encourage new ones. In addition the treatment plan will identify the community services the family will need to access to be successful. The ASAC Probation Officer and/or Coordinator will assist the family in accessing those services within the community.

H. Referral Timeline

Admission Flow Chart for District Court and Drug Court (New Arrest) [Ideal]



JUDICIAL SUPERVISION AND COURT PROCESS

FMJ's ASAC represents a non-traditional approach for adult offenders who have been identified as moderate to heavy substance abusers. ASAC is built upon a unique partnership between the criminal justice system and the drug treatment community where specific treatment intervention is structured around weekly meetings with a single Drug Court judge. This allows for a relationship to form between the offenders and the judge which helps reinforce the offender's commitment to fight addiction. Drug Court will be a non-adversarial courtroom atmosphere where the judge and a dedicated team of court officers and staff work together toward a common goal of breaking the cycle of drug abuse and criminal behavior. This will allow participants and team member to work together with the judge to enhance the participant's ability to achieve long-term, lasting recovery.

Court will be held each and every Tuesday at 12:30 P.M. with staffing held in the jury room at 11:30 A.M. Each participant will attend court on a weekly basis during Phase I; Phase II participants are excused once per month; Phase III appearance will be every other week; Phase IV monthly appearances.

A. First Appearance

Participants will be given a date for their first appearance from their probation agent. The anticipated first appearance should be within seven (7) days of being accepted into the adult substance abuse court. Participants have from completion of orientation until first appearance to opt out of the ASAC program. At their first court appearance participants will receive the Welcome Tag from the Judge.

B. Review/Status Hearings

The ASAC Staffing Team meets prior to each review/status hearing to review progress reports. The review hearing provides an opportunity for the judge and other ASAC team members to assess the adult's progress in meeting drug court requirements, to administer appropriate sanctions and rewards and to provide encouragement and support in a structured and formal setting.

The ASAC Team will search for both negative and positive elements as they assess an individual's and/or family's recent behavior for an upcoming review/status hearing. During the review hearings feedback from the judge will include compliments and supportive comments. Compliments and support will be extended even while glaring slip-ups are being addressed.

Unexcused failure to appear at an ASAC hearing results in the issuance of warrant. Participants arrested on an ASAC warrant are held in custody as in other adult detention matters. At the next ASAC hearing the ASAC Judge will determine if further detention is an appropriate sanction and the length of that detention.

PROGRAM COMPONENTS

A. Program Overview

The ASAC will be strength-based and approaches the adult and/or his/her family with a greater concern for their strengths and competencies and to discover mutually how these personal resources can be applied to building solutions. The ASAC is post adjudication and accepts offenders on probation violations. The initial phases of Drug Court intervention are intensive, gradually transitioning into less intensive intervention as the participant progresses. Throughout the program participants are linked with appropriate specialized and ancillary services. The court may impose additional requirements.

To advance to phases three and four and to graduate, participants are required to present answers to questions delineated in each phase description that follows. When a participant nears phase change or graduation the team will give the participant a list of questions they need to answer in court to request advancement. The answers must be reviewed with treatment or probation prior to presentation in court. The team will then determine if phase change is approved. Phase change will take place at the participant's next Drug Court appearance. The Drug Court recognizes that occasionally there will be a participant for whom mental health and literacy issues will pose a barrier to participating in this exercise in open court. The team will consult with the participant's mental health and/or treatment professionals to determine an alternative course of action, such as answering the questions privately in staffing.

B. Description of Phases

Minimum program elements for each treatment phase include:

Phase I - Choice

Objectives: Begin abstinence and chemical dependency treatment. Develop trigger awareness and identify your outside support systems.

Phase I goals:

1. Obtain a chemical health evaluation and follow recommendations, which may include:
 - inpatient chemical dependency treatment;
 - outpatient chemical dependency treatment;
 - halfway house or sober house;
2. Attend weekly Drug Court Hearings.
3. Complete Trauma/Mental Health Screening with the team's mental health professional and schedule and take part in any recommended assessments.
4. Attend sobriety support groups as required.
5. Meet with probation agent at least twice per week.

6. Enter chemical dependency treatment program and follow the recommendations of the chemical dependency treatment provider.
7. Adhere to house arrest/scheduled curfew (6 pm to 6 am).
8. Complete all pro-social activities as recommended by the team.
9. Full time school/employment or positive response to educational/vocational goals.
10. If driver's license is not valid, meet with coordinator to make a license reinstatement plan.
11. Complete a minimum of three (3) drug tests per week.

Advancement Criteria for Phase I

1. No positive drug test results for 15 consecutive days prior to advancement.
2. No unexcused absences for scheduled services for 15 consecutive days.
3. Full time school/employment or positive response to educational/vocational goals.
4. Completion of license reinstatement plan, if applicable.
5. Completion of goals for Phase I.
6. Begin Primary Treatment.

Average Completion 15-30 days

Phase II - Challenge

Objectives: Continued abstinence, establishment of recovery and development of educational and/or vocational goals.

Phase II Goals:

1. Attend and **observe three out of four** ASAC Court Hearings as scheduled (excused from one court hearing per month).
2. Meet with probation agent at least once a week.
3. Follow all recommendations of CD treatment provider.
4. Follow all recommendations of mental health provider, if applicable.
5. Attend sobriety support groups as required.
6. Adhere to a less restrictive curfew of 8 pm to 6 am.
7. Complete all pro-social activities as recommended by the team.
8. Full time school/employment or positive response to education/vocational goals.
9. Complete a minimum of two (2) drug tests per week.
10. Make best effort for license reinstatement, if applicable.

Advancement Criteria for Phase II

1. No positive drug test results for 90 consecutive days prior to advancement.
2. No unexcused absences for scheduled services for 90 consecutive days.
3. Full time school/employment or positive response to educational/vocational goals.
4. Completion of goals for Phase II.
5. Present Questions in Court to apply to move to Phase III.
6. Pay \$100 towards drug court fee.

Questions for Phase II Completion

1. Describe the importance of outside support and explain how you have strengthened your support system.
2. List the goals you want to work on in Phase III.
3. How I see my progress in the program. What issues do I still need to address?
4. List your accomplishments in Phase II.

Average completion 6 months- Minimum completion 5 months

Phase III - Change

Objectives: Continued abstinence, pursuit of education and/or vocational goals and connection with community at large.

Goals Phase III:

1. Attend and **observe two** ASAC Court Hearings per month as scheduled.
2. Meet with probation agent at least twice monthly.
3. Follow all recommendations of CD treatment provider.
4. Follow all recommendations of mental health provider, if applicable.
5. Attend sobriety support groups as required.
6. Adhere to a less restrictive curfew of 10 pm to 6 am
7. Complete all pro-social activities as recommended by the team.
8. Participation in Volunteer Project: this involves volunteer work at a non-profit agency or a project of your own design arranged by the participant and approved by your probation agent. The number of hours to be determined depending on the project.
9. Participation in pro-social activities as recommended by the team.
10. Full time school/employment or positive response to education/vocational goals.
11. Complete a minimum of two (2) drug tests per week.
12. Make best effort towards license reinstatement, if applicable.

Advancement Criteria for Phase III

1. No positive urinalysis results for 180 consecutive days prior to advancement.
2. No un-excused absences for scheduled services for 180 consecutive days.
3. Full time school/employment or positive response to educational/vocational goals.
4. Completion of goals for Phase III.
5. Present Questions in Court to apply to move to Phase IV.
6. Pay \$100 towards drug court fee.

Questions for Phase III Completion

1. Describe the importance of honesty in recovery and explain how you have demonstrated honesty in your lifestyle of recovery so far.
2. Write about what has been the most challenging and how you worked through it.

3. List and explain the goals that you have set for yourself to accomplish in your fourth Phase.
4. Explain how you see your progress in the program, and why you feel that you are ready to advance to Phase IV.
5. As you advance to Phase IV, your program requirements are lessened. What are your plans on continuing to work your recovery program with less structure placed on you?

Average completion 6 months

**Phase IV- Commencement
Aftercare and Commencement**

This treatment and monitoring phase is the final stage of the ASAC Program. Intervention will focus on aftercare and individual recovery through increased involvement with support groups, family relationships and continued educational/vocational training. The participants will develop an aftercare plan with assistance from CD treatment, individual therapist, Probation Officer and all parties involved with the participant. The plan will include: identification of a drug-free support network, relapse prevention strategies and educational and vocational goals.

Objectives: Continued abstinence, pursuit of commencement from ASAC and a strong connection with community at large.

1. Attended and **observe one** ASAC Review Hearing per month as scheduled.
2. Meet with probation agent at least once a month.
3. Follow all recommendations from CD treatment provider.
4. Follow all recommendations of mental health provider, if applicable.
5. Attend sobriety support groups as required.
6. Adhere to a less restrictive curfew of 11 pm to 5:30 am.
7. Complete all pro-social activities as recommended by the team.
8. Participation in Volunteer Project: this involves volunteer work at a non-profit agency or a project of your own design arranged by the participant and approved by your probation agent. The number of hours to be determined depending on the project.
9. Sign releases of information for and complete Fourth Phase Relapse Prevention Program.
10. Attend monthly Drug Court Alumni meetings.
11. A minimum of two pro-social activities monthly as approved by team.
12. Continue full time school/employment or positive response to educational/vocational goals.
13. Complete a minimum of two (2) drug tests per week.
14. Make best effort towards license reinstatement, if applicable.

COMMENCEMENT REQUIREMENTS:

When a participant has successfully completed the following they will be scheduled for commencement:

1. Successful completion of each phase.
2. Six (6) months of sobriety – abstaining from all mood-altering chemicals.
3. Successful pursuit of academic or vocational goals.

4. Completion of Volunteer Projects.
5. Completion of Fourth Phase Relapse Prevention Program.
6. Completion or satisfactory achievement of all court ordered special conditions, as determined by the court.
7. Drug Court fee paid in full.
8. Complete graduation speech using outline provided by probation agent.

Questions for Graduation Speech

1. Outline your life before you entered FDTC/drug court
 - a. Talk about the lifestyle you lived
 - b. Any specific stories of using (some share their last story of using before changing)
 - c. Relationship with those close to you (family & friends)
 - d. *Parents: specifically how it related to parenting*
2. Changes you made during FDTC/drug court
 - a. Personal changes
 - b. Changes made in your relationships
 - c. Changes you have made with your children
3. Talk about your future goals.
4. Thank individuals that have helped you throughout your recovery.

Average Completion 6 months

C. ASAC Phase Advancement

Advancement from each phase shall only be determined by the ASAC Team and on the condition that the participant has satisfied the established minimum criteria for advancement. See description of phases for advancement criteria.

D. Commencement Requirements

Participants who have successfully achieved their individual program goals, including educational and vocational, who have remained drug-free continuously for a minimum of six months, who have satisfactorily completed all phases of the ASAC, have completed all court sanctions and have participated for a minimum of 18 months are eligible for graduation. The adult must first complete the Pre-Graduation Questionnaire and return it to the ASAC Probation Officer two weeks prior to the graduation. This questionnaire is intended to assist the ASAC Team in making a fair determination of a participant's readiness to graduate from the ASAC Program and guide them in the graduation speech. On the day of commencement the participant will be expected to present a commencement message. At their commencement ceremony the Judge will present them with a certificate of completion of the ASAC Program and will recognize their excellent accomplishments.

E. Termination Criteria

Participation in ASAC is a privilege and participants may voluntarily withdraw or be removed from the program for cause. Either one will result in the immediate transfer of the case back to regular criminal court and probation.

- **Voluntary withdrawal:** a participant may opt out of the ASAC prior to their first appearance.
- **Discharge for non-compliance:** participants who fail to comply with program requirements and other court directives will be discharged from the ASAC program. The decision to terminate a participant for non-compliance is made by the ASAC Team. Considerations for determining failure to comply with program requirements include, but are not limited to:
 - Continued poor employment and poor behavior;
 - Participant absconds;
 - Failure to complete treatment;
 - Failure to attend support groups, counseling or other ordered methods of support;
 - Continued use or repeated behaviors that result in sanctions;
- **Non-appearance for ASAC hearings or no contact with ASAC Team:** a warrant is issued for participants who fail to appear for court. If the participant has not made contact with someone from the team for more than one month the participant is discharged from the program once picked up on the warrant.
- **Discharge for distribution of drugs:** any participant charged with dealing drugs will be suspended from drug court and if found guilty of said charges will be terminated. If the arresting or investigating police officer supports continued involvement by the participant in the program, the ASAC Team will take that recommendation into consideration.
- **Discharge for a new offense:** termination may also occur if a participant commits a new offense while in the program. When a new offense is considered violent to person or property, involves the possession of a weapon or is related to the distribution of drugs termination is automatic. Such termination occurs at the first drug court hearing after the participant is found guilty.

A new arrest, the most serious violation, does not automatically terminate a participant from the program. If the charge is of a violent felony and the prosecutor files charges the participant will be unsuccessfully terminated and referred to the prosecutor's office for further follow up.

All unsuccessful terminations from ASAC will return to district court for execution of sentence or placement on probation. The ASAC team will make a recommendation to the Court. The ASAC case will be closed.

F. Program Fees

All ASAC participants shall be required to pay a program fee. Reduction of program fees can be an additional incentive for compliance with program. Participants are presented with a credit voucher to apply towards program costs at the completion of each phase and sobriety milestones. Full payment of fees must be satisfied prior to graduation unless waived by the ASAC Judge.

The fee is as follows:

Months 1-6: \$1000

Months 7-18: \$500

CASE MANAGEMENT

A. Case Management Overview

The ASAC Probation Officer is responsible for providing primary case management services for each participant. Case management is a coordinated, collaborative effort to provide linkages with other service providers or between systems in an effort to assist the participant and/or family with their needs.

Case management will include: planning for intervention services and the fulfillment of criminal justice obligations. Brokering of treatment and other services and assuring continuity as the participant progresses through treatment and program completion. Monitoring and reporting the progress of the participant. Support by identifying problems and advocating for the participant with legal, treatment, social service and medical and mental health systems. They will also monitor urinalysis, breath analysis or other chemical testing. Protect the confidentiality of the participant's MIS records. Cases will be monitored according to what phase the participant is in or on a case-by-case basis according to specific needs of the participant and their family. The Probation Officer will:

- Conduct initial screening for eligibility and admittance into the Drug Court and presents cases determined to be eligible to the ASAC team.
- Complete all screenings, referral forms and intake forms as required
- Schedule appropriate meetings with participants including at least one home visit per month to assess the family situation.
- Monitor the participant's progress in the program.
- Provide weekly progress report to the courts on each participant.
- Coordinate any community service/court labor detail performed by the participant.
- Be responsible for all reports, case records and field notes related to the participant.
- Provide general probation supervision including random alcohol and drug testing for each participant.
- Collaborate with mental health professionals to identify ancillary needs of participant and/or family and assist in referral to services.
- Be responsible for compilation of employment or school information for each participant.
- Input data into ASAC database.
- Work in collaboration with the ASAC Coordinator

B. Progress Reports

The ASAC probation agent will be responsible for providing progress reports to the Court. The report will address all aspects of the program including drug test results, compliance with

treatment plan, attitude and behavior of both adult and family. The progress reports are reviewed at the ASAC Staff Team Meeting that is held prior to the review/status hearing.

All progress reports will identify both negative and positive accomplishments of both the adult and his/her family. The team will compose their response for that week to any participant by reviewing both compliments regarding accomplishments and suggestions/chastisements. The team will make a conscious effort toward achieving a balance and will understand that (in some weeks) the hunt for a compliment might be difficult and require an “innovative” attitude. If a team session becomes too negatively focused regarding a participant’s situation any team member will feel obliged to turn the larger discussion back into balance. This could be accomplished by listing both views (positive and negative) in reports to ensure that the negative will not be allowed to dominate by simple omission.

C. Drug Testing/Urinalysis

Drug testing is central to the ASAC in monitoring of participant’s compliance. All participants should be tested at least twice per week throughout the program; three times per week in the first phase. The ASAC Probation Agent along with Law Enforcement is responsible for administering drug tests and has the discretion to test at any time.

All participants will submit to an initial urinalysis during screening. The sample will be sent to the lab for confirmation to determine levels of drug use and will be used to determine a participant’s drug of choice. The ASAC will adhere to the following drug testing policy:

- Contracted laboratories must be certified.
- Laboratories will perform appropriate tests to detect diluted or adulterated urine samples.
- The scope of testing must be sufficiently broad to detect the participant’s primary drug of choice as well as other potential drugs of abuse including alcohol.
- Agencies must have specific, detailed, written procedures regarding all aspects of urine samples, collection, sample analysis and result reporting.
- Agencies must have a documented chain of custody for each sample collected.
- Agencies must have procedures for verifying accuracy when test results are contested.
- Participants are required to remove coats or jackets, wash their hands prior to collection for sample. Hands must be thoroughly dried before proceeding.
- All urine sample collections must be directly observed.
- All urine samples collected that show a positive result will be appropriately packaged and labeled and sent to the lab for testing.
- The collector must follow the documentation chain of custody for each sample collected.
- The Court is notified immediately (within 48 hours) when a participant has tested positive.
- Participant will be held in custody until seen by the Court.
- Positive results, unexcused missed tests and evidence of sample adulterations will result in court sanctions. Refusal tests or stalling (15 minutes or more) will be considered a positive test.

ASAC will utilize a two-step process for drug testing consisting of on-site testing and lab confirmation. The on-site testing provides immediate results and lab confirmation is emailed when available. Positive on-site testing will be confirmed either through a written admission by the adult or confirmation testing at a certified lab.

The on-site testing will test for alcohol, marijuana, methamphetamine, cocaine and other drugs as needed and testing adulteration. Levels of drug present are measured and reported. Adulteration is reported as is the creatinine levels. For quality assurance participants will have a minimum of one urine sample sent to lab each month.

