52nd District Court 4th Division

Drug Therapy Court (DTC)
Policy and Procedure Manual

Our Mission

Creating a safer community by implementing a multifaceted, personalized treatment approach to participants involved in criminal activity due to substance use disorders. By applying this approach, there is an increased likelihood of successful rehabilitation and improved lives through therapeutic jurisprudence, compassion, and integrity.

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Forms

Available for reference as needed

- Admission Conditions
- Commencement Application
- Confidentiality Policy
- Consent Form – Multi-party team
- Consent for Observation of Team Meeting
- Consideration for DTC
- Counselor Letter
- Counseling Report
- DCCMIS Confidentiality Form*
- Discharge Form
- Exit Survey
- Financial Assistance Request
- Follow Up Survey
- Healthcare Contract
- Interlock Restricted License Contract
- Maternity Agreement
- MC 393 Interlock Form and MC28 Financial Statement (found online)
- Medication Disposal
- Memorandum of Understanding*
- New Staff/Team Member Orientation*
- Participant Agreement
- Participant Handbook
- Participant Information Sheet
- Personal Narrative – Part 1, 2 and 3
- Prescription Drug Policy
- Program Discharge
- Recovery Capital Action Plan
- Recovery Capital Assessment
- Visitor Release Form

**Requires team member signature*

Problem-Solving Court 10 Key Components

1. *Problem-Solving Courts integrate alcohol and other drug treatment services with justice system case processing.*

2. *Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.*

3. *Eligible participants are identified early and promptly placed in the drug court program.*

4. *Problem-Solving Courts provide access to a continuum of alcohol, drug and related treatment and rehabilitation services.*

5. *Abstinence is monitored by frequent alcohol and other drug testing.*

6. *A coordinated strategy governs drug court responses to participant compliance,* participant, type of violation/sanction and number of previous violations.

7. *Ongoing judicial interaction with each drug court participant is essential.*

8. *Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.*

9. *Continuing interdisciplinary education promotes effective court planning, implementation, and operations.*

10. *Forging partnerships among drug courts, public agencies and community-based organizations generates local support and enhances drug court program effectiveness.*

Team Member Roles & Responsibilities

All members of the team must complete the New Member Orientation Form and the accompanying training. Team members must also review the All-Rise Best Practice Standards and 10 Key Components, both linked below. Understanding the Best Practices and the 10 Key Components will be key to the success of the DTC program, so all team members are expected to be familiar with the most recent edition of both publications. Additionally, it is expected that continuing education directly related to problem-solving courts will be completed on a regular basis. All team members complete at least 8 hours/year of PSC-relevant continuing education.

- All Rise Best Practices Standards—https://allrise.org/publications/standards/
- All Rise Defining Drug Courts: The Key Components—https://allrise.org/wp-content/uploads/2022/07/Defining-Drug-Courts-The-Key-Components.pdf

Annually, team members will sign the Memorandum of Understanding, the Confidentiality Memorandum of Understanding, and the Policies and Procedures Regarding Access to and Use of Confidential Records. They will also receive the DTC Policy and Procedure Manual as it is updated. Every team member and staff member that has access to DCCMIS signs a SCAO Employee Confidentiality and Privacy Statement and it is maintained by the Program Coordinator.

Confidentiality Requirements and Procedure

The DTC court files are kept in the locked cabinet in the Traffic Criminal Department. The DTC probation files are red and are kept in the locked cabinet in the DTC probation officer's office. Yearly, the team will sign the Policies and Procedures Regarding Access to and Use of Confidential Records and provide a copy upon request.

When emailing information regarding participants, including dockets and presentence investigation reports, all emails must be encrypted. Emails from Outlook can be encrypted by including the word "encrypt" in the subject line of the email. In addition, the following message must be contained within the body of the email:

> *"This electronic message and any attachments may contain information which is considered privileged and/or confidential. The information is intended to be for the addressee only. If you are not the addressee, any disclosure, copy, distribution or use of the contents of this message is prohibited. If you have received this message in error, please notify the sender immediately and destroy the original message. This information has been disclosed to you from records protected by federal confidentiality rules (42 CFR part 2). The federal rules prohibit you from making any further disclosure of information in this record that identifies a patient as having or having had a substance use disorder either directly, by reference to publicly available information, or through verification of such identification by another person unless further disclosure is expressly permitted by the written consent of the individual whose information is being disclosed or as otherwise permitted by 42 CFR part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose (see § 2.31). The federal rules restrict any use of the information to investigate or prosecute with regard to a crime any patient with a substance use disorder, except as provided at §§ 2.12(c)(5) and 2.65."*

All visitors that are invited to observe staff meetings must sign the agreement promising to abide by the confidentiality provisions of the law and the program's MOU and Visitor Confidentiality form. Even with such an agreement, the presence of visitors must be covered within the scope of the DTC participants' consent to be lawful under 42USC Section 290dd-2, the Visitor Confidentiality Release. If the visitor is under 18 years of age, his or her parents would have to sign the agreement as well.

Eligibility Criteria

Individual Candidate Criteria

- Candidates must be objectively assessed as a high risk and high need individual using a validated risk-assessment tool and a clinical assessment tool.
    - High risk/high need is defined as an individual who (1) is at significant risk for committing a new crime or failing to complete less intensive dispositions like probation, and (2) has a moderate to severe substance use disorder that includes a substantial inability to reduce or control their substance use, persistent substance cravings, withdrawal symptoms, and/or a pattern of recurrent substance use binge episodes. (All Rise Adult Treatment Court Best Practice Standards)
- Candidates must understand the consequences of entering the treatment court and agree to comply with all court orders and requirements of the Court's program and treatment providers. MCL 600.1066(b).

Residency Criteria

- To ensure that the program will be available to those who reside in Oakland County, candidates must be able to verify that they reside in the county at the time they are screened for treatment court eligibility. If a candidate doesn't reside in the county but can verify that they maintain employment in the county, eligibility is permitted based on space available in the program.
- If the candidate neither lives nor works in the county, they do not meet the eligibility requirements for participating in the 52-4 District Court treatment court, however, the judge maintains discretion to consider admittance into the treatment court based on available space in the program and the candidate's likelihood to participate in services, programming, and in-person court appearances in Oakland County.
- If a candidate is seeking a transfer of their case to the 52-4 District Court, they must meet all standard eligibility requirements and complete a validated risk assessment before a transfer may be considered. The 52-4 District Court accepts transfers based on available space in the program, after a candidate is determined to be a high risk/high need using a validated risk need tool.

Offense-Related Criteria

- Candidates must have pleaded guilty or admitted responsibility for the criminal charges they are seeking admission into treatment court for. MCL 600.1068(1)(b).
- Eligibility does not require that the charged offense is specifically alcohol or drug in name, however, the offense or offenses committed by the individual must be related to the abuse, illegal use, or possession of a controlled substance or alcohol. MCL 600.1068(1)(a).
- Candidates charged with selling drugs or with offenses involving violence, or who have a history of such offenses, are not categorically excluded from treatment courts, barring statutory provisions to the contrary, and are evaluated on a case-by-case basis. (All Rise Best Practice Standards).

- A violent offender may be considered for placement in a treatment court only if the treatment court judge and the prosecuting attorney, after consultation with any known victim in the current case, provide their consent. MCL 600.1066(d).

