

IN THE SUPERIOR COURT OF FORSYTH COUNTY  
STATE OF GEORGIA

ADMINISTRATIVE ORDER 21-06 *nunc pro tunc* to October 1<sup>st</sup>, 2020

FORSYTH COUNTY, GEORGIA

FILED IN THIS OFFICE

MARCH 8, 2021

GREG G. ALLEN

CLERK OF SUPERIOR, STATE & JUVENILE COURT

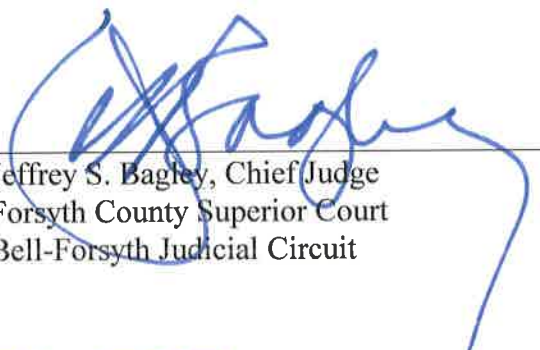
IN RE: MENTAL HEALTH COURT


ORDER AMENDING  
ADMINISTRATIVE ORDER 21-05

The *Mental Health Court Policies and Procedures* were amended by agreement of the members of the Mental Health Court Planning Group on the 18<sup>th</sup> day of September, 2020, and accepted and approved by the Court on said date. The most current *Mental Health Court Policies and Procedures* are on file with the Clerk of the Forsyth County Superior Court, which are available for review during normal business hours. This order shall be considered as an addendum to Administrative Order 14-2.

SO ORDERED, this

8<sup>th</sup> day of March, 2021

  
Jeffrey S. Bagley, Chief Judge  
Forsyth County Superior Court  
Bell-Forsyth Judicial Circuit

  
Leslie Case Abernathy-Maddox, Judge  
Forsyth County State Court  
Bell-Forsyth Judicial Circuit  
Designated to sit as presiding Superior Court Judge under  
Administrative Order 14-3

# **FORSYTH COUNTY MENTAL HEALTH COURT C.A.R.E. PROGRAM POLICIES AND PROCEDURES MANUAL**



**Mental Health Court C.A.R.E. Program**  
***(Changing lives, Assisting with community linkage, Restoring to highest level of functioning, Enlightening towards positive change)***

*A special docket of State Court and Superior Court to address mentally ill defendants in the criminal justice system that would benefit from appropriate treatment versus incarceration*

## **INTRODUCTION**

The Georgia Supreme Court Task Force on Mental Illness found that 15% of inmates in Georgia jails have been diagnosed with a serious mental illness and receive medication for that condition. In contrast, only 5% of the general population in Georgia has been diagnosed with a severe and persistent mental illness. According to the task force the annual cost of mental health services in Georgia jails and prisons is \$70 million.

On any given day the Forsyth County Detention Center (FCDC) houses approximately 190-210 inmates with approximately 12% of the jail population estimated to have a severe and persistent mental illness; however, the jail recently implemented the Brief Jail Mental Health Screen, which would provide a clearer estimate. Therefore, it is hypothesized this is a gross underestimate of the actual number of individuals with severe and persistent mental illness in the FCDC. The FCDC does have an on-site psychiatrist who sees an average of 15 inmates per month for medication management. The FCDC also has a Mental Health Therapist who sees an average of 24 inmates per month.

Forsyth County has instituted a voluntary Mental Health Court, C.A.R.E. Program, based on proven national research and program models. The C.A.R.E. Program provides individuals with an opportunity to pursue treatment for your mental health need(s), while productively addressing associated legal problems. The C.A.R.E. Program was implemented in March 2014 under the direction of State Court Judge Leslie C. Abernathy-Maddox, as designated by Chief Superior Court Judge Jeffrey S. Bagley. The Court is a partnership between the Judge, District Attorney, Solicitor-General, Probation, Pretrial Services, Law Enforcement, Avita Community Partners, Defense Counsel, and the community.

This is a mental health treatment program that is typically 24 months in duration and consists of five phases. The goal of the program is to link individuals with mental health treatment services, and if needed, substance abuse treatment in addition to community resources that will allow them to live a healthy, productive life and reduce/eliminate future involvement with the criminal justice system.

## **PLANNING GROUP COMMITTEE**

### **PURPOSE:**

This committee is comprised of executive level personnel from each agency to facilitate the process of the Mental Health Court, to expeditiously resolve issues and maintain the standards of the program.

The committee has a clear purpose, roles of members are defined, and the committee meets on a regular, quarterly basis.

### **MEMBERS:**

- Honorable Leslie C. Abernathy-Maddox, State Court Judge, Mental Health C.A.R.E. Program Judge
  - Jennifer Scalia, Assistant District Attorney
  - Adam Keller, Assistant Solicitor General
- Julie Puckett, Mental Health C.A.R.E. Program Coordinator
  - David Savoy, Criminal Defense Attorney
- Sergeant Terry Hawkins, Forsyth County Sheriff's Office
  - Cynthia Marshall, Avita Treatment Representative
  - Kim Nero, Felony Probation Representative
- Carolyn Moore, Georgia Probation Management, Misdemeanor Probation

### **CONTINUING EDUCATION REQUIREMENTS:**

All group members are required to adhere to their discipline-specific requirements for certification or licensure (listed below). Additionally, all group members must attend one Accountability Court training/conference every 2 years. New hires/team members with CARE Program are required to review the current Policy and Procedure Manual and Participant Handbook and observe their counterpart in another Accountability Court staffing and session prior to taking position or, at least, within 1 month of joining the team. New group members are required to the next state or national Accountability Court training/conference.

Attorneys: 12 hours of CLEs/year

Counselors: 35 hours of CEUs/biennially

Probation Officers: 20 hours of POST credit/year

Law enforcement: 20 hours of POST credit/year

### **STEERING COMMITTEE:**

A committee comprised of court officials, community organizations, healthcare providers, social service agencies, education providers, and business leaders will meet a minimum of twice per year to review the progress of all Accountability Courts in Forsyth County. Additionally, this committee is tasked with connecting

Accountability Courts with appropriate services available in the community, assisting in educating the community on Accountability Courts, aiding Accountability Courts in securing additional funding for ancillary services for indigent participants, etc.

## **MISSION STATEMENT**

**It is the mission of the Mental Health Court C.A.R.E. Program to provide alternatives to incarceration for individuals who have been identified with severe and persistent mental health diagnoses by linking those individuals to local, community-based treatment resources with the goal of improving public safety and helping to prevent further involvement in the criminal justice system. The C.A.R.E. Program will hold individuals accountable and assist defendants in achieving long-term stability to become law-abiding citizens and successful members of the community.**

## **GOALS AND OBJECTIVES**

The Mental Health Court C.A.R.E. Program's first goal is to reduce the amount of time an individual spends in jail by a) identifying eligible participants early and b) completing their evaluations in a timely fashion. The second goal is to reduce recidivism by early linkage to services which include mental health needs, medical needs, dental needs, and vocational needs as well as educating individuals and assisting with skill-building. Another objective is to monitor closely for safety, compliance, and wellness. The C.A.R.E. Program also hopes to increase a person's ability to live and work in the community as a productive member of society by providing job assistance and training, helping the participants with stable housing, and ensuring ongoing treatment and aftercare after graduation.

## **STRUCTURE/MODEL**

The Mental Health Court C.A.R.E. Program is a pre-adjudication, pre-sentence, or post-plea, post-sentence model offered to eligible participants with a documented history of severe and persistent mental illness whose legal charges are related to their mental illness. Entry into the program is voluntary in nature and may result in positive favor in the reduction or dismissal of charges or fines based upon the agreement entering into the court program. The program is offered as an alternative to jail time and in an effort to help stabilize and rehabilitate the defendant to a higher functioning level therefore enabling them the opportunity to become law-abiding citizens.

### **Court Description**

This program is voluntary in nature and should be entered into with a clear understanding of overall program requirements. Upon entry, each defendant will complete an intake session with the Mental Health Court C.A.R.E. Office. They will be given an appointment time to meet with a representative from the treatment provider at this time and will be placed into the treatment provider's care and given a treatment schedule.

The Forsyth County Mental Health C.A.R.E. Court will typically meet on the second, fourth, and fifth, if applicable, Wednesdays of the month at 10:30 a.m. and Status Review meetings will take place prior to court each session at 8:30 a.m.

### **Mental Health Court C.A.R.E. Team**

The Forsyth County Mental Health Court is a partnership among the Courts, the District Attorney's Office, the Solicitor's Office, the Defense Bar, Law Enforcement, Felony and Misdemeanor Probation Services, and local, licensed Mental Health and Substance Abuse Treatment Providers. It is coordinated through the Mental Health Court C.A.R.E. Office.

### **Status Review Meetings**

Status Review meetings (typically held every second, fourth, and fifth, if applicable, Wednesdays of the month at 8:30 a.m.) will include the presiding Judge, the District Attorney's Office, the Solicitors Office, the Mental Health Court C.A.R.E. Coordinator, the Treatment Provider representative, Law Enforcement representative, Misdemeanor and Felony Probation Services representative, and an appointed Defense Bar representative. The Mental Health Court C.A.R.E. Office, Probation Services and the Treatment Providers will communicate weekly on all participants' progress and any issues that need immediate resolution will be brought to the team.

# **STAFFING AND RESPONSIBILITIES**

## **JUDGE'S ROLE**

The C.A.R.E. Program Judge is a vital member of the C.A.R.E. Team. The C.A.R.E. Program Judge presides over all court hearings, attends all status review meetings, and reinforces therapeutic interventions through the application of legal sanctions and incentives. All sanctions will be immediate and will specifically address the participant's noncompliance. The C.A.R.E. Program Judge has knowledge of the impact of mental illness and substance abuse on the court system, the lives of participants, and the entire community and is, therefore, committed to the Program mission and goals, and works as a lead partner to ensure its success. One way the C.A.R.E. Program Judge leads is through assisting the Treatment Team in developing policies and procedures for the program. In the courtroom, the Judge develops a personal, working relationship with each participant while monitoring participant progress.

The Judge attends non-court settings such as staff meetings to discuss possible candidates for the program and to determine appropriate, effective sanctions for program violations, as well as incentives for continued compliance. Such determinations are made using knowledge of all life areas that may impact a participant's success. A further role of the Judge is to advocate for the program by creating community interest and support for the program and to develop community resources to assist participants in their treatment.

## **DISTRICT ATTORNEY'S ROLE**

The District Attorney's Office have representatives that attend status review meetings and C.A.R.E. Court hearings to determine legal eligibility on all referrals and appropriate sanctions and incentives for current participants. The Prosecutor has many responsibilities to the Program. The Prosecutor presents each case to the Judge and facilitates entry into the C.A.R.E. Program if appropriate. Another role of the Prosecutor is to contribute to efforts in community education and acquisition of community resources to aid the Program. The Prosecutor educates peers, colleagues, and judiciary on the effectiveness of the C.A.R.E. Program. In the event that a participant is terminated from the Program, the Prosecutor will make recommendations to the Court regarding their sentencing if you have felony charges.

## **SOLICITOR- GENERAL'S ROLE**

The Solicitor-General's Office has representatives that attend status review meetings and C.A.R.E. Court hearings to determine legal eligibility on all referrals and appropriate sanctions and incentives for current participants. The Solicitor-General has many responsibilities to the Program. The Solicitor-General presents each case to the Judge and assists referral into the Program. Another role of the Solicitor-General is to contribute to the efforts in community education and acquisition of community resources to aid the program. The Solicitor-General educates peers, colleagues, and judiciary on the effectiveness of the C.A.R.E. Program. In the event a participant is terminated from the C.A.R.E. Program, the Solicitor-General will make recommendations to the Court regarding probation revocation if a participant has misdemeanor charges.

## **DEFENSE ATTORNEY'S ROLE**

The C.A.R.E. Program Defense Attorney represents most participants in the Program. The Defense Attorney's role is to evaluate the defendant's legal situation and ensure that his/her legal rights are protected. Additionally, the Defense Attorney effectively advises the defendant on his/her legal rights, legal options, treatment options, program conditions, and sentencing outcomes while developing a relationship with the defendant that promotes his/her long term best interest. The Defense Attorney will also communicate with the defendants' attorney regarding the C.A.R.E. Program. They also monitor participant progress and ensure the appropriate provision of treatment and other rehabilitative services. The Defense Attorney attends staff

meetings to discuss possible candidates for the program and to determine appropriate sanctions and incentives for current participants. The defense attorney will reach out to participants with pending jail time sanctions to discuss their sanction prior to court unless coordinator reports concern for this information being provided at this time. In these unique cases, the participant will be told once they are inside the courtroom for court. Like the Prosecutor, the Defense Attorney also contributes to educating the community and assists in educating peers, colleagues, and judiciary in the effectiveness of C.A.R.E.

### **LAW ENFORCEMENT'S ROLE**

A representative from the Forsyth County Detention Center attends status review meetings and court sessions. This individual facilitates referrals from the Detention Center and ensures current C.A.R.E. participants receive needed care while serving jail sanctions. Law enforcement also facilitates home checks at the request of the C.A.R.E. Program Team. Information gained during home visits and reports on participant attitude and behavior are discussed in the status review meetings each week. Law enforcement provides accountability for participation in this program through weekly staff meetings and recommendations.

### **CLINICAL COORDINATOR**

The C.A.R.E. Program Clinical Coordinator is responsible for overseeing the treatment operations of the program under the direction of the Judge. The Coordinator provides programmatic information to all those involved in the facilitation of the program to ensure monitoring and evaluation. Other responsibilities include coordinating continuing education for staff and stakeholders, acquiring and updating outside funding sources, chairing meetings of the C.A.R.E. Program Team, and gathering information for the preparation of an annual report on the operation of the program.

Additionally, the Coordinator is responsible for seeing that interviews and assessments of all appropriate candidates and referrals for possible inclusion in the Program are made in a timely manner. The Coordinator also takes the lead in any day-to-day operational responsibilities, as needed. The Coordinator interviews participants and/or families using acceptable techniques to obtain necessary information regarding medical, social, and/or emotional background in order to determine eligibility. The Coordinator contacts other health care professionals within or outside the organization as necessary to obtain background information on participants. The Coordinator meets individually with each participant and helps to provide linkage to resources such as vocational rehabilitation, housing, benefits, food pantries, education services, etc. based upon their individual needs. The Coordinator is also responsible for maintaining and updating all of the case management system, Five Points, and participant treatment plans. The Coordinator monitors participant compliance and coordinates treatment services and makes appropriate referrals for services. The Coordinator prints certificates for phase ups and graduation. He/she maintains log of court-imposed sanctions and ensure compliance by adding sanctions/incentives/leaves to each participant's file.

An essential role of the Coordinator is to ensure long-term sustainability of the program and maintain programmatic integrity. The Coordinator is active in community outreach to include education of the public regarding the impact the Program is having on recidivism, community safety, employment, family restoration, and other issues related to participant success.

### **AVITA COMMUNITY PARTNERS LIAISON**

Participants are referred to the local CSB for mental health treatment. The liaison provides individual and group therapy for the participants in the program, attends all treatment team meetings, and reports participants' progress in treatment. The liaison also maintains active contact with the C.A.R.E. Program Clinical Coordinator in order to ensure continuity of care.