Urinalysis results will only be used to assist the court and treatment providers in evaluating the adult's progress. The results will only be used to determine if the adult is progressing satisfactorily; to determine if the treatment plan needs modifying or, as an aid, in determining whether the adult should be terminated or graduated from the Drug Court program.

Grievance Policy

The following procedure is available to participants who wish to seek review of any conflict existing between them and a member of the ASAC team. The only disputes to which these procedures shall not apply are those that might result in a participant's suspension or dismissal from the ASAC program.

A grievance is any form of unfair treatment, harassment, bullying, or disrespect toward the ASAC participant by an ASAC team member.

The participant is notified that he or she has the right to file a grievance if he or she believes he or she has been treated unfairly by an ASAC team member. They are directed to contact the ASAC Coordinator. If the coordinator is the source of the complaint, they are then directed to the Fifth Judicial District Drug Court Manager or the Chief Judge of the Fifth Judicial District.

After being notified of the complaint, the ASAC Coordinator will meet with the participant to hear any information regarding the conflict. All parties involved in the conflict will be questioned and given the opportunity to present their respective arguments.

PRESCRIPTION & MEDICAL ISSUES

The FMJ Adult Substance Abuse Court holds its participants accountable for the risks that prescribed narcotics present to their recovery. To that end participants are required to abide by the ASAC's Medication Contract. This contract clearly spells out the responsibilities participants hold in informing medical professionals of their chemical dependency diagnosis. It also delineates participants' responsibility if a medical professional decides no other alternative exists but to prescribe a narcotic to a drug court participant. Participants will review and sign the ASAC Medication Contract during orientation. A copy of this contract is included in the participant manual.

The Medication Contract informs participants that the ASAC reserves the right to limit them to one primary medical professional. This determination will be left to the ASAC Team's discretion and will be enforced by court order and medical assistance restriction, if available.

Participants will also be provided copies of the ASAC Doctor Card to carry with them to ensure that they will be able, at all times, to provide a form to any medical professional they encounter for whatever reason that indicates they are chemically dependent and in an abstinence-based court program. Copies of the ASAC Doctor Card will be available at all court hearings. This will serve as a regular reminder to participants of their responsibility to inform all medical professionals of their participation in the ASAC and their diagnosis of chemical dependency.

Participants prescribed medication upon admission to the ASAC will be advised during orientation of their responsibility to complete the Medication Confirmation Form during the first phase of the program. Other participants will be required to complete the form as the need arises as determined by the staffing team.

Also, during orientation, participants will review the ASAC Alcohol Testing and Substance Exposure Contract in an effort to educate participants regarding the risks that over the counter medication and other substances they may come across pose to their sobriety and risks for false positive tests.

INCENTIVES AND SANCTIONS

Relapse and intermittent progress are part of most successful drug rehabilitation programs. There are immediate and direct consequences for all conduct. Sanctions follow violations and are applied as close to the time of failure as possible by ASAC. Incentives and sanctions are applied at the participant's next scheduled review/status hearing, with the exception of serious violations (e.g. dirty UA, new crime, serious curfew violation), in which case the adult appears at the next review/status hearing.

Progressive sanctions and incentives are related to the goals of the ASAC and should be appropriately applied in response to program failure and success and/or applied incrementally to move the participant steadily toward completion of the program. This list is not inclusive and can include creative ideas and should reflect what a participants and/or families perceive as sanctions and incentives based on initial interviews and assessments.

Jail stays for FMJ ASAC participants will be short and infrequent and are capped at six days in length unless there is an imminent risk to the participant or public safety.

GOAL # 1: Promote Public Safety

A. **Objective:** Reduce substance abuse.

Objective: Reduce criminal activity among offenders.

Objective: Increase offender compliance over traditional probation supervision.

Objective: Assist offenders to reduce their risk to re-offend.

- Positive Behavior: clean UA, no new legal violation, no curfew violation.
- Incentive: praise, progress through phases, gift certificates, later curfew, reduction in community service hours, gym memberships, limo rides, police ride along, move to next phase.
- Negative Behavior: positive drug test, new crime, or status offense.
- Sanctions: admonishment in court, increased testing, move back phase, Community Service, stricter curfew, increased drug testing, house arrest, electronic monitoring, increased court appearances, jail time up to six days or eventual removal from program.
- Treatment Response: reassess treatment services, screen for other services, such as individual mental health counseling, adult rehabilitative mental health services, peer mentor, psychological testing.

GOAL # 2: Reduce Systems Costs

A. **Objective:** Address the family's social and economic needs by identifying the needs and strengths of the offender and family and matching them with the appropriate services.

- Positive Behavior: family involvement in support networks, improved family relationships, participant's success in job or new job.
- Incentive: praise, family outings or family picture.
- Negative Behavior: no improvement in use of resources or family relationships.
- Sanctions: lecture from the judge, contempt of court or CHIPS filed.
- Treatment Response: mentoring/tutoring, educational assessment, referral to classes.

B. **Objective:** Reduce costs of detention.

Objective: Reduce other criminal justice system and social services costs

- Positive Behavior: attendance at family sessions, attendance or completion of CD treatment, attendance at pro-social activities or involvement in the community.
- Incentive: praise, gift certificates, movie passes for family, restaurant certificates, pizza/movie passes, family outings, later curfew for participant, coupons from local business, credit against community service hours.
- Negative Behavior: missed treatment classes, no involvement in pro-social activities, and association with negative peers.
- Sanctions: community service hours, earlier curfew, increased drug testing, house arrest, electronic monitoring, increased status hearings, weekend in jail, extended jail time or removal from program.
- Treatment Response: make-up missed classes.

GOAL # 3: Improve the Life of the Offender

A. **Objective:** Improve offender's employment/educational performance and attendance.

Objective: Assist offenders to achieve long-term chemical abstinence while helping them to resist relapse during the program.

- Positive Behavior: employment attendance or increased academic performance.

- Incentive: employment/school based incentives, recreational activities, new employment/school supplies or clothes, lower curfew or gift certificates.
- Negative Behavior: no response to educational/employment goals, or discipline referral.
- Sanctions: community service, earlier curfew
- Treatment Response: mentoring/tutoring, educational assessment, referral to classes.

B. Objective: Strengthen family of offender by providing intensive, multi-systemic services, as needed.

Objective: Improve offender and their family's social and economic structure.

Objective: Teach offender the skills needed to have a relationship with family members.

- Positive Behavior: completion of parenting classes, attendance at family sessions, attendance at pro-social activities, or involvement in the community.
- Incentive: praise, gift certificates, movie passes for family, restaurant certificates, pizza/movie passes, family outing, lower curfew for participant, coupons from local businesses, credit against community service hours.
- Negative Behavior: non-attendance at parenting classes, non-compliance with mental health services (individual counseling, in-home family counseling, peer mentor, ARMHS)
- Sanctions: community service with participant, lecture from the judge, contempt of court or CHIPS filed.
- Treatment Response: increase in services.

General Guidelines - Progressive (Graduated) Sanctions

Behavior	Violation 1	Violation 2	Violation 3	Violation 4
Positive Drug Test <i>Freely admits use</i>	72 hours jail Treatment Response	72 hours jail Treatment Response Consider changing participant's stay	If remains amenable to treatment: 72 hours jail & treatment response – otherwise terminate	Termination
Positive Drug Test <i>No admit prior to test/adulteration</i>	6 days jail Treatment Response	6 days jail Treatment Response Consider changing participant's stay	If amenable to treatment: 6 days jail & treatment response – otherwise terminate	Termination
Use by felony DWI participant	6 days jail Treatment Response 30 days SCRAM or 3X daily interlock tests	6 days jail Treatment Response 60 days SCRAM or 3X daily interlock tests	Termination	
No show for drug test	Verbal Warning Reset sobriety date	Treat as positive test	Treat as positive test	Treat as positive test
Dilute Drug Test	Verbal Warning 1 week oral intake log Reset sobriety date	Treat as positive test	Treat as positive test	Treat as positive test
No proof of sobriety support meetings	Verbal Warning	Make up meetings Treatment response	Make up meetings Treatment response	<i>What else is going on?</i>
No-Show for Court <i>More than 15 minutes late</i>	Bench Warrant 8 hours CWS/STS 6 pm curfew one week	Bench Warrant 8 hours CSW/STS 6 pm curfew two weeks	Termination unless significant mitigating factors	
Late for Court <i>Less than 15 minutes</i>	Verbal Warning	Creates a plan to get places on time	Update Plan 8 hours CWS/STS	Termination
No-show for Treatment <i>CD, MH, medication, etc.</i>	Make up session 8 hours CWS/STS Provider Response	Make up session 16 hours CWS/STS Provider Response	Make up session 48 hours jail Provider Response	Termination
Unprepared for treatment <i>homework not complete</i>	Send participant home and treat as no-show for treatment			
No-show for Probation Appointment	Verbal Warning	Bench Warrant 72 hours jail	Bench Warrant 6 days jail Create a plan	Termination
No-show for other required activity <i>drug court class/ event/other required activity</i>	Make up activity	Make up activity 8 hours CWS/STS	Make up activity 16 hours CWS/STS Create a plan	Apology letter Make up activity 16 hours CWS/STS
Commits a new crime	<i>Depends on severity – suspend from program while any jail time is served</i>			

Fail to meet structured hours (Phase 1 & 2)	Referral to WFC 6 pm curfew Do STS for hours	6 pm curfew Do STS for hours Proof of 5 job apps per week	6 pm curfew Do STS for hours Create a plan	Continue Violation 3 requirements “Week in/week out” program
Failure to maintain full-time employment or school (Phase 3 & 4)	Referral to WFC 6 pm curfew STS to meet hours Proof of 5 job apps per week	Continue Violation 1 requirements “Week in/week out” program	Continue Violation 1 requirements “Week in/week out” program	Termination
Leaving FMJ area without permission	6 pm curfew two weeks	72 hours jail 6 pm curfew one month	6 days jail 6 pm curfew two months	Possible Termination
Curfew Violation <i>Missed knock & chat</i>	Verbal Warning	Bench Warrant 72 hours jail 6 pm curfew one month	Bench Warrant 6 days in jail 6 pm curfew one month	Termination
Did not complete sanction (i.e. essay or schedule intake)	<i>Depends on the severity of the issue</i>			
	Ideas: escort to provider to schedule appointment, call provider immediately after court to schedule appointment, return at next hearing with appointment date, assign a time to meet with team member to discuss essay, meet with peer mentor to work on essay			
Failure to complete CWS/STS	<i>1 hour additional CWS/STS for each hour not completed</i>			
	<i>Considerations: What is the participant telling us with this behavior? Was the deadline realistic? What barriers does the participant have that may contribute to non-compliance?</i>			

All behaviors will result in no draw from the small fish bowl nor will any vouchers or names be given to put in the large fish bowl.

Please keep in mind that these are only guidelines.

The team will consider an individual’s circumstances and needs when deciding sanctions.

Treatment responses are determined by the treatment provider or chemical dependency assessor, or ideally through coordination of the two parties.

Plans are created by the participant in consultation with treatment, the probation agent and drug court coordinator. The plans will use the participant’s strengths and needs to determine what services need to be in place to extinguish the problem behavior. Services can include ARMHS, peer mentor, Workforce Center or Lifework Planning Center classes, parenting classes, help with license reinstatement, time or financial management classes, etc.)

Essay topics:

- | | | |
|---|-----------------------|---------------------------------|
| Definition of recovery | Relapse triggers | Drug refusal skills |
| Managing cravings | Lying and dishonesty | The disease of addiction |
| The impact of addiction on the family | The role of treatment | The role of peer support groups |
| Interview graduate or someone in long term recovery regarding issue at hand | | |
| Goodbye letter – to drugs, to using peers, to children | | |

FMJ ASAC Incentives Guidelines

Meeting Criteria			
<p>Each week that a participant appears in court and meets minimum program criteria (met structured hours, attended all appointments and support meetings, stayed clean & sober) the participant is invited by the judge to draw from the small fishbowl.</p> <p>The small fishbowl contains a variety of small items, including pop, candy, toys, \$5 fee vouchers and one \$25 Wal-Mart gift card.</p>			
Sobriety Milestones			
<u>30 days sobriety:</u> \$10 voucher & slip for large fish bowl	<u>60 days sobriety:</u> \$10 voucher & slip for large fish bowl	<u>90 days sobriety:</u> \$25 voucher & slip for large fish bowl	<u>6 months sobriety:</u> \$40 voucher & slip for large fish bowl
<u>9 months sobriety:</u> \$50 voucher & slip for large fish bowl	<u>12 months sobriety:</u> \$100 voucher & slip for large fish bowl	<u>18 months sobriety:</u> \$75 voucher & slip for large fish bowl	
Treatment Milestones			
<u>Completed inpatient treatment:</u> \$10 fee voucher & slip for large fish bowl	<u>Completed primary outpatient treatment:</u> \$15 voucher & slip for large fish bowl	<u>Completed level 1 of treatment:</u> \$25 fee voucher & slip for large fish bowl	<u>Completed level 2 of treatment:</u> \$35 fee voucher & slip for large fish bowl
<u>Completed Level 3 of treatment:</u> \$75 fee voucher & slip for large fish bowl			
Phase Recognition			
<u>Complete Phase 1:</u> \$15 fee voucher Slip for large fish bowl More lenient curfew Less frequent court appearances	<u>Complete Phase 2:</u> \$25 fee voucher Slip for large fish bowl More lenient curfew Less frequent court appearances Less frequent drug testing	<u>Completed Phase 3:</u> \$75 fee voucher Slip for large fish bowl More lenient curfew Less frequent court appearances Less frequent drug testing	<u>Completed Phase 4:</u> Graduation Ceremony Slip for large fish bowl \$100 fee voucher Release from ASAC obligations
Other Incentives			
<u>Birth of sober child:</u> \$25 gift card Slip for large fish bowl	<u>Monthly Large Fish Bowl drawing:</u> Once per month a participant's name is drawn from the large fish bowl to receive a \$50 gift card & \$50 fee voucher	<u>Going above & beyond program requirements:</u> participants who do something special without being asked, such as volunteer work, help another participant in the program, or attend a pro-social event or had a major breakthrough that we want to incentivize, the team will give the participant a slip for the large fish bowl. On occasion, if the activity was especially noteworthy, the team the participant may receive a \$10 or \$15 voucher, as determined by the staffing team.	

MANAGEMENT AND EVALUATION OF INFORMATION

A. Why Evaluate

1. To determine how the program or program elements are working
2. To determine whether and how to improve program functioning
3. To meet accountability requirements
4. To assess costs relative to benefits of programs
5. To maintain or seek funding

Evaluation of the ASAC will be ongoing processes of gathering objective information that can be used by the FMJ ASAC Stakeholders, program administrators and the ASAC team. The evaluation schedule shall include quarterly reports, yearly reports and on-going comprehensive output and outcome summary reports. Evaluation serves a dual purpose of monitoring program operations and examining program outcomes. Information gathered from process and outcome evaluation activities is used to modify program procedure, approaches or interventions and to justify continuation or expansion of existing services.

B. Sharepoint

ASAC will utilize a Sharepoint website provided by State Court Administration Office and their tracking sheet to collect drug court data. The Sharepoint site may be updated by any member of the ASAC team. The tracking sheet is only available to the ASAC Coordinator. Data that will be tracked include:

1. A **Referral** portion that will be completed on everyone who is screened for possible participation in the ASAC.
2. A **Client** information portion to collect demographics, record identifiers and court information.
3. An **Assessment** portion that allows users to record basic personal, medical, mental health and substance abuse information. Results of screenings and assessments are tracked here as well, though the ASAC relies on treatment providers to assess clients and record and maintain their own information.
4. A **Supervision** portion which includes phase progression, progress updates, sanctions and incentives, jail days, law enforcement checks and contact information for all with whom the participant sees for services.

5. An **Outcomes** portion which will be completed on all individuals who have been accepted and participate in the ASAC Program indicating whether or not participants were successful in the program.

The ASAC also utilizes a Google Docs site where surveys of participant's perception of their progress and experience throughout their time in the program are kept anonymously.

C. Process Evaluation

A process evaluation annual report will help to determine if the program is meeting administrative and procedural goals. The Evaluator will develop and assist in maintaining quality assurance for the ASAC by defining the necessary data elements for evaluation and monitoring of the internal Drug Court processes. The evaluator will oversee process evaluations and perform statistical analysis capabilities or provide consultation on analyses. Monitoring data will include activities, operations and performance in relation to goals and resource utilization. It will also identify potential problems which will allow the team to make any necessary changes.

D. Key Items for Monitoring & Process Evaluation

Implementation

- Were all program components implemented as intended? If not, which ones and why?
- Have there been any changes to the program design?
- What are the recommendations for improvement?

Target Population

- To what extent is the population being reached and how does this compare to a comparison group not in Drug Court with respect to current charge, prior record, nature and severity of substance abuse problems, race, age, and gender?

Served, Screening & Assessment

- Number of intakes and total enrolled in period.
- Number of offenders referred for screening/number actually screened.
- Number and percent of screened offenders accepted into drug court.
- Reasons eligible participants are not accepted, i.e. refused to participate or other
- Are assessments/reports completed on time?

Timelines

- Number of days from arrest to referral and from referral to first Drug Court appearance.
- Average length of stay in each phase.
- Average length of time from start to completion of treatment.
- Average length of stay from start to completion of the program.

Treatment

- Are available services meeting client needs?

- Number expelled from treatment and reasons why.
- Number who graduate from treatment.

Drug Testing

- Number of drug/alcohol tests completed.
- Average number of tests per offender.
- Percentage of all drug tests positive for any drug by drug type.
- Number positive for alcohol use.

Ancillary Services

- How many referrals/completions for ancillary services (Participant/Family)?

Sanctions and Incentives

- Total number of sanctions and incentives in period.
- Percentage of offenders who received sanctions.
- Average sanctions and incentives per offender.
- Hours of community service were assigned and completed in period.