Medical/Treatment Criteria

- Candidates are not excluded from the treatment court because they have co-occurring mental health or trauma disorders, medical conditions, medical housing or other social service needs, however, based on the individual needs of the candidate, they may be referred for placement in another specialty court or program that can better address treatment/service needs (i.e. mental health or Veteran's court). (All Rise Adult Treatment Court Best Practice Standards).
- Candidates will not be excluded from the treatment court because they have been prescribed or need medication for addiction treatment (MAT). Candidates may be required to complete an assessment to determine if MAT would be an appropriate component of their treatment plan while in the program.
- Candidates may take prescribed psychiatric medication or other medications needed to treat physical health issues while in the program but will be required to provide proof of current treatment plan and medical necessity. Participants will be required to verify current prescription medication to their probation officer on a regular and ongoing basis while in the program.
- Some prescription medications may be prohibited if the participant is unable to provide verification of medical necessity or has a history of abusing prescription medication. Participant will be required to obtain a signed acknowledgment from any prescribing physician to verify that the physician has been provided with participant's complete SUD history and is aware of participation in treatment court.
- Pursuant to MCL 333.26427(e), participants may not use marijuana (including medical marijuana) while in DTC.

Exclusionary Criteria

- Pursuant to MCL 600.1066(e), individuals **may not** be admitted into a mental health or drug/DWI court if they are currently charged with any of the following:
    - First Degree Murder (MCL 750.316).
    - Criminal Sexual Conduct 1st Degree (MCL 750.520b)
    - Criminal Sexual Conduct 2nd Degree (MCL 750.520c)
    - Criminal Sexual Conduct 3rd Degree (MCL 750.520d)
    - Child Sexually Abusive Activity (MCL 750.145c)

******The 52-4 District Court Treatment Court judges retain discretion to admit any candidate to the program, except when prohibited by statute******

Eligibility Assessment Procedure

AT THE PRE-TRIAL PHASE:

If a defendant is identified as a potential treatment court candidate by the prosecutor, defense attorney or judge based on the charges and criminal history, the law clerk will provide an information sheet to the attorney so that the defendant/defense attorney have information about the program early in the proceedings. The information sheet will contain a QR code for the 52-4 District Court DTC web page. This will allow an opportunity for the defendant and attorney to review the Participant Manual and Participant Agreement together in the pre-trial phase, which may expedite entry into the program if the defendant is eligible.

UPON ACCEPTANCE OF A PLEA:

Once the defendant enters a plea, and indicates interest in being assessed for the program, the Traffic/Criminal clerk processing their file after court will direct the defendant to the probation department. The Probation Clerk will schedule the defendant's PSI with the DTC PO, at the earliest available date. Sentencing into the DTC should occur within 30 days of the plea so PSI and sentencing dates should be scheduled accordingly. The DTC candidate will be notified that they will receive two emails. One will contain the PSI links and the other a link to the DTC Introduction video and the Participant Handbook. They will be instructed to review the handbook and video before their PSI appointment. They will also be supplied with upcoming DTC session dates. The candidate is expected to attend one DTC public review session, if not prior to their PSI appointment, then prior to sentencing. When the candidate appears for their PSI appointment, the interviewing PO will review the handbook with them in detail, focusing on the Participant Agreement and answer any questions.

If the candidate requests placement in DTC after the PSI interview, both the candidate and defense attorney will receive an email with the Participant Agreement attached. They will be instructed to review the agreement together, sign/initial as required, date, and return the agreement to the interviewing PO via email within 3 days, who then signs it. If the Participant Agreement is not reviewed/signed by both the candidate and attorney and/or returned to the interviewing PO within 3 days, placement could be delayed or the failure to return the agreement will be interpreted as the candidate's decision not to participate in the program. Chambers will be notified of the status of the Participant Agreement, sending over a signed copy, when the completed PSI is sent over prior to sentencing.

If a candidate is referred to the program by another judge or probation officer, a request for consideration for DTC form must be filled out by the referring party and sent to the DTC presiding judge. Once the PSI is completed, it will be sent to the DTC presiding judge for review and determination of acceptance in the program. If a form is not received, the candidate may not be considered for DTC.

If the candidate is not participating in substance use disorder counseling at the time of the interview, they are advised to schedule an intake appointment with one of the team counselors immediately.

If the candidate is taking medications, the probation officer must make clear at the time of the interview that DTC participants are not permitted to use or continue the use of mood-altering

substances while in the program. This includes medications that may have been prescribed for the candidate prior to entry into the treatment court, including opiates, amphetamines, benzodiazepines, gabapentin, and marijuana. AT NO TIME WILL THE CANDIDATE BE PERMITTED TO RECREATIONAL MARIJUANA OR MOOD-ALTERING SUBSTANCES, SUCH AS KRATOM.

The candidate must also be advised that they may be required to have a physician review their current medications to determine whether alternative treatments or medications could meet their needs. The probation officer must advise the candidate not to discontinue prescribed medications unless directed by their physician but that they must schedule an appointment to meet with their prescribing doctor in advance of sentencing and provide proof of appointment to the PO prior to sentencing. To participate in the treatment court, a candidate must follow program requirements for signing releases and obtaining signed healthcare contracts from prescribing doctors to determine treatment for pre-existing issues considering the candidate's recovery needs.

If a candidate indicates that at the time of the presentence interview, they do not have health insurance, the probation officer must assist them in applying for Medicaid at that time (see Probation Policy and Procedure manual for instructions). If the candidate has health insurance, they must submit documentation of coverage, including a photo of insurance card, to the probation department on or before the date of sentencing.

The candidate is advised that withdrawing after being accepted into the program will result in re-sentencing, which may include any jail time that was waived based on entry into the treatment court. A candidate considered for DTC should not appear for sentencing without first having discussed the program with a presentence investigator or probation officer. To verify that this has been done, the PSI investigator should be note that the program was discussed with the candidate in the Recommendation Rationale portion of the assessment.

The Program Coordinator must review all reports recommending entry into DTC to verify the candidate's eligibility and appropriateness for the program.

If a candidate is not eligible for DTC but the probation officer believes a problem-solving court is appropriate, they are to advise the defendant to speak with their attorney regarding the facilitation of finding a program that may take them as a transfer. The DTC probation officer will assist as needed, such as providing links to other problem-solving courts (please see below). It should be reflected in the PSI Recommendation Rationale as follows: "*The defendant does not meet the 52-4 D.C. DTC eligibility requirements; however, the defendant may benefit from a structured specialty court."* Any information regarding a transfer is also to be in the Recommendation Rationale.

If a candidate is referred to DTC and declines the program or is ineligible, they still must be entered fully into DCCMIS screening pages (usually by the FDC). In the STATUS drop down box select either "ACCEPTED TO COURT PROGRAM," "REJECTED FROM COURT PROGRAM," or "MISTAKEN SCREENING." A drop-down list of rejection codes is also presented, along with a text box to enter further detailed reasons for rejection, such as transferred cases. The DTC PO will enter all screenings in DCCMIS that are accepted. The required fields for court program clients that are accepted into the system differ from the field requirements for rejected clients. Remember, required fields are highlighted in yellow and denoted with an asterisk (*).

For a defendant who was not previously identified as a candidate for DTC but is determined to be an appropriate candidate after the interview, the interviewing probation officer must take the file to the Program Coordinator to review for eligibility and appropriateness. The Program Coordinator reviews the final report to ensure all DTC requirements are reflected in the recommendation.

