

**IDAHO SECOND JUDICIAL DISTRICT
FAMILY REUNIFICATION DRUG COURT**



CLIENT HANDBOOK

NEZ PERCE COUNTY

Revised January 2014

FAMILY REUNIFICATION DRUG COURT

This handbook is designed to answer questions and give you information about the FAMILY REUNIFICATION DRUG COURT (FRDC).

If you join the FRDC you will be expected to follow the instructions of the Judge and the FRDC team as well as to comply with your treatment plan. This handbook will tell you more about the Family Reunification program. You are encouraged to share it with your family and friends.

MISSION

The mission of the FAMILY REUNIFICATION DRUG COURT is to implement a court-supervised, multidisciplinary program that is dedicated in working with parents who have a child protection plan. Our goal is to increase children's safety and achieve a permanent home and to assist parents with a serious alcohol/drug problem while providing them with education to improve their parenting and life skills.

PROGRAM DESCRIPTION

FAMILY REUNIFICATION DRUG COURT (FRDC) is an opportunity to participate in treatment programs while under close supervision by the court system. Parents are given the chance to stay in their community while getting help following their treatment plans. Parents will be closely supervised by members of the FRDC team and will receive substance abuse treatment with frequent screening tests to check for drug use. Families will have involvement with Children and Family Services and the court system. Participants in FRDC will appear in court often and report to the Judge about their progress. The Judge also receives reports from drug treatment counselors, CASA, and sometimes probation officers. Although the average length of the FRDC program is 15 month, not including a period of aftercare, individual participants' programs may vary in length.

ELIGIBILITY CRITERIA

To be eligible to participate in the FAMILY REUNIFICATION DRUG COURT you must:

- Be able to manage the structure of the program.
- Be identified as having a substance abuse problem
- Be eligible for a child protection case plan or have a current plan in place.

You may be excluded from FRDC if you have a history of violent crimes, or current criminal charges of violence.

You may be excluded from FRDC if you have a history of sex offenses, or current criminal charges of a sexual nature.

HOW DO I GET INTO FAMILY REUNIFICATION COURT?

Any member of the community may nominate someone for FRDC Court. Usually the recommendation comes from Health and Welfare as a result of their involvement with the children, or from Judges, prosecutors and public defenders. You must have a drug and/or alcohol problem in order to participate. If you would like to join the FRDC program the first call should be to your attorney. Your attorney will help you decide if FRDC is a good option for you, and your attorney will request that the screening process begin. The screening process will consist of interviews and tests. After you have completed appointments

with the necessary professionals an application will be given to the FRDC team. If you are accepted into the program your attorney can still be your attorney as long as you are in the program.

WHAT WILL HAPPEN IN COURT?

Once you are in the program you will be required to attend court as scheduled. Participants in the program attend court together. When you come to court the Judge will review your progress.

If you have been told to attend 12-step meetings you must bring your attendance card with you to every court review hearing. If you have a job you may need to bring a copy of your pay stub to show the Judge that you are working.

WHAT DOES THE PROGRAM COST?

Your treatment will be provided to you at no charge. You may be required to pay for a portion of your drug testing. As long as your lab results remain negative for illegal drugs and alcohol the tests will be paid for by FRDC. If you test positive for any illegal drugs or alcohol you may be expected to pay for your screening tests for the following 30 days in addition to other sanctions the court may impose. All program fees must be paid and up to date before you can graduate from FRDC. You will be required to pay a fee for cost of supervision if you are on felony or misdemeanor probation.

PHASES

Treatment Phases for first year:

Stabilization: The focus of this period is to allow the defendant to maintain a period of sobriety, and demonstrate receptiveness to treatment and the requirements of the FRDC program. Participants will comply with their treatment plan which may include:

-random drug screening and/or alcohol breathe tests

- Obtain an alcohol/substance abuse evaluation.
- Obtain a mental health evaluation if it has been recommended.
- Attend substance abuse education and/ or other treatment sessions as required in your plan.
- Attend sessions with Children and Family Services (CFS) worker as scheduled.
- Be compliant in working on Child Protection Plan (CPS).
- Comply with any court required curfew.
- Attend 12-step meetings as directed and obtain a sponsor.

The stabilization phase requires continuous sobriety in order to progress to the next phase.