Retention in Program

- Number/percentage of graduates & number terminated from program and why.

Surveys

- Yearly surveys for stakeholder, offenders, treatment providers, probation and court personnel.

Evaluation Outcome

The final component of the evaluation will focus on the benefits that ASAC participants derive from the program and its impact. The actual achieved benefits (individual and group outcomes) will be compared against ideal outcomes the program hoped to obtain. An outcome evaluation analyzes the impact of the court on the behavior of its participants – both graduates and failures. Evaluations will compare the behavior of participants to the behavior of a “comparison group”. The comparison group should consist of similar defendants – similar charges, demographic characteristics and geography. Outcome measures will be used to help determine if the program is effective for participants and/or family and cost effective for FMJ Multi- County ASAC.

A. Outcomes based on Goals and Objectives

The Outcomes are based on goals and objectives of ASAC. The following are the outcomes to be achieved by ASAC Substance Abuse Court:

Goal # 1: Promote Public Safety

Objective: Reduce substance abuse.

Objective: Reduce criminal activity among offenders.

Outcome	Targets
Participants will not have any new arrests while in program	95% - No new drug related arrests
	95% - No new non-drug related arrests
Participants will not have any new arrests or convictions during a twelve-month follow-up post-graduation	70% - No new drug related arrests 70% - No new drug related convictions
	70% - No new non-drug related arrests 70% - No new non-drug related convictions

Evaluations will include a comparison of recidivism between program completers and non-completers as well as a comparison to those who were offered but chose not to participate in Drug Court. Any new offenses will be compared to the original offense(s) and separated into violent/non-violent, drug related/non-drug related with attention to severity levels.

Objective: Increase offender’s compliance over traditional probation supervision.

Outcome	Targets
Participants will complete the Drug Court program [Commencement]	60% - complete the program

Participants will successfully complete all court ordered dispositions such as treatment, fines, restitution, community work service and cognitive skills (<i>taking into consideration the fact that some with cognitive issues, such as traumatic brain injuries, may require alternative programming</i>)	70% - complete in full 30% - with at least partial completion while in the program
Participants will complete all assigned sanctions while in program	70% - successfully complete all sanctions
Participants will reduce program violations from Phase I to Phase III	Program Violations will reduce by 25% as they advance from Phase to Phase

Objective: Assist offenders to reduce their risk to re-offend

Outcome	Targets
Participants will reduce their Risk	
Indicator: Offenders will reduce their LS/CMI risk assessment score from entry to program exit (measurement of nine dynamic criminogenic categories) [Assessment done every Phase Change]	70% - will show a reduction in LS/CMI Score

A reduction in risk to re-offend is also captured by other outcome measures listed in this section. Offenders increasing their competency in areas of education, employment, family functioning and staying drug and alcohol free serve as indicators of risk reduction.

GOAL # 2: Reduce Systems Costs

Objective: Address the family’s social and economic needs by identifying the needs and strengths of the adult and family and matching them with the appropriate services.

Objective: Reduce costs of detention.

Outcome	Targets
Incarceration costs to the County and State will be lower for Drug Court participants	
Indicators: Number of jail days for Substance Abuse Court participants vs. those in a comparison group given a traditional sentence (Comparison group: Adult Offenders in 2003)	50% - of total (sentenced and sanctioned) detention days and corresponding county costs will be saved with Drug Court participants over traditional – 1 & 3 years following a drug conviction
Number of detention days served for participants vs. those placed in the traditional criminal justice system	Drug Court participants will serve 80% less detention days than the comparison group - 1 & 3 years following a drug conviction in which they were offered Drug Court

Break-out analysis will be shown for Substance Abuse Court program completers and non-completers as well as comparisons with offenders with a traditional sentence.

Objective: Reduce criminal justice system and social services costs (other than incarceration).

Outcome	Targets
Placement costs are reduced	
Indicators: Costs comparison (participants vs. traditional) for those children who have been removed from their home	50% - total placement days and 50% placement monies will be saved with Drug Court participants
Medical and Related Costs are reduced	70% - reduction in medical cost or related cost will be saved with Drug Court participants
Indicators: birth of drug free babies and fetal alcohol syndrome babies (for applicable female offenders)	100%
Estimated reduction in criminal activity	
Indicator: See recidivism outcomes, as reductions new offenses saves future arrest, supervision, victimization and adjudication costs	30% - recidivism for participants at 12 month follow-up of Drug Court Completion (approximately 3 years post-conviction).

GOAL # 3: Improve the Life of the Offender

Objective: Assist offenders to achieve long-term chemical abstinence while helping them to resist relapse during the program.

Outcome	Targets
Participants abstain from illegal drug use and alcohol abuse:	25% - of participants will have negative drug screens in Phase I 50% - negative drug screens in Phase II 75% - negative drug screens in phase III 75% - of participants will not have any alcohol relapses during Phase IV
Participants successfully complete chemical dependency primary treatment	70% - successfully complete
Treatment completers will successfully complete an aftercare program	75% - will successfully complete
Drug Court completers maintain abstinence at time of 12 month follow-up	75% - will maintain abstinence 12 months after completion
Indicator: Follow-up call or survey-self-reports and family, support group reports and any new related arrests, and breath tests	60% - will maintain abstinence

Objective: Improve participant's employment/education performance and attendance.

Outcome	Targets
Participants will gain or maintain full/part time employment	70%
Offenders (with need) will complete job skills training, or other education	80% - of those with need
Offenders will work towards obtaining a high school diploma or will complete their GED or maintain grade level appropriate for age.	50% - will improve on level of education 50% of those who should graduate from high school will
Offenders with need with complete Cognitive Skills programming	80% - in Drug Court complete

Objective: Improve participant and their family's social and economic structure.

Outcome	Targets
Families gain stabilization	
Indicators: Number who begin or increase community services and support networks	70% - participate during the program
Number who show improvement in self-reliance: obtain employment	75% - will be employed while in program 80% - employed 12 months after completion of Drug Court
Participants improve their pro-social activities	100% - of participants participate in a pro-social activity 80% - show an improvement in their LS-CMI pro-social subcategory
No reports of domestic violence	50% - will have no reports of domestic violence while in program

Objective: Strengthen families of participants by providing intensive, multi-systemic services, as needed.

Outcome	Targets
Parent participants will complete a parenting class	100%
Children returned to the home from placement	70% - returned
Participants will increase the ability to follow structure and guidance - as determined by the case manager	70% - improve during the course of the program
Participants report increased positive family relations	75% - report an improvement during the course of the program

When individuals are identified that involve re-arrests and relapse as part of the follow-up data collection the Coordinator will attempt to schedule and conduct personal interviews with these individuals to determine if the Drug Court program's policies or procedures need to be modified, enhanced or eliminated.

B. Data to Be Collected

1. Offenders screened (including referral and screening dates).
2. Offenders admitted to the program.
3. Eligible persons not admitted. Why?
4. Race/Ethnicity
5. Sex
6. Marital status of participant
7. Highest grade completed (if applicable)
8. Veteran Status
9. Pregnancy status
10. Number of children
11. Number of dependents financially responsible for
12. Participant's primary residence
13. Date arrested
14. Date of admission to the drug court
15. Employment status
16. Level of arrest (misdemeanor, gross misdemeanor, felony, status offense)
17. Current charges
18. Criminal history (including status offenses)
19. School information (alternative, traditional, attendance, behavior) if applicable
20. Drug of choice (First, Second & Third)
21. Drug History
22. Services provided. (Treatment or ancillary for participant and family)
23. Information of violations (criminal or program)
24. Sanctions
25. Incentives
26. Commencement information
27. Participant and families survey results
28. Discharged Reasons
29. Number of re-arrests for three-year period (Include type)
30. Fees, fines, costs and restitution paid by each participant
31. Attendance records at treatment classes, groups, family intervention meetings
32. Accomplishments for participants and/or family

C. Additional Comparisons

Comparisons can be made between graduates and non-graduates of ASAC participants and a comparison group based on: age, sex, race, education, change in education and employment status, criminal history, usage history, treatment history, drug of choice, marital status, parental status, risk assessment scores and new arrests/convictions.

FORMS

Intake Process
FMJ ASAC Referral
FMJ Initial Screening Form
Memorandum of Understanding – Agencies
Memorandum of Understanding – Steering Committee
Phase Contracts
Participant Contract
ASAC Court Order
Probation Waiver
Coordinator Court Sheet
Medical Release
Release of Information
Consent for Drug Testing
Medication Contract
Medical Confirmation Form
Doctor Card
Alcohol Testing & Substance Exposure Contract
Compliance Check
Journal Sheet
Participant's Weekly Progress Report
Team Member Confidentiality Agreement
Adjunct Team Member/Visitor Confidentiality Agreement
Drug Court Fees
Alcohol/Drug Use Admission Form
Consent for Disclosure of Confidential Mental Health Treatment Information
Health Insurance Information Release
Participant Request for Assistance
Exclusionary Offense List
Participant Handbook



Faribault, Martin and Jackson ASAC
Intake process

Probation Agent

1. Baseline UA and send to laboratory
2. ~~LSI-R~~ or LS-CMI score
3. Correctional Mental Health Screen – MAYSI-2
4. Sign Release of Information for all assessments at outside agencies
5. PSI for ASAC

Coordinator

1. Refer for expedited Rule 25
2. Insurance information
3. Adult Substance Abuse Court Clinical Assessment
4. Set Orientation date



**MINNESOTA
JUDICIAL BRANCH**
FIFTH JUDICIAL DISTRICT

Adult Drug Court Referral Form

Step 1 - Application (This Section is completed by the Prosecuting Attorney, Defense Attorney or Probation)

County: Martin
 Defendant's Name: _____ Birth Date: _____
 Male: Female:
 Caucasian: Latino: African-American: Asian: Native American: Other: _____
 Address: _____ In Custody: Yes No
 _____ Defense Attorney/Phone: _____
 Phone: _____
 Court File No. _____ Charge(s): _____ Offense Date: _____
 Case Status: Pretrial Post plea Plea Date: _____ Probation Viol. (attach pre-sentence investigation & assessments)
 Referred By: _____ Date Submitted: _____
Send Application to: County Attorney and Drug Court Coordinator
PLEASE ATTACH: COMPLAINT, BAIL STUDY, PRIOR RECORD AND/OR CRIMINAL HISTORY, PRE-SENTENCE INVESTIGATION (if applicable), AND CONSENT FOR RELEASE OF INFORMATION (2 FORMS)

Step 2 - Preliminary Review (Completed by Probation and Prosecution)

PROBATION OFFICE	PROSECUTOR'S OFFICE
Review Date: _____ By: _____	Review Date: _____ By: _____
Resident: Yes <input type="checkbox"/> No <input type="checkbox"/>	Disqualifier Present: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Willing to Participate: Yes <input type="checkbox"/> No <input type="checkbox"/> Maybe <input type="checkbox"/>	Preliminarily Approved: Yes <input type="checkbox"/> No <input type="checkbox"/> If No, go to Step 4
LS/CMI Score: _____ Date of LS/CMI: _____	
Preliminarily Approved: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Comments: _____	Comments: _____

Step 3 - Chemical Dependency Assessment

Assessment Referral Date: _____ Mental Health Score:

Chemically Dependent: Yes No Chemically Abusive: Yes No

Recommendation: Inpatient Intensive Outpatient Halfway House Other _____

Funding: Rule 25 Insurance Self-pay Unknown Completion Date: _____

Step 4 - Team Screening (Completed by Team or Prosecutor)

Date of Determination: _____ **APPROVED: YES NO**

If denied, state reason (check all that apply):

<input type="checkbox"/> Violent History	<input type="checkbox"/> Less than one year probation time remaining
<input type="checkbox"/> Disqualifying Charge:	<input type="checkbox"/> Undocumented Alien
<input type="checkbox"/> Unwilling to Participate	<input type="checkbox"/> No Chemical Dependency Issues
<input type="checkbox"/> Previously Entered Drug Court Program	<input type="checkbox"/> Unable to Comply (lack of transportation)
<input type="checkbox"/> Personal Issues:	<input type="checkbox"/> Other:

FMJ ASAC Screening Form

Client Name: (LAST, First Middle)	DOB:	Address:
Date of Review (Month, Day, Year)	Agent Name Lanphere	Offense(s)

RESIDENCE

<input type="checkbox"/> Rent <input type="checkbox"/> Own			
Present Address (Street, City, State, Zip) <u>Mailing:</u> <u>Physical:</u>	County	How Long:	Living With:
Former Address		How Long:	Living With:
Former Address		How Long:	Living With:

RESIDENCE

<input type="checkbox"/> Rent <input type="checkbox"/> Own			
Present Address (Street, City, State, Zip) <u>Mailing:</u> 100 Seventh St N Kiester, MN 56051 <u>Physical:</u> 100 Seventh St N Kiester, MN 56051	County	How Long:	Living With:
Former Address		How Long:	Living With:
Former Address		How Long:	Living With:

FAMILY TIES

Marital Status	If Other Than Single, For How Long?	Number of Dependents	Number of Previous Marriages		
Family Member	Name	Address	Phone	Age	Employment
Spouse					
Children					
Father					
Mother					
Siblings					
Sig Relationship					

EMPLOYMENT

Salary	Employer Name	Address	Phone
Former Employer		Address	Phone
Insurance Info		#	

FINANCIAL RESOURCES

Income	Savings/Debt

CHARACTER / MENTAL CONDITION

Physical condition:

Dr. _____.

Meds:

Mental Health:

Dr. _____

Meds:

Chemical Use (Specify Drugs and Frequency):

Have you been assessed as Dependent No Yes Prior /Present CD Treatment:

Prior TX _____

MILITARY (Specify branch, dates, rank, type of discharge)

P R I O R R E C O R D

DATE OF
OFFENSE
FELONY:

OFFENSE

LOCATION
(COUNTY, STATE)

DATE AND DISPOSITION

GROSS / MISDEMEANOR:

TRAFFIC:

JUVENILE:



FMJ MULTI-COUNTY ADULT SUBSTANCE ABUSE COURT

Memorandum of Understanding-Agencies

Agreement between the FMJ Multi-County Adult Substance Abuse (ASAC) program and agencies providing treatment services, related housing and case management services to ASAC participants.

Policy: it is the policy of the FMJ Multi-County Adult Substance Abuse Court to collaborate with treatment providers in assisting participants to stop the abuse of alcohol and other drugs as well as criminal activity. The partnership between the treatment community and the courts is the key to substance abuse court success.

The parties agree there are twelve principles under which the respective agencies will work cooperatively. They are:

1. No one agency can address all the critical issues of a substance abusing population; all organizations with the purpose of providing social services or aiding recovery from substance abuse need to develop partnerships in order to provide comprehensive services to this population.
2. An alcohol or drug user is most vulnerable to successful interventions when he/she is in crisis, e.g. immediately after initial taking into custody.
3. An alcohol or drug addiction is not created overnight and cannot be arrested overnight
4. Relapse and intermittent progress are part of most successful alcohol or drug recovery programs.
5. Offenders will be held accountable for their criminal activity and responsible for the development of their recovery plans.
6. Chemical dependency treatment should not be limited to “traditional” treatment—other forms of treatment can be therapeutic and one size does not fit all (e.g. methadone).
7. Early assessment and continued re-assessment is essential.
8. Treatment must be developmentally-based, gender-specific and culturally competent.
9. Specific attention should be paid to employment performance, peer relationships, self-esteem needs and family situation.
10. A plan for aftercare services beyond court sanctions must be developed.

11. Administration of regular (random) urinalysis will occur with immediate consequences for positive UA testing.
12. Relapse should trigger a therapeutic response.

Collaboration between monitoring staff and treatment providers is accomplished through the following:

1. The ASAC Coordinator will attend monthly Chemical Health Provider's meetings at the site of the substance abuse treatment provider. The purpose of the Coordinator's participation is to update providers on changes in the functioning of the program, address any court or provider concerns and to encourage networking among providers of different treatment modalities.
2. Supervision staff participates in case conferences with counseling staff at treatment provider agencies.
3. Progress reports are forwarded on a regular basis from treatment providers to court.
4. Treatment providers are encouraged to be present in ASAC and staffing meetings when appropriate or convenient.

I, _____, representative of _____ Treatment Program, agree to provide chemical dependency treatment, discharge planning and aftercare services to participants of the ASAC program who are placed in my program by FMJ Multi-County Community Human Services or another funder. I agree to provide all necessary information the court requires and to participate in client staffing as necessary.

Date: _____

Signature



Memorandum of Understanding – Steering Committee

FARIBAULT, MARTIN AND JACKSON COUNTY ADULT SUBSTANCE ABUSE COURT

AGREEMENT between the Faribault, Martin and Jackson: County Police Agencies, the County Attorney, the Public Defender, Probation, Health and Human Services and the Fifth Judicial District Court.

The parties to this Agreement endorse the mission and goals of the Faribault, Martin and Jackson County Adult Substance Abuse Court (ASAC) program in order for participants to eliminate future criminal behavior and improve the quality of their lives. The parties recognize that for the ASAC mission to be successful, cooperation and collaboration must occur within a network of systems.

The parties to this Agreement propose the following mission statement:

Faribault, Martin and Jackson County District Court, in the Fifth Judicial District of Minnesota will provide a Post-plea, Adult Substance Abuse Court Program to reduce chemical abuse and criminal behavior of non-violent adult offenders. ASAC mission is to break the cycle of crime and addiction by proving chemically-addicted offenders with a multidisciplinary strategic response of treatment, support, and legal accountability, thereby enhancing the quality of life of the community. The Adult Substance Abuse Court provides strength-based interventions promoting healthy lifestyles, accountability for actions, and positive family relationships through a collaborative effort between the Adult Justice System and the community. This collaboration results in educated and productive adults, healthy families, and stronger, safer communities.