For each candidate recommended for entry into DTC, the presentence report as well as the DTC Participant Agreement and DTC Admission Conditions will be emailed to the law clerk two days prior to sentencing. Before a candidate is admitted into DTC, the DTC Admission Conditions form is completed and signed by the judge and placed in the court file. The original will be kept in the court file and the participant given a copy.

Transfer Policy and Procedure

In addition to meeting the Eligibility Criteria, all transfer candidates must reside or be employed in Troy or Clawson. There must be room in the program, and it must be approved by the Program Coordinator first, with final determination by the Judge. If an attorney is coordinating/requesting the transfer, they are sent the DTC Participant Manual, containing the Participant Agreement, as well as a link to the DTC page on the court website to review with the potential candidate prior to the PSI appointment and are instructed to have the Transferring Court contact the Program Coordinator. The attorney is also advised that the candidate must observe a DTC session and will be supplied upcoming dates to plan accordingly.

The Transferring Court may complete the PSI, but it is the preference that the assessment and Crime Risk Needs Assessment (CRNA) is completed by the 52-4 District Court. The potential candidate must contact the probation department to schedule the PSI appointment with the DTC PO and will receive the appropriate emails with links and documents. The Transferring Court will supply the IR, ROA, and LEIN/SOS information to the Program Coordinator by the time of their PSI appointment. If the Transferring Court conducts the PSI with CRNA, the DTC PO will contact the candidate to review the manual and agreement. The Program Coordinator will confer with the Judge to review the case and determine whether the candidate will be accepted into the program.

Once the candidate is accepted as a transfer, the Transferring Court will also supply the Transfer MOU with signatures before the defendant is sentenced. A candidate will not be accepted without the MOU. Fines and costs will be paid to the Transferring court, and program fees, PSI if applicable and POE are paid to the 52-4 District Court/Receiving Court. As the Receiving Court, the Probation Officer (PO) will verify with the Transferring Court whether the participant must pay the balance in full or establish a payment plan before the transfer is completed. As the Transferring Court, 52-4 District Court will allow for a payment plan but paying in full is encouraged. If a candidate is approved for DTC, the Transferring Court is to instruct the defendant to contact the probation department on the date of sentencing or the date of release from incarceration. An MOU is not required between the 52nds.

Once the Transfer MOU is received, the DTC probation officer will review for all appropriate signatures, and the fully executed MOU is placed in the court file, with a copy sent to the transferring court and a copy placed in the DTC probation file.

In DCPS, the status of the case must be changed to Transfer/Sentenced and the DTC probation officer is identified as the assigned probation officer. The file will be kept in the DTC probation officer’s locked filing cabinet with the other DTC files. The case is then entered into DCCMIS.

When transferring a case to another specialty court, request the Receiving Court fill out the MOU with the required program and oversite fees. Review the fines, cost, and fees with the defendant, stressing what will be owed to the Transferring Court and what will be owed to the Receiving Court. Note in the PSI sentencing rationale the requested money amounts and that it has been reviewed with the defendant.

Drug Court Case Management Information System Procedure

All activity on a DTC case is documented in the Drug Court Case Management Information System (DCCMIS https://dccmis.micourt.org). Training is provided in-house as well as through SCAO. There is also an online user handbook. Only the Program Coordinator can grant access to the program.

Every team member and staff member who has access to DCCMIS must sign a SCAO Employee Confidentiality and Privacy Statement which is maintained by the Program Coordinator. The DTC probation officer must run an Exception Report at least monthly, in compliance with grant requirements, to make sure all information is current and correct.

All information on each case must be updated weekly. Once a participant has completed the program (whether graduation or termination) they are closed in DCCMIS. If a participant is in bench warrant status, the case shall be set on a review session docket approximately 90 days after the warrant is issued so the participant can be formally removed from the program. Once this is done, a discharge order is generated by the DTC probation officer for the judge to sign, and then the case is closed in DCCMIS.

If a participant is terminated from the program or chooses to withdraw from the program, the DTC probation officer will generate a discharge order for the judge to sign, and the case is set for resentencing before the judge. The DTC probation officer will generate an updated presentence investigation report which is sent to the law clerk 2 days prior to the sentencing date.

Probation files are kept for three years from the date of discharge in the locked court storage area in locked filing cabinets. They are then destroyed by Oakland County Record Retention services pursuant to MCR 8.119(E).

DCCMIS Tips

- If a participant is residing in a sober house, halfway house, or three-quarter house, enter that information under treatment as “residential other” and provide details. If the participant is also participating in Intensive Outpatient treatment (IOP), or Outpatient treatment (OP), note that as well.
- For a weekend education program, input the exact days attended—it is group adult and 6 hours. If only the start and end dates are input at the top, it will not calculate any hours.
- Enter all notes in DCPS and “see DCPS” in DCCMIS.
- Make sure to enter all the drug panels that the participant was tested for, alcohol included, so it is just one entry.
- If using MAT/MOUD, be sure to add that and include what type (Vivitrol, methadone, etc.).

DTC Probation Appointment Procedure

The probation officer/participant relationship is key to the success of DTC. During the appointment, the DTC probation officer is not just “checking the boxes” but is learning about the participant and their specific needs. All relevant information obtained during appointments with the treatment court PO should be shared during DTC team meetings.

The first probation appointment will occur on the day of sentencing. The DTC probation officer instructs the participant at the first appointment to communicate any problems, issues, concerns, or questions to the probation officer immediately, rather than waiting until their next appointment or DTC session. The participant can call or email and will receive a response by the next business day. If the DTC probation officer is out of the office, the backup DTC probation officer will assist.

The DTC probation officer will review the following documents with the participant and obtain all necessary signatures:

- Multiple Party Consent for Release of Information form
- Participant Information Sheet
- Release of Information for counseling agency
- Standard Rules of Probation
- Order of Probation
- Prescription Drug Policy
- Healthcare Policy
- Medication disposal form
- Review and initial Travel Policy and Financial Assistance with Financial Form
  (from the Participant Handbook, keeping the original and giving a copy to participant)

The participant is instructed to continue drug and alcohol testing or sign up if they are not already testing. Participants will be instructed at their first appointment that they may be required to test at any review session, so they must refrain from urinating prior to arriving or after arriving for the session until they are advised as to whether they are required to test.

Their next appointment should be set within seven (7) days unless there is a DTC session scheduled during that time. They will also be instructed to contact a counseling agency recommended by the treatment court program and schedule an appointment within seven (7) days, if they have not already enrolled in treatment.

The DTC probation officer will email the assigned judge the Participant Information Sheet and mug shot, noting it in DCPS. It will be dispersed to the team, ideally before their first session, but no later than before their second session.

