

IN THE STATE COURT OF FORSYTH COUNTY
STATE OF GEORGIA

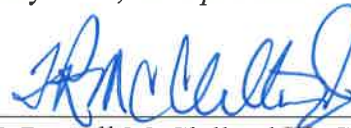
ADMINISTRATIVE ORDER 22-03 *nunc pro tunc* to June 8, 2021

IN RE: FORSYTH COUNTY DUI COURT

ORDER AMENDING ADMINISTRATIVE ORDER 20-01

The Forsyth County DUI Court Policies and Procedures were most recently amended by agreement of the members of the Forsyth County DUI Court Planning Group on the 8th day of June 2021 and accepted and approved by the Court on said date. The changes reflected in the amended DUI Court Policies and Procedures were orally announced to the DUI Court participants on the 19th day of January 2022 and written copies of the updated Participant Handbook, which contained the changes to the DUI Court Policies and Procedures, were made available to all DUI Court participants. Nevertheless, pursuant to the terms of the DUI Court contract, all DUI Court participants are on notice that they are required to comply with all past and future DUI Court policies and procedures in effect. The most current DUI Court Policies and Procedures, attached to this Order, are hereby made a part of the record. Upon filing of this Order with the Clerk of the Forsyth County Superior Court, the DUI Court Policies and Procedures shall be made available to the public for review during normal business hours.

So ORDERED, this 21st day of January 2022, *nunc pro tunc* to June 8, 2021.



T. Russell McClelland III, Chief Judge
Forsyth County State Court
Bell-Forsyth Judicial Circuit

FORSYTH COUNTY DUI COURT POLICIES AND PROCEDURES MANUAL



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I. DUI COURT TEAM AND PLANNING GROUP

A. Purpose:

This group is comprised of executive level personnel from each agency to facilitate the process of the DUI Court, to expeditiously resolve issues and to provide buy-in at the upper echelon, so that later groups with non-executive level personnel will be comprised of people who are confident that the head of each agency has made DUI Court a priority mission. The group has a clear purpose, roles of members are defined, and the group meets on a regular basis. The feedback from the participant surveys, the participant recovery plan, and exit interviews should be considered for policy development. Quarterly reports of performance measures are electronically submitted to State agencies as required.

B. Members:

- Honorable T. Russell McClelland, Chief State Court Judge/DUI Court Judge
- Solicitor-General
- Forsyth County Accountability Court Defense Attorney
- DUI Court/Accountability Courts Office
- Misdemeanor Probation
- Forsyth Treatment Services
- Counselor/Treatment Liaison
- Forsyth County Sheriff's Office Representative

C. Roles and Responsibilities

a. DUI Court Judge

The Judge is a vital member of the DUI Court team. The DUI Court Judge will have knowledge of the impact of substance abuse on the court system, the lives of participants, and the community. The DUI Court Judge is committed to the program's mission and goals, working as a lead partner to ensure its success. In the courtroom, the Judge will develop a personal, working relationship with each participant while monitoring participant progress.

The DUI Court Judge should also be capable in tempering judicial authority in a manner that encourages teamwork and empowers others to contribute to the team process. As team leader, the Judge's role is to create an environment where team members are encouraged to offer input, while also being able to make difficult decisions when necessary.

The DUI Court Judge will preside over all DUI Court Sessions. The DUI Court Judge also attends non-court meetings, including, but not limited to, planning groups and staffing; reviews candidates for participation; determines appropriate and effective sanctions for program violations; and, provides incentives for continued success.

b. Solicitor General's Office

The Solicitor General has many responsibilities to the DUI Court Program. The Solicitor presents each case to the Judge and makes eligibility and referral decisions for entry into the DUI Court Program. The Solicitor attends Planning Groups, staffing, and court,

assisting in the determination of appropriate sanctions and incentives for current participants. Such decisions are made using knowledge of addiction, relapse, and other factors (i.e., criminal history, gender, age, culture) that may impact a participant's success. The Solicitor also contributes to community education and acquisition of community resources to aid the program; the Solicitor educates peers, colleagues, and judiciary on the effectiveness of DUI Courts; and, the Solicitor will make recommendations of termination and probation revocations, should it become necessary.

c. Defense Counsel

The DUI Court Defense Attorney represents each referred offender and participant in the DUI Court Program who is not otherwise represented by counsel. Prior to entry into the DUI Court Program, the Defense Attorney's role is to evaluate the offender's legal situation and ensure their legal rights are protected. The Defense Attorney effectively advises offenders of their legal rights, legal options, treatment options, program conditions, and possible sentencing outcomes, while developing a relationship that promotes the offender's long-term best interests. The Defense Attorney attends Planning Groups, staffing, and court, assisting in the determination of appropriate sanctions and incentives for current participants. Such decisions are made using knowledge of addiction, relapse, and other factors (i.e., criminal history, gender, age, culture) that may impact a participant's success. Like the Solicitor, the Defense Attorney also contributes to the education of the community and assists in educating peers, colleagues, and judiciary in the effectiveness of DUI Courts.

d. Director and Assistant Director

The Director and Assistant Director review and update the program policies and procedures manual and participant handbook to ensure operations and administration comply with applicable local, state, and federal requirements. The Director and Assistant Director also apply for and manage grant funds for the DUI Court; provide staff oversight; provide community outreach and resources for the program; and, they oversee treatment and ensure fidelity to the curriculum.

e. DUI Court Case Manager

The DUI Court Case Managers are responsible for ensuring each participant is fully informed of the rules, regulations, and policies of the Program, as well as monitoring each participant's progress throughout the program. The Case Managers are the "central clearinghouse" for all information and communication for the staff, team, and participants. The Case Managers maintain participant records, including, but not limited to, residence, employment, and payments; they manage all participant files and update these files; they can administer drug and alcohol screens; and, they schedule and distribute the DUI Court calendar to the DUI Court Team.