The parties agree that there are ten principles under which the respective agencies will work cooperatively. They are:

1. The ASAC integrates alcohol and other drug treatment services with criminal justice system processing.
2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participant's due process rights.
3. Eligible participants are identified by probation officers, county attorney staff, police agencies or the bench, and promptly referred to the County Attorney's Office for recommendation of eligibility under the federal guidelines.
4. The ASAC program provides access to a continuum of alcohol, drug and other related treatment and rehabilitation services.
5. Frequent alcohol and other drug testing monitor's abstinence.
6. A coordinated strategy governs the ASAC responses to participant's compliance.
7. There is on-going judicial interaction with each ASAC participant.
8. A monitoring and evaluation plan measures the achievement of program goals and gauges effectiveness.
9. Continuing interdisciplinary education promotes effective substance abuse court planning implementation and operations.

10. Forging partnerships among substance abuse courts, public agencies and community-based organizations generates local support and enhances ASAC effectiveness.

INDIVIDUAL AGENCY RESPONSIBILITIES AND STAFF COMMITMENTS

County Attorney

1. A representative of the Martin County Attorney's office will be assigned to the ASAC program for the term of this Agreement, as funding permits, and will participate as an active member of the Staffing Team and the Steering Committee.
2. The County Attorney's Office representative will make appropriate referrals to the ASAC Program and will promptly review all other referrals for recommendation of eligibility.
3. The County Attorney agrees that a positive drug test or open court admission of drug possession or use will not result in the filing of additional charges based on that admission; and
4. The County Attorney's Office representative makes recommendations regarding the participant's continued enrollment in the program based on performance in treatment and in the ASAC program rather than on legal aspects of the case, barring commission of a new offense.

Public Defender

1. A public defender will be assigned to the ASAC program for the term of this Agreement funding permits, and will participate as an active member of the Staffing Team and the Steering Committee.
2. The public defender advises the offender as to the nature and purpose of the ASAC, the rules governing participation, the consequences of abiding or failing to abide by the rules and how participating or not participating in the ASAC will affect his/her interests.
3. The public defender explains all of the rights that the offender will temporarily or permanently relinquish.
4. The public defender's office explains that because criminal prosecution for admitting to alcohol or other drug use in open court will not be invoked, the offender is encouraged to be truthful with the judge, the case manager and the treatment staff and informs the participant that he or she will be expected to speak directly to the judge, not through an attorney.
5. The public defender reviews the participant's progress in the program and advocates appropriately when the participant is facing sanctions for non-compliance, when seeking early termination of probation, or at the time of sentence execution should the participant be terminated from the program.

Probation

1. One case manager will be assigned to provide field supervision of up to 15 ASAC participants for the term of this Agreement, as funding permits, and will participate as active members of the Staffing Team.
2. Probation will provide supervision and case management services to the ASAC participants.
3. Probation will participate in weekly case reviews with the judge, treatment provider and ASAC staffing team.
4. Probation will provide progress reports to the staffing team on a weekly basis.

5. Probation will provide frequent, observed drug testing on a random basis.
6. Probation will participate as active members of the Steering Committee.

Faribault, Martin and Jackson County Law Enforcement Agencies

1. The Law Enforcement agencies serve as a liaison between the Steering Committee and the community and provide information to the Steering Committee on community issues related to drug or alcohol abuse.
2. The Law Enforcement agencies disseminate information, including the referral process about the ASAC program to all police personnel.
3. Law Enforcement will assist ASAC by performing Knock-N-Chats (compliance checks) weekly on all participants and report to the team results using the MIS system and attending staffing.
4. Law Enforcement will assist ASAC by completing urinalysis testing and PBT testing during compliance checks and assisting probation when needed.
5. A representative from the Law Enforcement agencies will participate as an active member of the Steering Committee.

Fifth Judicial Court

1. The Court will make at least a one-year assignment of a judge to the ASAC to ensure consistency.
2. The Court assumes the primary role to motivate and monitor the participants of the ASAC program.
3. The Court actively represents the ASAC in the community and appears before governmental agencies, public commissions, legislative hearings, public forums and the media.
4. The Court ensures a cooperative atmosphere for attorneys, clerks, case managers, and treatment providers to stay focused on the task of providing substance abusers with treatment opportunities.
5. The Court provides the necessary reinforcements which the Court deems necessary.
6. The assigned judges will participate as active members of the Staffing Team and Steering Committee.

ASAC Coordinator

1. The Court Coordinator assists the ASAC team with monitoring and evaluation of the ASAC when necessary.
2. The Court Coordinator assists in seeking funding sources, responds to grant solicitations, implements and monitors grant funds and provides fiscal, narrative and statistical information as required by the funding source to ensure the on-going operation of the program.
3. The Court Coordinator provides or seeks on-going training of judicial officers.
4. The Court Coordinator provides monthly strategic planning for the Steering Committee to ensure stability, support and on-going accountability for the ASAC program.
5. The Court Coordinator is responsible for the preparation of the annual report setting the incidence of recidivism among ASAC graduates.
6. The Court Coordinator provides leadership and direction under the supervision of the Presiding Judge to ensure compliance with National Standards set fourth by the National Association of Drug Court Professionals.

7. The Court Coordinator participates as an active member of the Staffing Team and Steering Committee.

Human Service and Treatment

1. The primary purpose of the Adult Substance Abuse Court is to increase public safety by treatment of drug addicted persons who commit crimes related to their use of alcohol or controlled substances. To that end, case processing is based upon the need to insure that chemical dependency treatment of addicted offenders is immediate upon entry into the criminal justice system in order to increase its effectiveness and to insure the most efficient use of the public monies available for rehabilitation. It is the goal of ASAC to refer offenders for chemical use evaluations within hours of their first appearance before the District Court. Upon completion of the chemical health assessment those eligible for treatment will have a referral made on the same day and placement will begin as soon as a program has an available opening. To enable this process, Faribault, Martin and Jackson County Human Services is committed to providing sufficient staffing to assure expedited assessments and treatment referrals. Human Service Representative participates as an active member of the Staffing Team and Steering Committee.

ASAC will be governed under the guidelines of 42 C.F.R. and HIPAA with respect of sharing information, filing information and its information systems.

Sharing of information (Pertinent Regulation: 42 C.F.R. § 2.12) and HIPAA

1. **Meetings:**

Discussions at ASAC staffing are confidential, not only for legal concerns but also to promote trust and fairness. If an outsider is permitted to attend a team staffing they will be requested to sign ASAC agreement promising to abide by the confidentiality provision of the law and this MOU. Under 42 C.F.R. Section 290dd-2 ASAC will obtain participant's consent for an outsider to attend said staffing.

When staffing meetings are videotaped to be used for training purposes, the tape will be edited to eliminate any names or other participant- identifying information.

2. **Rediscovery Provision Section 290dd-2:**

All parties of Faribault, Martin and Jackson Counties ASAC are bound by the redisclosure provisions of Section 290-2 which are congruent with the provisions governing initial disclosures. Consequently, any member of the team who receives covered information may only distribute that information in accordance with Section 290dd-2.

3. **Prosecution:**

The County Attorney agrees that a positive drug test or open court admission of drug possession or use will not result in the filing of additional charges based on that admission. A participant who commits these crimes may lose eligibility for the drug court program (among other sanctions) but should not be prosecuted for those crimes based on information that the state acquired through ASAC.

4. Sharing and refusing to share information:

ASAC encourages the free flow of information within the drug court team to promote our mission. Under Section 290dd-2 we acknowledge that members of ASAC may be subject to legal and ethical restriction on disclosure, which in some situations must be observed notwithstanding either the participant's Section 290dd-2 waiver or the likelihood that disclosed would benefit the court and the participant. Example: Mary tells ASAC's defense counsel that she has used drugs recently. That information is covered both by Section 290dd-2 and the defense counsel ethical duty of confidentiality as an attorney. Whether and to whom the ASAC defense counsel discloses that information is covered under the scope of JSCA consent signed by the participant and the applicability of various exceptions to those confidentiality requirements. ASAC acknowledges that these situations might occur and that it is not improper for members of the team to withhold information when they are required to do so.

5. File Storage and Information Systems Pertinent Regulations: 42 C.F.R.§ 2.16 and HIPAA

a. File Storage

Participant's files and all written information concerning the participants will be stored according to 42 C.F.R. Section 290dd-2.16. All written records and information will be stored in a locked file cabinet within a secured room. All records will be kept separate from other court records and will be labeled indicating that they are confidential and may only be viewed by members of the ASAC team. All ASAC team members and Court Administration staff will be educated on these procedures and the rationale behind them. Only ASAC team members will have access to said records and all information within these records will be used for the purposes of:

1. Referral to ASAC;
2. Referral to treatment;
3. Incentives and sanctions within ASAC Court process;
4. Evaluation (appropriate court orders will be obtained at such time of need);
5. Termination from ASAC

b. Information System

ASAC MIS system is also regulated under Section 290dd-2.16 and will be used for the same purposes of all written information. MIS records will be maintained on the Faribault, Martin and Jackson County shared drive, password protected and access limited to **current** ASAC team members. All information needed for the expressed purpose of evaluation will be obtained through appropriate court orders.

Finally, all files, written information and MIS programs will have limiting access to as expressed in the participant's signed consent and will be revoked upon the expiration of said consent, when that consent is revoked or upon completion of ASAC either by commencement or termination. All paper records that can be accessed by ASAC team members during the duration of the participant's consent will be transferred to a more restricted storage facility as soon as the consent is terminated. All MIS records will be sealed by changing the password and/or access authorization.

Adult Substance Abuse and Mental Health Initiatives Steering Committee

1. All parties agree to be represented in this group. This committee will be responsible for modifying and amending this Agreement. The Steering Committee will address problems and issues as identified and develop policy and program modifications.

AGREEMENT MODIFICATIONS

Any individual agency wishing to amend/modify this Agreement will notify the Steering Committee of the issue(s). The Steering Committee will address the issue(s) for purposes of modifying/amending the Agreement. The issue will be decided by consensus (if possible) or by simple majority, if not. **Exception: this excludes any modification to The Fifth Judicial District Court.**

COURT TERMINATION OF AGREEMENT

Individual agencies contemplating termination of their participation in this Agreement shall first notify the Steering Committee of their concern(s). The Steering Committee shall attempt to resolve the problem to ensure continuation of the ASAC program. If unable to resolve the problem the individual agency or department can exercise its right to terminate this Agreement by notifying, all other agencies in writing a minimum of 60 days prior to such termination.

IN WITNESS THEREOF, the parties have caused their duly authorized representatives to execute this Agreement.

Fifth Judicial District Court Judge
Martin County

Fifth Judicial District Court Judge
Jackson County

Fifth Judicial District Court Judge
Faribault County

Public Defender

Martin County Attorney

Faribault County Attorney

Jackson County Attorney

Probation

Faribault County Sheriff

Martin County Sheriff Department

Jackson County Sheriff

Substance Abuse Coordinator

Martin County Commissioner

Faribault County Commissioner

Jackson County Commissioner

Jackson Community Human Services

Martin Community Human Services

Faribault Community Human Services

Fairmont Police Department

Blue Earth Police Department

Jackson Police Department



**Faribault, Martin & Jackson County
Adult Substance Abuse Court
201 Lake Ave. Rm. 243
Fairmont MN 56031**

Phase I Contract

Name _____ Case # _____

In addition to the “General Terms of Probation” you will also be required to:

1. Report to the ASAC Probation Agent in person at least twice per week and/or as directed by Probation Agent.
2. Participate in a minimum of (9) hours of intervention per week, as detailed in treatment plan.
3. Complete CD assessment and follow recommendations.
4. Submit to (3) mandatory urine/alcohol tests per week, and submit to any random urine/alcohol test required by ASAC Probation Agent.
5. Attended and **observe** weekly review hearings.
6. Shall be under curfew from ___6___ PM until ___6___ AM.
7. Participate in pro-social Activities as directed by ASAC.
8. Other:

I understand and agree with the terms and conditions of the Phase I contract. Any violation of these conditions may result in possible detention and/or other sanctions.

Participant

ASAC Probation Officer

Judge

Date



**Faribault, Martin & Jackson County
Adult Substance Abuse Court
201 Lake Ave. Rm. 243
Fairmont MN 56031**

Phase II Contract

Name: _____ Case # _____

In addition to the “General Terms of Probation” you will also be required to:

1. Report to the ASAC Probation Agent in person at least once per week and/or as directed by Probation Agent.
2. Participate in a minimum of (6) hours of intervention per week, as detailed in treatment plan.
3. Submit to (2) mandatory urine/alcohol tests per week, and submit to any random urine/alcohol test required by ASAC Probation Agent.
4. Attend and **observe** minimum of (3) review hearings per month.
5. Complete or actively involved in completing community service if assigned.
6. Full time school/employment of positive response to education/vocational goals.
7. Participate in pro-social Activities as directed by ASAC.
8. Shall be under curfew from ___8___ PM until ___6___ AM.
9. Other _____

I understand and agree with the terms and conditions of the Phase II contract. Any violation of these conditions may result in possible detention and/or other sanctions.

Participant

ASAC Probation Officer

Judge

Date



**Faribault, Martin & Jackson County
Adult Substance Abuse Court
201 Lake Ave. Rm. 243
Fairmont MN 56031**

Phase III Contract

Name: _____ Case # _____

In addition to the “General Terms of Probation” you will also be required to:

1. Report to the ASAC Probation Agent in person at least twice monthly and/or as directed by Probation Agent.
2. Participate in a minimum of (4) hours of intervention per week, as detailed in treatment plan.
3. Submit to (2) mandatory urine/alcohol tests per week, and submit to any random urine/alcohol test required by ASAC Probation Agent.
4. Attend and **observe** at least (2) review hearings per month.
5. Participate in Volunteer Project: This involves volunteer work at a non-profit agency.
6. Full time school/employment of positive response to education/vocational goals.
7. Participate in Pro-social Activities as directed by ASAC.
8. Shall be under curfew from 10 PM until 6 AM.
9. Other _____

I understand and agree with the terms and conditions of the Phase III contract. Any violation of these conditions may result in possible detention and/or other sanctions

Participant

ASAC Probation Officer

Judge

Date



**Faribault, Martin & Jackson County
Adult Substance Abuse Court
201 Lake Ave. Rm. 243
Fairmont MN 56031**

Phase IV Contract

Name: _____ Case # _____

In addition to the “General Terms of Probation” you will also be required to:

1. Report to the ASAC Probation Agent in person at least once per month and/or as directed by Probation Agent.
2. Participate in a minimum of (2) hours of intervention per week, as detailed in treatment plan.
3. Submit to (2) mandatory urine/alcohol test per week, and submit to any random urine/alcohol test required by ASAC Probation Agent.
4. Attend and **observe** one review hearing per month.
5. Participate in Volunteer Project: This involves volunteer work at a non-profit agency.
6. Participate in Pro-social Activities as directed by ASAC.
7. Full time school/employment of positive response to education/vocational goals.
8. Shall be under curfew from __11__ PM until __5:30__ AM
9. Other _____

I understand and agree with the terms and conditions of the Phase IV contract. Any violation of these conditions may result in possible detention and/or other sanctions.

Participant

ASAC Probation Officer

Judge

Date



**Faribault, Martin & Jackson County
Adult Substance Abuse Court
201 Lake Ave. Rm. 243
Fairmont MN 56031**

Participation Agreement

Name: _____

File No: _____

I understand that I have been accepted to participate in the FMJ Multi-County Adult Substance Abuse Court (Drug Court) Program. I will be under the supervision of the Drug Court Judge and the Department of Corrections (Probation). I understand that if I am terminated from the program I may be sentenced in accordance with the plea agreement or, if there is no plea agreement, in accordance with the allowable sentence authorized by law. I understand that I must consent to the following:

1. I agree to participate in alcohol and/or other drug treatment as directed by the court, including self-help meetings (such as AA or NA), as set forth in my treatment plan and that I will provide verification of attendance. I understand that compliance with treatment recommendations is mandatory.
2. I agree to cooperate with and comply with the directives of the Drug Court Program, probation staff and treatment providers.
3. I agree to attend all treatment meetings, court dates and other scheduled appointments and I will be on time. If I am unable to attend I will call the provider I am seeing and my probation agent at least two hours in advance.
4. I understand that failure to appear for a court date or any other breach of this agreement will result in the issuance of a bench warrant. I am responsible for transportation in order to fulfill the terms of the Drug Court Program.
5. I agree to sign any and all consent forms waiving confidentiality of any medical, mental health treatment or social service records. I further agree to sign any and all releases which will allow the Drug Court team to review diagnostic and treatment information. I understand that while I am a drug court participant such consents are irrevocable.
6. I agree that in order to achieve and maintain sobriety I need to have a permanent and stable residence that supports a sober lifestyle. I shall notify the Drug Court Probation Agent before I change my address or phone number.
7. I agree to remain in my residence during the hours specified in my case plan. In the event of an emergency I will notify my Probation Agent immediately or as soon as possible.
8. I understand that I shall not use, possess or associate with any person(s) who use or possess any controlled substance or illegal drugs.

