

GEAUGA COUNTY COMMON PLEAS DRUG COURT  
JUDGE CAROLYN J. PASCHKE, 100 SHORT COURT, SUITE 1A, CHARDON, OH 44024

PARTICIPANT HANDBOOK

TABLE OF CONTENTS

(9-25-19)

CHAPTER 1: WELCOME AND PROGRAM INTRODUCTION	2
CHAPTER 2: LEGAL AND CLINICAL CRITERIA	5
CHAPTER 3: PROGRAM ENTRY AND CASE FLOW	7
CHAPTER 4: TREATMENT TEAM	10
CHAPTER 5: TREATMENT TEAM MEETINGS AND STATUS REVIEW HEARINGS	12
CHAPTER 6: SUPERVISION REQUIREMENTS	15
CHAPTER 7: PHASES	18
CHAPTER 8: SANCTIONS AND INCENTIVES	21
CHAPTER 9: PROGRAM COMPLETION	24
CHAPTER 10: SUBSTANCE MONITORING	27

## **CHAPTER 1: WELCOME AND PROGRAM INTRODUCTION**

This handbook will provide an overview of the Geauga County Common Pleas Drug Court (New Leaf Program) and detail the participants' rights and responsibilities in the program. The New Leaf Program is a voluntary program focused on providing treatment oriented options for offenders with identified substance abuse concerns. The New Leaf Program is designed to be approximately 16 to 24 months in duration, yet due to the individualized nature of needs-based programming, your term of participation may be longer or shorter in duration. There are many potential benefits, resources and requirements of program participation:

### **The benefits of the New Leaf Program participation are:**

- A. Learning how to enjoy a productive lifestyle;
- B. Improved familial and social relationships;
- C. Reduce negative interactions with peers and the criminal justice system;
- D. Overall healthier lifestyle.

### **The resources the New Leaf Program offers participants are:**

- A. Access to a range of treatment services;
- B. Case management services to assist with linkages to local services such as employment, educational or vocational opportunities, housing assistance and transportation assistance;
- C. Incentives for compliance;
- D. Relationships with the treatment team members, including the Judge, probation officer, recovery coaches and treatment partners.

### **The following is a list of basic requirements of the New Leaf Program participants:**

- A. Abstain from alcohol and drug use;
- B. Attend status review hearings;
- C. Attend appointments with treatment providers and case managers;
- D. Comply with all medication requirements;
- E. Attend appointments with your probation officer;
- F. Comply with program requirements, conditions and treatment plans;

- G. Submit to frequent and random alcohol and drug screens;
- H. Comply with sanctions for infractions;
- I. Engage in sober support community;
- J. No further violations of the law.

### **Program History and Overview**

The Geauga County Drug Court (New Leaf Program) was established in 2019. The New Leaf Program was developed and continues to evolve through a collaborative and non-adversarial process focused on meeting the needs of the offender, courts and the community. The initial development team stakeholders include Geauga County Common Pleas Judges, Prosecutor, Defense Counsel, Mental Health and Recovery Services Board Director, local law enforcement officers and all area treatment providers, associated social service organizations, adult probation and parole, the Veteran's Commission, and local educators. The Geauga County Drug Court Program is based on evidence-based practices to include cognitive behavioral interventions.

Essential program features include individualized screening and assessment that guides program placement, reporting schedule, format and intensity of services received. The program has been designed to target high risk and high need offenders with a qualifying substance abuse diagnosis who are in need of services.

This is a voluntary program and requires participants to sign a program Participation Agreement. The Participation Agreement outlines core program elements, participants' rights, as well as rights to be waived regarding formal hearing and immediacy of sanctions. It is important to note that one's eligibility does not constitute or create a right to participate in the Drug Court. The Drug Court Judge has the ultimate discretion to determine admission into the program. The overarching goal of the Drug Court Program is to reduce the likelihood of recidivism through intensive treatment, supervision and personal accountability.

Program noncompliance is addressed immediately through targeted and progressive sanctions. A graduated sanction continuum is used to guide the Judge in determining the most appropriate sanction for noncompliance in treatment, reporting or abstinence.

Dependent on the participant's treatment needs, each are engaged in treatment ranging from outpatient therapy, psychiatric services, targeted case management, crisis intervention services and residential treatment as required. If participants are diagnosed

with co-occurring mental health and substance abuse issues, they may be placed into dual diagnosis treatment. Services available to program participants include: Outpatient Substance Abuse Counseling, Intensive Outpatient Counseling, Residential Treatment, Recovery Support Services, Aftercare and Transitional Services, Transitional Housing, Employment and Housing Assistance, Mental Health Counseling and Specialized Group Treatment to address issues of abuse, cognitive thinking errors and other topics of interest.

Graduation from the New Leaf Program is based on progress toward the individualized goals and objectives set forth in the treatment plan, compliance with the rules and conditions of community control and additional goals and objectives identified in Intensive Supervision case plans. As participants satisfy these requirements, they progress through the phases of Drug Court, most often with graduation occurring between 16 and 24 months. Participants who have not responded to the continuum of sanctions will ultimately be staffed for consideration of program termination. This process is monitored by the Drug Court Treatment Team and ultimately enforced by the Drug Court Judge. The Drug Court exhausts all available sanction and treatment options prior to making a determination of unsuccessful discharge.