## **ELIGIBILITY CRITERIA**

Eligible participants will meet the following criteria:

- Documented history of severe and persistent mental health diagnosis
  - Presence in United States is legally documented
    - Live in Forsyth County
    - At least 18 years old
  - Current involvement in the legal system with charges related to mental illness
- Not taking any Opiates, Benzodiazepines, Amphetamines, Sedatives, or any other addictive medications
  - Cases will be considered on a case by case basis

## **DISQUALIFICATION CRITERIA**

The following will disqualify any defendant from participation in the Forsyth County Mental Health Court C.A.R.E. Program:

- Violent charges which include but are not limited to murder, armed robbery, aggravated child molestation, aggravated sexual battery, kidnapping, rape, voluntary manslaughter, child molestation, child exploitation, possession of child pornography, sexual battery of a minor, and statutory rape
  - Involvement in sale or distribution of illegal drugs
- No affiliation or association with any gang or other criminal enterprise
  - Live outside of Forsyth County
- Taking any Opiates, Benzodiazepines, Amphetamines, Sedatives, or any other addictive medications
  - Primary diagnosis of developmental disorder or traumatic brain injury
    - Under the age of 18

# **ENTRY PROCESS**

## **CLINICAL SCREENING/EVALUATION PROCESS**

Individuals are screened for clinical eligibility based on an extensive clinical interview and completion of a symptom checklist. The referral completes the Bio/Psycho/Social, TCU Drug Screen II, Modified Mental Health Screening Form and TCU Criminal Thinking Short Form to determine level of substance use and criminal thinking. The LS-CMI is administered to determine risk/needs of each referral. In addition, releases are signed so collateral information can be obtained from mental health hospitals, primary care physicians, psychiatrists, and community mental health treatment providers. All of the aforementioned information is presented in staffing to determine if the referral meets the clinical eligibility criteria into the Program.

During the referral process, the individual is evaluated for clinical eligibility. If at any point during the referral process the question of competency is raised by a clinician, attorney, or any other team member, the referral process is halted. The individual is immediately referred to the appropriate legal avenues for evaluation and competency restoration.

## **REFERRALS**

The C.A.R.E. Program currently has several mechanisms in place to receive appropriate referrals throughout different intercepts in the criminal justice system. The local police and sheriff's departments are educated on the referral process. The Sheriff's Department has also committed to having all of their officers CIT certified on a time line. The District Attorney's office has a mental health court representative that acts as the referral source for the program and forwards referrals to the Coordinator. The Solicitor's Office has a mental health court representative that acts as the referral source for this office. The Detention Center directly refers individuals who report mental illness to the Coordinator for screening. The team will educate individuals at the different intercepts on necessary information regarding the program and any changes at least once per year. A person on probation who has a violation can be referred for a screening if they have at least 18 months left on their probation sentence.

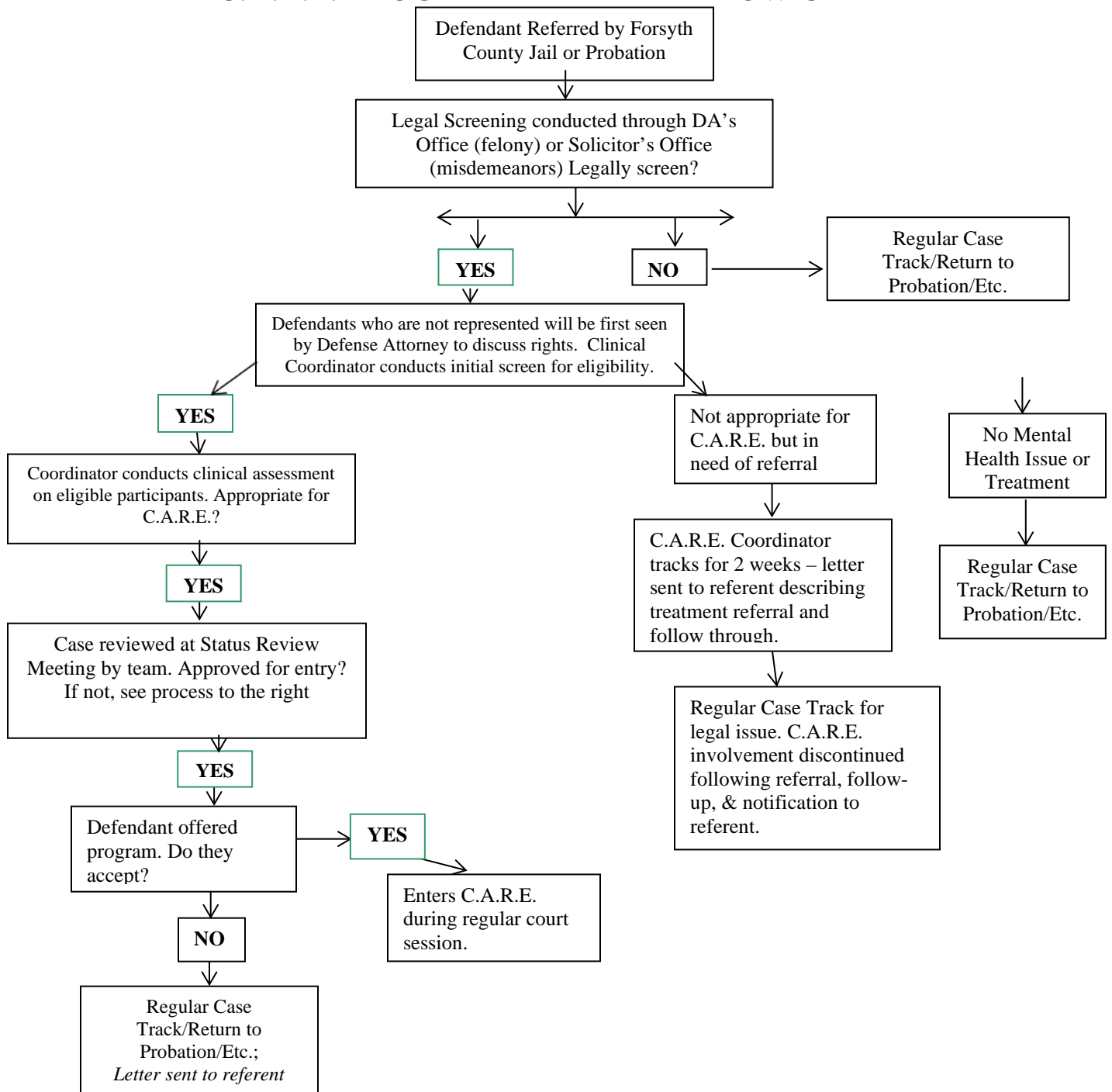
A defendant is referred to the Program and a legal screening is conducted by the Assistant District Attorney or the representative from the Solicitor's Office assigned to the Team. If the person is deemed ineligible at any point, a treatment recommendation and referral is made and the individual is denied entry into the C.A.R.E. Program. One of the goals of the team is to link individuals to treatment resources in the community so these referrals would be made at the time of denial into the program. If the person is eligible following the legal screening, a clinical assessment is conducted to deem clinical eligibility for the program. Before the clinical screening, each potential participant has an opportunity to meet with the Defense Attorney to discuss terms of participation and participant handbook. If they are interested in the program the clinical screening will follow. The clinical eligibility includes a diagnosis of an Axis I severe and persistent mental illness. The individual cannot have a primary substance abuse, developmentally disabled, or traumatic brain injury diagnosis. The current legal involvement has to be linked to the mental illness in some way to be deemed clinically eligible. A candidate must have their residency verified prior to entry into the program. This verification will be done by the Accountability Courts Law Enforcement Officer. The court will consider referrals who require and are interested in residential treatment to enter without a verifiable address in Forsyth County on a case by case basis.

Transfers are considered on a case by case basis. These are considered prior to entry into the program. In order for a person to be eligible to transfer into our program from another county they must have a viable residence in Forsyth County. They must go through a legal screening prior to the clinical screening. The transferring county must be willing to transfer the entire case. Once the legal screening takes place the potential participant will report for a clinical screening with the program coordinator.

If the participant is eligible legally and clinically, the case is presented to the C.A.R.E. Program Team at the status review meeting. All known issues are discussed and a determination of entry will be made. Those who are offered the program and accept will be admitted in court at the next session, and all entrance paperwork is

completed. If an individual is not referred to the program the defense attorney will explain this to the individual and make a referral to Indigent Defense. The entrance diagram follows:

## C.A.R.E. PROGRAM REFERRAL FLOW CHART



If after becoming a participant in the Forsyth County CARE Program, treatment determines they are a better clinical fit for another Forsyth county Accountability Court Program, they shall be transferred to that program and begin that program with no sanction history. However, the participant's entire sanction history from all Forsyth County Accountability Courts can be taken into consideration in a termination hearing or sentencing after termination from any of the other programs.

## **CONFIDENTIALITY**

**Releases of Information:** Employees and all permanent or temporary members of the C.A.R.E. team shall regard all case-related materials and information as confidential and such information cannot be released to anyone without proper authority in accordance with Federal Confidentiality Rules 42 CFR (Code of Federal Regulations) Part 2 and HIPAA regulations.

The operation of the C.A.R.E. Program, as it relates to the release of client information, shall be bound by the current federal and state laws on the subject. The legal citation for the federal law is 42 USC (United States Code) 290dd-2 and the associated regulations, 42 CFR, Part 2. All HIPAA regulations shall also be followed. All C.A.R.E. Program personnel and representatives are required to be familiar with the federal confidentiality regulations regarding alcohol/drug abuse prevention, mental health treatment confidentiality regulations, and the associated criminal and civil liability.

**Releases of Information to Agencies and Agency Personnel:** Information gained through C.A.R.E. Program operations and all other case-related information may be disclosed to authorized agencies and their authorized personnel only in accordance with statutory provisions of Federal and State Law along with established C.A.R.E. Program procedures. Release of third party information is prohibited.

**Release of Information to News Media:** Only the C.A.R.E. Program Judge, District Attorney, or individuals so designated by the Judge may release information concerning activities of the Program to representatives of the news media and then only in accordance with Federal and State confidentiality regulations. All requests from the news media for such information shall be referred to the C.A.R.E. Program Judge, District Attorney, and/or the Judge's designee.

All sensitive, healthcare material and clinical information will be kept in a separate clinical file which is kept locked with access only permitted by the Coordinator of the program.

## **PHASES**

The Forsyth County Mental Health Court C.A.R.E. Program is a minimum of 24 months in duration. The program consists of five phases. Phase 1 is the Stabilization Phase, Phase 2 is the Early Recovery Phase, Phase 3 is the Maintenance Phase, Phase 4 is the Preparation Phase, and Phase 5 is the Aftercare Phase. Each participant completes an individualized treatment plan upon entry into program. This plan is updated prior to each phase move.

The primary goal of Phase 1 is to introduce the client to mental health treatment and substance abuse treatment, if needed. It is expected there will be an adjustment period during this phase and changes to the treatment plan are made as needed to support the client. All participants in phase I will participate in individual counseling at least once per week. Additionally, participants may be required to participate in substance abuse counseling, group counseling, and/or family counseling. Linkage will be made through the CARE Program Office. All participants will be required to have regular, random drug screening. The stabilization level of the client will be a large factor in the decision to move to Phase II.

The primary goal of Phase 2 is to make mental health and substance abuse (SA) treatment, if necessary, a habit for the participant. Medication compliance is a key part of this phase, and this is the time for the participant to notify the psychiatrist of side effects or other medication issues. The medication regimen should be in place prior to a phase move. Additionally, links to community resources (vocational rehabilitation, AA meetings, Social Security Administration) are fostered to prepare for the recovery phases of the Program. A sponsor should be obtained to prepare the co-occurring client for a time when he/she will not have the external motivation of screening.

The primary goal of Phase 3 is to prepare the participant for increased dependence on the community for support. The life goals of employment and housing are the focus in this phase. Therapeutic attendance should be well established at this point and medication should be in the maintenance phase. The participant should move from acceptance of SA issue, if present, in Phase I to a willingness to address SA, if present, in Phase II. Phase III should find the participant working to actively better his/her life and sustaining a sober existence.

The primary goal of Phase 4 is to have the participant continue to increase their dependence on the community for support. The key focus is for the participant to begin addressing their needs in the community with less involvement by staff. The participant should have stable housing, employment or school, therapeutic attendance, relapse prevention planning, and building a better relationship with their sponsor if dually-diagnosed.

The primary goal of Phase 5 is to work to solidify the new achievements of the participant and prepare the individual for life after the program. Phase 5 works toward maintenance of stable housing, employment, recovery, therapeutic attendance, relapse prevention, and aftercare plans. The participant should be addressing needs in the community with less involvement by staff. The participant should have a good working relationship with their sponsor if dually-diagnosed.

Graduation requirements include: Exit interview with Coordinator, exit interview with the Judge, and completion of a graduation packet. This packet will include: review of program tenure (setbacks and achievements), brief explanation of importance of medication management, insight on value of treatment, demonstration of consistent employment and housing, after-care MH plan, a sobriety plan for COCD clients and review of a required 20 hour public service project. Packet will be submitted and reviewed at least 30 days prior to graduation.

\*Each phase-up request will be reviewed by the Mental Health C.A.R.E. Court Team before allowing the phase-up.

\*Law Enforcement home visits may occur during each phase.

\*The number of meetings, etc., listed here are minimum requirements. It may be necessary for participants to submit to additional groups, court sessions, probation appointments, and/or screens based on their level of commitment, progress, etc.

### **RECOVERY MEETING REQUIREMENTS**

It should also be noted that only 1 approved recovery meeting per day will be counted for program requirements unless otherwise approved by the C.A.R.E. Office in sanction situations. Participants are not allowed to alter the recovery meeting log once it has been signed by the group leader. If an error is made, participants should draw an arrow to another day on the log and write the correct information. If the recovery meeting log is not turned in to the C.A.R.E. Office on time, or not on the correct log (provided by the C.A.R.E. Office), the participant will be sanctioned according to policy. A recovery meeting "week" runs from Tuesday to the following Monday and the log will be due on Tuesdays before 12:00 p.m. to the C.A.R.E. Office or the drop boxes provided at the screening site. All recovery meeting logs should have original signatures (no copies of the log are to be submitted) and documentation and should contain no forgeries of any type.

### **LEAVE REQUESTS**

Leave requests must be submitted in writing (on the proper request form) to the C.A.R.E. Office two weeks in advance. All requests must be submitted to the C.A.R.E. Office Monday by 5:00 pm before the next Court session. Requests will be reviewed the Court date before the anticipated leave. Participants in Phase 1 will not be granted leave for any reason other than emergencies and/or documented court appearances, etc. Participants in Phase 2, 3, 4 and 5 will be granted 2 leave requests per phase and will be limited to a maximum of three days. The participant will be allowed to miss 1 group/individual counseling session during each leave

request, but will be required to make the group/individual session up by the next C.A.R.E. court session unless otherwise directed by the C.A.R.E. Office. The participant will be required to provide written documentation of the make-up session and the documentation is to be signed off on by the treatment team leader. Lastly, the participant will be required to submit to an EtG upon returning from the leave. The participant must contact the C.A.R.E. Office to schedule the screen. No leave requests will be granted for out of the country travel. These requests are apart from any emergency, subpoena, court appearance, etc.

All recovery meetings will need to be completed while on leave. *However, the recovery meeting log may be turned in to the C.A.R.E. Office upon return from approved leave.* All leave requests will be submitted to the C.A.R.E. Team for review and discussion. The Team will make a recommendation to the C.A.R.E. Court Judge regarding the leave request, but the Judge will have the sole discretion to approve or disapprove the leave request. This process will be completed during C.A.R.E. Court staffing. If a participant is not required to be in Court the day his/her leave request is being reviewed, he/she will need to report to Court to be informed of the Judge's decision or will be notified by the C.A.R.E. Office.

### **MEDICAL LEAVE/MATERNITY LEAVE**

The purpose of this policy is to ensure program compliance for individuals who provide a medical necessity to be placed on Medical Leave. Furthermore, this policy is intended to ensure a fair and equitable sanctioning process for participants who violate the terms and conditions set forth in the Medical Leave contract. A participant may be placed on Medical Leave if he/she provides medical documentation showing proof that he/she will be temporarily unable to fully participate in the program due to medical reasons.