9. I will not have in my possession or under my control any paraphernalia or drugs not prescribed to me by a licensed physician.
10. I will not use any prescribed or over the counter mood-altering substance except as prescribed to me by a licensed physician with the full knowledge of my addiction and participation in drug court.
11. I will not distribute nor sell any legal or illegal mood-altering substances.
12. I will not attend any program under the influence of alcohol or any illicit drug or legal drug not prescribed to me.
13. I agree that I will not use or possess alcoholic beverages nor enter establishments that derive their principal income from the sale of alcoholic beverages.
14. I agree to abide by the FMJ ASAC Medication Contract.
15. I agree to abide by the FMJ ASAC Drug Testing Policy.
16. I understand that I shall not use or possess a firearm nor enter an establishment or home where they would be available to me. Further, I understand I shall not attend any program in possession of a weapon of any form, firearms, knives, box cutters, etc.
17. I agree to participate in the Drug Court Program until successfully discharged from all phases of the program including in-patient and out-patient treatment.
18. I agree to participate in any educational, medical, treatment or rehabilitation program ordered by the Drug Court to help maintain my sobriety and maintain a law-abiding lifestyle.
19. I agree to perform forty (40) hours of structured activity per week, such as actively seeking or maintaining employment, attending school/job training, performing unpaid alternative community work assignments or any other activity approved by my Drug Court Probation Agent. I will provide verification of 40 hours of activity per week.
20. I recognize that by Phase 3 I am expected to have full-time employment, full-time school, or a combination of the two, including work on a GED if appropriate. I will provide proof of employment or employment search to my probation agent. I will notify my probation agent within 48 hours of any new employment or changes in employment.
21. I agree to abide by the rules and regulations of probation supervision and any special conditions ordered by the court including community work service or STS.
22. I will pay any fees or fines as directed by the court and will have an opportunity to “earn down” some fees for excellent program participation.
23. I agree to inform the Drug Court Probation Agent and treatment provider of any new arrests, summons or any other situation that may impact my probation. I understand any arrest or contact with law enforcement must be reported to my probation agent within 24 hours.

24. I agree that I am subject at any time to a search conducted by a representative of the Corrections Department and/or Drug Court, which includes any law enforcement representative, without a warrant, of my person, place of residence, vehicle or other personal or real property.
25. I will make satisfactory progress in the program as measured by each phase's requirements.
26. I agree that my participation in the Drug Court Program shall be terminated if I fail to make satisfactory progress toward completion of the program.
27. I agree that my participation in the Drug Court Program may be terminated if I am rearrested, test positive for drugs or alcohol or fail to meet any of my court ordered obligations.
28. I understand that the Court can impose sanctions, including county jail time, rather than terminate my participation in the program. I understand that sanctions may be increased and may include termination from the program.
29. I understand that I have a right to an attorney during court proceedings which include plea, sentence and any violation which could lead to termination of participation in the Drug Court Program. If I am unable to afford an attorney I may be eligible for public defender representation. I further understand that if I have any questions concerning Drug Court I should discuss them with my attorney.
30. I will not travel outside the Faribault, Martin and Jackson County area without first receiving permission from my Drug Court Probation Agent. Further, I understand that if I leave the state extradition proceedings may be initiated to return me to Minnesota from any jurisdiction in or outside of the United States. By signing this document, I agree to waive extradition and do waive extradition to return to Minnesota from any jurisdiction in or outside the United States of America.
31. I will not act as a confidential informant while I am a participant in FMJ's Adult Substance Abuse Court.
32. I have received a copy of the FMJ ASAC participant manual and have reviewed it with the ASAC Coordinator.

Participant Signature

Date

Drug Court Judge Signature

Date

STATE OF MINNESOTA
COUNTY OF FARIBUALT, MARTIN
& JACKSON

DISTRICT COURT
FIFTH JUDICIAL
DISTRICT

IN THE MATTER OF _____ COURT FILE # _____

ASAC Court Order
THE FOLLOWING CONDITIONS APPLY:

- Said adult shall follow all rules and regulations of the Department of Correction and the FMJ-ASAC Drug Court
- Said adult shall complete _____ hrs of community service work by _____.
- Said adult shall be placed on electronic home alcohol monitor.
- Said adult is placed on House arrest under the following conditions _____
- Said adult shall be held in secure detention at _____ until the next hearing. The County Sheriff's Dept. shall transport said adult to the facility and to the next hearing.
- Said adult's curfew shall be _____.
- Said adult shall have no contact, direct or indirect, in person, in writing, or by telephone with: _____
- Said adult shall attend Sobriety Support Meetings weekly.
- Said adult is ordered to complete a _____ program at _____.
- Said adult shall complete a psychological/chemical use assessment/_____ by_____.
- Said adult shall complete a treatment program at: _____.
- Other: _____

Date: _____

District Court Judge

MY SIGNATURE ACKNOWLEDGES THAT I HAVE READ THE FOREGOING AND UNDERSTAND THE TERMS AND CONDITIONS OF THE COURT ORDER. I UNDERSTAND THAT A VIOLATION OF THIS ORDER OR NON-APPEARANCE AT MY NEXT COURT DATE IS A CONTEMPT OF COURT AND WILL BE CAUSE FOR ARREST AND/OR FORFEITURE OF BAIL, AND MAY ALSO CONSTITUTE A CRIMINAL OFFENSE PURSUANT TO M.S. 609.49.

Date: _____

Participant's Signature

STATE OF MINNESOTA
DISTRICT COURT

COUNTY OF FARIBUALT, MARTIN, AND/OR JACKSON

FIFTH JUDICIAL
DISTRICT

In The Matter of:

**WAIVER OF
PROBATION
VIOLATION HEARING**

File No.

1. I have been told by my attorney and I understand that as an adult on probation whenever there are allegations that I have violated the terms of my probation I have a right to a violation hearing.
2. I have been told by my attorney and I understand that at the hearing the State has the burden of proving by clear and convincing evidence that I have violated the terms of my probation. I have the right to confront witnesses, subpoena my witnesses and testify at the hearing if I choose.
3. I have been told by my attorney and I understand that in ASAC Court I will not have a formal hearing if it is alleged that I violated any of the terms of my Drug Court probation.
4. I have been told by my attorney and I understand that if the members of the ASAC Court determine that I have violated any condition of my ASAC Court Probation, the ASAC Court Judge can impose a consequence on me, which could include among other things a short stay in the jail or electronic home monitoring. I understand that I can be heard at this hearing and my attorney will be present, but the ASAC Court Judge will make the final decision. I understand that if I am terminated from ASAC Court, my case will return to Faribault, Martin or Jackson County Court where I would have a right to a probation violation hearing.
5. I have read this document, or my lawyer has read it to me, and I understand it. By signing this waiver I am telling the court that I understand the rights I am giving up and that I wish to be accepted into ASAC Court.

Date: _____

Defendant

Date: _____

Defendant's Attorney



**Faribault, Martin & Jackson County
Adult Substance Abuse Court
201 Lake Ave. Rm. 243
Fairmont MN 56031**

Coordinator Court Sheet

Participant Name: _____

Date: _____

FIRST TIME IN COURT:

- Welcome to program
- Explain Journal
- Explain Support Meeting Verification
- Give key ring

DRUG COURT HEARING:

Today you have _____ days sobriety in the program	
Attending Sobriety Support Meetings or other approved support group	<input type="checkbox"/> Yes <input type="checkbox"/> No
Attending treatment/Case Management and other Appointments	<input type="checkbox"/> Yes <input type="checkbox"/> No
Abiding by Curfew	<input type="checkbox"/> Yes <input type="checkbox"/> No
Forty Hours Structured Activity	<input type="checkbox"/> Yes <input type="checkbox"/> No
Team recommendations	
Awards	<input type="checkbox"/> Yes <input type="checkbox"/> No Small fish bowl meeting criteria <input type="checkbox"/> Yes <input type="checkbox"/> No Large fish bowl
Sanctions	
Personal	

MEDICAL RELEASE

My name is _____. My date of birth is _____

My address is _____

- 1) I understand that in order to be considered for participation in ASAC Court, I must allow my medical and treatment providers to furnish medical information about me to the Faribault, Martin and Jackson Multi-County ASAC Court for as long as I am participating in ASAC Court.
- 2) I understand that the purpose of releasing this medical information is for the Faribault, Martin and Jackson Multi-County ASAC Court to determine my eligibility for the program, to determine the proper treatment placements and regiment, and to judge my progress in the programs.
- 3) While much information is shared in court where others may hear it I understand that private health information will not be shared in court.
- 4) I understand that I may revoke this authorization for the release of medical information at any time through a written notice that my attorney would provide. However, I understand that if I revoke the authorization, I will be discharged from the ASAC Court program and my case will be returned to Adult Court for further disposition.
- 5) I have read and/or have been read to me the above document and I understand it. By signing this waiver, I am telling the court that I understand the rights I am giving up and that I wish to be accepted into ASAC Court.

Date _____

_____ Defendant

Date _____

_____ Witness



**MINNESOTA
JUDICIAL BRANCH**
FIFTH JUDICIAL DISTRICT

**Faribault, Martin and Jackson County Drug Court
CONSENT FOR THE RELEASE OF PRIVATE MENTAL HEALTH, ALCOHOL OR
DRUG, LAW ENFORCEMENT AND COUNTY HUMAN SERVICES INFORMATION**

I, _____, DOB: ____/____/____, authorize the Faribault, Martin and Jackson County Drug Court Team and representatives of the following agencies:

1. My alcohol or drug treatment provider(s)
2. Mental health agencies or provider(s), including:
3. My medical care provider(s), including:
4. County Human Services Case Manager(s) and supervisors
5. County or Department of Corrections probation agent(s)
6. Service providers for alcohol and drug testing
7. County Sheriff's Department and local Police Department representatives
8. Faribault, Martin and Jackson County Drug Court Evaluator
9. District Court Judge
10. Problem Solving Court Coordinator
11. County Attorney's Office
12. Defense Counsel
13. Other: _____
14. Other: _____
15. Other: _____

To communicate with and disclose to one another the following information:

- My name and other personal, identifying information;
- My status as a patient in alcohol/drug treatment and mental health services, including attendance;
- My status as a client of County Human Services;
- My status as a participant in the drug court;
- Information pertinent to child removal, custody and reunification issues, if applicable;
- My drug court plan and summaries of my progress in reaching treatment plan goals;
- Initial and subsequent evaluations of my service needs by my medical care provider;
- Summaries of alcohol/drug and mental health assessment results and history;
- Discharge plan(s) for alcohol/drug treatment and mental health services;
- Date of discharge from alcohol/drug treatment and mental health services, and discharge status;
- Contact with any law enforcement agency during my participation with the court;

- Information and data collected during and after my participation with drug court to be used for research and evaluation purposes;

Other: _____

Other: _____

Other: _____

The purpose of the disclosure authorized in this consent is to: *enable the drug court and its members to evaluate my need for services from the drug court and its members and coordinate the drug court and its members' services to me.*

I know and understand that private health information disclosed pursuant to this authorization may be re-disclosed to other parties only with a further release of information. Records concerning mental health services are protected by state law.

The confidentiality of my alcohol and drug treatment records are protected under the federal regulations governing Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2, and can be disclosed only with a further written release of information unless otherwise provided for in the regulation as follows:

- (1) The disclosure is allowed by a court order.
- (2) The disclosure is made to medical personnel in a medical emergency.
- (3) The disclosure is made to qualified personnel for research, audit or program evaluation.
- (4) Federal laws and regulations do not protect any information about suspected child abuse or neglect from being reported under State law to appropriate State or local authorities.
- (5) Federal law and regulations do not protect any information about a crime committed by a patient either at the program or against any person who works for the program or about any threat to commit such a crime.

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.

I am under no obligation to sign this authorization; however I understand that without my signature I will not be eligible for drug court. This authorization may only be revoked once I am discharged from drug court. This authorization expires twelve (12) months from the date of my discharge (graduation or termination) from drug court.

Participant Signature

Date

Witness Signature

Date



**Faribault, Martin & Jackson County
Adult Substance Abuse Court
201 Lake Ave. Rm. 243
Fairmont MN 56031**

ASAC Medication Contract

1. I will inform all medical professionals that I am a drug court participant and not permitted to take any narcotic medication unless the prescribing medical professional makes the decision to prescribe such a medication to me with full knowledge of my addiction and participation in ASAC. This will be proven through use of the Medical Confirmation Form.
2. If a narcotic is prescribed, I will contact my probation agent immediately.
3. I understand I am responsible for informing and providing documentation of all prescription medications I am taking or may take. I am also responsible for notifying my Drug Court Probation Agent if there are any changes to any and all prescriptions.
4. I understand the ASAC reserves the right to limit me to seeing one primary medical professional.
5. I will fill prescriptions at one pharmacy of my choosing, _____, unless an emergency were to arise and this pharmacy were not available to me. In that situation I will inform my probation agent by calling and leaving a message informing her of the situation.
6. I understand that I shall inform my Drug Court Probation Agent of any over-the-counter medications that I am using or may be using. The medications must be non-addictive and not contain alcohol (i.e. mouthwash, cough syrup, etc.). I am responsible for verifying with a pharmacy or medical professional that these medications are non-addictive and do not contain alcohol.
7. If I am given a prescription and decide against taking it or do not take the entire amount prescribed, I will ask my probation agent how to destroy the remaining amount of the prescription.
8. If directed by your probation agent, treatment provider or court I will make my prescription available in order to count the number of pills from the date the prescription was filled.
9. Once the prescription has expired or by the time all pills should have been used, none of the pills will be in my possession. A positive test after that time because I took "left over" medication will be considered a positive test and appropriately sanctioned.

Participant

Judge

Probation Officer

Date

5/31/13



**Faribault, Martin & Jackson County
Adult Substance Abuse Court**
201 Lake Avenue, Suite 243
Fairmont MN 56031
(507) 238-3226 / FAX (507) 238-1913

DRUG TESTING GUIDELINES & CONSENT

FREQUENCY AND TESTING LOCATION:

You are required to call the Drug Testing Hotline on a daily basis. Please listen to the pre-recorded message for testing information for that day.

You must call the hotline each day between 6:00 am and 12:00 pm (noon) in order to check if you were randomly selected to provide a urine sample.

The testing hotline number is: 507-697-0538. Your code for the hotline is _____.

When your code is selected, you must report to: **Martin County Jail** according to the following daily schedule:

Martin County Jail = Monday through Sunday (7 days per week):

7:00 am – 8:00 am **OR** 1:00pm – 2:00pm **OR** 5:30pm – 6:30pm

SCOPE OF TESTING (WHICH DRUGS TO SCREEN)

Unless otherwise specified by ASAC, the screening will normally be specific to, although not limited to, substances indicated in my chemical use history, or; other information received indicating the need to screen for a specific substance.

REPORTING AND USE OF RESULTS

Drug test results (positive and negative) will be reported to the ASAC team and your probation agent. Drug testing results are to be used as an integral part of the program and may be released to the ASAC Team and other individuals or agencies only as designated in a consent to release information.

The following are considered Positive Tests and will be reported to the court as such:

- 1) Testing positive for a legal or illegal mood altering substance
- 2) Missing a test without permission
- 3) Adulteration of any sort (including flushing/dilution)
- 4) Failure to provide a urine specimen of sufficient quantity will be considered a stall and treated as a positive test
- 5) Failure to provide a urine specimen within a reasonable amount of time (usually 15 minutes)
- 6) Refusal to take a test

CONFIDENTIALITY

I understand that any disclosure made is bound by Part 2 of Title 42 of the Code of Federal Regulations which govern the confidentiality of this report and patient records and that this information may be redisclosed only with a further release to share information.

CONSENT

I agree to submit to a random drug test when requested to do so by any representative of the ASAC Program. I consent to laboratory testing, including but not limited to Poly-Drug Screens, Breath Analysis, Urinalysis, Sweat and Saliva Tests for mood-altering drugs and alcohol content (EtG/EtS). Before scientific evidence such as this can be admitted in court

proceedings there is a general requirement that the testing procedure be generally accepted in the scientific community and that the evidence have foundational reliability. I have discussed this with my attorney and I waive any objection to the admissibility of these test results in any court proceeding related to drug court and specifically agree that the results may be received into evidence.

I have read and understand the information above, and agree to FMJ FDTC's drug testing guidelines.

Participant Signature

Date

ASAC Coordinator Signature

Date



**Faribault, Martin & Jackson County
Adult Substance Abuse Court
201 Lake Ave. Rm. 243
Fairmont MN 56031**

Medical Confirmation Form

This form is designed to create accountability between your physician or prescribing professional, the ASAC, and you. Open communication with your physician or prescribing professional about your chemical dependency and addiction issues will support long term recovery. Please complete this form and obtain your physician's or prescribing professional's signature below. Return this form along with a list of currently prescribed medications to drug court staff.

I have made my physician/professional aware of my chemical dependency issue:

Participant's signature

As _____'s physician or prescribing professional, I have been
Participant's name

informed of his or her chemical dependency issues and addictive behaviors.

Physician/prescribing professional's name:

Physician/prescribing professional's signature:

Date: _____

Please know that staff members from the Adult Substance Abuse Court (drug court) are available to attend medical appointments as necessary to assist with accountability and communications in regards to medical and medication needs.

If you have any questions or concerns, please contact Angela Sundeen, ASAC probation agent, at 507-399-7100. Thank you for your assistance in supporting the goal of accountability and long-term recovery for our participants.



**Faribault, Martin & Jackson County
Problem Solving Courts**

Doctor Card

*printed 4 to a page
5.31.13*

I am a drug court participant

Name _____ Date of Birth _____

I am a member of the FMJ Drug Court and am on probation. I have an addiction to drugs and/or alcohol and am responsible to acknowledge this to medical staff attending to me.

I am not permitted to take any **NARCOTIC** medication unless the Treating Medical Provider signs this form. That signature would indicate that no other medications could be used to treat this condition.

Please feel free to call my probation agent, Angela Sundeen (507-399-7107), if there are any questions or concerns.

Treating Medical Provider Signature _____ Date _____

Treating Medical Provider Printed Name _____ Date _____



Probation Agent:
Angela Sundeen
Phone: 507-399-7107
Fax: 507-399-7109
923 N. State St. Suite 160
Fairmont MN 56031

Notes: _____



**Faribault, Martin & Jackson County
Adult Substance Abuse Court
201 Lake Ave. Rm. 243
Fairmont MN 56031**

ALCOHOL TESTING AND SUBSTANCE EXPOSURE CONTRACT

Recent advances in the science of alcohol detection in urine have greatly increased the ability to detect even trace amounts of alcohol consumption. In addition, these tests are capable of detecting alcohol ingestion for significantly longer periods of time after a drinking episode. Because these tests are sensitive, in rare circumstances, exposure to non-beverage alcohol sources can result in detectable levels of alcohol (or its breakdown products). In order to preserve the integrity of the ASAC program it has become necessary for us to restrict and/or advise ASAC participants regarding the use of certain alcohol-containing products.