Program participants are required to pay all court costs, fines, restitution, and a \$300.00 supervision fee, unless otherwise determined through payment plan, community service credit, or waiver. Additionally, participants may be required to pay for all positive drug tests. Restitution is a core element of the Supervision, and officers and the Judge continually monitor progress in this area.

### **MISSION STATEMENT**

To help participants suffering from addiction and combined addiction and mental illness, by providing resources, support and requiring accountability; with the goals of assisting participants in becoming productive members of our community, reducing recidivism, providing treatment instead of incarceration where appropriate, and improving the safety of the public and participants.

## **CHAPTER 2: LEGAL AND CLINICAL ELIGIBILITY CRITERIA**

### **TARGET POPULATION**

The Drug Court Program serves Geauga County and surrounding counties residents who suffer from a drug and/or alcohol dependency that has contributed to the commission of the charged offenses, and who require more intense court-monitored treatment in order to enhance their ability to lead a safe, law-abiding life.

### **LEGAL CRITERIA**

Legal eligibility is collaboratively developed, reviewed and agreed upon by the relevant parties. The New Leaf Program serves those who are charged primarily with felonies of the fourth or fifth degrees, but may include higher level felonies upon consultation with the Treatment Team and approval of the Specialized Docket Judge.

### **LEGAL CRITERIA CONTINUED**

A. Intervention Participant;

A person accepted into the New Leaf Program must meet the legal criteria of Intervention in Lieu of Conviction as set forth in Ohio Revised Code Section 2951.041;

B. Post-Conviction Participant;

All other persons accepted into the New Leaf Program who are eligible to participate and accepted by the Specialized Docket Judge.

### **ELIGIBILITY CRITERIA**

- A. Current charge is community control eligible;
- B. Offender is capable of participating in and completing program;
- C. Offender demonstrates an interest in and willingness to participate in the treatment program;
- D. Offender must be diagnosed with substance abuse dependency.
- E. Offender is charged with an offense that is not defined as a sex-related offense.

**NOT ELIGIBLE**

- A. Offender charged with a sex-related offense;
- B. Offender has an out-of-county pending case and is not eligible for community control;
- C. Offenders charged with offenses of violence are not eligible as Intervention participants;
- E. Offenders charged with a trafficking offense, unless specifically approved by the Prosecutor and Specialized Docket Judge;
- F. Offenders charged with a felony offense of violence as defined in R.C. 2901.01(A)(9) unless specifically approved by Prosecutor and Specialized Docket Judge.

**CLINICAL CRITERIA**

The participant must be diagnosed with a chemical dependence based upon a DSM V diagnosis. Other factors looked at are health conditions and motivation and willingness to participate. Admission to the program is without regard to race, national origin, age, gender or sexual orientation of the applicant. Written legal and clinical eligibility and termination criteria do not create a right to participate in the Specialized Docket.

**CAPACITY**

The New Leaf Program can effectively monitor and treat 25 participants.

## **CHAPTER 3: PROGRAM ENTRY AND CASE FLOW**

### **REFERRAL PROCESS**

Potential participants can be referred to the New Leaf Program through various points of entry to include:

- A Prosecutor referral;
- B Judge referral;
- C Request of defense counsel;
- D Treatment providers;
- E Probation officer;
- F Self-referral;
- G Jail referral.

Referrals can be made at any stage of the case or Court process, to include arraignment, pretrial, pre-plea agreement, change of plea, Intervention in Lieu of Conviction (R.C. 2951.041), post-plea (Presentence Investigation), sentencing, while currently under Court supervision/community control, or as a result of a community control violation.

The referring entity contacts the New Leaf Program Coordinator who conducts an initial eligibility screening. If an offender is deemed eligible for participation, the formal screening and assessment process is initiated.

### **APPLICATION**

A person who is interested in participating in the New Leaf Program must submit, through his/her attorney, an application to the New Leaf Program Coordinator. A person may either apply to participate as an Intervention applicant, or as a Post-Conviction applicant of the program.

The Specialized Docket Judge has the discretion to decide the admission into and termination from the New Leaf Program in accordance with the criteria for the New Leaf Program. There is no legal right to participate in the New Leaf Program, and the decisions of the Specialized Docket Judge are final.

### **NON-DISCRIMINATORY PRACTICES**

If an applicant meets the legal and clinical eligibility criteria for the New Leaf Program, then the applicant is not to be denied admission based on race, color, religion,

gender, sexual orientation, national origin, ancestry, age, citizenship, marital status, veteran's status or any disability.

### **SCREENING AND ASSESSMENT**

All offenders referred to the New Leaf Program are screened using the validated Ohio Risk Assessment System (ORAS) either during the initial screening, Presentence Investigation (PSI) or upon initiation of a community control sentence. A trained officer conducts the extensive ORAS Interview that evaluates offender history and needs across seven (7) functional domains; Criminal and Supervision History; Education; Employment and Finances; Family and Social Support; Neighborhood Challenges,; Substance Abuse; Peer Associations; and Criminal Attitudes and Behavioral Concerns. Based on the issues identified, officers then develop an individualized case plan that identifies goals and objectives for the offender.