Phase One:

With strict compliance and motivated participation phase I is anticipated to last 12-16 weeks. Participants will comply with all Phase I requirements which may include:

- Submit to random drug and alcohol testing. urine.
- Submit to and cooperate with random unannounced home visits.
- Attend weekly court review hearings.

- Meet and cooperate with CFS worker as directed.
- Attend and participate in visitation sessions with your children as scheduled by CFS.
- Interact with foster parents as scheduled by CFS.
- Comply with your Child Protection Plan (CPS).
- Participate in a cognitive restructuring program as directed in your treatment plan.
- Attend and participate in addiction counseling as required.
- Attend 12-step meetings as required and obtain a sponsor.
- Explore employment and/or begin education program if required.
- Comply with any required curfew.
- Identify unresolved legal issues make a plan and begin addressing them.
- Pay all fees if required.

During Phase I participants are expected to fully participate in the FRDC program. Participants shall abstain from drugs and alcohol use and develop the skills necessary to maintain this state. To advance to Phase II participants must be approved for promotion by the FRDC team, having met all Phase I requirements.

Phase Two:

With strict compliance Phase II is anticipated to be 12-16 weeks. Participants will continue compliance with Phase II requirements and:

- Submit to random drug and alcohol testing. urine
- Participate in counseling as directed by the treatment plan.
- Comply with your Child Protection Plan (CPS).
- Attend 12-step meetings as required.
- Attend court review hearings the first, second and third Mondays of the month.
- Obtain employment and/or begin education program if required.
- Continue resolving all outstanding legal issues.
- Successfully participate in a cognitive restructuring program as directed in your treatment plan.

During Phase II participants are expected to fully participate in the FRDC program. Participants shall abstain from drug and alcohol use and focus on relapse prevention. To advance to Phase III participants must be approved for promotion by the FRDC team, having met all Phase II requirements.

Phase Three:

With strict compliance Phase III is anticipated to be 12-16 weeks. Participants are working or going to school and fully invested in their recovery. Participants will continue compliance with Phase III requirements and:

- Submit to random drug and alcohol testing. urine
- Participate in counseling as directed by the treatment plan.
- Comply with your Child Protection Plan (CPS).
- Attend 12-step meetings as required.
- Maintain employment or student status.
- Attend court review hearings the first and third Monday of the month.
- Resolve all outstanding legal issues.

- Successfully complete a cognitive restructuring program as directed in your treatment plan.

During Phase III participants are expected to fully participate in the FRDC program. Participants shall abstain from drug and alcohol use and focus on relapse prevention. To advance to Phase IV participants must be approved for promotion by the FRDC team, having met all Phase III requirements.

To advance to Phase IV participants must be approved for promotion by the FRDC team.

Phase Four –Independent Living:

The focus of Phase IV is to complete any additional program requirements and become independent in the community. Phase IV may last as long as 3 months. At the completion there is a graduation ceremony.

- Submit to random drug and alcohol testing.
- Comply with your Child Protection Plan (CPS).
- Attend court the first Monday of the month.
- Maintain employment or student status.
- Attend 12-step meetings as required.
- Complete aftercare plan with the treatment provider.

Graduation:

Successful participants will graduate after completing Phase IV and receiving approval by the FRDC team.

Sanctions

Noncompliance with the program may result in one of a series of graduated sanctions being imposed. Behaviors considered to be noncompliant include but not limited to, unexcused absences or tardiness (from FAMILY REUNIFICATION DRUG COURT or any program appointment), positive alcohol/drug screens, providing a fraudulent or altered urine sample, disruptive or disrespectful behavior, failure to attend required 12-step meetings, providing a fraudulent or altered 12-step attendance card, failure to complete a sanction, a new arrest, or violation of a court order. Sanctions may include writing assignments, increased reporting to probation including electronic monitoring, community service, movement back to a previous phase, and local incarceration of variable length. Reunification with children will always be subject to the order of the court in the CPS proceeding.

Termination from the Program

The FRDC team will be reviewing your case throughout the program. If discharged, and if you have been charged with a crime the original sentence may be imposed. Non-compliance may completely jeopardize or, at least, delay your getting your children back into your home. The Judge and staffing team may also decide to remove you from the program for not following the rules, for not making progress, or for committing a new crime.