It is **YOUR** responsibility to limit your exposure to products and substances detailed below that contain ethyl alcohol. It is **YOUR** responsibility to read product labels, to know what is contained in the products you use and consume and to stop and inspect these product labels, to know what is contained in the products you use and consume and to stop and inspect these products **BEFORE** you use them. *Use of the products detailed below in violation of this contract will NOT be allowed as an excuse for a positive test result.*

When in doubt, don't use, consume or apply.

Cough syrups and other liquid medications: Drug court participants are prohibited from using alcohol-containing cough/cold syrups, such as Nyquil. Other cough syrup brands and numerous other liquid medications, rely upon ethyl alcohol as a solvent. Drug Court participants are required to read product labels carefully to determine if they contain ethyl alcohol (ethanol). All prescription and over-the-counter medications should be reviewed with your case manager before use. Information on the composition of prescription medications should be available upon request from your pharmacist.

Non-Alcoholic Beer and Wine: Although legally considered non-alcoholic, NA beers (e.g. O'Douls, Sharps) do contain a residual amount of alcohol that may result in a positive test result for alcohol if consumed. Drug Court participants are **NOT** permitted to ingest NA beer or NA wine.

Food and Other Ingestible Products: There are numerous other consumable products that contain ethyl alcohol that could result in a positive test for alcohol. Flavoring extracts, such as vanilla or almond extract (in raw, uncooked form), and liquid herbal extracts (such as Ginko Biloba), could result in a positive screen for alcohol or its breakdown products. Communion wine, food cooked with wine and flambé dishes must be avoided. Read carefully the labels on any liquid herbal or homeopathic remedy and do not ingest without approval from your case manager.

Mouthwash and Breath Strips: Most mouthwashes (Listermint, Cepacol, etc.) and other breath cleansing products contain ethyl alcohol. The use of mouthwashes containing ethyl alcohol can produce a positive test result. Drug Court participants are required to read product labels and educate themselves as to whether a mouthwash product contains ethyl alcohol. Use of ethyl alcohol-containing mouthwashes and breath strips by Drug Court participants is not permitted. Non-alcohol mouthwashes are readily available and are an acceptable alternative. If you have questions about a particular product, bring it in to discuss with your case manager.

Hand Sanitizers: Hand sanitizers (such as Purell) and other antiseptic gels and foams used to disinfect hands contain up to 70% ethyl alcohol. Excessive, unnecessary or repeated use of these products could result in a positive urine test. Hand washing with soap and water are just as effective for killing germs.

Hygiene Products: Aftershaves and colognes, hair sprays and mousse, astringents, insecticides (bug sprays such as Off) and some body washes contain ethyl alcohol. While it is unlikely that limited use of these products would result in a positive test for alcohol (or its breakdown products), excessive, unnecessary or repeated use of these products could affect test results. Participants must use such products sparingly to avoid reaching detection levels. It is incumbent upon each participant to limit their use of topically applied (on the skin) products containing ethyl alcohol.

Solvents and Lacquers: Many solvents, lacquers and surface preparation products used in industry, construction and the home contain ethyl alcohol. Both excessive inhalation of vapors and topical exposure to such products can potentially cause a positive test result for alcohol. As with the products noted above, Drug Court participants must educate themselves as to the ingredients in the products they are using. There are alternatives to nearly any item containing ethyl alcohol. Frequency of use and duration of exposure to such products should be kept to a minimum. A positive test result will not be excused by reference to use of an alcohol-based solvent. If you are in employment where contact with such products cannot be avoided, *you need to discuss this with your case manager.* Do not wait for a positive test result to do so.

Poppy Seeds – I will not eat foods that contain poppy seeds.

Inhalants – The ASAC reserves the right to prohibit possession of certain substances that could be used for inhaling/huffing, such as air duster and various solvents.

Remember – when in doubt, don't use, consume or apply!

I HAVE READ AND UNDERSTAND MY RESPONSIBILITIES

Participant

Date

Witness

Date

Thank you to the Dearborn, Michigan Drug Court program and Paul Cary for the concept of and draft of much of this contract.

Drug Court ASAC Compliance Checklist

Please UA/PBT and check for compliance for curfews and specials conditions as listed. The standard chain of custody for UA's should be used: sample is taken. If a positive, contact PO at (507) 238-3215. *Please fax this sheet to Lt. Del Ellis at 507- 238-1093*

Participant Name:	
Address:	
Phone:	
Curfew:	
<u>Officer Report</u> Date: _____ Officer Name: _____	UA <input type="checkbox"/> Pos _____ <input type="checkbox"/> Neg PBT <input type="checkbox"/> Pos _____ % <input type="checkbox"/> Neg <u>Comment:</u>
<u>Officer Report</u> Date: _____ Officer Name: _____	UA <input type="checkbox"/> Pos _____ <input type="checkbox"/> Neg PBT <input type="checkbox"/> Pos _____ % <input type="checkbox"/> Neg <u>Comment:</u>
Participant Name:	
Address:	
Phone:	
Curfew:	
<u>Officer Report</u> Date: _____ Officer Name: _____	UA <input type="checkbox"/> Pos _____ <input type="checkbox"/> Neg PBT <input type="checkbox"/> Pos _____ % <input type="checkbox"/> Neg <u>Comment:</u>



Faribault, Martin and Jackson ASAC Journal Sheet

NAME:	DOB:	age
Offense:	Offense date:	
File:		
Commit Time:		

Phase 1: 7/17/2007 Phase 2 : Phase 3: Phase 4:
 (first drug court date)

Sobriety date _____ (day of 1 st drug court appearance or two clean tests) 30 days sobriety _____ 60 days sobriety _____ 90 days sobriety _____ 6 mo sobriety _____ 9 months sobriety _____ 180 day _____
--

LSI Scores: Phase 1: date/score ____ ____ Phase 3: date/score _____ / _____
 Phase 4: date/score _____ / _____

<i>Court Date</i>
<i>Short Term Goals:</i>
<i>Journal Notes</i>
Next Court Appearance



**Faribault, Martin & Jackson County
ASAC
201 Lake Ave. Rm. 243
Fairmont MN 56031**

Participant's Weekly Progress Report

Name: _____ Judge: _____

Probation Officer: _____

Please describe your progress since your last court appearance:

Education: _____

Employment: _____

Family: _____

Friends/Recreation: _____

Groups: _____

Meetings/Additional Program Requirements: _____

Feelings about self: _____

Additional Comments: _____

Signature

Date



**MINNESOTA
JUDICIAL BRANCH**
FIFTH JUDICIAL DISTRICT

Blue Earth County Drug Court Team Member Confidentiality Agreement

I, _____, understand that I am a participating member of the Blue Earth County Adult Drug Court Team.

I understand that I will have access to highly sensitive and/or confidential information which is protected under Federal Rule 42 CFR, Part 2, 45 CFR. Parts 160-164, Minnesota Statutes, §13.46 (applicable only to non-Judicial Branch personnel and entities), and other federal and state laws.

I understand that unauthorized release of this information is punishable as a criminal offense. I agree to keep all information about drug court cases and any/all discussion of the drug court participants strictly confidential at all times, even after termination of my participation as a member of the adult drug court team.

The term “Confidential Information” means any and all identifying information pertaining to the Drug Court participants’ eligibility and or acceptability for substance abuse treatment services, treatment attendance, prognosis, compliance, toxicology results and progress notes in accordance with drug court monitoring criteria.

Notwithstanding the foregoing, the term confidential information shall not apply to information that the drug court has voluntarily disclosed to the public without restriction, or which has otherwise lawfully entered the public domain.

Signature

Date

Witness Signature

Date

State of Minnesota Fifth Judicial District



**MINNESOTA
JUDICIAL BRANCH**
FIFTH JUDICIAL DISTRICT

**Faribault, Martin and Jackson County Drug Court CONFIDENTIALITY
AGREEMENT FOR COURT VISITORS**

I _____, understand that I am:

- an invited guest of the Faribault, Martin and Jackson County Drug Court for the purpose of observing the Court’s process and procedures. I understand that these proceedings are confidential and that information from the drug court case and treatment provider records will be discussed and that these records are used for the purpose of assessing the needs of the drug court participants, creating treatment plans, and monitoring participation.

- an adjunct member of the Faribault, Martin and Jackson County Drug Court Team for the purposes of advising the District Court and the drug court team of contacts with the drug court participant, _____, and his/her family members. I understand that these proceedings are confidential and that information from the drug court case and treatment provider records will be discussed and that these records are used for the purpose of assessing the needs of the drug court participants, creating treatment plans and monitoring participation.

I further understand that I may hear information that is highly sensitive and legally protected information under Federal Rule 42 CFR, Part 2, 45 CFR. Parts 160-164, Minnesota Statutes, §13.46, and other federal and state laws.

I understand that unauthorized release of this information is punishable as a criminal offense. I agree to keep all information about the drug court cases, caseworkers, and any/all discussion of the participants in the drug court program strictly confidential at all times, even after termination of my observation of drug court proceedings.

Signature Date

Witness Date

Effective from _____ to _____



**Faribault, Martin & Jackson County
Adult Substance Abuse Court
201 Lake Ave. Rm. 243
Fairmont MN 56031**

Drug Court Fees

The ASAC charges \$1,500 for its 18-month program. Participants earn credit towards this fee in a number of ways. Credits are as follows:

Phase 1 Completion	\$15	There are other ways to earn money off your fees. Occasionally you may draw a \$5 credit from the small fishbowl. Once per month a \$50 credit is given from the large fishbowl.
Primary Treatment Completion	\$15	
Level 1 of Treatment Completion	\$25	
30 Days Sobriety	\$10	
60 Days Sobriety	\$10	
90 Days Sobriety	\$25	
6 Months Sobriety	\$40	
Phase 2 Completion	\$25	
Level 2 of Treatment Completion	\$35	
Phase 3 Completion	\$50	
9 Months Sobriety	\$50	
1 Year Sobriety	\$100	
Level 3 of Treatment Completion	\$75	
18 Months Sobriety	\$75	
Graduation	\$100	
<hr/>		
Total	\$650 credits	

Owed to ASAC: \$850 - \$450 must be paid out of pocket

If a participant is terminated from the ASAC program, he or she is still required to pay any fees owed to the program, though only for the time the participant was in the program. Collections and revenue recapture will be pursued if necessary.



**Faribault, Martin & Jackson County
Adult Substance Abuse Court
201 Lake Ave. Rm. 243
Fairmont MN 56031**

Alcohol/Drug Use Admission Form

Date: _____

Case Manager _____

Participant Name _____ **DOB** _____

I, _____, admit that I have used the following mood altering
chemicals/alcohol _____ on or about
the following dates _____ during my current period of
supervision.

I was afforded the opportunity to provide a urine sample to confirm this use, but elected to admit
using the above listed substances.

I understand that my admission of use in this form may be used by the Drug Court to sanction me.

Witness Signature _____ **Date** _____

Case Manager Signature _____ **Date** _____



**Faribault, Martin & Jackson County
Adult Substance Abuse Court
201 Lake Ave. Rm. 243
Fairmont MN 56031**

**CONSENT FOR DISCLOSURE OF CONFIDENTIAL MENTAL HEALTH
TREATMENT INFORMATION**

Participant Name: _____ **DOB:** _____

I hereby consent to communication between the FMJ Adult Substance Abuse Court (ASAC) Mental Health Professional and my current mental health provider:

Agency/Therapist: _____

I further consent to communication between the FMJ ASAC Mental Health Provider and the FMJ ASAC team, consisting of: District Court Judge, the County Attorney's Office, Defense Counsel, Human Services, Probation, Substance Abuse Treatment Provider, Law Enforcement and FMJ staff/team members.

The purpose and need for this disclosure is to inform the Court and the other above-named parties of the following information:

- Mental Health Treatment Records and Evaluations
- Attendance Records
- Progress Reports/Discharge Summary

Disclosure of this confidential information may be made **ONLY** ** as necessary for, and pertinent to, hearings, case management and/or reports concerning _____.

** This release does not apply to suspicion of child abuse or neglect or sexual assault.

I understand that this consent will remain in effect for two (2) years. This consent may be revoked in writing; however I further understand that such a withdrawal of consent will result in termination from the Adult Substance Abuse Court.

I understand that any disclosure made is bound by Part 2 of Title 42 of the Code of Federal Regulations, which governs the confidentiality of substance abuse client records, and that recipients of this information may re-disclose it only in connection with their official duties with a further written release of information.

Date: _____

Signature of Client

Witness



MINNESOTA JUDICIAL BRANCH

FIFTH JUDICIAL DISTRICT

DRUG COURT INSURANCE DOCUMENTATION

Name:	DOB: / /
County of Residence: Blue Earth	Court File #: -CR- -
Case Manager Name (<i>if applicable</i>):	
Phone Number:	

To ensure that any mental health services ordered by the drug court are paid for, please indicate whether or not you have coverage for these services (please check any that apply):

<input type="checkbox"/> Medical Assistance coverage (<i>not one of the Prepaid-Medical Assistance Plans listed below</i>) ID#
<input type="checkbox"/> Medical Assistance / <input type="checkbox"/> MinnesotaCare through one of following Prepaid-Medical Assistance Plans: <input type="checkbox"/> Blue Plus or Secure Blue <input type="checkbox"/> South Country Health Alliance <input type="checkbox"/> UCare <input type="checkbox"/> PrimeWest Health <input type="checkbox"/> Medica <input type="checkbox"/> I'm enrolled in a health plan but forgot which one <input type="checkbox"/> I receive care coordination services through my health plan (MSHO, MSC+, SNBC)
If you become ineligible for Medical Assistance while in drug court, assistance with certain mental health services may be available if you use a mental health provider contracted with the Fifth Judicial District. This does not apply if you become ineligible for Medical Assistance because you failed to complete an eligibility review. In that case you will be required to prove that you reapplied for Medical Assistance and were found ineligible for other reasons to access mental health services funds from the Fifth Judicial District.
<input type="checkbox"/> Medicare (social security) – ID#
<input type="checkbox"/> Private insurance: _____ . This plan is through: <input type="checkbox"/> Parent <input type="checkbox"/> My employer <input type="checkbox"/> Other: <input type="checkbox"/> Spouse's employer <input type="checkbox"/> Purchased privately
<input type="checkbox"/> I have a pending application for

No insurance coverage

Assistance with certain mental health services may be available if you use a mental health provider contracted with the Fifth Judicial District. **To be eligible for this assistance you must prove you have exhausted all other funding streams**, including Medical Assistance and insurance through the healthcare exchange (MNSure.org). If you are not eligible for medical assistance, you may be eligible for free or reduced cost private insurance through the health insurance exchange.

Provide a copy of your medical assistance denial letter (or screen printout from your account on MNSure.org) to your drug court coordinator to obtain assistance for mental health services. If you are eligible for insurance through the exchange, you may still be eligible for some level of assistance through the district, depending on the coverage available. **You will not be eligible for assistance if you were denied coverage for failing to provide all requested information.**

I have had this form explained to me and understand that in order to access mental health services funds from the Fifth Judicial District I must make a good faith effort to apply for and maintain Medical Assistance coverage. I am responsible for complying with Medical Assistance application and review requirements in order to be eligible for assistance with mental health services funds from the Fifth Judicial District.