At all subsequent appointments, the phase requirements are to be reviewed with the participant. The treatment court PO must confirm that the participant is compliant with all conditions, including but not limited to:

- Drug and Alcohol Testing
    - Checking interlock, if applicable. Reports should be received weekly, but information can also be obtained from the agency website.
        - Agency contacts:
            - Smart Start: Liz Natygal elizabeth.nahtygal@smartstartinc.com
            - Nationwide: Joshua Taylor jtaylor@nationwideinterlock.com
    - Review all testing requirements and confirm compliance with testing agency
- Counseling
    - Verbal, email communication or DCCMIS entry shall be made prior to each court review session or once per month, depending on the phase and whether the participant is seeing a treatment provider on the team. If applicable, monthly written reports are expected by the 5th of each month
- Support Group Meetings (depending on phase, requirement to attend)
    - Scan support group meeting logs and save on the cloud in the participant's file. Check to make sure they are not forged and note this in DCPS and DCCMIS.
    - Speak to the participant about what step they are working on (the participant should be able to explain the step work in detail) as well as what meetings they attend and why.
    - Ask the participant how often they have contact with their sponsor and in what manner.
    - If the participant is allowed to attend a combination of online meetings, they must do it through 'In the Room' – see probation P&P manual under Case Management Misc. - Support Groups for directions
- Journaling
    - Once journaling is required, the probation officer will review journal entries with the participant at each appointment.
    - The participant must bring their journal to counseling appointments as well, but the counselor can determine whether to utilize the entries in session. At a minimum, a counselor will be asked to verify that the journal is brought to sessions.
- Review Recovery Capital Action Plan
    - Document any progress toward goals
    - If struggling or encountering barriers, contact PRC to make contact with the participant
- Payment of fines, costs, and fees
    - Ensure payment plan is up to date
    - Have financial request paperwork filled out at request of assistance

In addition, the probation officer should address the following:

- Ask if the participant is experiencing any issues outside of their DTC obligations, including financial, employment, family, etc.
- Confirm sobriety date
- Run MAPS monthly, or as directed
    - See chart in the Probation Policy and Procedure Manual for additional information

Treatment Enrollment Procedure

Counseling is a pivotal part of the problem-solving court model. At the Presentence Investigation, the interviewing probation officer should refer the participants to one of the team counseling agencies and encourage the participant to contact them and schedule at least an intake appointment before sentencing.

Once the appointment is scheduled, the participant must notify the DTC probation officer of the location and date of the appointment. The participant will be responsible for reporting all future treatment appointments to the DTC probation officer. A Release of Information must be signed and sent to the treatment provider either at the first probation appointment or next review session, whichever comes first. The DTC probation officer will send the original release, the counseling welcome letter, the court created report form and a redacted AE. If the treatment provider has not worked with the treatment court before, the DTC Participant Manual will also be provided. Written monthly reports are required, and it is ultimately the responsibility of the participant to ensure that all required documentation is received by the DTC probation officer.

Rescheduling a counseling or treatment related appointment is only permitted with prior approval from the DTC probation officer and documented proof of an emergency. Failure to attend an appointment may result in a sanction or violation.

Newly accepted and current DTC participants entering a residential program:

1. DTC PO to send completed PSI to counselor once sentenced, with information about current status in residential – where, start date, approximate discharge date, program details (testing, support group meetings etc.)
2. Supply updates on docket regarding progress, checking in with the program bi-weekly
3. Request the participant attend session and appointments by zoom if possible
4. Phase advancement may still occur
5. If attending treatment out of state, clarify if the participant violates the program and is removed, is return transportation still provided

Non-Payment of Treatment Providers

- Notify coordinator if the defendant has insurance issues within 2 appointments
- Notify coordinator if defendant has not paid for two sessions in a row
- Issues to be addressed outside of team or session
- PO to discuss any job changes and insurance issues with defendant – informing the counselor and coordinator of any changes

Treatment Recommendation/Reporting Procedure

Treatment and sober support are the two most important parts of any problem-solving court, making communication between the counselors, participants and the DTC probation officer integral to success. Counselors and PRC who sit on the team are granted access to the DCCMIS case management program to input counseling and contact updates. DTC sessions are generally held every 2 weeks. A weekly email will be sent out each Wednesday so all counseling/contact information can be entered into DCCMIS by the counselor by end of day the Friday before session. This information should include current diagnosis or change in diagnosis, recommended level of care, attendance frequency and participation. The DTC docket will then be sent out the Monday before.

We are most effective as a team when information is shared before session for review. Communication between DTC sessions with the DTC PO regarding any concerns of the counselor or PRC is imperative and is encouraged by encrypted email or telephone call.

Drug and Alcohol Testing Procedure

Most participants are already testing at the time they are admitted to the program, but frequency and type of testing should be reviewed for appropriateness and accuracy. Participants are required to test a minimum amount as dictated by their progress through the phases. The type of testing may be combined to reach the minimum frequency, based on drug of choice. Participants may choose their testing location from the approved list, but only certain agencies may be reimbursed for testing by the grant (TAP and ADAPT). All testing must be completed by 9:00 a.m.

In writing and verbally, participants are informed that they may be required to test at any review session, and that for every session, they must be prepared to provide a valid sample and have money to pay for the test. They should also be informed to refrain from consuming liquids four hours prior to the review session

Participants are allowed for no more than one hour to produce a sample while at the court. They are to remain in the testing room until they are finished and excused by the agency. If the participant tested prior to appearing for the review session, they must present documentation to the probation officer.

Medication Disposal

As indicated in the DTC Participant Agreement, the participant has agreed to properly dispose of all unused prescribed medications from a prior condition/surgery, any medications that have expired and any restricted by program rules.

All unused or expired prescribed medications, over-the-counter medications that contain alcohol or dextromethorphan (ex. cough medicines), and medications prescribed for a prior condition no longer requiring medication, must be properly disposed of with the Troy Police Department within 7 days of entry into the DTC program. Note that the Troy Police Department is only able to accept pills, and cannot accept liquids, gels, or sharps.

Before heading to the Troy Police Department lobby, participants must first show the DTC probation officer that each prescription is individually bagged and that they have signed the Medication Disposal Acknowledgment form. They must go directly to the Troy Police Department. While there is a box located in the lobby of the Troy Police Department, medications must be turned into the front desk daily from 7:30 a.m. - 7:00 p.m.

For medications that cannot be disposed of by the Troy Police Department, the participant should locate another option for liquid or gel medication disposal. These medications can be disposed of after documenting with your probation officer and signing the Medication Disposal form.

Recovery Capital Assessment & Action Plan & Procedure

1. COMPLETE THE RECOVERY CAPITAL ASSESSMENT

After the participant's second Drug Therapy Court session during Phase One, PO provides the participant with the Recovery Capital Assessment to complete at home and returned by the next scheduled appointment or DTC session.

2. PO REVIEWS THE ASSESSMENT

The PO reviews the assessment with the participant to clarify incomplete or unclear answers especially medication-related, discuss concerns identified then begin identifying strengths, needs, and potential areas of focus.

3. INITIAL TEAM REVIEW

The PO shares the assessment and relevant observations with the Judge, Coordinator, PRC, and DTC PO backup to identify strengths, areas needing attention or additional support, potential goals and practical steps, possible referrals or community resources and any immediate concerns. Participant-stated goals should be considered, but the team may identify additional priorities based on the assessment and the participant's circumstances.

4. DEVELOP & FINALIZE THE ACTION PLAN WITH THE PARTICIPANT

The PRC takes the lead in developing the Recovery Capital Action Plan with input from the PO, participant, and Drug Therapy Court team. Before the participant's next Drug Therapy Court session the PRC reviews the assessment and PO's observations, begins identifying specific goals, practical steps, supports, referrals, and community connections.

The PO schedules a 15-minute appointment with the PRC on the day of the participant's next Drug Therapy Court session in DCPS under lead DTC PO schedule. The PRC reviews the proposed goals and steps with the participant and the participant provides input, identifies barriers, and helps determine how the goals can realistically be accomplished.