f. Treatment Team

The Accountability Court Assistant Director and the counseling team facilitate all group counseling sessions, individual counseling sessions, and other recommended counseling. The DUI Court Program participants are provided with specialized curriculum and proven, evidence-based treatment practices. The Treatment Team reports all participant progress, or lack thereof, to the Accountability Court Office. A representative from the Treatment Team attends all Planning Group, staffing, and Court sessions. The Treatment Team does not discuss sanctions or other requirements with the DUI Court Program participants, including results of drug and alcohol screens performed.

g. Misdemeanor Probation

The Misdemeanor Probation representative will be the liaison between the Probation department and the DUI Court. This person will provide weekly, written documentation to the DUI Court Office, including, but not limited to ignition interlock reports, and attend all DUI Court Sessions and Staffing. The Probation Services liaison will be required to attend all court sessions to provide information that has been part of a sanctioning process or incentive process. The Probation department may refer potential participants for the DUI Court that meet the eligibility requirements and have at least twenty-four months left on probation. The Probation department contributes to community education and cooperation with the program and acquisition of community resources to aid the program. The Probation department will make recommendations to the Court in the event of a Revocation Hearing. Misdemeanor Probation also collects Court ordered fines and applies any credits given to participants in the program. The Probation Officer may conduct alcohol and drug screens on participants.

h. Law Enforcement

Law Enforcement provides accountability for your participation in this program through attendance at planning groups, staffing, Fourth Amendment searches, drug and alcohol screening, and other enforcement as needed. Participant honesty and cooperation with all law enforcement is essential to compliance with this program.

D. Team Training Requirements/Continuing Education

All team members are required to adhere to their discipline-specific requirements for certification or licensure. Additionally, all team members must attend a minimum of one accountability court conference/training every 2 years. New team members are required to attend the next state or national accountability court training/conference as available.

II. STEERING COMMITTEE

A committee comprised of court officials, community organizations, healthcare providers, social service agencies, education providers, and business leaders will meet quarterly 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.

III. MISSION STATEMENT

The mission of the Forsyth County DUI Court is to improve community safety and reduce DUI recidivism by providing multiple DUI offenders the opportunity to change their lives using enhanced judicial accountability, treatment and increased supervision.

IV. GOALS AND OBJECTIVES

- 1) Enhance public safety
 - a) Reduce number of traffic accidents, injuries and deaths related to DUI offenses
 - b) Decrease recidivism

- 2) Promote personal responsibility and functioning of individuals
 - a) Acquire/retain employment
 - b) Attain educational diplomas
 - c) Improve literacy skills
 - d) Retain/regain parental rights
 - e) Improve rates of treatment program retention and completion
 - f) Rebuild broken family relationships
 - g) Issuance of limited permits, when possible, to increase accountable driving

- 3) Improve efficient case processing
 - a) Assure open access to services and due process
 - b) Boost cost effectiveness for the criminal justice system
 - c) Improve utilization of community resources

V. STRUCTURE/MODEL

The Forsyth County DUI Court is a post-plea, post-sentence model offered to eligible participants charged with multiple lifetime DUI or BUI (Boating Under The Influence) offenses. Entry into the program is voluntary for those defendants who are screened as eligible and referred. Typically, those found guilty of a second DUI/BUI in a ten year span or a third or more DUI/BUI in the lifetime of the defendant are sentenced to a minimum of two or more years to be served on probation, suspension of driver's license, fines, fees, community service, drug and/or alcohol screens, a drug and alcohol assessment and follow-up to the recommendations made in that assessment, etc. However, if an offender tests positive for alcohol or drugs or violates the conditions of probation in any other way, it is likely that he/she will be brought before the Judge for a Revocation Hearing which may involve converting the remainder of the probation sentence to jail time.

The DUI Court offers a more forgiving program for those offenders who have an alcohol or drug addiction and want help fighting it. For example, the first time a DUI Court participant tests positive for drugs or alcohol, the sanction will likely be 24 hours in jail or less. The sanctions will be progressive in severity if violations continue.

The DUI Court may be offered as an alternative to a jail time revocation for those offenders that violate their probation conditions by obtaining a new alcohol or drug related charge or testing positive for alcohol or drugs, as long as they have 18 or more months remaining and at least two DUI convictions.

VI. TARGET POPULATION

The target population for the Forsyth County DUI Court includes those charged with a second DUI/BUI in ten years or a third DUI/BUI in their lifetime who qualify clinically based on substance use severity. The DUI Court team will also consider accepting eligible defendants into the program via a probation revocation if the defendant has at least 2 DUI convictions in their criminal history. The defendant would be required to have at least 18 months left on his/her probated sentence.

VII. ELIGIBILITY CRITERIA

A. Eligible participants will meet the following criteria:

- Current 2nd in 10 years or 3rd or more in life DUI/BUI charge
- Must have no prior violent convictions (only includes felony convictions)

- At least 17 years old
- Meet clinical criteria
- No more than 2 felony arrests within the last 10 years
- Presence in United States is legally documented
- Must not be taking any opiates, benzodiazepines, amphetamines, sedatives, or any other addictive medications

B. Probation Eligibility

- Must test positive for alcohol or drugs or receive a new charge involving alcohol or drugs while on probation and have at least 2 DUI Convictions.
- Must have at least 18 months left on probation sentence
- Must have no prior violent convictions (only includes felony convictions)
- Must be at least 17 years old
- Meet clinical criteria
- No more than 2 felony arrests within the last 10 years
- Must not be taking any opiates, benzodiazepines, amphetamines, sedatives, or any other addictive medications

VIII. DISQUALIFICATION CRITERIA

The following will disqualify an offender from participation in the Forsyth County DUI Court Program:

- Violent felony convictions or history (Nolle Prosequi and FOA will be considered on a case by case basis)
- Involvement in sale or distribution of illegal drugs
- Severe and/or untreated mental/physical health problem which would impede their ability to actively participate in and complete the intensive program
- Presence in the United States is not legally documented
- Have more than 2 felony arrests within the last 10 years
- Taking any opiates, benzodiazepines, amphetamines, sedatives, or any other addictive medications
- Have participated in any Accountability Court two or more times.
- Conviction at trial for the offenses for which the Program would be entered.