MORE GUIDANCE AND EXPECTATIONS

1. 12-step Meetings:

You may be expected to attend 12-step meetings as directed and show proof of your attendance by having the chairperson of the meeting initial your card. FRDC clients may NOT initial cards for other FRDC clients. There is a direct link between the faithfulness of attendance at 12-step meetings and the success of the client who has a problem with addiction, so even if the meetings are “boring” or inconvenient or “not helpful” you will still be expected to attend. Shop for meetings that suit you. There are lots of meetings in the area at all times of the day and evening. Give this a chance to work for you.

If you are in an addiction treatment program you are also expected to get a 12-step. A sponsor is a person working an active recovery program, a person who has at least two years of sobriety, and a person with whom you will work the Twelve Steps of 12-step. Another FRDC client cannot be your sponsor. Your counselor will help you with this process.

2. Drug and Alcohol Free:

All clients are expected to remain abstinent from all illegal drugs and alcohol.

When a client first enters FRDC Court there is often a window of time when the urine screens come back positive for illegal drugs. This is especially true of drugs such as marijuana, which takes some time to metabolize out of the system. In this case a first positive urine screen is used to establish a base-line, and no sanction will be imposed as long as the lab reports continue to show diminishing levels of the drug in the urine. A significant increase in drug levels will be interpreted as a new use. (note: in order to avoid a sanction for this first positive test a client must be honest with the team about their recent drug use. In other words, if you tell us you have been using meth, but we also get a positive for cocaine, that will be interpreted as deception. Tell us what the screen will be positive for and we will work with you as you get clean.)

After establishing abstinence any positive lab report on a urine, saliva, or patch test will be interpreted as new drug use. When the drug court team has proof of drug use in a client an immediate sanction will be imposed. If a client disputes the results of the test they are entitled to ask for a repeat test.

In general if you have a serious medical condition you will not be excluded from FRDC. You must be willing to fully disclose your condition and medical care to the treatment providers and the FRDC team. **If you are taking a prescribed medication you will need to provide a list of those medications to the Coordinator.** Although we can be flexible and work around your condition, you must be able to engage in and complete treatment. You will be required to sign a form allowing us to exchange information with your physician and/or dentist

If your doctor prescribes medication you must bring in the prescription and show your probation officer and/or your treatment provider. We also require that you notify the medical professional of your addition. Each client is given a medical ID card which must be initialed by the medical staff and brought into Court.

3. Attendance:

Clients will attend all sessions of court unless given specific permission to be gone.

Permission to miss will be given rarely. Examples of reasons that are *not* acceptable for missing court:

- no child care
- no transportation

work
school

A client who is not in court, and who did not have specific permission to miss court, will be subject to arrest.

***All clients are expected to attend all scheduled sessions of treatment, and to be on time for all sessions.** Absence or tardiness from treatment will result in sanctions.

***Clients must attend all classes as required.**

4. Community Service:

One of the sanctions that may be assigned by the Judge is Community Service. This is work performed for no pay, and must be done for a nonprofit agency. Volunteer work must *first* be approved by the FRDC team.

A Community Service report form will be provided to you by the coordinator in order to keep track of hours.

All Community Service must be completed by the next FRDC session.

There is a workmen's compensation fee requirement for all Community Service hours. You must pay a minimum of 60 cents an hour (in advance) at the fee window of the courthouse.

5. Contacts:

The court may prohibit your association with certain individuals.

Contact with children will be as directed by Children and Family Services and/or CASA.

Any contacts with police must be reported to the Coordinator immediately with specific details.

All phone messages must be specific and contain all the necessary information.

6. Court Appearances:

Always bring your signed 12-step card with you to court. Also be prepared to show proof of employment by bringing your most recent pay stub if you have a job. The Judge may ask to see both those items.

Expect to remain in the courtroom until all clients have been called forward by the Judge. If you have a pressing need to leave the courtroom before court is dismissed you may ask for permission ahead of time.

You will be expected to dress appropriately (no bare midriffs, no short shorts, no T-shirts with offensive or drug related messages on them, no big holes in your jeans, etc. A good rule of thumb is to dress for court the way you would dress for a job interview. Obviously, the exception to this suggestion is people who come directly from work to court.

You will be expected to speak directly to the Judge when your name is called to come forward in court. When he asks you a question answer with a "yes, sir" or a "no, sir" instead of "yeah." (This is not a rule, but a suggestion). *Be honest with him and speak up if you have questions or concerns about any aspect of your program. There is no topic we consider off-limits.* However,

(another suggestion) arguing with him after he has made a decision doesn't help you in the long run, and rarely makes any difference on the decision. Respect goes a long ways. Some clients have become angry and stormed out of the courtroom, but this too doesn't serve you very well in the long run, and usually results in your having to make an apology for your behavior the next time you are in court.