### **SUBSTANCE ABUSE OR A DUAL DIAGNOSIS**

Assessments are scheduled in a timely manner. Final diagnostic summaries are sent and reviewed within fourteen (14) days of assessment, and participants shall be placed as soon as possible in appropriate treatment services and programs. All screenings and assessments for treatment determinations are provided by programs or persons who are appropriately licensed and trained to deliver such services. The Court Coordinator monitors the assessment process to ensure appropriate licensure and training of treatment staff. Release of information forms are completed so that the collateral assessment agency can provide communication regarding confidential information, treatment participation and progress and compliance with the provisions of relevant law, including the "Health Insurance Portability and Accountability Act of 1996," and the Ohio Revised Code.

The ORAS interview assists officers in identifying individualized needs and beliefs to ensure that all services and interactions are gender responsive and culturally appropriate. All programming assessments shall include available collateral information to ensure accuracy of the assessment.

Upon completion of the assessment, the participant immediately enters treatment per the recommendations of the treatment provider with the Court's approval.

## **PROGRAM ADMISSION**

A critical feature of the New Leaf Program is to initiate contact by Court personnel at the earliest point possible. Upon determination of clinical and legal eligibility, a referred person is immediately admitted and begins participating in all required Drug Court functions, to include the status hearings.

Immediately upon admission, participants begin working through a progression of program phases. Most referrals are under reporting supervision with the Adult Probation Department during the referral and admission process, which ensure continuity and monitoring. Individuals not under reporting supervision at the point of referral are monitored immediately through bond reporting procedures, such as Pretrial Supervision, or during the Presentence Investigation.

It is important to note that the Specialized Docket Judge has discretion to determine admission into the specialized docket in accordance with the previously stated eligibility criteria.

## **PROGRESSION OF PHASES**

Phases are the steps in which a participant's performance and progress through the specialized docket are monitored. There are six (6) phases within the New Leaf Program. The following general principles apply to the phase system:

- A. Phase advancement is not solely based on present timelines; rather, it is based on treatment plan progression and program compliance;
- B. At a minimum, the participant shall appear before the Specialized Docket Judge at least weekly in the initial phase;
- C. In subsequent phases the participant shall appear regularly before the Specialized Docket Judge to review the participant's progress. After the initial phase, the phase description includes the participant's attendance requirement (bi-weekly, monthly, etc.) at status review hearings;
- D. Time between status review hearings are increased or decreased based upon compliance with treatment protocols and observed progress. General criteria for phase advancement may include a participant's progress in treatment, compliance with Court orders, payment of Court fees, and team recommendation.

## **CHAPTER 4 – TREATMENT TEAM**

The New Leaf Program is created and members are invited by the Specialized Docket Judge for the purpose of coordinating the day-to-day operations of the New Leaf Program. Each treatment team member plays a critical role in ensuring adequate support and accountability for the New Leaf Program participant.

### **SPECIFIC ROLES AND RESPONSIBILITIES OF TREATMENT MEMBERS**

Each New Leaf Program Treatment Team member plays a specific and equally critical role in the administration of this specialized docket. Listed below are the New Leaf Program Treatment Team member's roles and responsibilities. In addition to these core members, additional team supports are accessed on an as-needed basis specific to the needs of the current New Leaf Program population.

#### **JUDGE**

- A. The Drug Court Judge attends and is the Chair of all Treatment Team sessions;
- B. The Drug Court Judge has discretion to determine the admission into or termination from the Drug Court Program, and decision maker, especially concerning incentives, sanctions, phase advancement, and successful completion or termination.

#### **PROBATION OFFICER/SPECIALIZED DOCKET COORDINATOR**

The Probation Officer/Coordinator facilitates the specialized docket in accordance with the written program description, completes investigations for the Drug Court Judge to determine eligibility and acceptance into the program, monitors the participant's community supervision, collects statistical information for the funding sources, attends continuing education and training opportunities when available, assists the Drug Court Judge with committee meetings and attends Treatment Team meetings and status review hearings.

#### **SPECIALIZED DOCKET LICENSED TREATMENT PROVIDERS**

- A. Anyone providing treatment for the specialized docket must be appropriately licensed and trained to deliver services;
- B. Coordinates diagnostic assessments, clinical diagnosis and develops and maintains the treatment plan and record of activities;
- C. Provides documentation on a participant's progress in treatment and

compliance with treatment plans, including treatment attendance and results of alcohol and drug tests;

- D. Attends Treatment Team meetings and status review hearings;
- E. During Treatment Team meetings, gives treatment updates and makes recommendations regarding treatment needs; and
- F. Participates in discussions regarding incentives, sanctions, phase advancement, successful completion and termination.

### **PROSECUTOR**

The Geauga County Drug Court incorporates a non-adversarial approach while recognizing the distinct role of the Prosecutor in pursuing justice and protecting public safety and victims' rights. The Geauga County Prosecutor, or designee, plays an adjunct role on the Drug Court Treatment Team and is required to attend meetings.