During Medical Leave/Maternity Leave, participant progress in the program stops. A participant must submit appropriate medical documentation and sign releases of information waivers with C.A.R.E. Program Staff and his/her doctor's office before Medical Leave is granted. It is at the C.A.R.E. Program Team's discretion for the participant to report to court reviews, provide drug screens, or be placed on curfew for the duration of Medical Leave. The participant will provide a negative drug screen and provide documentation that he/she is released from a doctor's care before he/she is eligible to return to treatment.

It is presumed that Medical Leave will not last more than 60 days. C.A.R.E. Program Staff reviews Medical Leave status every two weeks. If the condition is not improving, the C.A.R.E. Program Team may grant an extension if longer than 60 days is needed on Medical Leave.

**Maternity Leave:** A participant may be granted two weeks of Maternity Leave following childbirth. The participant is not required to attend group sessions, drug screens, or court reviews during that two week period.

***If a participant fails to comply with conditions set forth in the Medical/Maternity Leave contract, he/she will be sanctioned at the discretion of the C.A.R.E. PROGRAM Team.***

### **EMPLOYMENT**

Participants will be required to maintain full-time or part-time employment while in the C.A.R.E. Court Program unless that participant is unable to work based on disability or enrolled full-time in school. If a participant is unable to get a job and/or maintain a job they may be referred at the discretion of C.A.R.E. Staff to Vocational Rehab or put on a daily job search.

## PHASES OF TREATMENT

The C.A.R.E. Program is a five-phase treatment process, lasting a minimum of 24 months. Felony charges are a minimum of 18 months and misdemeanor a minimum of 12 months. Length of program participation cannot exceed the maximum possible statutory sentence for the underlying charge.

Each participant is required to complete a Phase Up Review with the Coordinator prior to phasing up. Restitution payments should be addressed at Phase Up Review beginning in Phase 2. Failure to pay restitution could delay a participant from phasing up.

Phases will be as follows:

- Phase 1: comply with treatment plan; 1 approved recovery/community support meeting/week if dual-diagnosis for a minimum of 3 months; meet with Psychiatrist and start meds; attend C.A.R.E. Court twice per month; 30 days without a positive or missed screen or without jail time sanctions to transfer to Phase 2; find employment or enroll in Vocational Rehab or if disabled apply for SSI; remain productive with time; find stable housing; comply with random drug screening; curfew from 10:00 p.m. to 5:30 a.m.
- Phase 2: comply with treatment plan; 1 approved recovery/community support approved meeting if dual-diagnosis/week for a minimum of 6 months & obtain sponsor & begin working steps if required; maintain medication compliance and meet with Psychiatrist; set 5 personal life goals; attend C.A.R.E. Court twice per month; 60 days without a missed or positive screen and/or jail time sanctions and med compliance for 60 days to transfer to Phase 3; maintain stable housing; find employment or continue involvement with Vocational Rehab; start paying restitution if applicable and deemed appropriate; be productive with time; comply with random drug screening; curfew from 10:00 p.m. to 5:30 a.m.
- Phase 3: comply with treatment plan; 2 approved recovery/community support meetings/week if dual-diagnosis for minimum of 6 months; maintain medication management and meeting with Psychiatrist; attend C.A.R.E. Court twice per month; 90 days without a positive or missed screen or jail time sanctions days med compliance to transfer to Phase 4; comply with random drug screening; maintain stable housing and employment; be current with restitution, if applicable; curfew 12 a.m. to 5:30 a.m.
- Phase 4: comply with treatment plan; 2 approved recovery/community support meetings/week if dual-diagnosis for minimum of 5 months; maintain medication management and meeting with Psychiatrist; attend C.A.R.E. Court one time per month; 90 days without a missed or positive screen and/or jail sanction and 90 days med compliance to transfer to Phase 5; comply with random drug screening; maintain stable housing and employment; be current with restitution, if applicable; curfew 12 a.m. to 5:30 a.m.
- Phase 5: comply with treatment plan; 3 approved recovery/community support meetings/week if dual-diagnosis for a minimum of 4 months; complete letter to Judge & 20 hour Giving Back Project; comply with random drug screening; 120 days without a missed or positive screen and/or jail time sanctions; maintained stable employment and housing; attend C.A.R.E. Court once per month; be current with restitution, if applicable; curfew 12 a.m. to 5:30 a.m.; if a person's completion date is within 30 days of the designated graduation date, they are eligible for graduation

\*\*\* The 30 day, 60 day, and 90 day wait without jail time sanctions in order to transfer to the next phase begins the day the sanction is ordered. If the Court date is postponed, changed or cancelled and a participant was to receive a sanction on the originally scheduled court date, the participant will receive credit from the originally scheduled Court date for the 30, 60, and 90 day waiting period.

## TERMINATION CRITERIA

The Forsyth County C.A.R.E. Program has identified criteria to be used in deciding whether to terminate a participant from the program. The following will be used as guidelines only and will not be absolute. The C.A.R.E. Court Team will use discretion regarding each individual situation.

- A new arrest/charge
- Substituting or otherwise tampering with a drug/alcohol screen, which may include continuous dilution of drug screens
- Chronic non-compliance evidenced by, but not limited to, continued use, multiple missed groups, failure to follow program requirements or poor attitude
  - Being AWOL from the program
  - Threats/violence toward other participants or any C.A.R.E. Court staff member
    - Possessing a firearm
  - Submitting forged documents to the court
  - Recording court or group session

## GRADUATION CRITERIA

The following criteria must be completed **thirty days** prior to graduation date (unless otherwise specified by the C.A.R.E. Court Office).

1. Write letter to Judge regarding progress in the C.A.R.E. Program, letter must be submitted to and approved by the C.A.R.E. Office, and must include the following:
  - Background: Life before C.A.R.E. Court
  - Arrest situation
  - Reflections on C.A.R.E. Court successes
  - Reflections on C.A.R.E. Court struggles
  - Plans/Goals for future: personal and recovery/progress on Life Goals
2. Complete Giving Back Project
  - Project/Site to be approved by C.A.R.E. Court Office
  - Submit detailed plan of anticipated activities in project to C.A.R.E. Court Office before phasing into Phase IV
  - Minimum of 20 volunteer hours
  - Documentation of hours must be verified by C.A.R.E. Court Office (letter on company letterhead with hours & job completed and a contact person with a phone number is acceptable)
  - Submit a written summary of how/why project was chosen, feelings while completing project, personal reactions after project completion.
3. Turn in High School Diploma or complete GED or make marked progress towards passing GED
4. Complete Graduation Request & submit to C.A.R.E. Court Office
4. All Probation Fees and fines must be paid in full or substituted community service work must be completed.
5. Attend exit interview with the C.A.R.E. Court Judge and Coordinator as scheduled by the C.A.R.E. Court Office (approximately 1-2 weeks before graduation).



## **MAXIMUM BENEFIT CRITERIA**

If a participant reaches the end of his/her probation and does not have enough time left to graduate the program successfully, but is participating fully in the program at date of discharge, he/she will be granted a Certificate of Maximum Benefit. This certificate will be presented to the participant on his/her last C.A.R.E. Court date.

## **SANCTIONS, TREATMENT RESPONSES, INCENTIVES, AND GENERAL GUIDELINES**

Sanctions are the imposition of consequences, perceived as negative consequences by the receiver, as a direct result of a prohibited activity. Sanctions will be swift and appropriate. The Forsyth County C.A.R.E. Court Team will determine sanctions on an individual basis as related to the current violation. Sanctions may include but are not limited to: increased recovery meetings, observation of court, homework assignments or essays to be completed, community service work, increased drug and alcohol screens, and jail time.

## **MEDICATION NON-COMPLIANCE**

All participants must report any and all medications to their Coordinator upon receipt. Any medications other than those prescribed by Avita Community Partners must receive approval from C.A.R.E. Staff prior to a participant taking them. All participants are provided with a Participant Handbook upon enrollment into the program which outlines the Approved Medication policy in detail. It is the responsibility of participants to abide by these policies and to verify with their Coordinator if any questions arise. This Medication Policy specifically refers to those approved mental health medications that have been approved by C.A.R.E. Staff and are counted for compliance by the C.A.R.E. Coordinator.

All participants who have valid prescriptions are subject to medication counts with C.A.R.E. Staff. These medication counts can occur as often as deemed necessary by the C.A.R.E. Staff depending on compliance, level of functioning, and level of program participation. All participants are expected to follow the specific directives of each medication prescribed.

- 1<sup>st</sup> Incorrect Medication Count: Fill out medication compliance form and discuss with Coordinator as well as take to Psychiatrist to discuss at next appointment
- 2<sup>nd</sup> Incorrect Medication Count: 4 hours Community Service and weekly medication counts for 30 days
- 3<sup>rd</sup> Incorrect Medication Count: 8 hours Community Service and weekly medication counts for 30 days

## **DRUG/ALCOHOL SCREEN VIOLATIONS**

The purpose of this policy is to provide a fair and equitable sanctioning process for individuals who have a missed screen, a "Could Not Provide", or a positive drug screen. Upon entering the C.A.R.E. PROGRAM, new intake participants are informed of the drug screening process during the initial orientation. Participants are provided with Averahealth information and a participant handbook outlining the expectations of compliance with the rules and regulations of the drug screening process. Participants must submit a valid drug screen on the days when they are randomly called. If a participant misses a scheduled screen or is unable to provide a specimen, he/she is sanctioned according to the positive/missed sanctioning guidelines.

**Participants are given an opportunity to admit to drug or alcohol use on the drug screen sign-in sheet prior to submitting a specimen. A person's honesty can afford a reduced sanction response from the Judge.**

If a participant admits to use and tests positive with the Treatment Services Lab, he/she is sanctioned according to the positive/missed screen continuum with a reflection on their admittance and honesty. Additional treatment responses are imposed at the discretion of the C.A.R.E. Program Team.

**SANCTION GUIDELINES: For missed screens, could not provide, and positive screens (urine screens or breathalyzer tests):**

In the case of a participant relapse or missed UDS, the following *shall* occur in Phases 1, 2, and 3:

**First Positive with Admission**

- Admonishment from Bench
- Increased SA treatment through Avita or additional 2 recovery support meetings for two months

**First Missed/Positive with Denial**

- 8 hours community service work
- Increased Community Policing for a minimum of 60 days

**Second Positive with Admission**

- 24 hours in jail
- Community Policing for a minimum of 60 days

**Second Missed/Positive with Denial**

- 48 hours in jail
- Community Policing for a minimum of 60 days

**Third Positive with Admission**

- 48 hours in jail
- Community Policing for a minimum of 90 days

**Third Missed UDS/Positive with Denial**

- 4 days in jail
- Community Policing for 90 days

**Fourth Positive with Admission**

- 4 days in jail
- Community Policing for 90 days

**Fourth Missed/Positive with Denial**

- 8 days in jail
- Community Policing for 90 days
- Curfew 8 pm-5 am for 30 days
- Discussion of higher level of care

**Fifth Positive with Admission**

- 8 days in jail
- Community Policing for 90 days

**Fifth Missed/Positive with Denial**

- 16 days in jail

- Termination Discussion

In the case of a participant who relapses in **Phase 4** the following shall occur:

- 1<sup>st</sup> positive/missed = 2 days in jail
- 2<sup>nd</sup> positive/missed = 4 days in jail
- 3<sup>rd</sup> positive/missed = 6 days in jail
- 4<sup>th</sup> positive/missed = 10 days in jail
- 5<sup>th</sup> positive/missed = 14 days in jail

Regarding THC use: Upon entry, participants who have been positive for marijuana will need to achieve two consecutive negative screens with at least 4 days between the screens. The participants' creatinine ratio shall be utilized to determine new use. **A THC/creatinine ratio of 1.5 or higher will be considered a positive with denial screen. \*\*In unconventional situations where a participant remains positive for longer than 30 days that confound the court, seek toxicological assistance. An oral report to the CARE court staff is adequate.\*\***

EtG level is set at 350 ng/mL and EtS is set at 100 ng/mL to be considered a positive, EtS is the control so can sanction if EtS is at or above 100 ng/mL

Increased/decreased treatment responses, community service work, and/or jail time may be imposed at the Team's discretion on a case by case basis.

Use of any mind or mood altering substance which includes, but is not limited to, designer drugs, synthetic marijuana, bath salts, etc., regardless of chemical compound will be sanctioned as a use (not use of over-the-counter without permission).

**For positive stick tests:** participants must report to the CARE office after the positive test to speak with Coordinator.

#### **6 month rollback:**

Statute of limitations: None in Phase 1; In Phase 2 and above, participants will be sanctioned for one less sanction than the total received IF participant has gone 6 months without a positive or missed drug screen. For example, if current screen would be third but participant has 6 months with no positive or missed screen, participant will be sanctioned as if the current was the second missed/positive screen. **No participant will receive this benefit more than two times throughout their time in the program.**

### **DILUTION/SUBSTITUTION/ADULTERATION**

The purpose of this policy is to establish a fair and equitable sanctioning process for individuals who have rendered a confirmed diluted, substituted, or adulterated urine drug screen. The C.A.R.E. Program considers a normal creatinine range to be approximately 100 – 150 mg/dl.

A **dilute screen** is defined as a creatinine level <20 mg/dl unless the criteria for a substituted specimen are met.

A **substituted screen** is defined as a urine specimen that does not exhibit the clinical signs or characteristics associated with normal human urine. The creatinine concentration is < or = to 5 mg/dl.

An **adulterated screen** is defined as a participant being observed by a staff member attempting to substitute or alter his/her screen or the participant is found to be in possession of paraphernalia or materials to adulterate his/her urine drug screen. The creatinine concentration is <10 mg/dL.

A screen that appears light, clear, or fluorescent in color shall be tested for dilution, substitution, and/or adulteration. Screens that are suspected to be adulterated or substituted will be sent to Redwood Labs for confirmation.

## **SANCTION GUIDELINES**

### **Diluted Screen:**

- 1<sup>st</sup> Offense = Education with Coordinator/Case Manager
- 2<sup>nd</sup> & 3<sup>rd</sup> Offense = Team to Discuss/Sanction same as positive screens based on progression

### **Substituted/Adulterated Screen:**

- 1<sup>st</sup> Offense, 2<sup>nd</sup> and 3<sup>rd</sup> offense= Team to Discuss

**\*\*\*Note\*\*\*** Positive screens and dilute screens may be discussed with the participant by the Treatment Team Leader before the Court date (if possible) in which the participant is to be sanctioned in order to intervene earlier and to work out a recovery plan. The participant will also have an opportunity to discuss sanction with the defense attorney prior to start of court.

**\*\*Any C.A.R.E. PROGRAM participants who provide urine specimens with a creatinine level <50 mg/dl will be discussed by Treatment Staff to determine if they should be placed on daily screens for 14 days in order for Treatment Services to monitor creatinine levels on a daily basis. If the participant is placed on 14 days of daily screens C.A.R.E. Program Staff will review creatinine levels after 14 days and if levels appear normal, the participant will return to a regular screening schedule. However, if the levels remain low, a referral is made to a medical doctor to rule out any medical conditions. The participant is also referred to Avita for Case Management at this time.\*\*\***

**\*\*Any CARE Program participants who provide specimens with a creatinine level > 300 will be referred to a Physician on the first screen. For a creatinine level > 400- team will discuss a sanction response if this individual has already completed their medical appointment.**

### **Use of Substances w/o approval**

Use of any substance that requires approval without getting prior approval from C.A.R.E. Office

- 1<sup>st</sup> time=Admonishment from the bench, therapeutic response
- 2<sup>nd</sup> time=increased treatment at Avita or meet with Coordinator
- 3<sup>rd</sup> time=24 hours in FCDC
- 4<sup>th</sup> time=Team to discuss

### **Drug Screening Protocol Infractions**

Defined as not lifting shirt; lowering pants to knees; squatting, etc.

- Sanction as a Missed Screen.

### **Late to Screening**

- Participant will not be allowed to screen and will be sanctioned as a Missed/Positive Screen.