Do not speak to each other while court is in session unless absolutely necessary. Whispering is distracting for the Judge and the other people in the courtroom.

Turn off all cell phones and pagers before entering the courtroom. The Judge may send the bailiff to take away your phone/pager if it makes a noise during court.

7. Curfew:

If you have a curfew it is in effect seven days a week and includes holidays. A probation officer and/or a law enforcement officer may perform random checks to see if you are at home when you are supposed to be home. A curfew violation is considered a sanctionable offense.

8. FRDC Costs:

Costs associated with this program will be determined and assessed on an individual basis.

9. Drug Screening Tests:

FRDC clients will be required to submit to tests to check for the presence of drugs and/or alcohol. It is the responsibility of the client to call the UA phone message every day (Monday through Saturday), and if your number is stated on the message, you must go to be tested. Listen to the message twice since a missed test can result in jail.

Arrive at the testing facility ready to provide a urine sample. If you cannot provide a urine sample you will be allowed a short amount of time to drink some fluid and try again, but if you have not produced a sufficient quantity of urine within an hour you will be sent home and the test will be interpreted as positive.

If you provide a diluted sample (creatinine reading less than 20 mg/dl) it will also be interpreted as positive. It is difficult to drink enough fluids to accidentally dilute your urine. Anyone whose urine is diluted will be viewed as trying to hide the presence of drugs/alcohol in their system. If you normally drink lots of coffee, diet soda, etc. hold back on a day when your color is called. Drink just enough to be able to provide a urine sample.

Arrive at the testing facility 30 minutes before closing, NOT 5 minutes before they close.

10. Requests to travel, or stay out past curfew, etc.:

If you want to travel out of the area for a special occasion (or would like permission to stay out past your curfew) you must have permission to do so. Contact the Coordinator as soon as possible for any such request. **Don't wait until you are in court to ask the Judge for permission.** When planning to travel out of town be prepared to give us dates of departure and return; names, phone numbers, and addresses of who you will be staying with, and let your hosts know the FRDC Team may be calling them to verify your information and discuss abstinence requirements, curfews, etc

11. Sanctions:

Sanctions are disciplinary actions assigned to clients who have not followed the rules of FRDC. They can include going to jail, and possible expulsion from the program. Each infraction is considered on a case by case basis. The team takes the circumstances into account. The ultimate determination of sanction is determined by the court.

Violations / Behaviors:	Sanctions include but not limited to:
Missed drug / alcohol tests	<ul style="list-style-type: none"> * Writing assignment * Community Service * Increased drug / alcohol testing * Electronic Monitoring * Jail
Tampering with drug / alcohol tests	<ul style="list-style-type: none"> * Increased D&A testing * Community Service * Jail * Possible Termination
UA/BAC positive for drugs or alcohol	<ul style="list-style-type: none"> * Increased drug / alcohol testing * Increased support meetings * Increased treatment * Treatment phase adjustment * Writing assignments / journaling * Immediate arrest / jail sentence up to three days before court appearance * Jail
Missed meeting with probation	<ul style="list-style-type: none"> * Add or adjust curfew * Community Service * Phase adjustment * Jail
Missed treatment meetings	<ul style="list-style-type: none"> * Increased treatment * Increased support meetings * Phase re-adjustment * Community service * Writing assignments / journaling * Jail
Missed support groups	<ul style="list-style-type: none"> * Make up support group meetings * Adjust curfew * Jail

Inappropriate behavior at treatment	* Community Service * Written apology * Jail * Possible termination
Confessing to use / relapse	* Written assignments / journaling * Adjustment of treatment
Forging support group attendance cards	* Jail * Possible termination
Other new arrest / offense	* Fines * Community service * Electronic monitoring * Jail * Possible Termination
Leave residential treatment without permission	* Warrant issues for arrest * Phase adjustment * Jail * Termination
Missed Court appearance	* Warrant issues for arrest * Jail * Possible termination

Incentives and Rewards

- Recognition by Judge or FRDC team
- Certificates of recognition / completion
- Certificates for clean and sober time
- Advancement to next phase
- Decreased drug / alcohol testing
- Less intensive supervision by probation
- Gift cards
- Reduction / dismissal of charge (s) or PV if applicable
- Graduation / Sobriety and drug-free living