IX. SENTENCE MODIFICATIONS

If a participant desires to be relieved of program responsibility, they may file a Motion to Modify Sentence, without the assistance of the DUI Court Defense Attorney. After the participant files a Motion, they must meet with treatment for treatment recommendations. After meeting with treatment, a court date will be set. The judge will decide whether the sentence will be modified.

X. MEDICAL DISCHARGE

If it is determined and medically verified that a participant has a condition or developed a condition that renders them unable to complete the program, they may be medically discharged from the program. Treatment will provide the prosecutor, defense attorney, and judge with a recommendation for continued treatment outside the Program.

XI. TERMINATION CRITERIA

The Forsyth County DUI Court has identified criteria to be used in deciding whether to terminate a participant from the program. The following are guidelines, as termination is in the prevue of the judge alone. The DUI Court Judge will use discretion regarding each individual situation.

- A new arrest/charge
- Substituting or otherwise tampering with a drug/alcohol screen, which may include multiple dilutions 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 DUI Court staff member or elected official
- Response levels to be met prior to termination: treatment, case management, court, behavior contract, termination.

XII. TERMINATION PROCEDURE

A. Motion To Terminate

The prosecutor will put the Motion to Terminate on the record orally. No written motion is required. The Termination Hearing will be scheduled for the next DUI Court Session.

Argument can be made for the participant to be in custody or out of custody while awaiting their termination hearing. The decision of incarceration remains solely in the Judge's discretion.

B. Termination Hearing

At the first scheduled DUI Court Session following the Motion to Terminate, the Participant shall have the opportunity to have a Termination Hearing. Procedurally, a Termination Hearing is similar to a Probation Revocation Hearing with the burden being on the State, but only a preponderance of the evidence. The Participant may require evidence of violations to be presented or can waive presentation of evidence and request argument only. The Participant may also agree to termination. The decision of whether to terminate the Participant remains in the sole discretion of the judge. If the judge does not terminate the participant, they will return to participation in the program with the possibility of an adjusted treatment plan, behavior contracts, etc. If the Participant is terminated from the program, the probation officer will submit a probation petition alleging the probation violation of failing to successfully complete the DUI Court program. The case will be placed on a Probation Revocation calendar for any sentence modifications and/or punishments. The Accountability Court Defender's responsibility to the participant ends upon their termination from the program.

XIII. GRADUATION CRITERIA

Upon completion of Phase 5, the participant will be eligible for graduation. Graduation requirements must be met and turned in at least 15 days prior to the anticipated graduation date (or as otherwise approved by the DUI Court Office).

1. Complete Giving Back Project

- a. Minimum of 24 volunteer hours. Participants are encouraged to develop a unique project to give back, not just community service work.
- b. Documentation must be verified by DUI Court Office
- c. Submit a written summary of how/why project was chosen, feelings while completing project, personal reactions after project completion

2. Write your Life Story in letter form to the Judge regarding progress in the DUI Court Program. The letter must be submitted to and approved by the DUI Court Office and MUST include the following:
 - a. Background: Life before DUI Court
 - b. Arrest situation
 - c. Reflections on DUI Court successes
 - d. Reflections on DUI Court struggles
 - e. Plans/Goals for future: personal and recovery
3. During Phase 5, participants are required to attend a Phase 1 group. (They will receive credit for the 3 required recovery meetings for that week, but must sign in on the Phase 1 group sheet and submit their recovery log with the group information and counselor signature.) Participants will report their observations or what they learned at their next regular Phase 5 group
4. Meet with treatment for a graduation meeting
5. Complete Graduation Request and submit to DUI Court Office
6. Participants must have a minimum of 90 days of documented sobriety to be considered for Graduation.
7. All DUI Court fees, Treatment fees, Probation fees, & Court fines must be paid in full
8. Complete exit interview with the DUI Court Judge (approximately 1-2 weeks before your graduation date & will be scheduled by the DUI Court Office.)
9. Graduations will be conducted on the first Court date of the month every other month.

Please note: participants may be allowed to graduate if Phase 5 completion date falls within 7 days of the scheduled graduation. If a participant's completion date is prior to the next graduation, they will be on complete status and their only requirement will be ongoing testing. Their DUI Court fees are reduced to \$75 per month.

Unsupervised Probation may be permitted after graduation from DUI Court and will be determined by the Probation Officer and ultimately permitted by the Court. Participants who successfully graduate the program may be allowed, at the discretion of the Court, to be on unsupervised status or some other status as deemed appropriate.

XIV. MAXIMUM BENEFIT CRITERIA

The participant who is participating fully in the program at date of discharge will be granted a Certificate of Maximum Benefit. This certificate will be presented to the participant on his/her last DUI Court date.

XV. ENTRY PROCESS

After arrest, defendants are identified by jail personnel and the Solicitor's Office, or by the Probation Officer, as potentially eligible for the Forsyth County DUI Court Program. They are given a bond in the usual manner with a DUI Review Hearing date.

DUI Review Hearings are conducted as follows:

The defendants are identified as Referred, Not Referred, or Under Investigation.

Under Investigation defendants will be provided with information from the Solicitor's Office and excused from the Courtroom.

Not Referred defendants will be provided with a copy of their discovery by the Solicitor's Office and a court date from the Calendar Clerk and excused from the Courtroom.