### **Failure to sign in on screening Sign in Sheet**

- 1<sup>st</sup> time=4 hours CSW
- 2<sup>nd</sup> time=8 hours CSW
- 3<sup>rd</sup> time=16 hours CSW

### **Failure to Circle Admit/Deny on Sign in Sheet**

- Admonishment
- Clean up duty at Avita, if enrolled in services, or screening facility if not enrolled at Avita

## **GROUP AND/OR INDIVIDUAL COUNSELING VIOLATIONS**

### **Missed Group (defined as 16 or more minutes late)**

- 1<sup>st</sup> time= Admonishment from the bench, apology to Avita and/or treatment provider, and clean up duty at Avita and/or treatment provider
- 2<sup>nd</sup> time=check in with Coordinator by next court date & 24 hours in FCDC
- 3<sup>rd</sup> time= check in with Coordinator and attend an additional community support meeting by next court date & 48 hours FCDC
- 4<sup>th</sup> time- Discuss residential or termination

### **Missed Individual Counseling or Psychiatrist Appointments (defined as 16 or more minutes late)**

- 1<sup>st</sup> time= Admonishment from the bench, apology to Avita and/or treatment provider, and clean up duty at Avita and/or treatment provider
- 2<sup>nd</sup> time=check in with Coordinator by next court date (reschedule Psychiatrist appt) & 24 hours in FCDC
- 3<sup>rd</sup> time= check in with Coordinator and attend an additional community support meeting by next court date (reschedule Psychiatrist appt) & 48 hours FCDC
- 4<sup>th</sup> time- Discuss residential or termination

### **Late To Group or Individual Session (defined as up to 15 minutes)**

- 1<sup>st</sup> time=clean-up duty for 1 hour at Avita, if enrolled in services, or screening facility if not enrolled at Avita
- 2<sup>nd</sup> time=clean-up duty for 4 hours at Avita, if enrolled in services, or screening facility if not enrolled at Avita
- 3<sup>rd</sup> time= two sessions of clean-up duty for 4 hours each at Avita or screening facility

### **Removed from group due to being under the influence of alcohol or other drugs**

- 1<sup>st</sup> time- 24 hours FCDC
- 2<sup>nd</sup> time- Team to discuss

### **Failure to bring workbook to group**

- 1<sup>st</sup> time- Paper on responsibility
- 2<sup>nd</sup> time- 4 hours CSW
- 3<sup>rd</sup> time- 8 hours CSW
- 

### **Lost workbook**

- 1<sup>st</sup> time- 4 hours CSW, catch up workbook, and setback
- 2<sup>nd</sup> time- 8 hours CSW, catch up workbook, and setback
- 3<sup>rd</sup> time- Team discretion

### **Failure to complete MRT Step after 3 weeks**

- 1<sup>st</sup> time- Meeting with coordinator to discuss
- 2<sup>nd</sup> time- Work on completing step with individual counselor
- 3<sup>rd</sup> time- 4 hours CSW

## **RECOVERY/COMMUNITY SUPPORT MEETING VIOLATIONS**

Participants who are required (dual diagnosis) will submit completed community-based support meeting sheets to the assigned Coordinator/Case Manager no later than Tuesday by 12 pm. The information will be verified by the Coordinator/Case Manager based on the number of required recovery/community-based support meetings per week. \*\*Participants can get permission to go to an chaperoned, organized sober activity and document this on their sign in sheet for credit for one community support meeting per quarter.\*\*

### **SANCTIONING GUIDELINES:**

#### **Meeting log lacks proper documentation**

- 1<sup>st</sup> time- Instructional meeting with Coordinator/Case Manager.
- 2<sup>nd</sup> time- Complete assignment given by Coordinator/Case Manager.

#### **Missed community support group meetings**

- 1<sup>st</sup> time- Must do one make-up meeting for each missed meeting
  - Make-up meetings to be completed by next court session
  - Make-up meetings can be done in advance of court
- 2<sup>nd</sup> time- Clean up duty at Avita, if in services at Avita, or at screening facility if not in services at Avita
- 3<sup>rd</sup> time- 4 hours CSW
- 4<sup>th</sup> time- Team to discuss

## **PROBATION VIOLATIONS**

#### **Missed Probation Meeting**

- 1<sup>st</sup> time= Admonishment
- 2<sup>nd</sup> time= Overnight to release at 6 a.m.
- 3<sup>rd</sup> time= 1 day in jail
- 4<sup>th</sup> time= 2 days in jail

## **C.A.R.E. WORK PROGRAM**

The purpose of this policy is to determine the standard employment requirements for participants in the Forsyth County C.A.R.E. Program. Participants who are not receiving disability are expected to hold full-time employment at a minimum of 24 hours per week.

If a participant is disabled and cannot work, the participant must provide appropriate documentation supporting his/her disability. To be exempt from the employment requirements, the C.A.R.E. Program Team must receive appropriate medical documentation supporting said disability claim. If approved, the participant must submit a written proposal regarding a plan to account for his/her time. These participants must also attend Vocational Rehab.

Third-shift jobs are strongly discouraged and require permission from the C.A.R.E. Program Team. If a job is found to jeopardize a participant's recovery in any way, the C.A.R.E. Program Team reserves the right to have said participant change jobs.

Participants are required to keep their employment forms current. If a participant loses his/her job, he/she must notify his/her Coordinator/Case Manager the next business day.

Participants who lose or quit their job are given a two-week grace period to find employment. If after two weeks, the participant is not gainfully employed, he/she is placed on Job Search and must follow the Job Search policy.

Insufficient proof of employment:

- 1<sup>st</sup> time=4 hours CSW
- 2<sup>nd</sup> time= 8 hours CSW
- 3<sup>rd</sup> time=16 hours CSW

No job (after 45 days)

- 1<sup>st</sup> court session=10 job apps due before next court date and attend Jumpstart
- 2<sup>nd</sup> court session=10 job apps due before next court date and attend Jumpstart
- 3<sup>rd</sup> court session=daily job search and attend Jumpstart
- 4<sup>th</sup> court session=4 hrs CSW daily & daily job search and attend Jumpstart

\*Jumpstart is a weekly group focused on employment assistance and life skills. Coordinator may excuse participant from this requirement if clinically not stable for employment or in process of filing for disability.

## **JOB SEARCH POLICY**

Job Search requires participants to report to the Accountability Courts Office each weekday. Participants are expected to take a job search form and apply to five jobs per day. Participants will then turn in a completed job search form the following day. Failure to complete a job search form results in a missed job search.

Job Search begins promptly at 8:30 a.m. Participants are to be dressed and ready for an interview. Appropriate attire for male participants is slacks and a collared shirt. Appropriate attire for female participants is slacks and collared shirt or skirt and blouse or dress. Participants who are in need of appropriate attire are referred to a local thrift store. Showing up late or not showing up at all is considered a missed job search.

Once a participant secures employment, he/she must submit documentation on company letterhead indicating the effective hire date and whether employment is full-time or part-time. The Coordinator/Case Manager is responsible for releasing participants from job search upon receipt of appropriate documentation.

Participants who are placed on Job Search will **NOT** be released from job search without first providing a letter on the employer's letterhead that indicates the effective date of hire and whether it is full-time or part-time. Once participants turn in the appropriate letter stating they are employed, the Coordinator/Case Manager will release the participant from Job Search.

- Failure to notify Coordinator/Case Manager of the loss of employment or school by the next business day = Admonishment
- For missing Job Search = Referral to Avita Supportive Employment

## **CARE COURT VIOLATIONS**

### **Court Dress Code Violations**

- 1<sup>st</sup> time=Verbal Warning by coordinator
- 2<sup>nd</sup> time=4 hours of csw
- 3<sup>rd</sup> time=8 hours of csw

### **Unexcused Absence from C.A.R.E. Court Session**

- Arrest and hold to serve at least 24 hours in jail. Warrant will be signed and delivered to FC Warrants Division immediately.

### **Late to C.A.R.E. Court Session**

- 1<sup>st</sup> time=Admonishment from the bench
- 2<sup>nd</sup> time=4 hours csw

### **Unexcused Absence from Graduation**

- 1<sup>st</sup> time=4 hours csw
- 2<sup>nd</sup> time=8 hours csw
- 3<sup>rd</sup> time= 24 hours in jail

### **Late to C.A.R.E. Court Graduation**

1<sup>st</sup> time=Admonishment from the bench

2<sup>nd</sup> time=4 hrs csw

**Recording another participant in court** = 1<sup>st</sup>) 3 days in jail subject for immediate arrest & termination discussion

**Recording yourself in court** = 1<sup>st</sup>) overnight in jail subject for immediate arrest & termination discussion

*\*\*\*Any excused absence must be approved by the C.A.R.E. Court Office prior to Graduation or Court Session.*

## **OTHER VIOLATIONS**

### **Energy Drinks/Fermented Drinks (Kombucha Tea, etc)**

- 1<sup>st</sup> = Nutritional meeting with Coordinator/Case Manager
- 2<sup>nd</sup> = 8 hours csw
- 3<sup>rd</sup> = 24 hrs in jail

### **Harassment of Staff/Peers**

- To be handled on case by case basis; termination from the program at the discretion of the Court.

### **Incomplete CSW**

- 1<sup>st</sup> time= Double the original amount
- 2<sup>nd</sup> time= Overnight in jail

### **Forged Log**

- 1<sup>st</sup>- 14 days in jail to be brought back to court at next session
- 2<sup>nd</sup> – Team to discuss; may result in termination

### **Missed C.A.R.E. Court Office Meeting or Avita Orientation**

- 1<sup>st</sup> time= admonishment from the bench, apology letter to Coordinator, and 1 hr clean up duty



- 2<sup>nd</sup> time = 8 hrs community service work
- 3<sup>rd</sup> time = overnight in FCDC
- 4<sup>th</sup> time = Discuss residential or termination

### **Sanction Due Dates**

If a sanction is **not turned in at all**

- 1<sup>st</sup> time= 24 hours in jail and redo original sanction
- 2<sup>nd</sup> time= 48 hours and redo original sanction
- 3<sup>rd</sup> time=4 days and redo original sanction
- 4<sup>th</sup> time= Termination discussion

**Clearing out phone with cleaner app or otherwise deleting/clearing all information from phone**  
= 3 days in jail

**Clearing out social media/phones/iPads remotely after they have been taken up for search-** 7 days in jail

### **Contraband found in house/on person**

- Alcohol (first time) =treatment response, paper on effects of alcohol on the body and adverse interaction with medications on a case by case basis
- Alcohol (second time) = team to discuss
- Vaping devices to include all e-cigarettes, all supplies, and all accessories
  - 1) Overnight in jail, paper on negative effects of the drug and adverse interaction with medications
  - 2) Team to discuss
  - 3) Team to discuss
- Vaping liquids/juices/oils = Team to discuss
- Drug Paraphernalia=overnight in jail, paper on negative effects on the drug and adverse interaction with medications
- Possession of mood-altering substances/substances not approved by the court:
  - 1) Admonishment
  - 2) Overnight in FCDC
  - 3) Team to Discuss
- Knife (or straight blade/razor) = up to 48 hours in FCDC
- Ammo = up to 48 hours in FCDC
- Firearms = 2 days in FCDC to termination
  - Includes all firearms regardless of age/size/location
  - Using modified language from Federal Firearms Definitions 18 U.S. Code § 921, the term “firearm” means
    - Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or provides an electrical charge;
    - The frame or receiver of any such weapon;
    - Any firearm muffler or firearm silencer; or
    - Any destructive device.
      - The term “destructive device” means –
      - Any explosive, incendiary, or poison gas –
      - Bomb
      - Grenade
      - Rocket having a propellant charge of more than four ounces;
      - Missile having an explosive or incendiary charge of more than one-quarter ounce,
      - Mine, or
      - Device similar to any of the devices described in the preceding clauses;

- Any type of weapon by whatever name known which will, or which may be readily converted to expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and
- Any combination of parts either designed or intended for use in converting any device into any destructive device as described in the paragraphs above and from which a destructive device may be readily assembled.

### **Contact Violations**

- Participants are not to have contact with other participants outside of court related business, requirements, or court sanctioned events. Communications including but not limited to, sexting, having contact of a sexual nature, distributing photographs that may be deemed inappropriate, or communications that are otherwise inappropriate for a court setting, etc. Participants are also not to have contact with persons on probation and/or parole, convicted felons, known drug users or drug dealers, people incarcerated in any institution, without advance permission of the court. There is a form to request contact which must be turned in to the court prior to staffing and/or court. This request includes spending time with or staying with or requests to become roommates.
  - 1<sup>st</sup> time = 4 hours CSW
  - 2<sup>nd</sup> time = 8 hours CSW
  - 3<sup>rd</sup> = overnight in jail
  - 4<sup>th</sup> = 3 days in jail
  - 5<sup>th</sup> = presumed termination
- If directly told by judge not to have contact = team discretion
- Communication and association between or among 2 or more participants is limited to CARE Court business, CARE Court requirements, and CARE Court sanctioned events in Phases 1 and 2. In Phases 3-5, participants may hang out together, so long as it is not in a participant's home or in an establishment that serves alcohol. No physical relationships are allowed.
- Attempting to or alerting another participant of actual or perceived investigative activity by drug court personnel or their agents (including, but not limited to law enforcement)
  - 3 days in jail to termination

### **Address Verification**

- Incorrect address/not at provided address- 2 days in jail, weekend turn in

**Being in an establishment where the primary purpose is alcohol or drug related and/or food is no longer being served-** 3 days in jail

**Failure to provide vehicle information to CARE office within 2 business days of possessing/changing vehicles-** 8 hours CSW

**Failure to provide phone number where a message can be left on voicemail, answering machine, or with a person-** 4 hours CSW

### **Curfew Violation**

Curfew is required in Phase 1 & 2 from 10:00 p.m. to 6:00 a.m. and midnight in Phases 3 and 4.

- 1<sup>st</sup> violation=Admonishment & earlier curfew (9:00 pm for Phases 1 and 2, 11:00 pm for Phases 3 and 4) until further direction of the court
- 2<sup>nd</sup> violation=8 hours of csw and team to discuss earlier curfew

- 3<sup>rd</sup> violation=16 hours of csw and team to discuss earlier curfew

**Traffic Violations (Minor such as seatbelt violation, speeding ticket, failure to yield)**

- 1<sup>st</sup> violation= Clean up duty at Avita
- 2<sup>nd</sup> violation= Clean parking lot at treatment or screening facility and write a paper on responsibility as a citizen to obey the law
- 3<sup>rd</sup> violation= Defensive driving school
- 4<sup>th</sup> violation= Relinquish driver’s license for one week to the Judge

**NEW CHARGES/OFFENSES**

The purpose of this policy is to establish a guideline for addressing participants who obtain a new charge during program tenure. This is a major issue and one that impacts the public safety realm and the overall well-being of the Program. If the charge is substance-related and/or violent in nature, this exacerbates the need to deal swiftly, but fairly, with the participant. The maintenance of public safety is of paramount importance to the C.A.R.E. Program Team members.

If a participant receives a new charge, it is discussed by the Team and a decision is made of any possible consequences. If the new charge is violent in nature this could mean immediate termination, though there may be more leeway if a substance is not involved.

- If a substance is involved AND the person commits a violent offense, termination is very likely. The Team will discuss the issues, but public safety is of paramount importance in these cases.
- Lesser charges are discussed by the Team; however, presumption of termination remains the rule in all cases with the exception of minor traffic offenses.
- In all cases (except minor traffic offenses), the participant is arrested and held pending the Team’s decision regarding his/her continued participation in the program.