- A. The Prosecutor or designee identifies eligible clients for the specialized docket in accordance with the specialized docket written criteria.

### **DEFENSE COUNSEL**

The Geauga County Drug Court incorporates a non-adversarial approach while recognizing the distinct role of defense counsel in preserving the Constitutional rights of the specialized docket participant. Defense counsel plays an adjunct role on the Treatment Team, and is required to attend Treatment Team meetings. Defense counsel's role includes:

- A. Assists with decision-making regarding participation in the specialized docket;
- B. Explains to the participant what rights are waived by entering the program;
- C. Explains the possible sanctions that may be imposed;
- D. Explains the circumstances that may lead to termination; and
- E. Explains the effect that termination from the specialized docket may have on the participant's case.
- F. Each participant has the right to request the attendance of defense counsel during the portion of a Specialized Docket Treatment Team meeting.

## **CHAPTER 5: TREATMENT TEAM MEETINGS AND STATUS REVIEW HEARINGS**

The Drug Court Treatment Team monitors each participant's performance and progress through Treatment Team meetings and Status Review Hearings. Treatment Team meetings are held, at a minimum, every second and fourth Thursday of the month at 8:30 a.m. with the status hearings occurring immediately thereafter.

### **STATUS REVIEW HEARINGS**

The Geauga County Drug Court incorporates on-going judicial interaction with each participant. The frequency and content of this interaction is based on the individualized case plan and phase of each participant.

- A. Participants in Phase 1 and 2 of Drug Court are appearing before the Judge at least weekly, with pointed discussion as to accountability and expectations. Frequent status review hearings establish and reinforce the specialized docket policies and ensure effective and efficient supervision of the participant;
- B. Phase 3 of the Drug Court focuses on supporting the treatment objectives and ensuring compliance and sobriety. Participants continue to report at least tri-weekly or once a month with the intent of maintaining and supporting positive lifestyle changes and aftercare activities;
- C. Upon graduation from the Drug Court, participants no longer report for status hearings, yet are still able to receive support and guidance from the Case Manager or probation officers.

While not all participants attend every session, a significant number of Drug Court participants appear at each status review hearing so that the participant is educated as to the benefits of complying with the specialized docket and consequences for non-compliance.

### **SUMMARY OF TREATMENT**

Drug Court participants will participate in the development of a treatment plan based on their individual needs, and all services provided incorporate evidenced-based strategies. Consistent with the principles of evidence-based best practices, the treatment plans shall incorporate the following requirements:

- A. Treatment plans take into consideration services that are gender responsive, culturally appropriate and effectively address co-occurring disorders;
- B. Provided services, including case plans, are appropriate and clinically necessary to the degree that available resources allow;
- C. Drug Court participants have prompt access to a continuum of approved treatment and rehabilitation services;
- D. The Drug Court treatment provider maintains a current treatment plan and a record of activities. Treatment plans continue to develop throughout program participation to reflect the participant's changing needs based on program progress. The treatment provider shares current treatment plans with the Treatment Team;
- E. All treatment and programming is provided by appropriately licensed and trained programs or persons to deliver such services according to the standards of their profession.

## **AGENCIES AND SERVICES FOR DRUG COURT PARTICIPANTS**

### **RAVENWOOD HEALTH**

- A. Substance Abuse Assessment, Registration/Intake, Treatment Plan Development, Case Management Services, Substance Abuse Intensive Outpatient Treatment (individual and group treatment), Outpatient Services, Drug Testing, Relapse Prevention Planning and Support, Aftercare Planning and Support, Medication-Assisted Treatment, Sober Lifestyle Support (Recovery Club), Baseline Alcohol and Drug Testing, Substance Abuse and Mental Health Evaluation, Outpatient Treatment (Group and Individual) Supported Employment and Outreach Program Amish Program, Family Counseling;
- B. Mental Health Assessment and Treatment (Individual and Group), Psychiatric Assessment and Treatment, Medication Monitoring, Co-occurring Disorder Treatment, Coordinated Case Management Services, Housing and Residential Treatment, Emergency Services.

**LAKE-GEAUGA RECOVERY CENTERS**

- A. Assessment, Registration/Intake, Treatment Plan Development, Case Management Services, Intensive Outpatient Treatment (Individual and Group Treatment), Outpatient Services, Residential Treatment Program (Male and Female), Drug Testing, Relapse Prevention Planning and Support, Aftercare Planning and Support, Medication-Assisted Treatment, Baseline Alcohol and Drug Testing, Substance Abuse and Mental Health Evaluation, Outpatient Treatment (Group and Individual), Dual Diagnosis Treatment (Individual and Intensive Outpatient), Peer Recovery Support, Recovery Housing, and Specialized Services for Pregnant Women.

**ANY OTHER AGENCIES**

- A. Glenbeigh, Windsor Laurelwood, VA Services, Signature Health, Catholic Charities, United Way, Geauga Hospital;
- B. Other agencies may be added as necessary or appropriate.