After the appointment the PRC incorporates the participant's input and finalizes the Action Plan, scanning it to the PO by the following Friday. The completed plan is returned to the PO for distribution to the Drug Therapy Court team.

5. DISTRIBUTE & COORDINATE THE PLAN

The PO distributes the completed Action Plan to the Drug Therapy Court team. When a DTC team member can assist with a goal, that person should be identified in the plan so they understand their role and can be expected to follow up with the participant.

Team members may assist with matters such as:

- **Legal needs:** Attorney assistance with matters such as expungement, obtaining license.

- **Employment/education:** Resume review, employment connections, or educational resources.
- **Treatment/recovery:** Counseling, treatment coordination, or recovery-support connections.
- **Safety:** Police officers may assist when safety concerns arise, including concerns involving domestic violence, or may help connect participants with appropriate community resources.
- **Other resources:** Any team member may help to connect the participant with appropriate community supports.

6. IMPLEMENT THE PLAN

The PO and PRC work with the participant to move the goals forward. Any team member can and should use the Action Plan help to coordinate.

7. REVIEW & UPDATE

The Recovery Capital Action Plan is a **living document**. Goals may be revised or new goals added as the participant's needs and circumstances change. The PO should review the plan with the participant during regular supervision meetings and document achievements, barriers, referrals – modifying the plan as needed.

8. RECOGNIZE PROGRESS

Meaningful progress toward Recovery Capital goals should be recognized as part of the participant's recovery. The team may consider recognition or incentives for progress.

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*a more detailed explanation can be found in the Idrive General>DTC>forms

Problem-Solving Court Restricted License

At the time of the PSI interview, the DTC probation officer will run the participant's driving record to determine if the potential candidate is eligible for a problem-solving court restricted license.

Checking eligibility:

1. Log in to JIS
2. Enter 1: District Selection Menu
3. Enter 5: SOS/LEIN
4. Press 'enter' to acknowledge and accept security and privacy policy
5. Enter 1: Secretary of State Inquiry
6. Enter DLN, and SCS (where it states 'optional')

As the eligibility date nears, the team will review the participant's progress to determine if the participant will be permitted to obtain the restricted license. The participant will be notified by the DTC probation officer that the team has approved them for a restricted license. The participant will be instructed to have the interlock installed through a court-approved agency but will not be permitted to drive until the application process has been completed with SOS, as well as at the probation officer's direction.

Be sure the abstract and all other required information has been entered correctly. Upon receiving a restricted license, participants must bring all Secretary of State (SOS) correspondence to their next scheduled appointment for review to ensure they understand the applicable requirements and restrictions. Once the information is reviewed with the participant, it should be reflected in DCPS.

Securing a Restricted license with Interlock Device:

- After approval by the team, the participant schedules an installation appointment with an interlock company approved by the DTC program
    - The device must be cellular and have a camera
- The participant must sign the Interlock Contract with the probation officer

Once the DTC probation officer receives the ignition interlock installation certificate from the interlock company (copy saved in the probation file), the certificate is submitted to the traffic/criminal department with form MC 393 (filled out by DTC PO and found on DCPS), who then sends the form to the MDOS Driver Records Activity Unit:

Email: mdos-driverrecords@michigan.gov
Fax: (517) 636-7525

- The participant is advised that restricted licenses are issued as a hard-card photo license. Because of this, participants will need to go into an SOS branch office to make an application and get their picture taken once notified by the probation officer to do so.
- The participant receives a restricted license in the mail with restrictions printed on it.
    - If they haven't received it after 14 days, they should call SOS at (517) 636-6406 to see what is holding it up (reinstatement fee etc.).

Sobriety Court Removal Reporting:

The MC 393 form shall be sent to MDOS-DriverRecords@michigan.gov for the following reasons:

- The defendant has successfully completed the DWI/sobriety court program
- An ignition interlock violation occurs as outlined under MCL 600.1084(7)
- The court orders the device removed for any reason - i.e. medical or financial reasons

If a participant does **not** successfully complete Sobriety Court, a MC-393 must be sent to MDOS-sobctremovals@michigan.gov
If an individual has additional documents and/or wants to request an appeal, they must email the additional documents to MDOS-BAIIDdocumentation@michigan.gov

If you have any questions, please contact your Secretary of State Court Liaison Melissa Noll, nollm1@michigan.gov (517) 241-3460.

Participants Who Fail to Complete the Program

If a participant chooses to leave or is terminated from the program, for any reason, they are no longer eligible for a restricted license, and the license will be revoked in accordance with the law. The license will remain revoked for at least one year, or until the participant is eligible to be reviewed for an Office of Hearings and Administrative Oversight (OHAO) board hearing.

When a participant with a sobriety court restricted license enters into bench warrant status, the probation officer will email the participant to advise that they are in bench warrant status and if they do not address the warrant by the end of the next business day, they will not be able to have the interlock device calibrated and will be locked out of their vehicle. If they damage the interlock device by attempting to remove it, criminal charges may be filed. If the participant does not respond to the probation officer's email, the interlock company will be contacted immediately and instructed not to calibrate the vehicle and report any attempt to calibrate by the participant. At the next DTC review session, the case is added to the docket to discuss license status. Per SOS, once it is revoked it cannot be reinstated.

Participants Who Successfully Complete the Program

The process to obtain a full license can be started after one year on the interlock device. During the hearing waiting period, if the participant disconnects their handset (which is allowed by interlock provider), and reconnects it on their own, they are to call the interlock provider to report the date and time of the event and document the event and the person at the agency to whom the report was made.

For information on the OHAO hearing processing and requirements, please see MCL 257.304.

Financial Assistance Procedure

The grant allows for financial assistance with drug and alcohol testing, including handheld or transdermal testing/GPS monitoring, and treatment. For the problem-solving court to assist with payment of allowable expenses using grant funds, the agency accepting the funds must be a contractual vendor already established within the grant. The participant must fill out the Financial Assistance form in its entirety and document the following for the previous three months:

- Any assistance received (SSI, SSD, food stamps, bridge card, Medicaid/Medicare, etc.)
- Monthly bills (utilities, mortgage/rent, car payments, medical bills, medication, etc.)
- Any bankruptcies, overdue bills, shut off notices, evictions, repossessions
- Bank statements

Circumstances that may warrant financial assistance include:

- Newly released from jail and is unemployed
    - Financial assistance can be provided for up to 30 days after release
- Unable to work due to instability in the first phase or document the participant is disabled
- Working full-time but underemployed and documenting search for better work
- A college student who is also working

All requests are approved by the Program Coordinator. Financial assistance will be reviewed by the DTC probation officer and Program Coordinator every two weeks. Participants receiving assistance must be made aware that there should be no expectation of continued assistance, and they should prepare to resume responsibility for all costs after the initial two-week period.

If a participant submits a positive or dilute drug test, financial assistance may be suspended for a period determined by the treatment court team. If a participant that is receiving financial assistance submits a positive test, the participant is responsible for paying any confirmation fees.

Documentation of financial issues is required monthly. Participants should be, as part of the program, working to improve their financial situation with the assistance of their probation officer. This can be achieved by pursuing job skills/education, resume writing, better employment, a second job, setting a budget, etc., and by working with agencies such as Michigan Works!, Kelly Services, Aerotek, etc. By Phase IV, participants are expected to be financially independent, and financial assistance may no longer be available/provided at this point, unless extraordinary circumstances exist.