***The guideline for sanctioning for a new charge is discussed on a case-by-case basis.***

**AWOL (ABSENCE WITHOUT LEAVE)**

The purpose of this policy is to provide a fair and equitable sanctioning process for individuals who have entered into the C.A.R.E. Program but go absent without leave (AWOL). Participants who go AWOL are presumed terminated and will be considered on a case by case basis. Should the prosecuting attorney decide to move to terminate a participant; the participant will be served with notice of termination. The participant has the right to be represented by counsel at the hearing. Should an indigent participant contest the termination an attorney will be appointed by Indigent Defense. The court will hold a termination hearing within 30 days unless otherwise agreed by counsel. If the pre-adjudication participant is terminated from the program, then sentencing will take place. If the probation participant is terminated from the program, then a revocation order will be entered.

**FEDERAL FIREARMS REPORTING:** Upon each admission of use or positive lab confirmation (for drugs), that participant’s name will be submitted to the National Instant Criminal Background Check System (NICS) for entry into the NICS Index Denied Persons File for Controlled Substance Abuse as required by federal law. Report to NICS will initiate a 1-year prohibition on the possession or purchase of firearms or ammunition. Each report will restart the 1-year prohibition.

**18 U.S.C. § 921 et seq., the Brady Handgun Violence Prevention Act (Pub. L. 103-159), the NICS Improvement Act of 2007 (Pub. L. 110-180), and implementing regulations as may be codified within the Code of Federal Regulations.**

## **THERAPEUTIC/TREATMENT RESPONSES**

Therapeutic Responses are responses to participant non-compliant behavior, but unlike sanctions, are more positive in nature. The responses are designed to help/assist the participant in his/her recovery more so than punish him/her.

### **EtG (under 350)/EtS (100 & above)**

Participant will first meet with treatment team leader to discuss. Participant may be tested more frequently 14 days at his/her expense (or longer if deemed appropriate by the Court).

### **90 in 90**

This response can be deemed a treatment response and used as necessary. The participant would be required to complete 90 AA/NA or other approved self-help meetings in 90 days (attending only one meeting per day).

## **RESIDENTIAL/ITP**

### **Expectations:**

Coordinator must obtain a monthly report from the residential provider which shows the number and results of drug screens over the last month. The coordinator must communicate and confirm that the participant is required to be engaged in mental health treatment. Each participant in residential must be seen by Accountability Courts surveillance at least once throughout their length of stay.

If you are eligible to graduate straight from residential, you will first meet with your Coordinator with your completed after-care plan which ensures appropriate housing. This after-care plan must be turned in to the Accountability Courts Office at least 3 weeks prior to your graduation.

### **Re-entry into program:**

As part of your transition from residential, you will need to remain in the program, in community, for a minimum of 60 days.

Sanctions will re-start as a participant re-starts the program. If you enter into residential as a part of your C.A.R.E. Program treatment requirements, you will be required to attend court quarterly. These dates will be provided to you as well as the residential facility.

### **Fast Track:**

Participants will be eligible for Fast Track upon successful completion of a residential program. Upon return from residential, the participant shall return to the phase they were in when they left. After 30 days in that phase, the participant shall be evaluated by treatment to determine which phase is appropriate for treatment. This can result in moving to a higher or lower phase. If residential is not successfully completed, upon reentry into the program, the earliest available graduation date shall be determined.

## **INCENTIVES**

Incentives are positive responses to compliance for the participant from the team or Judge. The Forsyth County C.A.R.E. Court recognizes the importance of rewarding participants for good behavior. Incentives will also be swift to support program compliance. Incentives can range from praise from the Judge, applause/special recognition, travel privileges, Star Awards, Community Service Credit, reduction of Court Ordered fines, Phase Promotion Certificates, free sanction passes, and Graduation Certificates. The C.A.R.E. Court Program will also recognize events such as participant birthdays, special occasions (if known), and specific life events (such as babies born, death in the family, etc.) in a public forum to support participants in their recovery process. **The incentives may include but are not limited to the following:**

**“Tell me something good in court”**

Special recognition and draw from the candy bowl

**Participant of the Month- to be chosen by peers**

Can choose extra leave request, gas card, or oil change/service incentive

**Sanction Roll Off Incentive**

If a participant has no jail sanctions for six months they can have a rollback to the previous sanction in the grid.

**Sanction Free Monthly Awards**

When a participant remains sanction free for a month they receive one trip to the CARE closet to choose an item.

**6 month Sanction Free Awards**

1<sup>st</sup> to go in court and one extra day of leave

**Completion of MRT or other recommended curriculum**

Certificate, acknowledgement, and pick from the candy bowl

**Accountability Court Limited Permit**

Requests will be considered after participant has attended at least 3 court sessions (minimum of 45 days since entry into the program)

**CSW Credits**

The following credits will be given to participants as they progress through the Program:

Phase 1 completion=50 hours csw credit

Phase 2 completion=50 hours csw credit

Phase 3 completion=50 hours csw credit

Phase 4 completion=50 hours csw credit

Victim Impact Program (VIP)=20 hours csw credit if applicable

DUI School/ RRS=20 hours csw credit if applicable

OR:

Family Violence Intervention Program=20 hours csw if applicable

**Total**=240 hours csw credit

**Court Fine Credits**

All of the participants' court fine for the DUI or Family violence charge (including surcharges) can be credited through completion of the program (at the Court's discretion) & the collection of the fine is delayed for 12 months. The credit will be given upon the participant phasing up to Phase 5.

**Graduation With NO Sanctions**

If a participant graduates the program with no sanctions whatsoever, the participant can request a gift certificate in the amount of \$100.00 from a retailer of his/her choice. The retailer must not provide any alcohol.

The graduate will receive this gift certificate at his/her graduation ceremony.

**Transfer to Another County**

No transfers are being considered at this time from or to other circuits.

**Transfer between Forsyth County Accountability Courts** are being considered on a case by case basis.

## TREATMENT PROTOCOL

All C.A.R.E. Program Court activities and locations may be viewed as an extension of the Forsyth County Mental Health Court. Participant behavior should reflect that understanding at all times. This includes treatment, community service sites, special events, and other functions associated with C.A.R.E. Court activities. Violations of program rules can result in sanctions and/or new criminal charges. All staff members of the Forsyth County C.A.R.E. Court are officers of the court, and participants are expected to follow their instructions.

1. No alcohol, drugs, weapons, or pocket knives will be brought to these facilities.
2. Groups, individual sessions, or appointments with the Psychiatrist will begin on time! Participants must be punctual, as tardiness will result in sanctions. Participants must attend and participate in the full session to receive credit.
3. Confidentiality is a must. What is said here stays here! There will be **consequences** for any violation of this rule.
4. Free expression of participant's thoughts and feelings is encouraged; however, violence, threats or intimidation will not be tolerated. Extreme use of profanity is not acceptable. Be considerate of others when using any type of profanity.
5. Leave group only in an emergency after notifying staff & the C.A.R.E. Court Coordinator.
6. No visitors allowed. Participants will be notified of scheduled exceptions to this rule. This includes children and pets.
7. Pairing up with another C.A.R.E. Court participant or another individual in treatment at Avita or on probation for an intimate relationship is not permitted.
8. Smoking is permitted outside. **However, make sure cigarettes are extinguished and placed in the ash can provided.**
9. No littering in parking lot or in building. Participants must be responsible for assisting in maintaining the cleanliness of the building.
10. Destroying or defacing property will lead to sanctions.
11. Appropriate attire and cleanliness is required for all C.A.R.E. Court related activities. No clothing with alcohol or drug related logos or accessories should be worn at any time during C.A.R.E. Court functions.

## TREATMENT EXPECTATIONS

\*\* The expectation of the C.A.R.E. Court Program is that each person entering into the treatment process will maintain a lifestyle of abstinence. **There will be no drinking or using of illegal drugs.** Any prescription medication taken must be authorized by a medical doctor, reviewed with the treatment provider, and approved by the C.A.R.E. Court Coordinator. Any medications prescribed by the Psychiatrist are expected to be taken as directed. It is expected that participants will use non-narcotic medications (if there is documented, proven medical need) unless all other options have been tried and have failed. This would require a medical doctor to state this as the case, not the participant.

\*\* It is expected that participants will be actively involved in treatment and strive to make personal progress while they are in the program.

\*\* It is expected that participants will behave in a manner appropriate to the setting when in court.

\*\* It is expected that participants will make their treatment of primary importance. Missing treatment will be sanctioned.

\*\* It is expected that participants will give monitored drug screens when directed to do so. Missing drug screens will be treated as a positive screen for sanctioning purposes.

\*\* It is expected that participants will arrive on time for group meetings, or sanctions/work detail will be imposed.

Other expectations will be outlined in the Participant Handbook.

# **PROBATION PROTOCOL**

Participants who are on probation, felony or misdemeanor, shall follow the protocol as outlined by their officer.

## **CARE PROGRAM OFFICE PROTOCOL**

Forsyth County C.A.R.E. Program participant cases will be managed by the Coordinator. The Coordinator is responsible for maintaining client records regarding group attendance, meeting attendance, Psychiatrist appointment attendance, fulfillment of community service requirements, drug screen requirements and results, sanctions and incentives that are received, demographic information, and all other pertinent information. The information will be stored in a case management system as chosen by the C.A.R.E. Court Office and Judge. This will include all relevant data points. The Coordinator will gather such information from necessary agencies and then prepare weekly progress notes on each participant to be used in C.A.R.E. Court Team Staffing and in court. This information must be as current and accurate to ensure continuity and fairness in the sanctioning process. The CARE Office will distribute surveys to participants prior to completion of the program. As well as status review meetings the C.A.R.E. Team will meet no less than annually to review and discuss data outcomes.

## **CASE FILE PROCEDURES**

Three case files will be established and maintained. The C.A.R.E. Court Office, Probation Services and Treatment Provider will each maintain separate files on participants.

C.A.R.E. Court Office files will at least include an electronic or a hard copy of the following:

- 1) Participant's sentence.
- 2) Orientation Information (including demographics).
- 3) Copy of Assessments.
- 4) Releases of Confidentiality to include, but not limited to: the referring Court, Solicitors Office, Attorney of Record, Law Enforcement, a contact person, and treatment provider.
- 5) Participation Agreement, ETG Contract, Community Support/Recovery Meeting Agreement, Medication Agreement/Handbook Acknowledgement.
- 6) Offense notes and other pertinent legal documentation.
- 7) Weekly reports documenting level of participation in treatment and pill counts.
- 8) Weekly drug and alcohol screening results.
- 9) Sanction/Incentive Records

Treatment Provider files will include (a minimum of) the following:

- 1) Releases of Confidentiality for the entities above and for the C.A.R.E. Court Office.
- 2) Treatment Agreement.
- 3) All assessments completed.
- 4) Overview of the treatment process.
- 5) Up to date chart documentation including, but not limited to, group/individual progress notes, doctor visits, attendance records, individualized treatment plans, discharge planning, weekly progress updates and drug/alcohol screening results.
- 6) Complete a court progress report prior to each C.A.R.E. Court session.
- 7) Complete a weekly progress report on each participant to be reviewed with the C.A.R.E. Court Office.

## **CASE TRACKING PROCEDURES**

The C.A.R.E. Court Office will be responsible for accountability issues regarding the tracking of participants and will, therefore, periodically review charts of C.A.R.E. Court Participants for this purpose. Areas of review will include, but are not limited to:

1. Ensuring that all education and treatment sessions, meetings, and hearings are documented in the participant's file.

2. Ensure that the file includes all contracts, drug tests, referrals, case notes, case reviews, and results of court appearances.

### **CASE CLOSING PROCEDURES**

When a case is closed, the closing date and disposition should be documented on the outside of the participant's file and all supporting documentation should be enclosed in the file.

Graduated, Terminated, Maximum Benefit, Transfer, or Discharge

### **PARTICIPANT REQUIREMENTS**

Participants who are placed into the C.A.R.E. Court Program are required to comply with specific conditions. Failure to comply with these conditions may lead to termination from the C.A.R.E. Court Program and the revocation of the probationary sentence imposed by the Court. All participants will comply with the following:

- 1) While participating in the Forsyth County C.A.R.E. Program, participants are under the jurisdiction of the Court, which holds discretion in revoking all or any portion of the probation time in their case, if relevant. They will be required to attend C.A.R.E. Court review hearings in the Forsyth County Superior Court for a case status review on a regular basis. If non-compliant, the Court is provided with the specific details regarding the alleged violation of probation, if relevant.
- 2) The C.A.R.E. Office will supervise participant cases and monitor progress and participation in treatment. The C.A.R.E. Program Coordinator/Case Manager may require periodic meetings with a participant at the C.A.R.E. Office.
- 3) As part of the treatment services, all treatment providers will provide the Court with any necessary reports concerning diagnostic intake, involvement and participation in assigned classes, assigned counseling or treatment programs, or any non-compliant status.
- 4) Participants will submit to all drug and alcohol screening requested. These will be random, monitored drug & alcohol screens.
- 5) Any arrests must be reported to the C.A.R.E. Office and to the Probation Officer immediately, if applicable. If incarceration is involved, then notification must occur immediately upon release. Obtaining any new charges will be possible grounds for termination.
- 6) Participants will submit to a search of their person, residence, papers, and/or effects, without there having to be probable cause to conduct the search, and without there being a warrant, anytime of the day or night whenever required to do so by a probation officer, law enforcement officer, or C.A.R.E. staff, and specifically consent to the use of anything seized as evidence in any hearing or judicial disciplinary proceedings.
- 7) Participants will not bring ANY weapons of ANY kind to any C.A.R.E. Program affiliated facility, including all facilities where C.A.R.E. Court events are held.
- 8) Participants will attend all group and/or individual counseling sessions to which they are assigned and will be on time for all sessions. Attendance is mandatory, but attendance alone will not satisfy the requirements for successful completion of the program. Poor participation, inattentiveness, chronic lateness, violation of the abstinence requirements, or failure to attend program assignments will result in a return for judicial review and possible revocation of probation.
- 9) The treatment provider will continually evaluate and report information about attendance, participation, and progress to the C.A.R.E. Office each week.
- 10) Participants must not use alcohol and/or illegal drugs. A medical doctor must authorize any prescription medication and the C.A.R.E. Program Coordinator/Case Manager must give approval before consuming any medications. The expectation of the program is that the participant will try non-narcotic, non-addictive medications first and use addictive medications **ONLY** if it is the last viable medical alternative according to the participant's doctor and must



be submitted to the C.A.R.E. Program Coordinator/Case Manager in writing by the doctor. Abstinence is a necessity to remain involved in the Program. Regular, random drug and alcohol testing will be required. A positive reading will lead to sanction and a return to court for non-compliance. Refusal or inability to submit to a test or missing a test will be considered a positive test and be sanctioned as such.

- 11) Participants must report any changes in home address, place of employment, and work/home telephone number in writing within 24 hours of the change to the C.A.R.E. Office. These changes must be reported in writing to the Treatment Provider, the C.A.R.E. Office, and the Probation Officer.
- 12) Missing treatment or court will be excused in emergency situations only. Emergency situations are defined as:
  - a) Death in the family (as specifically defined in the Participant Handbook), or illness which must be verified in writing by a physician.
  - b) Family emergency, which must be verified in writing by appropriate parties involved.Participants must have prior approval from the C.A.R.E. Program Coordinator for class or Court absence. If a participant misses a scheduled group meeting, counseling appointment, or C.A.R.E. Court session and has notified the C.A.R.E. Office by telephone, this absence will not be excused until written documentation is provided verifying the absence. In addition, the written excuse must be in the C.A.R.E. Office a minimum of 24 hours of missing the session.
- 13) Participation in the Forsyth County Mental Health Court C.A.R.E. Program will require attendance at outside support group meetings, and will require documentation on a log that will be issued by the C.A.R.E. Office. The participant is responsible for the accuracy of the log and who signs off on the log. Another Court participant cannot sign off on the log if they are leading the group. The log needs to be signed off on by someone else. Only one meeting per day will be credited towards program requirements, and “banking” of the meetings will not be allowed. Only originals of the Recovery log will be accepted; no copies.
- 14) Participants will not be allowed to cohabitate together whether they are romantically involved or not. This includes participants from any other Accountability Court. Exceptions will be made for participants who enter the program that were married prior to entering the program.
- 15) Confidentiality is of the highest importance in treatment. The identity of other group members and any personal information they may share during the group sessions is confidential and may not be disclosed to anyone without the written permission of the person it pertains to. Violation of confidentiality will lead to sanctions and possible termination.
- 16) Failure to satisfy any of the previously stated terms will result in the participant’s case being returned to the Court for appropriate action.