## **CHAPTER 6: SUPERVISION REQUIREMENTS**

As a New Leaf Program participant you agree to abide by the following supervision requirements.

### **AGREEMENT TO CONDUCT YOURSELF APPROPRIATELY**

As a participant in the New Leaf Program, you agree to conduct yourself in an appropriate manner when you are attending any New Leaf Program related activity, including status hearings with Specialized Docket Judge, meetings with the caseworker, probation officer, counseling and treatment sessions, and other required appointments.

Examples of appropriate conduct include, but is not limited to:

- A. Arriving on time;
- B. Being prepared;
- C. Being sober;
- D. Cell phones must be turned off or silent and may only be used with permission;
- E. Dressing appropriately\*\*;
- F. Being respectful and courteous;
- G. Maintaining an open mind;
- H. Maintaining honesty!!

\*\*For status hearings, you must come to Court neatly groomed and dressed in clean clothing. Any non-compliance with the Dress Code may result in you being asked to leave, as well as further consequences.

Therefore, the following Courtroom Dress Code is to be followed:

- A. No clothing containing references to drugs, alcohol, or illegal activity;
- B. No low cut, revealing tops/shirts or belly shirts;
- C. No sagging pants or pajamas;
- D. No short shorts or miniskirts;
- E. No hats, bandannas or inappropriate headgear may be worn in the Courtroom.

### **FAILURE TO APPEAR AT STATUS HEARINGS**

You are expected to attend status hearings before the New Leaf Program Judge as scheduled. An unexcused absence from status hearings is unacceptable, and failure to

appear in Court as scheduled, without a valid and verified excuse, may result in a Warrant/Capias being issued for your arrest.

### **ATTENDANCE AND PUNCTUALITY TO TREATMENT SESSIONS**

If you will be late or unable to attend a treatment session, you must call the Specialized Docket Coordinator/Probation Officer immediately and your assigned counselor. Any missed sessions due to illness may require a written note from a physician.

### **FOLLOWING THE RECOMMENDATIONS OF THE TREATMENT PROVIDER**

You must follow all recommendations of your Treatment Provider. If you fail to follow these recommendations, this may result in a New Leaf Program sanction. Further, you must actively participate fully in treatment sessions – just being there is not considered participation.

### **NO ALCOHOL OR ILLEGAL/MOOD ALTERING SUBSTANCES**

You are not allowed to consume any alcohol and/or use any mood altering substance, including non-prescribed medication, federally controlled substances, or illegal drugs, or abuse any otherwise legal household or industrial item, such as paint, solvents, or aerosol spray products.

### **PHYSICIAN PRESCRIBED MEDICATIONS**

You must report any and all prescribed medications to your New Leaf Program Personnel and Probation Officer. You must provide verification of any prescription from your doctor, including signing a release for the New Leaf Program Personnel to contact your doctor. If the doctor deems it necessary to prescribe an addictive narcotic, the participant must submit a letter to the Court from the doctor stating he/she is aware of their status as a recovering person, and that he/she has been made aware of the participation in the New Leaf Program.

If you test positive for a controlled substance and have not followed the prescription drug policy, you will be sanctioned immediately. A participant must take all prescribed medications strictly as directed.

### **OVER-THE-COUNTER (OTC) MEDICATION**

You must also inform your New Leaf Program Caseworker, counselor, and/or team member of any “over-the-counter” (OTC) medications you are using. You are not permitted to use any over-the-counter medications containing alcohol (i.e. Nyquil),

consume any poppy seeds, or use any type of CBD oil, or any hemp products and medical marijuana.

In addition, the participant is responsible for having knowledge of all active ingredients in over-the-counter medications.

### **MEDICALLY ASSISTED TREATMENT**

Medically Assisted Treatment (MAT) as part of an evidence-based substance abuse treatment program may be a part of the treatment plan for a New Leaf Program participant if the Court determines that the following conditions have been met:

- A. The participant has been examined and evaluated by an appropriately licensed physician, acting within the scope of their practice, who has determined that the medication is medically necessary and who has validly prescribed the medication;
- B. The medication is FDA-approved for the treatment of substance abuse disorder;
- C. The participant is receiving the medication as part of treatment for a diagnosed substance use disorder;
- D. The treatment is rendered in accordance with current applicable federal and state dispensing regulations;
- E. The MAT program is consistent with the needs of the participant and the interests of the public in the administration of justice, and includes monitoring the use of the medication to mitigate/reduce the risk of abuse, misuse, or diversion of these medications;
- F. Use of narcotics and/or addictive drugs are not permitted without approval of Specialized Docket Judge.

### **RANDOM HOME VISITS**

You should expect random home visits during your participation in the New Leaf Program and understand that you can be searched without a warrant, as can your place of residence, car, personal property and real property. A law enforcement officer may come with the New Leaf Program Probation Officer and/or Caseworker on any home visit or search.

## **CHAPTER 7: PHASES**

As previously reported in the program description, the Geauga County Drug Court is structured with six distinct phases of program participation. Progression through the Drug Court Program is based on the participant's performance toward the treatment plan and compliance with the specialized docket phases. Phase advancement is not solely based on preset timelines, rather on specific accomplishments and progress toward individualized treatment and case plan goals.