Signature

Date

Annual Income					
People in Household	Up to	Up to	Up to	Up to	More than
1	\$15,282	\$22,980	\$31,597	\$45,960	\$45,960
2	\$20,628	\$31,020	\$42,652	\$62,040	\$62,040
3	\$25,975	\$39,060	\$53,707	\$78,120	\$78,120
4	\$31,322	\$47,100	\$64,762	\$94,200	\$94,200
5	\$36,688	\$55,140	\$75,817	\$110,280	\$110,280
For each additional person add	\$5,347	\$8,040	\$11,055	\$16,080	
	Medical Assistance for adults; \$0 cost per month	MinnesotaCare for adults: \$21 to \$50 monthly cost per adult	Tax credits for private coverage for adults. Monthly cost as low as \$0 after tax credits.		As low as \$77 per month per adult and lower for kids. Not eligible for tax credits.
	Medical Assistance for children ages 0 to 18 and pregnant women; \$0 cost per month		Tax credits for private coverage for children		

Learn more or apply for Medical Assistance, MinnesotaCare or assistance with the cost of private insurance

at

www.MNSure.org

1-855-3MNSURE (1-855-366-7873)

Participant Request for Assistance with Treatment or Basic Needs

Client Name: (LAST, First Middle)	DOB:	Address:
Date of Review (Month, Day, Year)	Agent Name	Offense(s)

RESIDENCE

<input type="checkbox"/> Rent <input type="checkbox"/> Own			
Present Address (Street, City, State, Zip) <u>Physical:</u> <u>Mailing (if different):</u>	County	How Long:	Living With:
Former Address		How Long:	Living With:
Former Address		How Long:	Living With:

FAMILY TIES

Marital Status	If Other Than Single, For How Long?	Number of Dependents	Number of Previous Marriages		
Family Member	Name	Address	Phone	Age	Employment
Spouse					
Children					
Father					
Mother					
Siblings					
SO Relationship					

EMPLOYMENT

Salary	Employer Name	Address	Phone
Former Employer		Address	Phone
Insurance Info		#	

FINANCIAL RESOURCES/OBLIGATIONS

Gross Income:	Savings:
Expenses (May include Child Support):	
Long term debt:	

C H A R A C T E R / M E N T A L C O N D I T I O N (if request is for treatment)

Physical condition:
Dr. _____

Meds:

Mental Health:
Dr. _____

Meds:

Chemical Use History (Specify Drugs and Frequency):

Have you been assessed as Dependent No Yes

Present CD Treatment: _____

Prior Treatment: _____

Q U E S T I O N S

1. How many treatment hours do you anticipate assistance for? _____ OR
What basic need is the assistance for? _____

2. What is an affordable payment for you? _____

3. Brief explanation of why you believe Drug Court should assist you in payment of your treatment programming? (you may use the back of this form)

4. Requested Amount: _____

Attach a copy of your monthly household budget that includes payment for this request

Date of Determination: _____

APPROVED: YES **NO**

If denied, state reason:

AMOUNT: _____

PROVIDE PROOF THAT YOU HAVE EXHAUSTED ALL AVAILABLE COMMUNITY RESOURCES, INCLUDING:

___ MVAC (507-238-1663) OR Worthington Housing & Redevelopment Authority (507-376-9123)

___ Human Services

___ Salvation Army

___ Family members

List two: _____

___ Local church/religious institution

Violent Offenses That Exclude Participation in FMJ Multi-County Drug Court

Minnesota Statute Section and Title

609.185	Murder in the First
609.19	Murder in the Second
609.196	Murder in the Third
609.20	Manslaughter in the first
609.205	Manslaughter in the Second
609.21	Criminal Vehicular homicide
609.221-609.2231	Assault First –Fourth (Felony)
609.224	If a felony level assault
609.228	Great Bodily Harm caused by distribution of drugs
609.229	Crime committed for the benefit of a gang
609.245	Aggravated Robbery
609.25	Kidnapping
609.2661-609.268	Murder, manslaughter, assault and injury/death of unborn child 609.282 Labor trafficking
609.342-690.3451	Felony level sex crimes
609.498	Witness Tampering
609.255	False Imprisonment
609.561	Arson in the First
609.582	Burglary in the First (with/without assault or weapon)
609.66	Dangerous Weapons (firearms)
609.67	Machine guns and short-barreled shotguns
609.712	Real and simulated weapons of mass destruction
609.714	Crimes committed in furtherance of Terrorism
609.855	Crimes involving transit; shooting at transit vehicle
609.2243	Felony Domestic Abuse
609.66	Dangerous Weapons (non-firearms)
609.713	Terroristic Threats
617.23 Subd.3	Felony level indecent exposure
617.246	Use of a Minor in Sexual Performance
617.247	Possession of pornographic work involving minors (child porn) - Any other felony violations of chapter 617

Per Brent Eckberg, BJA Grant manager and Kim Norris, Senior Policy Advisor for Adjudication for Bureau of Justice Assistance: Generally, in the context of eligibility to enter drug court, the BJA does not view an adjudication of delinquency as being equivalent to an adult criminal conviction. The BJA would, however, not object if an individual state held the opposite view and denied eligibility based on an adjudication of delinquency. However, Minnesota does not view an adjudication of delinquency the same as an adult criminal conviction. See MN Stat. 260B.245 Subd. 1(a). Even in states which view them as equivalent - if an adjudication of delinquency has “decayed” so as not to be included in an adult criminal history score – that individual should be eligible for adult drug court. (01/17/08)

FMJ Multi-County ASAC Founding & Coordinating Committee

Honorable Robert Walker	Judge of District Court
Honorable Doug Richards	Judge of District Court
Del Ellis	Fairmont Police Department
William Grogin	Substance Abuse Court Defense Counsel
Michael Trushenski; Sherry Haley	County Attorney's Office-Prosecutor
Troy Timmerman	
Angie Sundeen	Probation Officer
Terry Viesselman	County Attorney
Roger Hawkinson	Jackson Sheriff Department
Vicki Savick	Health & Human Services
Richard Odom, LADC	Treatment Provider
Miranda Rosa	Health & Human Service
	Martin Sheriff Department
Beverly C. Snow, LSW	Substance Abuse Coordinator
Robert O'Conner	Jackson County Attorney
Senator Rosen	

FMJ Multi-County ASAC Community Resources

<p>Mental Health</p> <ul style="list-style-type: none"> A. County Mental Health B. Sioux Trails 	<p>Adult Volunteer Service</p> <ul style="list-style-type: none"> A. Salvation Army B. Court Services Community Service Work Crew C. Local Libraries D. Local Cities E. Humane Societies F. Food Shelves
<p>Athletics</p> <ul style="list-style-type: none"> A. CER 	<p>Law Enforcement</p> <ul style="list-style-type: none"> A. Sheriff's Dept. B. Local Police Departments
<p>CD Treatment</p> <ul style="list-style-type: none"> A. Fountain Center – Fairmont - outpatient B. House of Hope - halfway house 	<p>Spiritual</p> <ul style="list-style-type: none"> A. Local Churches (35+) B. Local Church Groups C. Yoga
<p>Arts</p> <ul style="list-style-type: none"> A. Red Rock Center B. Fairmont Opera House C. CER 	<p>Service Organizations</p> <ul style="list-style-type: none"> A. MADD/SADD
<p>Informal Relationships</p> <ul style="list-style-type: none"> A. Local Early Intervention Committees 	<p>Health</p> <ul style="list-style-type: none"> A. Mayo Clinic B. Local Dentists C. Local Chiropractors
<p>Literacy</p> <ul style="list-style-type: none"> A. Faribault, Martin and Jackson School Districts B. Community Education Departments C. CER 	<p>Alcohol and Drug Treatment</p> <ul style="list-style-type: none"> A. Fountain Center – Albert Lea and Fairmont B. Keystone C. House of Hope
<p>Employment/Job Training</p> <ul style="list-style-type: none"> A. Local Rotary Clubs B. Local Lion's Clubs C. Chamber of Commerce D. Workforce Center 	<p>Formal Mentoring</p> <ul style="list-style-type: none"> A. Each county has its own Mentor Program
<p>Housing</p> <ul style="list-style-type: none"> A. MVAC in Faribault and Martin B. Southwestern Action Council - Jackson 	<p>Social Services/Child Welfare</p> <ul style="list-style-type: none"> A. Faribault and Martin County Human Services B. Jackson County Human Service
<p>Other Adult Justice</p> <ul style="list-style-type: none"> A. Faribault, Martin and Jackson County Jails B. Sentence to Service Crew 	

Funding for FMJ Multi-County ASAC

Grant Funding 2006-2007

Resource	Contact	Address	Grant	Match
State Court Administrator Office No Grant number 2006-2008	Dan Griffin	Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd. St. Paul, MN 55155	\$ 100,000 of \$200,00 Shared with BNW	\$0

Grant Funding 2007

BJA #2007-DC-BX-4005	Brent Eckberg	2 months then 2008	\$ 350,000	\$117,000
----------------------	---------------	--------------------	------------	-----------

Funding 2008

BJA	Brent Eckberg	Full year until June 2009	\$ 350,000	\$117,000
-----	---------------	---------------------------	------------	-----------

Funding 2009 - Present

BJA # 2011-DC-BX-0111	Brent Eckberg	Part of BNW	\$ 350,000	\$117,000
SCAO	District	District received	\$ 555,000	0
FMJ Counties	Snow	Requested	\$15,000	0
DPS JAG Public Saftey #2010-JAG-00319	District	Oct 2009-Dec 2011 receive \$ for Defense Attorney only	\$ 300,000	0
Rural LE Recovery Martin Co # 2009-SD-B9-0188	Snow	August 1, 2009 –July 31, 2011	\$282,887	0
FDTC#OJJDP 2009-DC-BX-0098	Eckberg	Oct 1, 2009 - Sept 2013	\$500,000 FMJ \$172,000	In-Kind
SCAO Biennium Funds	SCAO	District receives \$555,000	FMJ receives 17%	
SAMSHA and BJA		District receives \$1,600,000		

Participant Handbook



**MINNESOTA
JUDICIAL BRANCH**
FIFTH JUDICIAL DISTRICT

Faribault, Martin and Jackson
Multi-County
ASAC
Participant Handbook



This Book Belongs to: _____

If I am in crisis or feel like I'm going to use I will call

Sponsor: _____

Treatment: Fountain Centers 507-238-4382 _____

WarmLine: 1-877-399-3040 _____

Other recovery supports:

Name: _____ Phone: _____

Name: _____ Phone: _____

Name: _____ Phone: _____

Name: _____ Phone: _____

Drug Court Directory

Coordinator	507-238-3226/507-402-9375
Coordinator FAX	507-238-1913
Probation Agent	507-399-7107/507-317-7136
Treatment	507-238-4382
Human Services	
Law Enforcement	

Welcome to Drug Court

FMJ Multi-County Adult Substance Abuse Court (sometimes called ASAC or drug court) is designed to provide the Court with a sentencing alternative for adults who have serious problems with addiction and are involved with the legal system. ASAC is a highly structured program that combines intensive probation supervision and chemical dependency treatment and fosters regular communication between participants and the Court.

This program is collaboration between the Fifth Judicial District, County Attorney's Offices, Public Defender's Office, Human Services, law enforcement, probation and treatment.

We hope to see positive changes in your life as you progress through the program. We are committed to providing you with support and encouragement as you find your way to a clean and sober life. The end result is a greater likelihood that you will remain sober, stay out of jail and become a contributing member of society.

Do Not Lose This Book!

You must take this book with you to all probation appointments, court dates, and NA/AA meetings.

We encourage you to share this handbook with your family and friends for their support and encouragement.

Weekly Staffing *Tuesdays 11:30 a.m.*

Before court each week the judge is given a progress report from your probation agent and treatment provider. The report covers drug test results, attendance, participation and cooperation in treatment, employment or other requirements that were imposed.

Drug Court Hearings *Tuesdays 12:30 p.m.*

You are required to appear in court on a regular basis, how often depends primarily on your phase. Failure to appear will result in a warrant for your arrest and detention in jail until you can appear in court.

The judge may ask questions and discuss with you any problems that you are having. If you are doing well, you will be rewarded with an item from the small fishbowl. At times you may get a name slip to put in the large fish bowl for a chance at a gift card. You will also periodically receive vouchers for money off your fees for progress in the program. If your progress report shows you are not doing well, the judge will discuss this with you and determine future action, which could include a sanction to help you remember your goals in this program, anything from increased program requirements to jail.

Items to be submitted by NOON for each Court appearance:

- **Judge's Journal**
- **Participant's Weekly Progress Report**
- **Participant Handbook with AA/NA attendance**
- **Other assignments as ordered**

Please drop these off in the jury room on the 3rd floor of the Martin County Courthouse before your court appearance. Failure to do so will result in a sanction.

Non-Discrimination Policy

It is the policy of the Faribault, Martin and Jackson Multi-County Adult Substance Abuse Court that no person will be discriminated against on the basis of: race, color, creed, religion, national origin, gender and marital status, status with regard to public assistance, disability, sexual orientation or age.

Confidentiality

State and federal law requires that your identity and privacy be protected. In response to these regulations, Drug Court personnel, case managers and treatment providers have developed policies and procedures to help protect your privacy. You signed a consent to release information during orientation. This disclosure is for the sole purpose of hearings and reports concerning your specific Drug Court case.

Grievance Policy

The following procedure is available if you wish to seek review of any conflict existing between you and a member of the ASAC team. The only disputes to which these procedures shall not apply are those that might result in your suspension or dismissal from the ASAC program.

A grievance is any form of unfair treatment, harassment, bullying, or disrespect toward the ASAC participant by an ASAC team member.

You have the right to file a grievance if you believe you have been treated unfairly by an ASAC team member. Contact the ASAC Coordinator, Miranda Rosa, at 507-402-9375, 201 Lake Ave. Suite 243, Fairmont, MN 56031.

After being notified of the complaint, the ASAC Coordinator will meet with you to hear any information regarding the conflict. All parties involved in the conflict will be questioned and given the opportunity to present their respective arguments.

If your grievance involves the ASAC Coordinator, you may give your complaint to either of the following:

Brenda Pautsch
Fifth Judicial District
Drug Court Manager
11 Civic Center Plaza
Suite 205
Mankato, MN 56001
507-344-4947

Hon. Bradley C. Walker
Chief Judge Fifth Judicial District
Blue Earth County
Court Administration
401 Carver Road
PO Box 347
Mankato MN 56001
507-304-4650

Courtroom Rules

- Punctuality is a must. You will be on time for all court appearances.
- Do not speak when the Court is speaking.
- You will stand when addressing the Court or when addressed by the Court.
- You shall not approach the bench unless permission is obtained or if the Court invites the participant to do so.
- You shall not sit on the counsel table in the courtroom.
- It is forbidden to be under the influence of any intoxicating beverage and/or illicit drug when in court.
- All weapons are banned from the courtroom.
- All cell phones or pagers must be turned off.

Court Dress Code

Tops:

- Must cover shoulders. Halter tops, tube tops and spaghetti straps are not allowed.
- Men can not wear muscle shirts or undershirts.
- Must cover waist of the bottom apparel. The abdominal area shall not be exposed. There can be no gap, front or back, between the pants and top.
- Cannot be transparent.

Bottoms:

- Must fit and be worn at the waist (i.e., sagging is not permitted.)
- Must be at or below the knee. No SHORT shorts or miniskirts.

Shoes:

- Footwear must be worn at all times.
- No flip flops.
- No bedroom slippers.

Hats and Headwear:

- Baseball hats, stocking caps and knit caps must not be worn in the courtroom.
- Sunglasses may not be worn unless the individual suffers from a visual disability.

General Prohibitions:

Clothing must not display inappropriate writing or pictures, including references to violence, alcohol, drugs or sexual matter.

Participation Agreement

33. I agree to participate in alcohol and/or other drug treatment as directed by the court, including self-help meetings (such as AA or NA), as set forth in my treatment plan and that I will provide verification of attendance. I understand that compliance with treatment recommendations is mandatory.
34. I agree to cooperate with and comply with the directives of the Drug Court Program, probation staff and treatment providers.
35. I agree to attend all treatment meetings, court dates and other scheduled appointments and I will be on time. If I am unable to attend I will call the provider I am seeing and my probation agent at least two hours in advance.
36. I understand that failure to appear for a court date or any other breach of this agreement will result in the issuance of a bench warrant. I am responsible for transportation in order to fulfill the terms of the Drug Court Program.
37. I agree to sign any and all consent forms waiving confidentiality of any medical, mental health treatment or social service records. I further agree to sign any and all releases which will allow the Drug Court team to review diagnostic and treatment information. I understand that while I am a drug court participant such consents are irrevocable.
38. I agree that in order to achieve and maintain sobriety I need to have a permanent and stable residence that supports a sober lifestyle. I shall notify the Drug Court Probation Agent before I change my address or phone number.
39. I agree to remain in my residence during the hours specified in my case plan. In the event of an emergency I will notify my Probation Agent immediately or as soon as possible.
40. I understand that I shall not use, possess or associate with any person(s) who use or possess any controlled substance or illegal drugs.
41. I will not have in my possession or under my control any paraphernalia or drugs not prescribed to me by a licensed physician.
42. I will not use any prescribed or over the counter mood-altering substance except as prescribed to me by a licensed physician with the full knowledge of my addiction and participation in drug court.
43. I will not distribute nor sell any legal or illegal mood-altering substances.

44. I will not attend any program under the influence of alcohol or any illicit drug or legal drug not prescribed to me.
45. I agree that I will not use or possess alcoholic beverages nor enter establishments that derive their principal income from the sale of alcoholic beverages.
46. I agree to abide by the FMJ ASAC Medication Contract.
47. I agree to abide by the FMJ ASAC Drug Testing Policy.
48. I understand that I shall not use or possess a firearm nor enter an establishment or home where they would be available to me. Further, I understand I shall not attend any program in possession of a weapon of any form, firearms, knives, box cutters, etc.
49. I agree to participate in the Drug Court Program until successfully discharged from all phases of the program including in-patient and out-patient treatment.
50. I agree to participate in any educational, medical, treatment or rehabilitation program ordered by the Drug Court to help maintain my sobriety and maintain a law-abiding lifestyle.
51. I agree to perform forty (40) hours of structured activity per week, such as actively seeking or maintaining employment, attending school/job training, performing unpaid alternative community work assignments or any other activity approved by my Drug Court Probation Agent. I will provide verification of 40 hours of activity per week.
52. I recognize that by Phase 3 I am expected to have full-time employment, full-time school, or a combination of the two, including work on a GED if appropriate. I will provide proof of employment or employment search to my probation agent. I will notify my probation agent within 48 hours of any new employment or changes in employment.
53. I agree to abide by the rules and regulations of probation supervision and any special conditions ordered by the court including community work service or STS.
54. I will pay any fees or fines as directed by the court and will have an opportunity to "earn down" some fees for excellent program participation.
55. I agree to inform the Drug Court Probation Agent and treatment provider of any new arrests, summons or any other situation that may impact my probation. I understand any arrest or contact with law enforcement must be reported to my probation agent within 24 hours.

56. I agree that I am subject at any time to a search conducted by a representative of the Corrections Department and/or Drug Court, which includes any law enforcement representative, without a warrant, of my person, place of residence, vehicle or other personal or real property.
57. I will make satisfactory progress in the program as measured by each phase's requirements.
58. I agree that my participation in the Drug Court Program shall be terminated if I fail to make satisfactory progress toward completion of the program.
59. I agree that my participation in the Drug Court Program may be terminated if I am rearrested, test positive for drugs or alcohol or fail to meet any of my court ordered obligations.
60. I understand that the Court can impose sanctions, including county jail time, rather than terminate my participation in the program. I understand that sanctions may be increased and may include termination from the program.
61. I understand that I have a right to an attorney during court proceedings which include plea, sentence and any violation which could lead to termination of participation in the Drug Court Program. If I am unable to afford an attorney I may be eligible for public defender representation. I further understand that if I have any questions concerning Drug Court I should discuss them with my attorney.
62. I will not travel outside the Faribault, Martin and Jackson County area without first receiving permission from my Drug Court Probation Agent. Further, I understand that if I leave the state extradition proceedings may be initiated to return me to Minnesota from any jurisdiction in or outside of the United States. By signing this document, I agree to waive extradition and do waive extradition to return to Minnesota from any jurisdiction in or outside the United States of America.
63. I will not act as a confidential informant while I am a participant in FMJ's Adult Substance Abuse Court.
64. I have received a copy of the FMJ ASAC participant manual and have reviewed it with the ASAC Coordinator.