## **TESTING PROTOCOL**

For the duration of the client’s participation in the C.A.R.E. Program, it is their responsibility to check daily to determine if they are required to drug or alcohol test that day. Drug/Alcohol testing is performed on a random basis; however, a breath or urine specimen may be required at any time. **Participants must call the screening line at (678)967-0419 each day to check on required drug testing and times. In the event that, for any reason, they cannot access this information by phone, it is their responsibility to report to the treatment facility during scheduled drug/alcohol testing hours. Regular drug/alcohol testing hours are Sun-Sat 6am to 9 am.**

The majority of drug/alcohol testing will be conducted at the treatment facility, other than those tests conducted at the Courthouse, Probation Office or C.A.R.E. Court Office. Drug testing days will be randomly chosen with the two hour compliance window. **Late arrivals will not be allowed to test and the failure to submit a specimen will be considered a positive screen. Tampering with or diluting a drug screen can be grounds for termination from the Forsyth County C.A.R.E. Court Program.**

### **Upon reporting for a drug screen:**

1. Participants must sign-in at arrival for the drug screen and must indicate an admission or denial (on the sign-in sheet) of use prior to submitting the screen and grant permission for confirmation of results if appropriate. This will be the participant’s only opportunity to admit or deny use of alcohol or drugs. If

a participant does not sign the sign-in sheet (regardless of whether the participant was actually there and tested), the participant will be sanctioned. **Honesty is a crucial component for recovery and participation in the Forsyth County C.A.R.E. Court Program. Self-disclosure of use will be considered by the court when sanctions are imposed.** The participant should not admit use if he/she is taking a medication that has been approved by the C.A.R.E. Court Office.

2. Only one participant is allowed in the testing area at a time. A staff member must accompany participants at all times during the drug screening process.
3. Participants must make sure that they hand their specimen to a staff member and watch them put the participant's label on the bottle/screen.
4. Participants will not be allowed to leave the testing facility or drink excessive fluids until a specimen is received. It is recommended that participants not drink excessive fluids 2 hours prior to screening.
5. A staff member of the same sex must always witness the sample being given.
6. Participants must not carry purses, coats, bags, etc. into the testing area.
7. Shirt sleeves should be rolled up to the elbow and clients may be required to remove additional clothing to ensure validity of specimen.
8. The test cup must contain a minimum of 1/3 level to be adequate for testing.

If a drug screen is positive and a confirmation is requested, the specimen will be tested again at a qualified testing facility.

Participants may not be able to stop using drugs or alcohol immediately and recovery may not occur overnight. However, all use of illegal drugs or alcohol will be sanctioned. This is not intended as a punishment, but to encourage sobriety. Thus, the ultimate goal of drug testing is to provide accountability and confirmation of an individual's progress towards recovery.

## **BASIC NEEDS**

Consumer Credit Counseling (404) 527-7630	Family & Children Services (770) 781-6700
Gainesville Baptist Rescue Mission (Men) (770) 287-9700	Good News at Noon (770) 503-1366
Forsyth Area Transit (770) 538-2602	Housing Authority (770) 536-1294
My Sister's Place (Women) (770) 532-5111	Salvation Army (770) 534-7589
United Way (770) 781-4110	Driver's License Renewal (770) 205-5401
Labor Finders (678) 513-7328	Dial-A-Ride (770) 781-2195
The Place (770)887-1098	St. Vincent DePaul (678)947-0677
Ninth District Opportunity (770)532-3191	Family Haven (770)887-1121
Georgia Highlands Medical Center (770)887-1668	Senior Citizens Center (770)781-2178
Forsyth County Health Department (770)781-6900	

## **CRISIS LINES**

Georgia Crisis & Access Line (800)715-4225	Gateway House (Domestic Violence) (770) 536-5860
Georgia Council on Child Abuse (800) 532-3208	Georgia Mts. Com. Srvc. (M.Health) Emergency: (800) 347-5827 Regular Office:(770) 535-5403
Rape Response (770) 503-7273	

## **SUBSTANCE ABUSE**

Alcoholics Anonymous (Georgia) (404) 525-3178	Cocaine Hotline (800) 905-8666
Drug Helpline (800) 378-4435	Forsyth County MANS/Drug Hotline 24 Hours: (770) 297-6267 (770) 531-6878
Laurelwood (770) 531-3800	Narcotics Anonymous (Atlanta) (404) 362-8484

# **Forsyth County C.A.R.E. Program Participant Handbook**



## **Change, Assistance,** **Restoration,** **& Enlightenment**

Participants entering the Program are expected to follow all the guidelines in this handbook.

This handbook belongs to:

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The C.A.R.E. PROGRAM Phone:  
678-455-4780 (Phone)  
678-455-4781(Fax)  
Emergency Number: 404-424-1798

Physical Address:  
425 Tribble Gap Road  
Cumming, GA 30040

These are the only numbers that should be used to contact C.A.R.E. PROGRAM Staff.  
Contacting a staff member on their personal phone is prohibited.

Avita— 125 N Corners Parkway, Cumming, GA 30040  
678-341-3840

NOTES: \_\_\_\_\_  
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## **Orientation**

### **I. Introduction**

The Forsyth County C.A.R.E. Program was implemented in March 2014 under the direction of State Court Judge Leslie Abernathy-Maddox, as designated by Chief Superior Court Judge Jeffrey S. Bagley. The Court is a partnership among the Judge, District Attorney, Solicitor-General's Office, Probation, Law Enforcement, Treatment Team, and Defense Counsel.

This is a mental health treatment program that is a minimum of 24 months in duration depending on severity of enrollment charges and consists of five phases. The goal of the program is to link participants with mental health and substance abuse treatment, if needed, in addition to community resources that will allow them to live healthy, productive lives and reduce/eliminate future involvement with the criminal justice system.

If you are able to work, employment will be required. This will help you to support yourself and spend your time productively. If you cannot work, then we will assist you in finding ways to spend your time to assist you to grow in positive ways and keep you out of trouble. Jail is not a place the Team wants you to be. We encourage you to help us by following the rules of the program and avoiding situations that may get you into trouble.

Assignments may be given to you by the treatment team in any phase. You should complete these assignments to the best of your ability and ask for help if you need it. Assignments that have been carelessly completed will not be accepted. An orientation will take place after your enrollment in the program. The coordinator will schedule this with you.

While you have entered the Forsyth County CARE Program, if it is determined you are a better clinical fit for another Forsyth County Accountability Court Program, you may be transferred to the appropriate program. Your sanction history will not follow you, unless the new program moves to terminate you, in which case, your entire sanction history in Forsyth County Accountability Courts can be taken into consideration.

#### **Phase 1: Stabilization: Requirements Include:**

1. Cooperate with team-approved psychiatrist and address medication concerns. Obtain prescribed medications and begin taking them as instructed.
2. Report for random Drug/Alcohol testing as required at a minimum of two times per week through Averhealth call-in system.
3. Follow treatment plan as recommended upon entry into the program including attendance at appointments with the Psychiatrist, therapist, nurse, etc.
4. Detoxification may be recommended by the team if client cannot achieve negative screens within 30 days of starting medication regimen.
5. Attend bi-monthly court on 2<sup>nd</sup> and 4<sup>th</sup> (and 5<sup>th</sup> when applicable) Wednesdays at 10

am and check in with Coordinator/Case Manager at the C.A.R.E. office at least 1 time on the week you do not have court.

6. Maintain curfew of 10 pm.
7. Maintain updated contact information with Coordinator/Case Manager and allow for initial home visit and subsequent home visits.
8. Attend a minimum of one community-based support group per week if dually-diagnosed and provide proof weekly of attendance to Coordinator/Case Manager on Tuesdays by 12 p.m.

**Phase 1 Advancement Criteria:**

- A. No positive drug test results (including missed tests, diluted tests or tampered tests) or jail sanctions for a minimum of 30 consecutive days.
- B. Attend at least 1 appointment with the doctor, have obtained medication, and have addressed concerns with prescriber.
- C. No missed, unexcused appointments (substance abuse counseling, psychiatrist appointments, mental health meetings) for 21 consecutive days.
- D. Acknowledgment of substance abuse problems and a commitment to live an alcohol-free and drug-free lifestyle. (if dually-diagnosed)
- E. Enroll in and complete any alternative treatment developed by the team.
- F. Provide proof of attendance of community-based support meetings (if recommended) to Coordinator/Case Manager on Tuesdays by 12 p.m.
- G. Completion of Phase-up Interview with treatment provider and Coordinator/Case Manager.

**Phase 2: Early Recovery: Requirements Include:**

1. Maintain medication compliance and move into a maintenance plan with the prescriber.
2. Report for Drug/Alcohol testing as required at a minimum of two times per week through Averhealth call-in system.
3. Maintain consistent attendance at all appointments for psychiatric, mental health, and substance abuse counseling (as needed), including group meetings.
4. Attend court on the 2<sup>nd</sup> and 4<sup>th</sup> (and 5<sup>th</sup>, when applicable) Wednesdays of the month and continue to check in with Coordinator/Case Manager at the C.A.R.E. office the week you do not have court.
5. Maintain curfew of 10 pm.
6. Maintain updated contact information with Coordinator/Case Manager.
7. Find and maintain suitable and secure housing with periodic home visits by Community Policing.
8. Continue attending one community-based support meeting per week if dually-diagnosed as directed by the treatment team, with proof submitted to the Coordinator/Case Manager on Tuesdays by 12 pm.
9. Find employment or enroll in the Vocational Rehabilitation program. If participant is deemed unable to work, an application for SSI will be made and a productive use of time should be established.
10. Continue working on additional case management services as determined by the



treatment team: detoxification treatment, residential treatment, mental health services, etc.

11. Formulate personalized life goals to be presented to the treatment team.

Phase 2 Advancement Criteria:

- A. No positive drug test results (including missed tests, diluted tests or tampered tests) or jail sanctions for 60 consecutive days.
- B. Medication compliance maintained for a minimum of 60 days.
- C. Have no unexcused absences from scheduled services (substance abuse counseling, psychiatrist appointments, individual or group counseling, Coordinator/Case Manager) for 30 consecutive days.
- D. Engage in productive use of time – employment, vocational or educational classes, volunteer work, etc., as determined by the treatment team.
- E. Maintain attendance at Community Resource Support meetings, with proof submitted to your Coordinator/Case Manager, for a minimum of 60 days.
- F. Demonstrate a positive adjustment to treatment.
- G. Complete Phase-up evaluation with treatment team and Coordinator/Case manager.
- H. Complete a payment plan for restitution owed, if applicable.

Phase 3: **Maintenance**: Requirements Include:

1. Maintain medication compliance.
2. Report for Drug/Alcohol testing a minimum of two times per week through Averahealth call-in system and provide additional screens upon staff request.
3. Maintain consistent attendance at all appointments for Psychiatric, mental health needs, and/or substance abuse counseling, including group meetings.
4. Attend a minimum of two community-based support meetings per week if dually-diagnosed, or more as directed by the Treatment Team, with proof submitted to your Coordinator/Case Manager on Tuesdays by 12 pm. A sponsor should be identified and obtained during this phase for dual diagnosis participants.
5. Maintain employment or be actively involved with Vocational Rehabilitation with clear goals outlined at a staffing with Vocational Rehab.
6. Work on additional case management services as determined by the Treatment Team, such as: residential treatment, mental health services, employment assessment and training, job search, etc.
7. Work toward achievement of individual life goals, as approved by the treatment team.
8. Attend court appearances every 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of the month and continue to check in with Coordinator/Case Manager at the C.A.R.E. office the week you do not have court.
9. Maintain curfew of midnight.
10. Maintain updated contact information, safe housing, and allow for periodic home visits by Community Policing.
11. Begin discussing the required Giving Back Project after with the Coordinator/Case Manager.

Phase 3 Advancement Criteria:

- A. No positive drug test results (including missed tests, diluted tests or tampered tests)

- or jail sanctions for 90 consecutive days.
- B. Medication compliance maintained for a minimum of 90 days.
- C. No unexcused absences or absconding from scheduled services such as: mental health counseling, substance abuse counseling, psychiatrist appointments, Coordinator/Case Manager meetings, etc., for 30 consecutive days.
- D. Maintain safe and stable living arrangements for a minimum of 90 days in the same location.
- E. Present documentation to your Coordinator/Case Manager weekly on Tuesdays of no fewer than two community-based support meetings per week, for a minimum of 90 days if applicable.
- F. Work with the Treatment Team on progress towards achievement of individual life goals.
- G. Demonstrate ability to verbally express understanding of self-help concepts.
- H. Demonstrate positive adjustment to treatment.
- I. Discuss the required Giving Back Project once with the Coordinator/Case Manager.
- J. Complete Phase-up Evaluation with treatment team and Coordinator/Case Manager.

**Phase 4: Preparation: Requirements Include:**

1. Maintain medication compliance.
2. Report for Drug/Alcohol testing a minimum of two times per week through AVerhealth call-in system and provide additional screens upon staff request.
3. Maintain consistent attendance at appointments with mental health counselor, psychiatrist, and substance abuse counselor, including group meetings.
4. Attend a minimum of two community-based support meetings (if dual-diagnosis) per week with proof submitted to the Coordinator/Case Manager each week on Tuesdays by 12 pm. Greater connectedness with the sponsor and the outside program should be fostered.
5. Have obtained gainful, consistent employment, or if deemed unable to work, have found a consistent and productive use of time.
5. Maintain clean and sober recreation/fellowship.
6. Complete other case management services as determined necessary by the Treatment Team.
7. Maintain ongoing review and update of a treatment plan.
8. Appear in court for progress reviews once per month on the 2<sup>nd</sup> Wednesday and check in at the C.A.R.E. office with either the Coordinator/Case Manager once per month (not during court weeks).
9. Maintain curfew of midnight.
10. Maintain updated contact information.
11. Provide Coordinator/Case Manager an outline of the required 20 hour Giving Back Project.
12. Maintain safe and adequate housing.
13. Begin working on a definitive aftercare plan which may include self-help/community support meetings, AVITA outpatient counseling, or group attendance.

Phase 4 Advancement Criteria:

- A. No positive drug test results (including missed tests, diluted tests or tampered tests) or jail sanctions for 90 consecutive days.
- B. Medication compliance maintained for a minimum of 90 days.
- C. No unexcused absences or absconding from scheduled services such as: mental health counseling, substance abuse counseling, psychiatrist appointments, Coordinator/Case Manager meetings, etc., for 90 consecutive days.
- D. Maintain safe and stable living arrangements for a minimum of 90 days in the same location.
- E. Present documentation to Coordinator/Case Manager weekly on Tuesdays by 12 pm of no fewer than two community-based support meetings per week, for a minimum of 90 days, if applicable.
- F. Work with Treatment Team on progress towards achievement of individual life goals.
- G. Demonstrate ability to verbally express an understanding of self-help concepts and symptom management skills.
- H. Demonstrate positive adjustment to treatment.
- I. Provide Coordinator with an outline of the required 20 hour Giving Back Project.