Invoices from partner agencies and participants are to be reviewed monthly to ensure staying within the grant budget and the appropriate participants are receiving assistance. The DTC probation officer must cross-reference dates of testing and types of tests with the information in DCCMIS. Once a participant has graduated from the program, they are no longer eligible for financial assistance per the grant rules.

DTC Team Meeting, Review Session and Docket Preparation Procedure

The team consists of the judge, city attorney, defense attorney, counseling representatives, recovery support volunteer, Program Coordinator, testing representative, police officer, peer recovery coach, and probation officer(s). The Program Coordinator will notify the deputies of any changes to the team session attendees, speakers, or visitors. It is the responsibility of the individual team members to advise the Program Coordinator that they will be unable to attend a session.

The docket is due to the team, including the judge's law clerk and court recorder, by the DTC probation officer two days before the scheduled review session. For a Wednesday morning review session, for example, the docket sheet must be emailed to all parties no later than noon on the Monday before the session. All parties who are required to provide entries directly into DCCMIS with updates, including treatment or contact with the PRC, must ensure that entries are made by 8:00 a.m. on the day that the docket sheet is to be disseminated. Upon receipt, all team members are to read the docket prior to the team meeting to move through it in a timely fashion. The DTC probation officer is not required to provide printed copies of the docket sheets to the team members. If a docket sheet is printed, it must be returned to the DTC probation officer at the end of the session to be securely destroyed (cross-cut shred).

The judge, DTC probation officer, and team members acknowledge that changes may occur between when the docket sheet is distributed and when the team meets prior to the review hearing. If possible, the DTC probation officer may provide updates to the docket via email, or they may report updates at the team meeting.

This docket sheet will be used to pull files for the judge to review and for confidential log sheets to be prepped. Files will remain with the judge until the DTC session is completed. At the conclusion of the session, all files must be returned to the locked DTC file cabinet unless a sanction imposed includes a jail sentence, ATI order, or termination from DTC. These files must be given to traffic/criminal clerks for processing.

Docket sheets

Docket sheets are prepared by DTC probation officer in advance of each review session/team meeting and must include all pertinent and updated info about participants scheduled to appear at the review session. Docket sheets are in alphabetical order, but cases are called in the following order:

1. **Commencements—** The probation officer will include any notable highlights, what the participant will receive for graduation, whether family and/or friends are expected to be in attendance.
2. **Advancements to Phase II/Phase III/Phase IV—** The probation officer will highlight any special accommodations that are being requested by probation officer/participant regarding advancement. The team will also weigh in on any changes to treatment, testing, appearance at review sessions, and eligibility for a sobriety court license.
3. **"All-Star" Award Recipients—** Anyone on the team can nominate a participant for the status. The probation officer will recommend participants who should be recognized as an "All-Star" and state why on the docket (see Incentives and Sanctions Procedure for

criteria to be considered in selecting an All Star). All Stars typically can pick an incentive, either a predetermined gift card amount or selecting at random an incentive from the "fishbowl" drawing. Ideally, there is one All Star per session. Phase Advancements can also be an All Star but receive only one monetary incentive.

4. **Status quo participants—** The probation officer will provide a brief verbal update on each participant, noting testing results and attendance at counseling and support group meetings. The probation officer will highlight any goals recently achieved toward phase advancement and will also advise on some of the work that the participant must complete before considering the next phase. The participant's treatment provider and other team members will share pertinent information about the participant's progress or individual barriers.
5. **First DTC session attendee—** The participant's basic information should be included on the docket sheet. The judge will allow the new participant to observe the session and will call them up to briefly introduce themselves. Team members are introduced but limited information will be shared to let the new participant get acclimated.
6. **Violation allegations—** The probation officer will include allegations, and most up-to-date casework notes in the docket sheet that should address any possible explanation provided by the participant for the alleged violation so it can be considered in team meeting, prior to the case being called during the session. The probation officer will provide up to date information about participant's progress and will include a recommendation for the participant if they are in violation. All team members will be asked to weigh in on the violation, sanction, and overall progress of the participant to determine how to proceed with the violation allegation, taking into consideration treatment compliance or noncompliance, best practices, type of allegation, violation/sanction history, and public safety needs. The participant facing a violation will have an opportunity to confer with defense counsel before any formal violation is addressed. Ultimately, the participant has the right to counsel with the DTC defense attorney (or an attorney they chose to retain) and the participant has the right to contest any allegation that may result in jail time as a sanction. If a contested hearing is requested, full team attendance is not required at the contested hearing date. If a participant chooses to plead guilty and forgo their right to a hearing, the judge will impose a sentence immediately based on the team's discussion and best practices.

Additional Session Information

After sentencing and ideally by their 1st DTC session but no later than before their 2nd session:

1. Participant fills out Participant Information form.
2. The completed form is sent to team as well as judge's staff, as well as the PSI (this version will be saved in the DTC PSI folder on the iDrive) with the criminal history redacted, and any information regarding treatment status.
3. Personal Narratives, Commencement Applications and Recovery Action Plans will also be sent out with the docket when the participant is in attendance.

It will be expected that the DTC probation officer assigned to each participant calls their case and announces the participant's name. Each participant will be called up separately to have our undivided attention.

Team members are highly encouraged to contribute words of encouragement and support during the DTC review session. Each team member is expected to contribute to the conversations that take place in the public review session so that participants get a sense that

the entire team supports their progress and is aware of their individual needs. At times, the judge may specifically request that team members address topics with participants during the review session. Confidential information about a participant must only be discussed in the team meeting.

Discussions that pertain to requests for special accommodations and violation allegations/sanctions will take place within the team meeting setting to avoid a situation where it may appear to a participant that any team member is not “on their side.” The goal will be to complete these discussions prior to the start of the DTC session, however, if new information arises that may change the circumstances, the Court may take a brief recess to discuss the matter before proceeding.

Incentives and Sanctions Procedure

DTC is about individualizing the needs of the participants. Incentives and Sanctions may vary from person to person depending on specific circumstances surrounding the participant/violation. The program should provide graduated but immediate rewards for compliance, and sanctions for non-compliance. MCL 600.1072(1)(d).

BEST PRACTICES:

Place as much emphasis on incentivizing productive behaviors as you do on reducing crime, substance abuse, and other infractions that may occur. Violations and sanctions will likely increase in magnitude over successive infractions but start slowly, to allow treatment to take effect. As a participant has more time to stabilize and progress in treatment, imposing high-magnitude sanctions when a participant fails to meet an easy goal helps to avoid habituation. Sanctions/violations must always be addressed as quickly as possible after noncompliant behavior. Jail sentences should always be definite in duration and typically last no longer than 5 days. Participants should not receive punitive outcomes if they are otherwise compliant with their treatment but are not responding to interventions (i.e., avoid jail for use in the early stage of the program if otherwise compliant). Immediate and tangible rewards help a drug court demonstrate the benefits of abstinence.