Medication Contract

10. I will inform all medical professionals that I am a drug court participant and not permitted to take any narcotic medication unless the prescribing medical professional makes the decision to prescribe such a medication to me with full knowledge of my addiction and participation in ASAC. This will be proven through use of the Medical Confirmation Form.
11. If a narcotic is prescribed, I will contact my probation agent immediately.
12. I understand I am responsible for informing and providing documentation of all prescription medications I am taking or may take. I am also responsible for notifying my Drug Court Probation Agent if there are any changes to any and all prescriptions.
13. I understand the ASAC reserves the right to limit me to seeing one primary medical professional.
14. I will fill prescriptions at one pharmacy of my choosing, _____, unless an emergency were to arise and this pharmacy were not available to me. In that situation I will inform my probation agent by calling and leaving a message informing her of the situation.
15. I understand that I shall inform my Drug Court Probation Agent of any over-the-counter medications that I am using or may be using. The medications must be non-addictive and not contain alcohol (i.e. mouthwash, cough syrup, etc.). I am responsible for verifying with a pharmacy or medical professional that these medications are non-addictive and do not contain alcohol.
16. If I am given a prescription and decide against taking it or do not take the entire amount prescribed, I will ask my probation agent how to destroy the remaining amount of the prescription.
17. If directed by your probation agent, treatment provider or court I will make my prescription available in order to count the number of pills from the date the prescription was filled.
18. Once the prescription has expired or by the time all pills should have been used, none of the pills will be in my possession. A positive test after that time because I took "left over" medication will be considered a positive test and appropriately sanctioned.

Medication: Points To Remember

Personal Responsibility

You and you alone are responsible for what goes in your body. Do not come to drug court with an explanation that illegal or prohibited drug use is anyone's fault but your own. You are responsible for that.

Other People's Medications

Never take medication that has been prescribed for someone else (your mother, brother, boyfriend, girlfriend, etc...). Using medication prescribed to another person is in violation of federal law and drug court rules.

When You Are Not Sure

When in doubt, DON'T TAKE IT. Ask your doctor, treatment provider, or drug court personnel. If you have any questions at all about any medication you are taking or are planning to take, contact a member of the FDTC team.

Read the Label

Read the label when you buy cough syrup, cold medicine, mouthwash or other over-the-counter liquids. MAKE SURE THEY DO NOT CONTAIN ALCOHOL. Listerine contains alcohol. Dayquil and Nyquil contain alcohol. There are over-the-counter products that do not contain alcohol.

Poppy Seeds

Never eat poppy seeds or “everything bagels” because they can give you a false positive for morphine. Don’t even try to explain away a positive drug test by saying you ate poppy seeds. It will not work!

Hand Sanitizers

Hand sanitizers (such as Purell) and other antiseptic gels and foams used to disinfect hands contain up to 70% ethyl alcohol. Excessive, unnecessary or repeated use of these products could result in a positive urine test. Hand washing with soap and water are just as effective for killing germs.

Making Recovery More Difficult

Taking prohibited drugs can only make your recovery harder.

In Case of Emergency

Carry this notice in your wallet or purse so you can show it to any medical personnel in case of an emergency.

Program Phases

The program is divided into four phases. You must successfully complete all requirements in each phase before moving to the next phase.

Phase I-Choice

Objective: Begin abstinence and chemical dependency treatment; develop relapse trigger awareness and identify your support system. Typically 30 days.

Requirements

- Arrange intake for chemical dependency treatment and follow all recommendations of this provider.
- Complete mental health/trauma screening on _____ at _____ at Sioux Trails in Fairmont 507-238-8112. Follow recommendations.
- Attend weekly Drug Court Hearings.
- Attend sobriety support groups as set by treatment.
- Meet with probation agent at least twice per week.
- Adhere to house arrest/scheduled curfew (6 pm to 6 am).
- Complete prosocial activities as directed.
- Full time school/employment or positive response to your goals.
- If driver's license is not valid, meet with coordinator to make a license reinstatement plan.
- Complete a minimum of three (3) drug tests per week.

Advancement Requirements

- No positive drug test results for 15 consecutive days prior to advancement.
- No unexcused absences for scheduled services for 15 consecutive days.
- Full time school/employment or positive response to education/vocational goals.
- Begin Primary Chemical Dependency Treatment

Phase II-Challenge

Objective: Continued abstinence, establishment of recovery and development of educational and/or vocational goals. Typical length is 5 to 6 months.

Requirements

- Attend and observe three out of four Drug Court Hearings per month as scheduled (excused from one hearing per month).
- Meet with probation agent at least once per week.
- Follow all recommendations of C.D. treatment provider.
- Follow all recommendations of mental health provider, if applicable.
- Attend sobriety support groups as set by treatment.
- Adhere to a less restrictive curfew (8 pm to 6 am).
- Complete pro-social activities as directed.
- Work towards full-time work, full-time school, or a combination of the two.
- Make best effort for license reinstatement, if applicable.
- Complete minimum of two (2) drug tests per week.

Advancement Requirements

- No positive drug tests results for 90 consecutive days prior to advancement.
- No unexcused absences for services for 90 consecutive days prior to advancement.
- Progress shown towards license reinstatement, if applicable.
- Employed full-time, full-time school, or a combination of both.
- Pay \$100 towards program fee.
- Present answers to phase advancement questions in court.

Phase III-Change

Objective: Continue abstinence, pursue education/vocational goals and connect with the community at large. Minimum length is 6 months.

Requirements

- Attend and observe Drug Court Hearings every other week as scheduled.
- Meet with probation agent at least twice monthly.
- Follow all recommendations from C.D. treatment provider.
- Follow all recommendations of mental health treatment provider, if applicable.
- Attend sobriety support groups as required.
- Abide by a less restrictive curfew (10 pm to 6 am)
- Complete pro-social activities as directed.
- Participation in volunteer project: this involves volunteer work at a non-profit agency arranged by the participant and approved by your probation agent. The number of required hours to be determined.
- Maintain full time school/employment.
- Make best effort for license reinstatement, if applicable.
- Complete a minimum of two (2) drug tests per week.

Advancement Requirements

- No positive drug test results for 180 consecutive days prior to advancement.
- No unexcused absences for services for 180 consecutive days.
- Progress shown towards license reinstatement, if applicable.
- Full time school/employment or positive response to educational/vocational goals.
- Pay \$100 towards program fee.
- Present answers to phase advancement questions **in court.**

Phase IV-Commencement

Objective: Pursue lasting recovery, pursue graduation from ASAC and develop a strong connection with community at large. Minimum length is 6 months.

Requirements

- Attend and observe one Drug Court Hearing per month as scheduled.
- Meet with probation agent at least once per month.
- Follow all recommendations from C.D. treatment provider.
- Follow all recommendations of mental health treatment provider, if applicable.
- Abide by a less restrictive curfew of 11 pm to 5:30 am.
- Attend sobriety support groups as required.
- Complete pro-social activities as directed.
- Participation in volunteer project: this involves volunteer work at a non-profit agency arranged by the participant and approved by your probation agent. The number of required hours to be determined.
- Maintain full time school/employment.
- Complete a minimum of two (2) drug tests per week.
- Make best effort for license reinstatement, if applicable.
- Attend monthly Alumni Association meetings.
- Take part in Relapse Prevention Education Program.

Phase Progression:

Phase	I	II	III	IV	Graduation
Date					

Graduation Requirements

When you have successfully completed the following you will be scheduled for graduation:

- Successful completion of each phase.
- At least six months of sobriety-abstaining from ALL mood-altering chemicals.
- Maintain full time school/employment.
- Completion of volunteer projects.
- Completion or satisfactory achievement of all court ordered special conditions, as determined by the court.
- License Reinstatement, if applicable.
- Completion of Relapse Prevention Education program.
- Drug Court fee paid in full.
- Prepare answers to questions for graduation speech for the team to review prior to graduation.

On the day of your graduation you will be expected to present the graduation speech you prepared for the team. At your ceremony the Judge will present you with a certificate of completion of the ASAC Program and will recognize your excellent accomplishments. Your family and friends are invited to attend your graduation.



My Goals throughout the Program









Compliance and Consequences

The Judge shall order progressively increasing sanctions and incentives. The table below summarizes compliant and non-compliant behavior and the corresponding incentives and sanctions.

Achievements	Incentives
<ul style="list-style-type: none"> ➤ Attending Court ➤ Periods of sobriety ➤ Treatment attendance ➤ Compliance with treatment plan ➤ Securing employment and/or housing ➤ Completing phases ➤ Completing treatment ➤ Educational achievements 	<ul style="list-style-type: none"> ➤ Praise from the judge ➤ Less restrictive curfew ➤ Candy or pop ➤ Gift cards ➤ Money off of fees ➤ Graduation ceremony ➤ Less frequent court appearances ➤ Less frequent drug testing
Infractions	Sanctions
<ul style="list-style-type: none"> ➤ Use of mood-altering substance ➤ Refusing to submit to a drug test, tampering with a drug test or getting a diluted sample ➤ Unexcused absence ➤ Failure to follow Court order/comply with sanction ➤ Failure to report address or employment change ➤ Leaving the three county area without permission ➤ Not turning in required paperwork to court ➤ Uncooperative behavior ➤ Failure to attend support group meetings 	<ul style="list-style-type: none"> ➤ Verbal reprimand ➤ Essay on a topic related to violation ➤ Community service ➤ More restrictive curfew ➤ Impose previous phase restrictions ➤ Daily check in with team member ➤ Increased testing, court hearings or PO meetings ➤ Fines ➤ Immediate detention ➤ Termination from ASAC

Termination

The Judge makes the final determination for termination from the program. Repeated violations for any of the following can result in termination (this is not a complete list):

- Positive urine tests
- Missed or refused urine tests
- Failure to attend court
- Failure to participate or cooperate in family intervention
- Failure to participate or cooperate in counseling
- Failure to report to case manager
- Failure to attend outside programs
- Failure to attend school or work

The serious violation of a new arrest does not automatically terminate a participant from the program. If the charge is of a violent nature and the prosecutor files charges the participant will be unsuccessfully terminated and referred to the prosecutor's office for further proceedings.

All advancements, incentives, sanctions, graduations and terminations are subject to the discretion of the Court!

Drug Court Fees

The ASAC charges \$1,500 for its 18-month program. Participants earn credit towards this fee in a number of ways. Credits are as follows:

Phase 1 Completion	\$15
Primary Treatment Completion	\$15
Level 1 of Treatment Completion	\$25
30 Days Sobriety	\$10
60 Days Sobriety	\$10
90 Days Sobriety	\$25
6 Months Sobriety	\$40
Phase 2 Completion	\$25
Level 2 of Treatment Completion	\$35
Phase 3 Completion	\$50
9 Months Sobriety	\$50
1 Year Sobriety	\$100
Level 3 of Treatment Completion	\$75
18 Months Sobriety	\$75
Graduation	\$100
<hr/>	
Total	\$650 credits

Owed to ASAC: \$850 - \$450 must be paid out of pocket

There are other ways to earn money off your fees. Occasionally you may draw a \$5 credit from the small fishbowl. Once per month a \$50 credit is given from the large fishbowl.

If a participant is terminated from the ASAC program, he or she is still required to pay any fees owed to the program, though only for the time the participant was in the program. Collections and revenue recapture will be pursued if necessary.

Recovery Support Group Meetings

You are required to attend weekly recovery support group meetings, in an amount set by your treatment provider. You will show proof of attendance by having the chair of the meeting sign off in this book at each meeting. Which meetings you attend is your choice.

The pages that follow are known AA and NA meetings in the area and are as current as the information we've received. If AA or NA isn't working for you, there are alternatives.

Fountain Center Recovery Support Group Meetings

Fairmont: Tuesdays 10 am Tuesdays 6:30 pm Thursdays 5:30 pm

Jackson: ~~Tuesdays 6:30 pm~~

These meetings at times may be 12-step based but are not as spiritually-based as traditional AA and NA meetings.

Bible-Based Recovery Support Group Meetings

Fairmont: Wednesdays 6:15 pm Covenant Church

SMART Recovery Meetings non-faith based alternative

Meetings take place in Mankato on Mondays at 7 pm at SMRC or online at <http://www.smartrecovery.org/meetings/olschedule.htm>

If you choose to take part in online meetings you will be required to provide proof of attendance.

Drug Testing Call-In Line

Call: 507-697-0538 between 6 am & Noon every day, seven days per week.

Your code is: _____

Report to your assigned testing location: _____

Between any one of these testing windows:

If you fail to show for a test by the end of the testing windows your probation agent will be called and a bench warrant will be issued. Failure to test will be treated as a positive drug test.

Support Group Meetings

Day and Time	Location	Phone Number and Contact
Monday		
Noon AA Fairmont	Big Book 214 Downtown Plaza	Bonnie 507-238-9299
6:30 pm AA Worthington	Discussion Group 1127 Sherwood St.	Rick or Kathie 507-372-2455
7 pm AA Blue Earth	United Hospital 515 S. Moore St.	Kathy 507-653-4386
7 pm AA Fairmont	Fevered Brains 214 Downtown Plaza	Barb 507-236-8259
7 pm AA Jackson	Ashley House 308 W. Ashley St.	Tom P. 507-847-4242
7 pm AA Lakefield	Sparks Park. N. Hwy 86	Stan 507-662-6704
7:30 pm AA Windom	Fire Hall across from Post Office	Lorri C. 507-831-6107
8 pm AA Bricelyn	210 N. State St.	Nathan B. 507-553-5210
8 pm AA Fairmont	One-to-One 214 Downtown Plaza	Jeff K. 507-235-3399
Tuesday		
Noon NA Fairmont	Ties That Bind 214 Downtown Plaza	Cindi C. 507-236-9373
6 pm AA Windom	Hispanic Speaking , Fire Hall by Post Office	Dave R. 507-831-2843
7 pm NA Fairmont	House of Addicts House of Hope 1100 Indus St.	Kim R. 507-399-9754
7:30 pm AA Wells	Wells Alano Group United Methodist Church	Bill 507-553-5871
8 pm NA Windom	American Lutheran Church, 906 Prospect Ave.	Kelly 507-832-8184
8 pm AA Fairmont	Big Book 214 Downtown Plaza	Bonnie 507-238-9299

“Keep it simple-stay sober and ask for help”—Submitted by Barb K., 2003 Drug Court Graduate

Wednesday		
9:30 am AA Windom	Fire Hall across from Post Office	Lorri C. 507-831-6107
Noon AA Fairmont	Big Book 214 Downtown Plaza	Bonnie 507-238-9299
6 pm NA St. James	Midweek Serenity 202 Armstrong Blvd S.	Dan Z. 507-621-0613
6:30 pm NA Worthington	Sanford Hospital 1018 6th Ave.	Wendy H. 507-329-5273
7 pm NA Bricelyn	Wild Side NA 407 N. 3rd St.	Mike K. 507-525-1536
8 pm NA Fairmont	Wonders of Recovery 214 Downtown Plaza	Cindi C. 507-236-9373
8 pm AA Fairmont	Big Book 214 Downtown Plaza	Bonnie 507-238-9299
8 pm AA Truman	Truman Community Bldg 313 N. 1st Ave W.	Duane 236-1154 or Jim 380-6590
Thursday		
Noon AA Worthington	Downtown Group 1127 Sherwood St.	
5:30 pm AA Windom	Sisters in Sobriety 41445 US Hwy 71	507-831-1619 Assembly of God
7 pm NA Fairmont	Adolescents in Recovery	Lakyn 507-236-2188
7 pm AA Sherburn	Sherburn Community Bldg on Main St.	Dianne P. 507-236-7487
7:30 pm AA Heron Lake	Sacred Heart School 800 9 th St.	Joe 507-793-2353
8 pm AA Fairmont	Big Book	Bonnie 507-238-9299
8 pm AA Worthington	Moving Forward 1127 Sherwood St.	Tom H. 507-360-3173
Friday		
Noon AA Fairmont	Big Book 214 Downtown Plaza	Bonnie 507-238-9299
6:30 pm NA Fairmont	True to Ourselves 214 Downtown Plaza	Al J. 507-236-0908
7 pm AA MN Lake	Trail's Group 103 Main St.	Jill 507-317-8987
8 pm AA Fairmont	One-to-One 214 Downtown Plaza	Dan 507-236-4049
8 pm AA Windom	Fire Hall across from Post office	Lorri C. 507-831-6107

Saturday		
9 am AA Worthington	Step Study 1127 Sherwood St.	Scott H. 507-372-2353
11 am AA Windom	Sat. Morning Live Fire Hall by post office	Lorri C. 507-831-6107
Noon NA Worthington	1720 N. Burlington Ave. American Ref. Church	Wendy 507-329-5273
6:30 pm NA Bricelyn	Wild Side NA 407 N. 3 rd St.	Mike K. 507-525-1536
7 pm AA Jackson	Step Meeting Ashley House	Tom P. 507-847-4242
8 pm – AA Bricelyn	Bricelyn Alano Group 210 N. State St.	Nathan B. 507-553-5210
8 pm – AA Fairmont	Speaker Meeting 214 Downtown Plaza	Jerry S. 507-236-8259
Sunday		
7 pm NA Fairmont	Hopeless to Dopeless 214 Downtown Plaza	Al J. 507-236-0908
7 pm AA Blue Earth	Afflicted & Fearless, Sr. Citizen Center 118 W 7 th St.	John M. 507-893-3535 or 520-6676
8 pm AA Fairmont	Big Book 214 Downtown Plaza	Darrell D. 507-399-9330
8 pm AA Worthington	Worthington AA 1127 Sherwood St.	Clarence 507-372-5809