Phase 5: **Aftercare:** Requirements Include:

- 1. Maintain medication compliance.
- 2. Report for Drug/Alcohol testing a minimum of two times per week through Averahealth call-in system and provide additional screens upon staff request.
- 3. Maintain consistent attendance at appointments with mental health counselor, psychiatrist, and substance abuse counselor, including group meetings.
- 4. Attend a minimum of three community-based support meetings (if dual-diagnosis) per week with proof submitted to the Coordinator/Case Manager each week on Tuesdays by 12 pm. Greater connectedness with the sponsor and the outside program should be fostered.
- 5. Maintain clean and sober recreation/fellowship.
- 6. Complete other case management services as determined necessary by the Treatment Team.
- 7. Maintain ongoing review and update of a treatment plan.
- 8. Appear in court for progress reviews once per month on the 2<sup>nd</sup> Wednesday at 10:00 am and check in at the C.A.R.E. office with either the Coordinator/Case Manager once per month (not during court weeks).
- 9. Maintain curfew of midnight.
- 10. Maintain updated contact information.
- 11. Have obtained gainful, consistent employment, or if deemed unable to work, have found a consistent and productive use of time.
- 12. Maintain safe and adequate housing.
- 13. Complete 20 hour Giving Back Project.
- 14. Successful completion of GED, if applicable, or marked progress towards goals.
- 15. Have developed a definitive aftercare plan which may include self-help/community support meetings, AVITA outpatient counseling, or group attendance.
- 16. Completed all of the graduation requirements.

### Phase 5 Advancement Criteria:

- A. No positive drug test results (including missed tests, diluted tests or tampered tests) or jail sanctions for 120 consecutive days.
- B. Medication compliance maintained for a minimum of 120 days.
- C. No unexcused absences or absconding from scheduled services such as: mental health counseling, substance abuse counseling, psychiatrist appointments, Coordinator/Case Manager meetings, etc., for 90 consecutive days.
- D. Maintain safe and stable living arrangements for a minimum of 90 days in the same location.
- E. Present documentation to Coordinator/Case Manager weekly on Tuesdays by 12 pm of no fewer than three community-based support meetings per week, for a minimum of 90 days, if applicable.
- F. Work with Treatment Team on progress towards achievement of individual life goals.
- G. Demonstrate ability to verbally express an understanding of self-help concepts and symptom management skills.
- H. Demonstrate positive adjustment to treatment.
- I. Submit copy of high school diploma and/or completion of GED, if able.
- J. Fulfilled graduation requirements including letter to the Judge, interview with the Judge, and completion of Giving Back Project.

*In Phases 4 and 5: Participants work toward a successful transition from a lifestyle within the court structure to a lifestyle more representative of what they will experience following graduation. The client will depend more on community resources and display stability to the team through sustaining his/her achievements with less external motivation as they head towards graduation. Graduation requirements: (Phase V) Exit interview with Judge and coordinator/case manager, completion of graduation packet, and completion of 20 hour Giving Back Project. Graduation packet will be reviewed at least 30 days prior to graduation.*

### **Graduation**

Appropriateness for graduation will be determined by the treatment team. Please feel free to invite anyone that you would like to participate with you in this celebration of your achievement in completing the program! Upon successful completion of the C.A.R.E. Program, you will be eligible to attend **Alumni** events and future graduations. We would love to hear from you and learn how you are doing. Your attendance at future graduations and calls to the C.A.R.E. office are both great ways to stay connected. Also, remember to keep following the long-term plan for your treatment. It is our goal to improve the quality of life and reduce recidivism for the participants in this program. Those who graduate will have a solid foundation to build upon in order to become productive members of this community.

### **DRUG SCREENING**

Drug screening will be done on a random basis. It may include **urine tests or a breathalyzer or both**. If you are to have the best opportunity to be successful, then it will be very important for you to NOT drink alcohol or take any drugs other than those prescribed by your doctor. It is a requirement that a person submit a drug screen upon request of any staff member or it will be considered a positive test for sanctioning purposes. It is a requirement that each person submit a valid, non-dilute test. All drug

screens will be observed by a screener of the same sex. It is not the responsibility of the Program to decide whether the reason your sample is dilute is intentional or not, but is the responsibility of the participant to provide a valid sample.

You may be tested at **425 Tribble Gap Road, Cumming, GA**, the courthouse, on home visits, or any other location. For many of our participants, it is essential that his/her medication be effective to allow him/her to be successful in the program and in life. When you mix prescribed medication with alcohol or other drugs, the prescribed medications become less effective which puts an individual more at risk for getting into trouble. That's not good for you or for us so *don't drink alcohol or take non-prescribed medications.*

You may not be able to stop using drugs immediately and recovery may not occur overnight. However, all use of illegal drugs and alcohol will be sanctioned. This is not intended as a punishment, but to encourage sobriety. The ultimate goal of drug testing is to provide accountability and confirmation of an individual's progress toward recovery.

### Averhealth

The phone number for screening is: 678-967-0419

Normal/regular testing times are Sunday through Saturday 6:00 am to 9:00 a.m. These times are subject to change. In such an event, the message on the phone will advise you when to report. We reserve the right to screen you at any time for any reason.

### **\*CALL BEFORE 6AM TO DETERMINE IF AND WHEN YOU ARE REQUIRED TO SCREEN.**

You can call the screening line starting at 4:00 am. You will need to enter in your pin and listen to your personal message which will tell you whether you are required to come provide a screen that day or not. You will be given a confirmation code when you call the screening line. This is for your records and can be produced in case your call is questioned. It is recommended that you keep track of this number. In the event that, for any reason, you cannot access this information by phone, it is your responsibility to report to the testing center during scheduled drug testing hours. You must also contact your Coordinator/Case Manager to address any issues with the screening line.

\*30 ml of urine is required for a valid screen. If you are unable to produce that amount, a "could not provide" will be filled in by your name on the screening sheet. This counts as equivalent to a missed screen.\*

If you test positive at the screening site you must report immediately to the C.A.R.E. office.

### **ATTENDANCE**

As a participant in the Forsyth County C.A.R.E. Program, you are required to attend all meetings as assigned. Failure to attend will result in progressive sanctioning. Many participants will be enrolled in treatment services through Avita Community Partners,

our local Community Service Board. If you are privately insured and seeking treatment through your insurance with outside providers, you must confirm with them prior to initiation of treatment they are willing to work with the court. This includes but is not limited to regular, progress reports to the court. If your provider fails to comply with this request, you can be asked to change providers. This includes all participants who are in residential treatment. Special requests to be excused from meetings must be approved by your Coordinator/Case Manager and/or the Team. Drug testing is required after each approved leave. You should screen on the day that you return from your leave. Make sure the return from leave screen is scheduled before taking your leave. No leaves will be allowed during Phase 1 of the program. Two three-day leaves will be permitted in Phases 2, 3, 4 and 5, if approved by the team.

The following procedure must be taken in order to obtain a leave from the program:

1. All requests are to be submitted in writing a minimum of two weeks in advance to your Coordinator/Case Manager. Leave request forms are available in the C.A.R.E. office.
2. The C.A.R.E. Program Staff will screen requests and, only if they are recommended, will be presented to the Judge for consideration.
3. The C.A.R.E. Program Judge will inform you on Wednesday morning of her decision on the requests that the staff recommends. (If you are not required in court on that date, the decision will be shared with you by your Coordinator/Case Manager.)

Medical Leave will be considered in approved situations with appropriate documentation and releases. A minimum of two weeks maternity leave is granted for women from the date of delivery.

***In the event of a sudden illness and/or death of immediate family, of course, proceed as needed. (Immediate family includes spouse, children, siblings, parents, and grandparents only.) Please call the on-call phone at 404-424-1798 and leave a message regarding the circumstances and a number where you can be reached. Contact the office by phone on the next working day and obtain proof of relationship, medical records, or an obituary to be submitted upon your return to treatment.***

## **II. Court**

### **COURTROOM BEHAVIOR**

Your attendance in court is a condition of your participation in the Forsyth County C.A.R.E. PROGRAM. Your behavior from the time you leave your automobile until you arrive in the courtroom should reflect positively on the Program.

- Your attire should **not** include short shorts, tank tops, halter-tops, hats, sunglasses, sleeveless shirts, mini-skirts, pajamas or excessively baggy clothing.
- You should **not** wear clothes displaying offensive language or advertising alcohol or other drugs.
- Loud and boisterous behavior is unacceptable.

- **You must be punctual. Court is called to order on Wednesday morning at 10:30 a.m.** (You will be advised of exceptions or changes to your courtroom appearances by your Coordinator/Case Manager.)
- Once in the courtroom, conversations should be minimal.
- You may not record any of the court sessions.
- You are to remain seated unless directed otherwise.
- You should not read or sleep in the courtroom.
- No food, gum, drink, pagers, cell phones, or other distracting items are allowed.
- You are responsible for your guests and/or children.

### **JUDGE'S ROLE**

The C.A.R.E. Program Judge has knowledge of the impact of mental illness and substance abuse on the court system, the lives of participants, and the entire community and is, therefore, committed to the Program mission and goals, and works as a lead partner to ensure its success. One way the C.A.R.E. PROGRAM Judge leads is through assisting the Treatment Team in developing policies and procedures for the program. In the courtroom, the Judge develops a personal, working relationship with each participant while monitoring participant progress. Your Judge has many responsibilities beyond the Program. Her time is limited.

***Direct contact with the Judge and her office should be avoided beyond the courtroom setting.***

The Judge is not your Coordinator/Case Manager, personal attorney, and/or legal advisor. Information from yourself and your family must go through your Coordinator/Case Manager. The Judge attends non-court settings such as staff meetings to discuss possible candidates for the program and to determine appropriate, effective sanctions for program violations, as well as incentives for continued compliance. Such determinations are made using knowledge of all life areas that may impact a participant's success.

A further role of the Judge is to advocate for the program by creating community interest and support for the program and to develop community resources to assist participants in their treatment.

### **DISTRICT ATTORNEY'S ROLE**

Without the District Attorney's cooperation, you could not be offered the opportunity to participate in the C.A.R.E. PROGRAM. The Prosecutor has many responsibilities to the Program. The Prosecutor presents each case to the Judge and facilitates entry into the C.A.R.E. PROGRAM if appropriate. The Prosecutor attends staff meetings to discuss possible candidates for the program and to determine appropriate sanctions and incentives for current participants. Another role of the Prosecutor is to contribute to efforts in community education and acquisition of community resources to aid the Program. The Prosecutor educates peers, colleagues, and judiciary on the effectiveness of the C.A.R.E. Program. During your participation in the Program, it is not appropriate to seek legal counsel from the staff of the District Attorney's Office. In the event that

you are terminated from the Program, the Prosecutor will make recommendations to the Court regarding your sentencing if you have felony charges.

### **SOLICITOR-GENERAL'S ROLE**

The Solicitor-General has many responsibilities to the Mental Health Court C.A.R.E. Program. The Solicitor-General presents each case to the Judge and facilitates entry into the Program. The Solicitor-General attends staff meetings to determine appropriate sanctions and incentives for program participants. Another role of the Solicitor-General is to contribute to the efforts in community education and acquisition of community resources to aid the program. During the program, it is not appropriate to seek legal counsel from the Solicitor. In the event you are terminated from the C.A.R.E. Program, the Solicitor-General will make recommendations to the Court regarding your probation revocation if you have misdemeanor charges.

### **DEFENSE ATTORNEY'S ROLE**

The C.A.R.E. Program Defense Attorney represents most participants in the Program. The Defense Attorney's role is to evaluate the offender's legal situation and ensure that his/her legal rights are protected. Additionally, the Defense Attorney effectively advises the offender on his/her legal rights, legal options, treatment options, program conditions, and sentencing outcomes while developing a relationship with the offender that promotes his/her long term best interest. They also monitor participant progress and ensure the appropriate provision of treatment and other rehabilitative services. The Defense Attorney attends staff meetings to discuss possible candidates for the program and to determine appropriate sanctions and incentives for current participants. The Defense Attorney will reach out to participants with pending jail time sanctions to discuss their sanction prior to court. Like the Prosecutor, the Defense Attorney also contributes to educating the community and assists in educating peers, colleagues, and judiciary in the effectiveness of the C.A.R.E. Program.

### **LAW ENFORCEMENT'S ROLE**

Without the support of local law enforcement, you would not have this opportunity to participate in the C.A.R.E. PROGRAM. They have recommended that you receive treatment, **not jail**. Law enforcement provides accountability for your participation in this program through bi-weekly staff meetings and recommendations. They will also provide Fourth Amendment searches as needed. Your honesty and cooperation with all law enforcement is essential to compliance with the program.

### **C.A.R.E. STAFF ROLES**

The C.A.R.E. Staff oversees your regular participation within the program. You have a mandated responsibility to maintain close contact with the C.A.R.E. Staff.

Clinical Coordinator/Case Manager: The Coordinator/Case Manager oversees the operation of the C.A.R.E. Program. This individual provides support to the program, but also builds bridges with the community and agencies in Forsyth County. The Coordinator/Case Manager provides assessment for potential clients and testing once a client is enrolled. This individual also works closely with participants to develop individualized treatment plans. Your Coordinator/Case Manager will oversee your



involvement with the Program, appearances in court, following through with treatment plans, etc. This individual will also help with linkage to community resources to include Vocational Rehabilitation, transportation resources, housing resources, as well as medical and dental care providers.

### **TREATMENT PROVIDER ROLES**

This may include, but is not limited to, AVITA and local certified mental health professionals within the community. You will be linked with an appropriate mental health provider and your regular participation and compliance with your treatment plan are required. Your C.A.R.E. Coordinator/Case Manager will maintain contact with your mental health provider in order to note your progress in treatment. These professionals will provide your treatment which includes Psychiatrist appointments, nurse appointments, as well as individual and group counseling.

### **SANCTIONS**

The Judge will impose swift sanctions if you violate the Program rules. Sanctions may include, but are not limited to, community service, increased court appearances, homework assignments, jail time, and termination from the program.

The C.A.R.E. Program uses a Graduated Sanction Process, meaning that the level of sanctions increases depending on the seriousness of the offense and the frequency of violations. For example, an initial positive drug screen would garner a lesser sanction than several positive drug screens. Sanctions will be decided by the C.A.R.E. Program Team.

***In the event that jail time is required for your program violations, you must make sure that childcare is not an issue. Further, medications are to be in your possession when you come to court.***

**You must report any and all contact with law enforcement to the C.A.R.E court office by the close of the business the next business day.** For example, if your law enforcement contact occurs on Tuesday, you must notify the C.A.R.E Court Office by 5:00 p.m. on Wednesday. If contact occurs on the weekend, you must report it to the C.A.R.E Court Office by 5:00 p.m. on Monday. Arrests should be reported immediately.

### **CONTACT AND FRATERNIZATION**

As a participant in the program, you have agreed to not have any contact with people of disreputable or harmful character. This includes, but is not limited to, people currently on probation or parole (other than those who are also participating in the C.A.R.E. Program), people in other accountability courts in other circuits, people being supervised by any court agency or on misdemeanor or felony release/bond, and people with felony convictions, drug users and drug dealers. Any contact you do have with

others in the C.A.R.E. Program needs to be related only to C.A.R.E. requirements such as recovery meetings or groups and/or court sanctioned events.

Prosocial activities will be coordinated the C.A.R.E. staff. You will be made aware of these prosocial activities as they become available.

Communication and association between or among 2 or more participants is limited to C.A.R.E. Court business, C.A.R.E. requirements, and C.A.R.E. Court sanctioned events in Phases 1 and 2. In Phases 3-5, you may socialize with other participants who are in Phases 3-5. You are not permitted to go to another participant's home or go to any establishment that serves alcohol. Physical relationships between participants are not allowed.

**\*\* Participants cannot have any type of sexual relations at any treatment site associated with the program or any public location related to C.A.R.E. Program. Any violation of this can and will result in a sanction. \*\***

The goal, of course, is to not have any sanctions and the best way to go about achieving that goal is to pay attention to the program rules and expectations from the start. You will find that those participants who attempt to "play games" with the program will eventually lose and losing has severe consequences in this program. So, it is far better to learn how to be successful rather than how much you can get away with.

### **ASSIGNMENTS**

You may be given a variety of assignments while in treatment. Our expectation is that you will apply yourself to the best of your ability. You will be sanctioned for failure to complete assignments on time and bring materials (book, workbook, etc.) to group(s).