All-Star Status Criteria:

The (DTC) model is unique in that it is designed to place more emphasis on positive behavior and progress than it does on addressing violations and imposing sanctions. Violations will always be taken seriously and handled quickly, but the DTC program also strives to focus on the achievements of the participants regularly. Positive action in the program will be incentivized in many ways and for many reasons. All-Star status is awarded to participants who demonstrate exceptional commitment and performance throughout the program. Recipients will receive recognition, positive feedback, and an incentive. Consider the following factors in awarding All-Star recognition:

- Full compliance with counseling
    - No missed/late appointments, no unapproved rescheduled appointments, engaged in sessions, making progress
- Actively working support group steps
    - A participant can convey their knowledge of their chosen support groups, based on their progress in the program and how what they have learned thus far applies to everyday life
- Arrive on time for court and probation appointments
- Engaged in court and probation appointments
- Full compliance with testing
- Promotion at work or secure better employment (full time, more pay)
- Enrollment in school or continuing education/training
- Good school report (B's and up or vast improvement in grades)
- Service work above and beyond what was ordered
- Good attitude in program, improvement in program
- Noteworthy letter of apology to any victims or police
- Perfect attendance
- 30, 60, 90 days of sobriety (or other designated timeframes)

DTC Phases

As our treatment court program is individually tailored to meet the needs of the participant, phase advancement is based on individual progress in the program.

While the phase structure has been developed to meet current best practice standards and provide structure, estimated times in each phase is participant driven. At a minimum, a participant will remain in the treatment court program for at least 12 months before they are eligible for commencement and maintenance supervision. All writing assignments will be assigned a due date by the probation officer. The assignment will be reviewed at the participant's next scheduled appointment, and the probation officer will document the outcome on the next session's docket sheet.

Phase I (estimated minimum of 60 days)

- Report to probation officer in person, weekly or as directed
- Attend DTC review sessions, twice per month or as directed
- Document health insurance on or before sentencing date; if participant is still waiting for approval of application, they are to provide documentation of progress by first DTC session
- Review and sign all appropriate forms at first appointment with PO, including but not limited to:
    - Multiple Party Consent for Release of Information form
    - Participant Information Sheet
    - Release of Information for counseling agency
    - Financial Sheet—if financial need is expressed or assistance is requested
    - Standard Rules of Probation
    - Order of Probation
    - Prescription Drug Policy
    - Healthcare Policy
    - Medication disposal form
- Engage in treatment as recommended by substance use disorder/mental health treatment provider
    - If the participant is already engaged in treatment at the time of sentencing, they will continue to comply with treatment plan. The team will review treatment recommendations as they are received from the provider. Participant may be required to confirm that treatment provider is appropriately licensed, aware of participation in treatment court and has updated criminal and substance use history
    - If the participant has not participated in a clinical evaluation for SUD and/or mental health treatment as of sentencing, participant will be provided with treatment court provider referral list and must contact provider immediately to schedule an intake appointment. Participant must meet with a treatment provider for intake and level of care assessment within seven days of sentencing. Participant shall follow all recommendations of treatment provider after intake process completed
- If the participant has not had regular contact with a medical provider or completed an annual physical within the last twelve months, the participant must schedule an

appointment for an annual physical within 30 days of sentencing, or within 30 days of effective date of insurance coverage. The participant is expected to follow the recommendations of their medical provider to ensure that pressing health issues are addressed

- Document prescribed medication upon entry into the program *(printed list from pharmacy and/or prescribing doctor as of sentencing date, MAPS checked monthly)*. The participant must review medications with their prescribing doctors and, if necessary, discuss alternative treatment/medication based on participant's placement in a treatment court. If signed healthcare contracts are required by the Court for any prescriber, medications reviews must be scheduled within 7 days of entry into the program.
- Schedule/complete an assessment for MAT/MOUD, if recommended as part of treatment plan or as ordered by judge
- Submit to random drug and alcohol testing as directed (frequency of 8-10 per month minimum). The participant must check in with their assigned testing agency daily to see if they are required to test. Testing must be completed before 9:00 a.m. unless otherwise directed
- Complete Recovery Capital Assessment within first 30 days of Phase I. Once completed, review and start building Recovery Action Plan. Schedule appointment before next DTC session with PRC to review and build upon Recovery Capital Action Plan
- Complete Personal Narrative Part One within first 45 days of Phase I
- Attend twelve step/recovery/support group meetings
    - If the participant is already engaged in support group/12 step meetings, the participant is expected to continue weekly attendance, at least three meetings a week must be in person and verified by signature of a support group meeting attendee
    - If the participant has not begun attending support group/12 step meetings at the time of sentencing, they may be required to attend a support group orientation and/or locate an open meeting to attend by their second review session. The treatment court team, with input from the participant's treatment provider, will determine frequency of support group meeting attendance in Phase I
- Attend court scheduled speakers as required****
- If employed or enrolled in school at the time of sentencing, the participant must provide proof to PO on or before their second appointment. If the participant is not enrolled in school or employed as of their sentencing date, the PO will work with participant to address current barriers to enrollment or employment. Employment and/or education is not required to advance to Phase II; however, additional information will be required from the participant if they are seeking financial support through grant funding at any point in the program
- A participant must have a minimum 30 days of continuous sobriety for phase advancement

Eligibility for a Treatment Court Driver's License

The participant does not automatically begin the process of obtaining a treatment court driver's license when they pass the 45-day hard suspension mark. The PO will confirm eligibility for a treatment court license from SOS when the participant is admitted into the program and provide information to the team. Permission to pursue the restricted license will be considered based on the individual participant. To begin the process of obtaining the restricted license, the participant must have a treatment plan established, verification that he/she is following recommendations of provider and must have 60 days of sobriety, at a minimum. As Phase I is intended to orient a participant to the program and provide for a period of stabilization, if needed, the restricted license may be reviewed at the end of Phase I, during phase advancement, or in Phase II, depending on the participant and treatment provider's assessment. When the team decides that the participant can begin the process of obtaining the interlock and restricted license, the participant must acknowledge in writing their understanding of the terms of their restricted license.

Phase II (estimated minimum 90 days)

- Report to probation officer in person weekly or as directed
- Attend DTC review sessions, twice per month or as directed
- Attend substance use disorder and/or mental health treatment with level of care and frequency as directed by treatment provider
- Submit to random drug and alcohol testing as directed (frequency of 8-10 per month minimum). The participant must check in with their assigned testing agency daily to see if they are required to test. Testing must be completed before 9:00a.m. unless otherwise directed
- Document prescribed medication monthly *(printed list from pharmacy and/or prescribing doctor, MAPS checked monthly)*
- Continue to attend twelve step/recovery/support group meetings with written documentation, frequency to be determined on an individualized basis, with input from treatment provider. For those attending weekly and either seeking or maintaining a relationship with a sponsor, at least 3 meetings per week must be in person
- Obtain or maintain 12 step sponsor relationship. A signed letter confirming sponsorship is required before phase advancement will be considered. Provide written sponsorship verification monthly to PO
- Complete Personal Narrative Part Two within first 30 days of Phase II
- Attend court scheduled speakers as required ****
- If eligible for treatment court restricted license, treatment team determines when process to obtain license can begin, if this was not already considered at phase advancement. Once approved for license, the participant must have cellular interlock with camera installed and strictly adhere to all driver's license restrictions

- Participant may be assigned individualized learning assignments in Phase II, including journal prompts, writing assignments, book reviews, budget planning or other focused assignments recommended by treatment court team
- Participants will maintain employment or enrollment in school and provide monthly documentation if this goal was achieved in Phase I. If not employed or in school, participant will develop a written plan with PO to identify what is needed to secure employment or return to school. Participant will contact and follow through on any employment/job skills/resume building referrals that are provided by the PO and report back on job seeking efforts
- Unless otherwise exempt from payment of fines and costs or already paid in full, PO must establish a payment plan for the participant in Phase II
- A participant must have a minimum of 30 continuous days of sobriety to phase advance