Referred defendants will be provided with a copy of their discovery, including a DUI Court offer and a Non-DUI Court offer from the Solicitor's Office. These defendants must either decline DUI Court or schedule an assessment while present for the DUI Hearing date. Assessments are to be scheduled within 30 days of the DUI Review Hearing date. If represented by counsel, the attorney is required to appear also. Defendants who have not hired counsel will be assisted by the DUI Court Defense Attorney. It is the attorney's responsibility to explain the DUI Court program to the defendant and the legal ramifications of the DUI Court Program. Upon scheduling an assessment, the attorney is responsible for providing the defendant with the DUI Court Entry Packet and the assessment date. The assessment of the defendant is to determine whether they are clinically appropriate for the DUI Court Program. Failure to appear at the scheduled assessment results in the defendant declining the program. The defendant's case, eligibility, and referral status will be discussed at the next Staffing Meeting of the DUI Court Team. If the defendant is approved for entry into the DUI Court Program, a DUI Court plea date will be set. The attorney must ensure the DUI Court Entry Packet is completed in its entirety and is provided to the Court at the defendant's plea. No defendants will enter the DUI Court Program prior to being discussed in staffing. Ideally, if a defendant is approved in staffing, they will enter their plea at the next DUI Review date and attend court that afternoon.

If a defendant declines the DUI Court Program, they may be reconsidered for entry into the program up to the 180 day entry deadline. However, any deadlines for beneficial sentencing remain in the discretion of the Solicitor's Office.

The anticipated maximum length of time between arrest and entry into the program is 60 days. The anticipated minimum length of time between arrest and entry into the program is 14 days.

XVI. COUNTY-TO-COUNTY TRANSFER PROCESS

A. For Cases transferring out of the county:

- Same entry process as Forsyth County cases with the addition of the defendant or defendant's attorney requesting the transfer to another county with an established Accountability Court.
- Transfer eligibility must be determined before the plea is entered.
- All transfer approval/acceptance by receiving county must be completed prior to entry of DUI Court plea.
- Solicitor's Office will prepare the transfer order and all of the required paperwork for the receiving county.

B. For Cases transferring into the county:

- If Accountability Court Office is contacted by the sending county regarding potential participant, the ACO will direct the sending county to the Solicitor's Office.
- The Solicitor's Office runs the defendant's history and, if referred, places the defendant on the next available DUI Review Hearing Calendar.
- An assessment with the defendant is scheduled during the DUI Review Hearing.
- Defendant's case and transfer are discussed in first staffing after assessment.

- If approved, the defendant, with their attorney, completes the Forsyth County DUI Court Entry Packet.
- The defendant enters the Forsyth County DUI Court Program.

XVII. PHASES

The Forsyth County DUI Court Program is a minimum of 18 months in duration and consists of five phases. Phase 1 is the Anchor Phase. Phase 2 is the Charting Your Course Phase. Phase 3 is the Holding Steady Phase. Phase 4 is the Setting Sail Phase. Phase 5 is the Open Seas Phase.

A. Anchor (Phase 1)

- Required to complete Intake with DUI Court Office after sentencing where copies of all paperwork and handbook will be given.
- Minimum of fifty-six (56) in duration.
- Treatment groups will occur at least 2 times a week for a total of 3 hours per week.
- Attend DUI Court sessions twice per month on designated Wednesdays (Court dates for the year will be given at Intake).
- Probation meetings monthly as scheduled with probation officer.
- Attend check-ins with the DUI Court Office as directed.
- Random, monitored drug/alcohol screens each week as determined by calling the screen line each day.
- A curfew of 12:00 a.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- 28 days without jail time sanctions (28 day window begins the day after the violation) and 28 days of documented sobriety are required to move to Charting Your Course.

B. Charting Your Course (Phase 2)

- Minimum of one hundred fifty-four (154) days.
- Continue to attend DUI Court sessions on two designated Wednesdays per month.
- Attend probation meetings monthly as scheduled by the Probation Officer.
- Treatment group attendance will continue at least 2 times a week for a minimum of 3 hours per week.
- Random, monitored drug/alcohol screens each week as determined by calling the screen line each day.
- Attend 1 approved recovery meeting per week and submit appropriate written documentation to the DUI Court Office by 12pm each Tuesday.
- A curfew from 12:00 a.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- Participants who have 2 DUIs in a 5 year period and no other license issues may be eligible for an Ignition Interlock permit and are required to complete the following: 120 days license suspension, DUI School, a multiple offender clinical evaluation, 30 days without any jail sanctions, and 90 days of documented sobriety. If you are not eligible to get your license or permit, you are not required to complete these requirements until you are eligible.
- 28 days without jail time sanctions (28 day window begins the day after the violation) and 28 days of documented sobriety are required in order to move to Holding Steady.

C. Holding Steady (Phase 3)

- Minimum of one hundred fifty-four (154) days.
- Attend Court sessions on 1 designated Wednesday per month (annual dates are provided).
- Attend probation meetings monthly as scheduled by the Probation Officer.
- Attend treatment groups at least once per week.
- Random, monitored drug/alcohol screens each week as determined by calling the screen line each day.
- Attend 2 approved recovery meetings per week and submit appropriate written documentation to the DUI Court Office by Tuesday at 12pm. (Pro-social and voluntary individual counseling sessions are treated as a recovery meeting. Will count for only one meeting requirement maximum per week.)
- A curfew from 12:00 a.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- Attend the Victim Impact Panel (VIP) and submit proof of completion to the DUI Court Office.
- Must have 60 days without jail time sanctions (60 day window begins the day after the violation) and 60 days of documented sobriety to move to Phase 4.
- All program fees and probation fees are required to be paid in full prior to moving to Setting Sail.

D. Setting Sail (Phase 4)

- Minimum of ninety (90) days.
- Treatment group attendance will be at least 2 group sessions per month.
- Random, monitored drug/alcohol screens each week as determined by calling the screen line.
- Attend 3 approved recovery meetings per week and submit appropriate written documentation to the DUI Court Office of meetings by Tuesday at 12pm. (Pro-social and voluntary individual counseling sessions are treated as a recovery meeting. Will count for only one meeting requirement maximum per week.)
- A curfew from 12:00 a.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- Attend Court sessions on one designated Wednesday of each month (annual dates will be provided).
- Attend probation meetings monthly as scheduled by the Probation Officer.
- All probation and DUI Court fees must be paid in full.
- Must have 60 days without jail time sanctions (60 day window begins the day after the violation) and 60 days of documented sobriety to move to Open Seas.