### **PHASE I (ORIENTATION PHASE)**

The goal of the Orientation Phase is to ingrain a thorough understanding of the aspects of the specialized docket requirements to assure the highest level of function and success within the program.

- A. Meet with participant to review and complete the Participation Agreement and Release and Exchange of Confidential Information forms;
- B. Minimum of two weeks;
- C. Attend initial specialized docket status review hearing;
- D. Introduce the participant to the members of the Treatment Team; Specialized Docket Coordinator; Probation Officer, Clinician(s); Case Manager(s); and any other team members;
- E. Familiarize the participant with the location and address of service providers, address any issues of transportation, and ensure the participant has the physical ability to access services.

### **PHASE II (COMPLIANCE PHASE)**

- A. Weekly status hearings with Judge;
- B. Minimum of sixty (60) days;
- C. Comply with treatment plan;
- D. Comply with supervision;
- E. Develop case plan;
- F. Comply with home visits from Probation Officer;
- G. Weekly random drug testing (minimum of 2);
- H. Address housing, if needed;

- I. Must have 14 consecutive days of sobriety and **be honest** in order to advance to next phase.

### **PHASE III (PROGRAM ENGAGEMENT PHASE)**

- A. Attend at minimum bi-weekly status hearings with Judge;
- B. Minimum of ninety (90) days;
- C. Attend bi-weekly meetings with Probation Officer;
- D. Enroll in Thinking for a Change when available;
- E. Continue engaging in treatment plan;
- F. Continue changing people, places, and things;
- G. Review case plan;
- H. Comply with home visits;
- I. Weekly random drug testing (minimum of 2);
- J. Attend recovery support groups;
- K. Address financial concerns (budget);
- L. Must have a minimum of 30 consecutive days of sobriety in order to advance to next phase.

### **PHASE IV (GROWTH AND DEVELOPMENT PHASE)**

- A. Attend at minimum tri-weekly status hearings with Judge;
- B. Minimum of 90 days;
- C. Continued treatment plan;
- D. Comply with supervision requirements;
- E. Establish prosocial activity;
- F. Weekly random drug testing (minimum of 2);
- G. Must have a minimum of 60 days sober and sanction free in order to advance to next phase.

### **PHASE V (MAINTENANCE)**

- A. Attend monthly status review hearings with Judge;
- B. Minimum of 90 days;
- C. Continue engaging in some type of recovery services/network;
- D. Comply with supervision requirements;
- E. Review case plan with Probation Officer;
- F. Comply with home visits;

- G. Weekly random drug testing (minimum of 2);
- H. Engage in other services as needed such as education, job training and/or continued employment;
- I. Must have sobriety time of minimum of 90 consecutive days.

**PHASE VI (PRE-GRAD)**

- A. Attend monthly status review hearings with Judge;
- B. Minimum of 90 days;
- C. Continue engaging in some type of recovery services/network;
- D. Comply with supervision requirements;
- E. Review case plan with Probation Officer;
- F. Comply with home visits;
- G. Comply with random drug testing;
- H. Engage in other services as needed such as education, job training and/or continued employment;
- I. Individual meeting with Judge and Treatment Team regarding success plan;
- J. Must have sobriety time of minimum of 60 consecutive days;
- K. Complete exit survey.

## **CHAPTER 8: SANCTIONS AND INCENTIVES**

An individualized, progressive and immediate system of program incentives and sanctions is a critical element to the New Leaf Program. While violations will be addressed immediately to ensure a high level of accountability, it is also crucial to recognize an incentive program and personal successes.

### **INCENTIVES**

Incentives are individualized according to the specific treatment plan and directly related to the participant's achievements as certain milestones of the specialized docket treatment plan are attained. Incentives are also tracked to ensure that the participant is rewarded on a progressive basis. Incentives are issued on an immediate, graduated and individualized basis to ensure maximum benefit of positive reinforcement for program compliance.

The following are examples of behaviors that may result in earning an incentive:

- A. Attending required Court appearances;
- B. Attending required treatment appointments;
- C. Maintaining close and productive contact with Case Manager;
- D. Reaching individual treatment objectives;
- E. Abstaining from alcohol and drugs, as evidenced by negative test results;
- F. Engaging in vocational or educational activities;
- G. Securing stable housing;
- H. Advancing in specialized docket phases; and
- I. Accomplishing any other milestone identified by the team.

The following are examples of incentives that may be offered:

- A. Encouragement and praise from the Judge;
- B. Ceremonies, certificates and tokens of progress, including advancement in specialized docket phases;
- C. Reducing supervision contacts;
- D. Decreasing frequency of Court appearances;
- E. Reducing fines and fees;
- F. Increasing or expanding privileges;
- G. Encouragement to increase participation in positive activities the participant finds pleasurable, such as writing, art work, or other positive

- hobbies;
- H. Gifts of inspirational items, including books, pictures and framed quotes;
- I. Assistance with purchasing clothing for job interviews;
- J. Gift cards for restaurants, movie theaters, recreational activities, or personal care services;
- K. Gifts of small personal care items, hobby or pet supplies, plants or small household items;
- L. Dismissing criminal charges for Intervention participants or reducing the term of community control;
- M. Reducing or suspending jail, prison, or detention days;
- N. Graduation from the specialized docket; or
- O. Any other reward deemed appropriate by each Officer/Supervisor.