Phase III – (estimated minimum time of 90 days)

- Report to probation officer in person a minimum of twice per month or as directed
- Attend DTC review sessions, twice per month or as directed
- Attend substance use disorder/mental health treatment with level of care and frequency as directed by treatment provider
- Document prescribed medication monthly (printed list from pharmacy and/or prescribing doctor, MAPS checked monthly)
- Submit to random drug and alcohol testing as directed (frequency of 8-10 per month minimum). The participant must check in with their assigned testing agency daily to see if they are required to test. Testing must be completed before 9:00a.m unless otherwise directed
- Continue to attend twelve step/recovery/support group meetings with written documentation of attendance, at least 3 in person meetings weekly. Frequency to be determined on an individualized basis, with input from treatment provider
- Maintain twelve step sponsor relationship. Provide written sponsorship verification monthly to PO. The participant is encouraged to share thoughts and concerns about step work and sponsorship at court review sessions and can earn additional incentives for doing so
- Formal introduction to journaling begins at the start of Phase III, if the participant has not already incorporated journaling into their recovery. The participant will receive DTC journal and weekly journal prompt schedule. Journal prompts must be reviewed with PO. They can also be reviewed with a treatment provider or at court sessions. Participant must complete prompts in a timely manner and bring journal to each PO appointment
- A participant is encouraged to share journal prompts and educational program feedback in court sessions and is expected to extend an offer to a support person to attend a court session as their guest. Sharing and bringing a guest to court review sessions will offer additional incentive opportunities
- Complete Personal Narrative Part Three within first 30 days of Phase III
- Provide verification of employment and/or education, required for phase advancement unless otherwise directed

- Attend court scheduled speakers as required, including DTC Alumni meeting****
- Complete substance use education weekend or other recommended education, as directed
- Continue the use of interlock in vehicle, as applicable
- A participant must be compliant with payment plan unless paid in full
- Minimum 60 days continuous sobriety for phase advancement

Phase IV- (estimated minimum of 120 days)

- The participant will be expected to demonstrate stable employment, education, housing, counseling attendance, support group involvement and pro-social engagement during Phase IV
- Report to probation officer once per month or as directed
- Attend DTC review sessions, once per month or as directed
- Submit to drug and alcohol testing, as directed by probation officer, by 9:00 a.m. Participant must check in with their assigned testing agency daily to see if they are required to test.
- Document prescribed medication monthly (printed list from pharmacy and/or prescribing doctor, MAPS checked monthly)
- Continue twelve step/recovery/support group meetings, frequency to be determined with input from treatment provider. The participant must submit written attendance verification and attend most of their required meetings in person.
- Maintain a sponsor relationship and provide monthly verification to PO
- Update Recovery Capital Assessment within the first 30 days of Phase IV
- Submit a Relapse Prevention Plan within the first 60 days of Phase IV. Plan must be completed by participant and reviewed with the treatment provider before it is submitted to PO
- Engage in pro-social activities a minimum number of hours per week, time goals will be set on an individualized basis. Prior approval from PO for weekly pro-social activity is required and the participants must comply with documentation requirements set forth by PO. Pro-social activity can include, but is not limited to, participating in events put on by sober supportive organizations like the Phoenix, meditation, yoga, volunteer opportunities, workout or exercise regimen, health club membership, health and wellness seminars, professional association membership, sport league participation, creative or artistic endeavors, mentoring, leadership training, book club, community gardening
- Attend court scheduled speakers as required, including DTC Alumni meeting****
- Continue SUD and/or MH treatment as directed by treatment provider
- Continue interlock in vehicle, as applicable
- Participant must be compliant with payment plan with a goal of paying fines and costs in full by date of commencement
- Extend an invitation to a support person to attend commencement 3-4 weeks prior to anticipated commencement date
- Write a personal thank you note to someone who played a role in recovery. This thank you letter can be provided to someone outside of the program or someone in the program

including other participants, team members, treatment provider. Verify requirement by bringing note to PO appointment. The note must be given to the recipient on or before commencement date
- Submit commencement application to PO two weeks prior to anticipated commencement date for team to review
- Minimum 90 days continuous sobriety
- Complete DTC exit survey at last appointment

****The DTC Treatment Coordinator will schedule speakers and other events throughout the year at the 52-4 District Court or another off-site location. These speaker sessions will most likely be scheduled on Fridays at 9:00 a.m. The participants will be given advance notice of the date and time (at least 30 days). Participants are required to arrive/be seated at least five minutes before the speakers are scheduled to start. A sanction may be issued if the participant is late or fails to appear. The participant may be asked to complete a speaker evaluation on Qualtrics and document completion with a screen shot. Documentation that the evaluation was submitted within 48 hours of receiving it will give the participant credit for attending one support group meeting that week.

POST COMMENCEMENT

The participant will be monitored on standard probation after commencement. This maintenance monitoring period will be determined on an individualized basis and is contingent on the amount of time remaining on the participant's probation order.

Early discharge requests from standard probation may be considered, however, requests are not granted simply because a participant successfully graduated from the program. After commencement, the participant continues to meet with their PO as directed but will no longer attend court review sessions.

Every participant will be contacted for a voluntary update at six-month intervals following discharge from probation (6, 12,18, 24, 36 months). All collected data from the DCCMIS Discharge tracker will be entered as well as from the DTC Follow-up Survey, on an Excel spreadsheet. ICHAT will also be run on each former participant, and any new charges will also be recorded on the spreadsheet. All participants who were successfully discharged from the program and probation are encouraged to stay in contact with the program by offering to serve as a mentor or speaker. F o r these reasons, treatment court participants are asked to contact the 52-4 Treatment Court Coordinator or PO to update their contact information, including phone and email, if there are changes in the 24 months after discharge.

DTC Commencement Preparation Procedure

For any participant who is eligible for commencement, the DTC probation officer must notify the team members of eligibility and schedule an appointment with the participant two weeks prior to the commencement date. At that appointment, the DTC probation officer must:

- Obtain the completed commencement application from the participant and forward it to the team members
- Review the participant's reoccurrence prevention plan and forward to the team members
- Ensure that the participant has 90 days of continuous sobriety and has been sanction and violation free for 60 days
- Confirm that the participant has paid fines and costs in full, and is up to date on payment of POEs
- Verify compliance with support group meeting requirement
- Verify compliance with treatment to confirm that the participant has either been successfully discharged or, if treatment is ongoing, that the participant is consistently meeting treatment goals
- Review all testing, including with the interlock, if applicable
- Ensure that the participant has met all conditions for each phase
- Obtain verification of full-time employment and/or education
- Run LEIN/SOS
- Generate a DTC Program Discharge form for the judge to sign at commencement

For a participant receiving financial assistance, notify all agencies and the participant that financial assistance has ceased.

At discharge (whether successful or unsuccessful) the participant will be provided with a voluntary and anonymous exit survey, which can be returned to the Program Coordinator for future evaluation and to share with the team.

If an individual is successful, MC 393 is emailed to sosap@michigan.gov and if they are unsuccessful, MC 393 is emailed to MDOS-sobctremovals@michigan.gov.

At Commencement the participant will receive a packet containing the following:

- Commencement Certificate
- Commencement Application
- Personal Narrative
- Reoccurrence Prevention Plan
- Recovery Capital Action Plan