E. Open Seas (Phase 5)

- Minimum of ninety (90) days.
- Treatment groups will occur at least 1 time per month.
- Random, monitored drug/alcohol screens each week as determined by calling the screen line.
- Attend 3 approved recovery meetings per week and submit appropriate written documentation to the DUI Court Office of meetings by Tuesday at 12pm. (Pro-social and voluntary individual counseling sessions are treated as a recovery meeting. Will count for only one meeting requirement maximum per week.)

- A curfew from 12:00 a.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- Attend Court sessions on one designated Wednesday of each month (annual dates will be provided).
- Attend probation meetings monthly as scheduled by the Probation Officer.
- Participants will also complete a Giving Back Project that consists of at least 24 hours volunteer time and must be approved by the DUI Court Office.
- Participants are required to complete the graduation criteria included herein. The Graduation Packet is available on the website and must be submitted 15 days prior to the graduation date.
- Must have 90 days without jail time sanctions (90 day window begins the day after violation) and 90 days of documented sobriety in order to graduate from the program.
- Attend a Phase 1 group counseling session which counts for all required recovery meetings for that week. Participants must sign the group sign in sheet and have the counselor sign the recovery meeting log with the group information in order to receive credit for the week's meetings.
- Participants must complete all graduation requirements to achieve a Maximum Benefit certificate. Maximum Benefit is if the probation time is going to expire before a participant eligible graduate. It represents being in good standing at the time of sentence expiration.
- Graduations are held every other month on the first Court date of the month. If the participant's phase-out date is within 7 days of a scheduled graduation, the participant will be allowed to graduate. If the participant's phase-out date is outside the 7-day window, you will be moved into Complete Status. As such, participants are still required to call the screen line daily and screen as required; however, that is their only DUI Court Program requirement. Their program fees are reduced to \$75.00 per month.

F. Notes for all Phases:

- If contacted by the Accountability Court Office to report for court even if it is not on a required date, participants must appear. You can expect this notice for violations which result in community service and jail time.
- Each phase-up request will be reviewed by the DUI Court Team for approval. Phase ups are considered based on progress in the program, positive attitude, sobriety, and commitment to work a program of recovery.
- Fourth Amendment Waiver home searches may occur during each phase.
- The number of meetings, etc., listed above 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.
- Each participant will have an individualized treatment plan which will be reviewed throughout the program and they are expected to follow the recommendations of the treatment team.

G. Residential Treatment

If a participant enters residential treatment as a part of their DUI Court treatment requirements, they will be required to attend court quarterly. These dates will be provided to the participant and the residential facility. While in residential treatment, the participant will be charged \$50 per month as a supervision fee. 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 successfully completed, upon meeting the measures required, they may still graduate in 18 months. If residential is not successfully completed, upon reentry into the program, the earliest available graduation date shall be determined.

H. Phase Up Requests & Evaluations

Participants are required to complete a phase-up evaluation with the treatment provider for their individualized treatment plan, then meet with the DUI Court Office at the end of each phase. The DUI Court Office will schedule these meetings with the participant. Participants will not be allowed to phase up to the next phase with any pending jail and community service sanctions. All phase up requests are reviewed and granted at the discretion of the DUI Court Team. Participants are required to turn in their phase-up request with all signatures by Tuesday at 12:00 p.m. before the Court date that the participant anticipates moving to the next phase. If the team approves, the participant will be allowed to move up on the next DUI Court Wednesday. The participant may be credited time before the actual date of phase-up, if applicable. All documents must be submitted to the DUI Court Office prior to actual phase-up date to receive credit. On the next available DUI Court session, the phase-up participant will receive a certificate and recognition of accomplishment from the presiding Judge. All treatment/program fees must be paid in full by the end of Phase 4 (prior to moving into Phase 5), unless otherwise approved by the Accountability Court Office.

XVIII. RECOVERY MEETING REQUIREMENTS

DUI Court participants will be required to attend recovery meetings during their time in the program. Participants may not attend more than 1 meeting per day. Participants may not attend extra meetings in 1 week to apply to a future week (banking). Participants may not have their recovery logs signed off on by fellow Accountability Court participants. Only original recovery logs will be accepted (no copies, emails, etc.). Forged documentation may lead to termination.

XIX. LEAVE REQUESTS

Participants may not spend the night away from their provided residence unless they are granted a leave request. Leave requests must be submitted, in writing, to the Accountability Court office no later than the Tuesday at noon before the next Court session. Participants in Phase 1 will not be granted leave for any reason other than emergencies and/or documented court appearances, etc. Phase 2 participants will be granted 2 leave requests. Phase 3 participants will be granted 2 leave requests. Phase 4 participants will be granted 1 leave request. Phase 5 participants will be granted 1 leave request. Participants cannot use more than one extra leave request per phase (Phase 2 = maximum of 3; Phase 3 = maximum of 3; Phase 4 = maximum of 2; Phase 5 = maximum of 2). Participants cannot miss more than 1 group counseling session per leave request. These requests are apart from any emergency, subpoena, court appearance, etc. Participants are required to provide a urine screen on the day they return from leave. The participant must report to the screening area during the screening time frame to submit a return screen regardless of what the drug screen line requires. If there are no screens scheduled for that day, the participant is required to report to the screening area during the screening time each subsequent day until a screen is provided.

NOTES: Participants may not leave the country while in the program. No leave requests will be considered if a participant is receiving a jail or community service sanction. These requests are apart from any emergency, subpoena, court appearance, or attendance at DUI School, etc. All recovery meetings must be completed as required regardless of leave. Any questions may be directed to the DUI Court Office for clarification.