**\*Incentives should be given at 4:1 ratio (4 rewards for every 1 sanction)**

## **SANCTIONS**

Likewise, it is imperative that program non-compliance is addressed and sanctioned immediately to ensure high levels of accountability and responsiveness. Immediate, graduated, and individualized sanctions govern the New Leaf Program's responses to the participant's non-compliance. Graduated sanctions are used to help the participant conform behavior to program requirements. Sanctions are crafted in an individualized and creative manner, as well as in a progressive manner, based on the infraction. Sanctions are issued when there is non-compliance with both program protocol and the treatment plan. Sanctions are a deterrent to negative behavior as well as serving the intent to encourage future compliance.

The following are common infractions that may result in a sanction:

- A. Failure to attend Court appearances and treatment appointments;
- B. Failure to follow New Leaf Program rules and rules of Community Control;
- C. Failure to keep scheduled appointments with the Probation Officer, Case Manager, or any other team member;
- D. Non-compliance with other requirements of the treatment plan;
- E. Non-compliance with random alcohol and drug screens or testing positive for alcohol or drugs;
- F. Failure to improve troublesome behaviors;

- G. Failure to meet employment or vocational goals as determined by the Treatment Team; or
- H. Failure to keep other appointments as scheduled, such as those for public benefit aid, health care benefits, housing assistance, social security applications, etc.

The following are a continuum of sanctions for non-compliance:

- A. Warnings and admonishment from the Judge;
- B. Increasing frequency of alcohol and drug testing;
- C. Increasing Court appearances;
- D. Refusing specific requests, such as permission to travel;
- E. Denying additional or expanded privileges or rescinding privileges previously granted;
- F. Increasing supervision contacts and monitoring;
- G. Individualized sanctions such as writing essays, reading books, or performing other activities to reflect upon unacceptable behavior;
- H. Imposition of suspended fines and costs;
- I. Requiring community service or work programs;
- J. Increased level of treatment;
- K. Escalating periods of jail or out of home placement;
- L. Filing of community control violation; or
- M. Termination from the specialized docket.

Sanctions shall be imposed by the Court as a result of non-compliance or a rule violation by the participant. Sanctions are immediate and may range in severity depending on the seriousness of the participant's non-compliance or rule violation. The supervising New Leaf Program Officer communicates to the participant potential responses to program compliance and non-compliance on an ongoing basis. In addition, the New Leaf Program Specialized Docket Judge provides summation of these responses to the participants in the New Leaf Program sessions.

## **CHAPTER 10: PROGRAM COMPLETION**

### **CRITERIA FOR SUCCESSFUL COMPLETION**

Successful completion criteria are the guidelines used to identify how New Leaf Program participants can successfully complete the program. While program completion is based on a relatively standard set of expectations, each case is assessed individually and the Judge makes the final determination of successful completion.

In general, the following indicate positive accomplishments to be considered for successful completion (graduation):

- A. Demonstrated period of treatment compliance:
  - \*Evidenced by submitting verification of treatment attendance; and
  - \*Medication regime compliance as reported from Counseling Center.
- B. Displayed a change in thinking, attitude and beliefs;
- C. Successfully completed treatment or programming or continues to be actively engaged in treatment process;
- D. Maintained consistent employment and housing;
- E. Demonstrated ability to identify and eliminate criminal thinking patterns;
- F. Completed Specialized Docket program requirements, including community service;
- G. Paid in full fines, Court costs, restitution (if applicable), and treatment costs (inability to pay costs in full does not necessarily prevent successful completion).
- H. Demonstrated abstinence from alcohol and drugs as evidenced by negative screens (as relevant);
- I. Aftercare plan established;
- J. Completed vocational or educational plan;
- K. Displayed responsibility for his or her behavior.

The New Leaf Program Specialized Docket Judge has discretion to determine when the participant will successfully complete the program.

#### **NOMINATION**

The participant and/or a member of the Treatment Team offer a nomination of a participant for successful completion.

#### **TREATMENT TEAM REVIEW**

The Treatment Team conducts a review of compliant behavior and accomplishments, to include drug testing results, violations/sanctions, incentives, treatment compliance and aftercare activities.

#### **TREATMENT TEAM RECOMMENDATION**

The Treatment Team then makes a formal recommendation to the New Leaf Program Specialized Docket Judge.

#### **JUDICIAL DECISION**

The Specialized Docket Judge determines that the participant successfully completed the New Leaf Program.

#### **GRADUATION CEREMONY**

Each graduate has a formal graduation ceremony in which they are presented with a certificate of completion and addressed by the Treatment Team and participants. The New Leaf Program Specialized Docket Judge makes a formal statement indicating the accomplishments of the graduate, thus reinforcing expectations for other participants.