### **GIVING BACK PROJECT**

All clients will be expected to complete a 20-hour Giving Back Project during Phase 5 before they are eligible for graduation from the C.A.R.E. Program. This project must consist of a service which benefits the community at large in some capacity. Ideally, you will identify a service which is meaningful for you personally to give back in. You must have your project idea approved by your Coordinator/Case Manager before you begin accumulating hours. You will be responsible for providing documentation of all hours completed to your Coordinator/Case Manager for your file. You will be given the opportunity to discuss your project with your Coordinator/Case Manager throughout the Program.

### **INCENTIVES**

Incentives are positive responses to compliance for the participant from the team or Judge. The Forsyth County C.A.R.E. Court recognizes the importance of rewarding participants for good behavior. Incentives will be swift to support program compliance. Incentives can range from praise from the Judge, applause/special recognition, travel privileges, Star Awards, Community Service Credit, reduction of Court Ordered fines, Phase Promotion Certificates, free sanction passes, and Graduation Certificates.

Participants with suspended licenses can apply for an Accountability Courts Limited Permit after they have been in the program for 45 days. They need to complete the form in the Accountability Court office. The Judge will review these requests at the following court session. The C.A.R.E. Court Program will also recognize events such as participant birthdays, special occasions (if known), and specific life events (such as babies born, death in the family, etc.) in a public forum to support participants in their recovery process.

### **TERMINATION**

The Forsyth County C.A.R.E. Program is committed to giving participants the opportunity to learn to live life in a healthy, productive manner. However, your continued participation in the program is contingent on compliance with program guidelines and regulations. Non-compliance includes, but is not limited to:

1. Your inability to remain clean and sober
2. Failure to attend and participate in groups
3. Threats or violence against peers or staff
4. Altering or tampering with drug screens
5. Committing a new offense (**all arrests must be reported to the C.A.R.E Court Office immediately**)
6. An accumulation of program violations
7. Continued non-compliance to program guidelines
8. Possessing a firearm
9. Falsification of any documents (including but not limited to AA/NA sheets, medical information, etc.)
10. Recording any court proceeding and/or treatment session.

**We want every participant to succeed and we consider termination the last resort.** Our goal is to help you obtain and maintain a healthy lifestyle. However, we also understand that not everyone who enters the Program is capable of and/or committed to achieving this goal. Our resources are limited, and the Court may determine that termination from the program is necessary.

### **III. Program Guidelines**

#### **TREATMENT FACILITY**

All C.A.R.E. Program activities and locations are an extension of the Forsyth County Superior Court. Your behavior should reflect that understanding at all times. This includes the treatment facility, parking lot, all contracted treatment locations, community service sites, special events, and any other function associated with C.A.R.E. Program activity. All violations of program rules can result in sanctions and/or new criminal charges. The staff members of the Forsyth County C.A.R.E. Program are officers of the Court, and you are expected to follow their instructions.

- No alcohol, drugs, weapons, or pocketknives will be brought to the facility.
- Groups will begin on time! You must be punctual, as tardiness will result in

sanctions. You must attend and participate in the full session to receive credit.

- Confidentiality is a must. What is said here, stays here! There will be stiff consequences to any violation of this rule. You may never record any of your treatment sessions, group or individual.
- Free expression of your thoughts and feelings are encouraged; however, violence, threats or intimidation will not be tolerated.
- No sexual harassment will be tolerated!
- No comments about the physical appearance of other participants.
- Participants are to treat each other with respect at all times.
- Leave group only in an emergency after notifying a Treatment Staff member.
- Excessive use of profanity is not acceptable.
- Dress code: No sleeveless shirt or tank tops (clothing **MUST** cover shoulders, stomach, and all undergarments.) No low-cut blouses/shirts or any see-through material. No pajamas. No short shorts/skirts (higher than six inches above your knees is not permitted, they must cover all undergarments.) No hats are to be worn in the building. Sunglasses are not to be worn on your face while in the building. No clothing that is torn or showing body parts. No clothing which advertises alcohol and/or drugs or displays crude or obscene messages. Heavy coats/sweaters, or any outerwear are to be removed before entering screening areas. DRESS CODE VIOLATIONS WILL RESULT IN YOUR INABILITY TO SCREEN OR PARTICIPATE IN GROUPS.
- Electronic devices and cell phones should be left outside in a locked vehicle.
- Pairing up with another C.A.R.E. participant or other Accountability Court participant, or any person actively in treatment or probation for an intimate relationship is prohibited. Intimacy is defined as sexual, dating, and any relationship other than a friendship. (One of the most common ways that people lose focus on their own treatment is when they focus on another person.) There are many issues to deal with and work through in treatment; our goal is to maintain a safe, recovery environment that promotes healthy relationships. The person that you are when you enter the Program is not going to be the person that you become. To enter a relationship with another participant causes you both to lose focus on your treatment and recovery.
- Smoking is permitted outside only. This is a non-smoking building so please move to the designated smoking areas.
- No littering in parking lot or in building. You must be responsible for assisting in maintaining the cleanliness of the building.
- Destroying or defacing property will lead to sanctions.
- Be respectful of all C.A.R.E Court and Treatment Staff. If you wouldn't say or do it in front of the Judge, don't say or do it in front of staff.

**\*\*Breaking the rules of Treatment Services can result in sanctioning. Please be respectful of our building and our staff at all times. You are responsible for your behavior as well as the behavior of any people that you bring with you to the facility.**

## **RESIDENTIAL TREATMENT**

You will be eligible for Fast Track upon your **successful** completion of a residential program. Sanctions will re-start once you re-enter the C.A.R.E. Program.

### **Fast Track:**

If you enter into a residential facility as a part of your C.A.R.E. Program treatment requirements, you will be required to attend court quarterly. These dates will be provided to you as well as the residential facility. Once you return from residential, you will return to the phase you were in when you left. After 30 days in that phase, you will be evaluated by treatment to determine which phase is appropriate for treatment. This may result in moving to a higher or lower phase.

If you are eligible to graduate straight from residential, you will first meet with your Coordinator with your completed after-care plan which ensures appropriate housing. This aftercare plan is to be presented to the Coordinator for approval 3 weeks prior to your completion date from residential. As part of your transition from residential, you will need to remain in the program, in community, for a minimum of 60 days.

## **CONTACT INFORMATION**

Advise your Coordinator/Case Manager about any changes with your contact information. This includes your address, phone number(s), email, tag information, car make/model. You must have a cell number or a landline where a message or voicemail can left.

## **SOCIAL MEDIA**

Do not “clear out” social media or “clear out” any other device (phones, tablets, iPads, etc.) as devices are being taken up for search or after the devices have been taken up for search. You cannot have any cleaner apps installed on your devices.

## **VAPING**

E-cigarettes, vaping devices, vaping juices, vaping liquids, and vaping oils are not permitted during the duration of the program. E-cigarettes, vaping devices, vaping juices, vaping liquids, and vaping oils are not permitted in your home either.

## **MEDICATION**

Taking your medication as prescribed is one of the most important things that you must remember to do while in the program. Most, if not all, of the participants that have struggled in the program did so because they either refused to take their medication or ran out and did not tell anyone. Another problem is mixing the medications that your doctor prescribes with street drugs or alcohol. There are multiple problems associated with mixing prescription medications and street drugs or alcohol. Positive drug screens will result in sanctions as well in the program.

***If you have questions about your medications, please make sure to discuss them with your prescriber. Check any OTC medications to ensure they are on the safe medication list and if you have any questions, call the C.A.R.E. Program Coordinator for approval before you take them. If any other members of your family use over-the-counter medications or supplements***

***which are not approved for you to take, they must be stored in a separate area. They cannot be stored in a common area you can access.***

One of the main obligations for participants in the program is to take their mental health medication as prescribed. There are times when you may not feel like taking your medications due to side effects or may forget to get your prescriptions filled. It is very important that you take your medications exactly as prescribed. If you have questions or worries about your medicine, you should speak with your doctor about the situation and not make changes on your own.

Use of **ANY** mind or mood-altering substance which include, but are not limited to, designer drugs, synthetic marijuana, bath salts, etc., regardless of chemical compound will be sanctioned as a use while in the C.A.R.E. Court Program.

### **MEDICATIONS THAT CAN BE TAKEN WITHOUT PRIOR APPROVAL**

**\*\*\*\*\*Do not use any amount beyond what is recommended on packaging instructions.\*\*\*\*\***

#### **\*OTC: Over the Counter**

Advil	Tylenol	Ibuprofen
Aspirin	Aleve	

Remember:

**LET YOUR PHYSICIANS, DENTISTS, PHARMACISTS, AND ALL OTHER PERSONS THAT WILL BE INVOLVED IN YOU RECEIVING MEDICATIONS KNOW THAT YOU ARE IN THE PROGRAM. THERE IS A MEDICATION FORM YOU MUST HAVE SIGNED BEFORE YOU RECEIVE MEDICAL CARE. THIS FORM MUST BE TURNED INTO THE CARE PROGRAM OFFICE WITH THE INFORMATION FROM YOUR VISIT.**

**ALL MEDICATION CHANGES SHOULD BE BROUGHT TO THE ATTENTION OF THE COORDINATOR/CASE MANAGER.**

**IT IS AGAINST THE RULES OF THE PROGRAM FOR YOU TO DRINK ALCOHOL, USE OR POSSESS ILLEGAL DRUGS, DRINK ENERGY DRINKS, FERMENTED DRINKS (KOMBUCHA TEA, ETC) OR DRUGS THAT WERE NOT PRESCRIBED TO YOU BY A PHYSICIAN.**

It is not possible to successfully participate in mental health treatment if you are under the influence of mind-altering substances. In order to ensure success in treating both mental health and substance abuse, abstinence from addictive prescription drugs, energy drinks, fermented drinks (Kombucha tea, etc.), illicit drugs, and alcohol is vital.

**\* Alcohol, illicit drugs, benzodiazepine (anti-anxiety medication), stimulants, energy drinks/fermented drinks (as they can affect the medications you may be prescribed), narcotics/opiates, and prescription drugs (not prescribed to YOU) are absolutely NOT TO BE USED while in the program.**

### **VITAMINS/SUPPLEMENTS**

No vitamins or supplements can be utilized by participants in C.A.R.E. Program without prior approval of the CARE staff.

### **MEDICAL TREATMENT**

Any time you seek medical care you must notify your provider you are in the program by having them sign the Physician Notification form. It is your responsibility to alert your physicians of your addiction and involvement in the program and, when necessary, work with them to locate a safer, less addictive alternative. Participants must present the Physician Notification Form to doctors when prescribed medication and provide signed form to the C.A.R.E. Court or sanctions will be imposed. If you have a particular problem that requires certain medications, you should discuss it with the C.A.R.E. Court office. It may be that your time in the program is stopped until you are again drug-free.

If you must visit the emergency room/quick care doctor (for an event that has occurred after 5 pm or on the weekend) when prescription medication approval is necessary, you must utilize the emergency contact number, 404-424-1798. All other medication approvals must be during regular business hours either in person or by office phone. All approvals will be noted on the appropriate form which must be signed by the participant the day of the approval or the next business day following approval by phone. Upon completion of taking the approved prescription medications, the remaining medication and containers must be turned in to the C.A.R.E. Court Office.

### **FOURTH AMENDMENT WAIVER SEARCHES**

All participants are subject to a search of their person, place, vehicle or belongings, at any time, for any reason, having given such permission in the C.A.R.E Court Contract. Therefore, it is imperative the C.A.R.E. Court Office have your current address and contact information. While in the C.A.R.E Court Program, you may not have ammunition or guns of any type (BB, paintball, airsoft, Taser, stun gun, etc.) or any other weapons including knives and straight razors in your home, car, or possession. You may not have any object in your home, car, or possession that resembles a firearm or weapon. Additionally, there may not be e-cigarettes, vaping devices, vaping juices, vaping liquids, vaping oils, energy drinks, fermented drinks, or alcohol of any kind in the residence where you reside or vehicle you occupy. Sanctions will be imposed for violations. You may not attempt to or alert another participant of actual or perceived investigative activity by the C.A.R.E. Court Personnel or their agents (including, but not limited to law enforcement). If you do, jail sanctions are likely. When a search is conducted, you may be asked to provide a urine or breath sample for drug/alcohol testing, the same rules apply to these tests as those performed at the treatment center. So if you choose to admit to use, make sure to tell the officer before the screen is conducted. Admission after the specimen is collected will be treated as a denial for sanctioning purposes. If you have any questions regarding Fourth Amendment waiver searches, contact the C.A.R.E Court Office.

## **IV. Community Resources**

## **TREATMENT COMMUNITY**

Forsyth County is very fortunate to have strong recovery communities. The following is a list of local community-based support groups and other treatment providers:

### **Alcoholics Anonymous**

Cumming Group	770-886-0696
Atlanta Hotline	404-525-3178
HALT Club	770-534-3777
Laurelwood	770-531-3800

### **Narcotics Anonymous**

Atlanta Hotline	404-362-8484
Laurelwood	770-531-3800
H.A.L.T. Club	770-534-3777

### **Celebrate Recovery**

Fusion Church, Buford, GA	678-887-3068
Mount Pisgah UMC, Alpharetta, GA	678-336-3137
Perimeter Church, Duluth, GA	770-335-9793

### **Treatment Providers**

Alpha Hope Counseling	706-716-4735
Family Recovery	770-535-1073
Laurelwood	770-531-3800
LifeWorks Counseling	770-503-7999
Road to Recovery	770-534-2664

## **HOSPITALS**

### **Northside Hospital-Forsyth**

1200 Northside Forsyth Dr.  
Cumming, GA  
(770) 844-3200

### **Northeast Georgia**

**Medical Center**  
743 Spring St NE  
Gainesville, GA  
(770) 535-3553

### **Laurelwood**

#### **Mental Health-Alcohol & Drug Abuse**

200 Wisteria Dr.  
Gainesville, GA 30501  
(770) 531-3800

### **North Fulton Regional**

3000 Hospital Blvd.  
Roswell, GA 30076  
(770) 751-2500

### **BASIC NEEDS- Forsyth County**

Department of Family and Children Services	770-781-6700
Lanier Tech (Literacy, GED)	770-781-6987
Forsyth County Community Connection	770-205-1701
Forsyth County Health Department	770-781-6900
Forsyth County Mental Health	678-341-3840
Senior Citizens Center	770-781-2178



Georgia Highlands Medical Services	770-887-1668
Family Haven	770-887-1121
Ninth District Opportunity	770-532-3191
St. Vincent DePaul Sojourners House	678-947-0677
The Place of Forsyth County	770-887-1098
The United Way of Forsyth County	770-781-4110

**CRISIS LINES**

AIDS Hotline	800-551-2728
Child/Adult Protective Services (Hall)	770-532-5298
Forsyth Against Substance Abuse	706-265-HELP
Crisis Line	706-265-4257
HELPLINE	770-534-0617
Domestic Violence	770-536-5860
Georgia Council on Child Abuse	800-532-3208
Avita	706-864-6822
National Runaway Hotline	800-621-4000
NOA– No One Alone	706-864-1986
Rape Response	770-503-7273
USA national Suicide Hotline	800-784-2433
Georgia Crisis and Access Line	800-715-4225
Laurelwood	770-531-3800

**Transportation Services**

Dial-A-Ride:	
Forsyth County	770-781-2195
Oasis Taxi	678-455-0036
Patty’s Taxi	706-300-7143
Country Cab and Transportation	678-947-3331
Lanier Cab	678-200-0224
Phantom Cab	770-205-7673

**SUBSTANCE ABUSE**

Alcoholics Anonymous Atlanta	404-525-3178
Alcohol and Drug Hotline	1-800-905-8666
	1-800-DRUGHELP
Laurelwood	770-531-3800

Notes: \_\_\_\_\_

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**October 2020**

**9th Edition**

**Forsyth County Superior Court**

**C.A.R.E. Program**