XX. MEDICAL

A. Doctor Visits, Dental, & Surgical Procedures

Participants who are required to have dental or surgical procedures while in the program must follow this protocol:

- Contact the DUI Court Office as soon as possible to provide information regarding the type of procedure and when it is tentatively scheduled.
- All necessary medication must be approved prior to filling a prescription; therefore, a list of medications from the doctor that he/she anticipates prescribing before, during, and after the procedure will be helpful for guidance through the process.
- A list of all medications administered directly to the participant at the treating medical office directly to the participant must be provided to the Accountability Court Office immediately following the procedure.
- If the doctor insists on a narcotic or addictive medication after surgery, extra drug/alcohol screens may be required and the expense may be passed on to the participant.
- The participant's case will not be tolled and the participant will be required to check in with the DUI Court Office and come in for pill counts (if necessary) as directed by the DUI Court Office.
- All documentation must be turned in on the doctor's letterhead.

B. Notice To Medical Professionals/Physician Form

Participants are required to have the Notice to Medical Professionals form signed off by the treating physician each time they are treated at a doctor's office, urgent care, emergency room, dentist, etc. Sanctions will be imposed for not submitting the form in a timely manner. The form is not required if no medications were prescribed or given in the office.

C. Medical Leave

Medical leave is defined as a period of time during which a medical doctor states that a participant cannot (either in hospital or on bed rest) attend/participate in DUI Court sessions of any kind outside of the hospital or home. A medical Leave Form will be completed by participant (in advance when possible) and reviewed by Treatment Team at DUI Court staffing for approval. During weeks one (1) through six (6) of Medical Leave, the participant is responsible for following the directions of the Accountability Court office including pill counts, weekly status reports, and doctor visit updates. When a participant has been on Medical Leave for six (6) weeks, the participant's future in the program will be discussed. The participant shall be required to attend court and appear for drug screens as directed by DUI Court Staff during their medical leave from the program are still subject to the rules and regulations of the DUI Court Program and any violations can be addressed while the participant is on Medical Leave, or upon return.

D. Maternity Leave

Maternity leave will require similar documentation as Medical Leave, but the leave will be approved as follows (unless there are extenuating circumstances): a female participant will be excused from all DUI Court participation for two weeks following birth. For weeks three and four, the female participant will be required to submit to screens as normal. At the conclusion of the fourth week following birth, the participant shall return to their regular DUI Court schedule.

XXI. FEES

Participants are charged monthly fees to help repay the county for court, treatment, drug screens, and defense attorney costs. Fees are expected to be paid in a timely manner. If a participant falls behind, sanctions will be imposed until they are current. For those in residential programs, minimum payments necessary to move from one phase to the next must be made before a phase move will be considered. Unless otherwise specified herein or by the Court, all paperwork and monies from participants must be turned in to the DUI Court staff as directed in the Participant Handbook by Tuesday at noon for the week prior. Fees are a total of \$200 per month: \$50 Program Fees and \$150 Treatment Fees (covering treatment and drug screens, as long as negative.)

XXII. EMPLOYMENT

All participants of DUI Court are required to be accountable for their time through employment or school. Participants, unless excused due to student status or disability, must work full-time, which is defined as no less than 28 hours per week. If a participant is a student, they must provide proof of student status and are required to be in classes and/or work no less than 28 hours per week. If a participant is receiving disability, they must work, but are only required to work 18 hours, or two hours less than amount allowed by disability. Participants shall not work in bars or restaurants where alcohol is served, nor shall they work in an establishment where the primary sales are alcohol, like a package store. Additionally, participants may not work where narcotics, dangerous drugs, or other mood-altering substances are available unless otherwise approved by the staff in advance. Participants are not permitted to work for family members.

Participants are not allowed to start their own business while in DUI Court. For self-employment to be considered while in the DUI Court program, the business must have been set up, active, and registered with the state at the time of entry into the program. Participants working as independent contractors are required to provide a copy of their 1099, proving they are legitimately employed.

XXIII. SANCTIONS, TREATMENT RESPONSES, INCENTIVES, AND GENERAL GUIDELINES

A. Sanctions

a. Definitions

Sanctions are the imposition of consequences for prohibited activity. Sanctions will be swift and appropriate. The Forsyth County DUI Court Team will determine sanctions as related to the current violation. Sanctions may include but are not limited to: increased recovery meetings, community service work, increased drug and alcohol screens, and jail time. *The DUI Court Office and/or defense attorney will try to notify participants receiving a jail sanction the morning of the Court Session or earlier, when possible.*

b. Timing

Unless otherwise specified herein or by the Court, all paperwork and monies from participants must be turned in to the Drug Court staff as directed in the Participant Handbook by Monday at noon for the week prior.

c. Reporting after Jail Sanction

Participants must check in with their Case Manager within 24 hours of release from jail, or first thing Monday morning, if released on a weekend.

d. Imposition

The Accountability Court Office Staff/DUI Court Staff will impose all sanctions that do not involve community service or jail time.

Note: Minor infractions not otherwise specified within the Sanction Matrix in 4 hours CSW.

Sanction Matrix

ATTENDANCE SANCTIONS

	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Absent from Court	1 Day Jail or warrant (if no contact in 24 hours)	2 days Jail or warrant (if no contact in 24 hours)	3 days Jail or warrant (if no contact in 24 hours)	Discuss chronic non-compliance	
Late to Court	8 hrs CSW	8 hrs CSW	8 hrs CSW	8 hrs CSW	8 hrs CSW
Failure to sign in at Screen/Graduation/Group	4 hrs CSW	4 hrs CSW	4 hrs CSW	4 hrs CSW	Discuss Chronic Non-compliance
Missed Probation Appointment (Phases 4 & 5 Only)	24 hours jail 9a Sat - 9a Sun	24 hours jail 9a Sat - 9a Sun	24 hours jail 9a Sat - 9a Sun	Discuss chronic non-compliance	
Missed Check-in	Keep next scheduled appointment, bring calendar with all DUI Court appointments and requirements written into the calendar	8 hrs CSW	1 day jail	Team discussion re: possible termination for chronic non-compliance	
Missed After-Jail Check-In with Case Manager	8 hrs CSW	16 hrs CSW	1 day Jail		
Late to Group or Mandated Individual session – Allowed to Enter	2 page paper	Work detail	4 hrs CSW	1 day jail	Discuss Chronic Non-Compliance
Late to Group or Mandated Individual session – NOT Allowed to Enter	8 hrs CSW and Make Up Group	Treat as Missed Group	Discretion of Team	Discretion of Team	Discretion of Team
Missed Group or Mandated Individual session	Overnight in Jail (6am release)	1 day Jail 9am Saturday to 9am Sunday	3 days Jail	Discuss chronic non-compliance	
Recovery Meeting Documentation Issues	Verbal Warning from DUI Court Office	Make up meetings	Make up meetings	Make up meetings	Make up meetings
Phase 2 Failure to Attend Recovery Meetings	Make up meetings	Make up meetings	Make up meetings	Make up meetings	Make up meetings
Phases 3-5 Failure to Attend Recovery Meetings	Extra meeting & Extra Group (Office imposition)	2 extra meetings, extra group, & 1 day jail from court (delay	Delay phase move/graduation for 3 months		