#### **AFTERCARE COMPONENTS (IF APPLICABLE)**

The participant is then transferred to the aftercare component of the program in which he/she is supported by the Recovery Coach and established recovery community.

#### **FINAL DISPOSITION**

Depending on case type, the underlying case is closed, or in cases implementing Diversion or Intervention in Lieu of Conviction, the underlying case is dismissed.

#### **TERMINATION CLASSIFICATIONS AND CRITERIA**

There are two types of termination criteria, unsuccessful and neutral discharge. These criteria have been developed by the New Leaf Program Treatment Team and Specialized Docket Advisory Committee. The New Leaf Program Specialized Docket Judge has ultimate discretion in determining termination from the specialized docket.

## **UNSUCCESSFUL TERMINATION**

The following are examples of unsuccessful termination reasons:

- A. Ongoing non-compliance with treatment or resistance to treatment;
- B. New serious criminal convictions or charges;
- C. A serious specialized docket infraction or series of infractions; or
- D. A serious community control violation or series of violations.

In the event of an unsuccessful termination, the following may occur:

- A. Loss of future eligibility for the specialized docket;
- B. Further legal action including revocation of Intervention In Lieu of Conviction, probation or parole violation; or
- C. Depending on the circumstances, the participant may be subject to jail and other penalties.

## **NEUTRAL DISCHARGE**

There may be circumstances in which the participant is discharged from the New Leaf Program through a neutral discharge status. This status is accessed in situations where the participant has reached maximum benefit for various possible reasons:

- A. A serious medical condition;
- B. Cognitive impairment;
- C. Serious mental health condition;
- D. Death; or
- E. Any other factor that may keep the participant from meeting the requirements for successful completion.

## **CHAPTER 10: SUBSTANCE MONITORING**

Substance use monitoring for the New Leaf Program is based on individual drug testing plans maintained within the individual treatment and case plans. The New Leaf Program monitors participant substance use by random, frequent, and observed alcohol and drug testing protocols. The use of twelve (12) panel drug screens ensures adequate monitoring of the participant's drug of dependence, as well as other common substances of abuse. Substance testing is the last supervision and monitoring tool that is decreased as the participant progresses through the program. The specialized docket in this chapter explains its substance monitoring program in terms of randomness, frequency, and observation.

The New Leaf Program Treatment Team has clearly established plans for addressing participants who test positive at intake or who relapse during program participation. If a participant tests positive at intake, the test will determine the level of treatment services required, as well as establish future testing expectations. If a participant relapses, these plans include increasing the level of treatment, increasing the frequency of testing, and other sanctions determined by the New Leaf Program Specialized Docket Judge.

The Specialized Docket Judge ensures that the random alcohol and drug testing plans and subsequent sanctions are enforced and reinforced to the participant. The Specialized Docket Judge is notified of positive drug test results immediately and at the New Leaf Program Treatment Team meeting. The following acts are treated as positive tests and will be immediately sanctioned:

- A. Failure to submit to testing within time frame allotted;
- B. Submitting an adulterated sample;
- C. Submitting the sample of another individual;
- D. Dilution of sample.

## **DRUG TESTING PROCEDURE**

The participant agrees to submit to random, frequent, and observed alcohol and drug screens. The participant is to submit to testing if requested by their treatment provider, the Probation Department, or the Judge. All testing results will be shared with the Judge and the other members of the Treatment Team. Testing positive will result in a sanction. The Probation Department will utilize a random automated system to determine the participants who will be tested and the participants will be required to call the automated system 7 days per week including holidays.

The participant will be tested with an instant urinalysis drug screen. The participant agrees to travel to the testing location at their treatment agency, and the Geauga County Probation Department during the hours indicated for testing. During weekends and holidays the participants will test at the Geauga County Safety Center between 8:00am until 5:00pm. The participant agrees to arrive at the testing location on that business day during regular hours of operation to produce a sample. If the participant fails to produce the sample with ninety (90) minutes of arriving at the testing location, it will be the same as a positive test and immediately sanctioned. If the participant fails to provide a urine sample when requested, it will be the same as a positive test and immediately sanctioned. A diluted sample is considered a positive test and will be immediately sanctioned. Should the participant tamper with or adulterate the urine sample, including submitting the sample of another individual, it will be considered a positive test and the participant will be immediately sanctioned.

If the participant tests positive, the participant may request that the sample be retested for confirmation. With the request for confirmation test, the participant will be required to provide the testing fee. If the participant is found indigent, they will not be denied confirmation testing. If the participant fails to make a timely request and pay the fee, he/she cannot later request confirmation testing of the same sample. If the confirmation testing returns positive, the participant will be sanctioned.

In addition to sanctions for positive tests, the Judge and Treatment Team may require a change in the participant's treatment plan. The Judge and Treatment Team understand the difference between relapses in the beginning of treatment versus later on in the program and treatment and/or sanctions are used when appropriate and enforced by the Judge.

The participant shall also submit to testing of his/her breath, hair follicle or blood as required by the New Leaf Program Treatment Team and/or ordered by the Judge.