(Violations must be consecutive weeks. A week of correct meetings restarts sanction application)		phase move/graduation 4 weeks) (Court Imposition)	(Court Imposition)		
Phase-Up Impact	Required days of documented sobriety and time without any jail sanctions (calculated from the day after the violation was committed) Phase 1: 28 days; Phase 2: 28 days; Phase 3: 60 days; Phase 4: 90 days; Phase 5: 90 days				
Notes:	<ul style="list-style-type: none"> • Missed Voluntary Individual Session results in Mandated Individual Sessions • If permission given for being late to or missing a meeting, CSW will not be imposed • Phase-Up eligibility date extended by 2 weeks for missed phase-up meeting 				

SCREEN SANCTIONS

	1 st Offense	2 nd Offense	3 rd Offense	4 th Offense	5 th Offense
Admission to use without screen	Therapeutic Response	Therapeutic Response	Therapeutic Response		
Positive Screen w/ admission @ Sign-in	Therapeutic Response	1 day jail & Individual Counseling	4 days Jail & Therapeutic Evaluation	8 days Jail & Therapeutic Response	Up to 30 days Jail w/ termination or residential
Positive Screen w/ admission to Staff before 5pm day following screen	16 hrs CSW	1 day Jail	2 days Jail	3 days Jail	
Positive Screen w/ denial and Missed Screens	8 hrs CSW & Therapeutic Response	2 days Jail & individual counseling	6 days jail & Therapeutic Evaluation	12 days Jail & Therapeutic Response	Up to 30 days Jail w/ termination or residential
High Creatinine 400-599.99	Meet with ACO staff and refer to doctor. Require doctor note that participant is healthy	Screen Progression as denial	Screen Progression as denial	Screen Progression as denial	Screen Progression as denial
High Creatinine 600 or higher		Possible motion to terminate, if not, screen progression	Possible motion to terminate, if not, screen progression	No sanction listed	No sanction listed
Low Creatinine 19.9-11.0	Education from ACO and 14 day food journal	Screen progression as denial	Screen progression as denial	Screen progression as denial	Screen progression as denial
Low Creatinine 10.9 or lower	Education from ACO, 14 day food journal, and screen progression	Possible motion to terminate, if not, screen progression	Possible motion to terminate, if not, screen progression	No sanction listed	No sanction listed
Failure to circle Admit/Deny @ Sign-in	Stand and Remind (Greater sanction can be imposed if necessary)				Discuss Chronic Non-Compliance
Ignition Interlock Violations	Treat as a positive screen w/ denial + 30 days without license/permit				Discuss Chronic Non-Compliance
Behavior Plan	<p>Screens 1, 2, 4, and 5: Therapeutic Response Screen 3: Therapeutic Evaluation Sobriety Incentive: Participants will get a screen roll-back each 6 months they go without a positive, missed, or dilute urine screen. There is no limit on how many roll-backs a participant may receive Screen Matrix applies as is to Phases 1 & 2. Phases 3-5 begin the screen Matrix at 2nd Offense. Upon completion of Phase 2, all participants will return to 2nd Offense screen sanction, regardless of time since last positive, missed, or diluted screen.</p>				
Phase-Up Impact	<p>Required days of documented sobriety and time without any jail sanctions (calculated from the day after the violation was committed) Phase 1: 28 days; Phase 2: 28 days; Phase 3: 60 days; Phase 4: 90 days; Phase 5: 90 days</p>				
ThC Policy	<p>If participant admits to marijuana use prior to the start of the program, the participant will be required to have two consecutive, negative lab screens with at least 4 days between screens. Creatinine Ratio will be used to determine new use. A Creatinine Ratio of 1.5 or higher will be considered a positive screen with denial. In unconventional situations where the participant remains positive for longer than 30 days, seek toxicological assistance. An oral report to/from staff is adequate.</p>				
Notes:	<p>Positive Alcohol Screens: EtG greater than 500 is considered a positive alcohol, we do not consider Ets. Positive Alcohol Breath Test: Treat as Positive Screen with Denial</p>				

	<p>Contested Screen: If a participant wishes to contest the validity of a lab confirmed screen, they will be schedule for a walk-in revocation hearing</p> <p>Failure to Admit/Deny w/ positive screen: treated as positive with denial</p> <p>Substitution: Up to 30 days Jail with a termination hearing</p>
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BEHAVIOR SANCTIONS

	1st Offense	2nd Offense	3rd Offense
Disrespect to Staff	Verbal admonishment from Judge, CSW, or 1 day jail (determine severity)	Discuss Chronic-Non-Compliance	Possible Termination
Asking Staff to Lie for You	4 days jail	Discuss Chronic-Non-Compliance	Possible Termination
Threatening Behavior or Speech	1-3 days jail and possible termination	30 days jail and possible termination	Possible Termination
Physical Violence	Immediate custody and possible termination		Termination
Breach of Confidentiality Disrespect to peers in group	Weekend in Jail Friday 9pm to Sunday 9pm	Discretion of Team – possible termination	Probable Termination
Failure to report contact with law enforcement	8 hrs CSW	8 hrs CSW	No Sanction Listed
New Arrest/Citation License Violations	15 days jail No ACLP until 28 days from release	Possible Termination	No Sanction Listed
New Arrest/Citation All violations other than license	Staff discretion	Possible termination	No Sanction Listed
New Arrest/Citation Failure to report to ACO	Additional 7 days Jail (to above sanction)	Possible Termination	No Sanction Listed
Being present in an establishment where the primary purpose is alcohol or drug related and/or food is no longer served	1 day jail	1 day jail	No Sanction Listed
AWOL	Warrant and Tolling Order; Possible Termination		
Phase-Up Impact	Required days of documented sobriety and time without any jail sanctions (calculated from the day after the violation was committed) Phase 1: 28 days; Phase 2: 28 days; Phase 3: 60 days; Phase 4: 90 days; Phase 5: 90 days		
Notes:	<ul style="list-style-type: none"> • Case Manager to request transport of participant to next DUI Court Session if still in custody • AWOL = 48 hours of no contact (screen line, group, etc.) 		

CONTACT SANCTIONS

	1 st Offense	2 nd Offense	3 rd Offense	4 th Offense	5 th Offense
<p>Contact with person on probation and/or parole, convicted felons, known drug users, known drug dealers, people incarcerated in any institution, people being supervised by any court agency, on felony release/bond, or people participating in accountability courts in other counties without advance permission of the staff</p>	4 hrs CSW	8 hrs CSW	1 day Jail	3 days jail	Presumed Termination
<p>Communication between or among participants, 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 the DUI Court setting, etc. Communication and association between or among 2 or more participants is limited to DUI Court business, DUI Court Requirements, and DUI Court sanctioned events in Phases 1 and 2. In Phases 3-5, participants from any Forsyth County Accountability Court may hand out together, so long as it is not in a participants' home or in an establishment that serves alcohol. No physical relationships are allowed.</p>	Staffs discretion, including, but not limited to, jail time and termination				
<p>Notes:</p>	Permission for contact – if a participant wishes to have contact with a prohibited person, they must request permission, in advance, and be given permission by the court.				

FOURTH AMENDMENT SEARCH VIOLATION SANCTIONS

	1st Offense	2nd Offense	3rd Offense
Curfew Violation (Unapproved or w/o cause)	Curfew 2 hrs earlier for 30 days	Curfew 3 hrs earlier for 90 days	House arrest or GPS Monitoring
Contact with Harmful or Disreputable Character	Verbal Warning from Judge	1 day Jail	Possible Termination
Inability to be contacted by ACO or Court	4 hrs CSW	4 hrs CSW	4 hrs CSW
Search: Refusal to permit	6 days jail	Discuss Chronic Non-Compliance	No Sanction Listed
Search: Refusal and/or failure to provide all electronic devices (equated to refusal to permit search)	6 days jail	Discuss Chronic Non-Compliance	No Sanction Listed
Search: Failure to answer door	Verbal Warning from Judge	6 days jail	Discuss Chronic Non-Compliance
Search: Attempting or alerting another participant of actual or perceived investigative activity by ACO personnel or their agents (including, but not limited to law enforcement and probation)	1 day jail	1 day jail	1 day jail
Search: Cleaning app located on phone	3 days jail	3 days jail	3 days jail
Search: Clearing out social media/electronic devices remotely after they have been taken up for search	3 days jail	3 days jail	3 days jail
Change of residence w/o notifying ACO	Overnight Jail (6am release)	2 days jail	3 days jail
Contraband: Alcohol, Paraphernalia	1 day jail	2 days jail and therapeutic response	Possible termination
Contraband: Possession of marijuana or any other dangerous drug or controlled substance not legally prescribed to the participant or another person residing in the household	5 days jail	5 days jail	Possible termination
Contraband: possession of mood-altering substances, kratom, etc, whether purchased legally or illegally	5 days jail	5 days jail	Possible termination

Contraband: Taking/Possessing Unapproved Medication (Non-Mind or mood altering)	Case Management response/education	Discuss Chronic Non-Compliance	No Sanction Listed
Contraband: Firearms and/or weapons	3-6 days jail	6 days jail and possible termination	No Sanction Listed
Contraband: Ammunition	Verbal Warning from Judge	3-6 days Jail	6 days jail and possible termination
Phase-Up Impact	Required days of documented sobriety and time without any jail sanctions (calculated from the day after the violation was committed) Phase 1: 28 days; Phase 2: 28 days; Phase 3: 60 days; Phase 4: 90 days; Phase 5: 90 days		
Notes:	<p>Curfew: 12am to 5am for all phases</p> <p>Harmful or disreputable character: people on probation or parole, felons, drug users, drug dealers, people in correctional institutions (jail, prison, etc.)</p> <p>Paraphernalia: includes vapes and vape juices; also, they are separate items and possession of both results in 2 days jail</p> <p>Energy Drinks: located during search, participant seen possessing or drinking is 4 hrs CSW</p> <p>Firearm/Weapon: Definition in policy manual</p>		

FINANCES AND EMPLOYMENT

	1 ST Court Date	2 ND Court Date	3 RD Court Date	4 TH Court Date
Unemployed while in Program	5 job applications and attend Jumpstart each week	5 job applications and attend Jumpstart each week	Daily job search	4 hours community service per day and attend Jumpstart
Job Verification: Failure to turn in	8 hrs CSW	16 hrs CSW	(New Month, return to 1 st Court Date)	
Job Verification: Insufficient Documentation or late turn in Phases 1 & 2	4 hrs CSW	8 hrs CSW	(New Month, return to 1 st Court Date)	
Job Verification: Insufficient Documentation or late turn in Phases 3, 4, & 5	8 hrs CSW	One day Court Duty to be chosen and supervised by ACO	(New Month, return to 1 st Court Date)	
Working less than 112 hours per month	4 hrs CSW (1 st Month)	8 hrs CSW and new job before 1 st Wednesday of next month or sufficient hours worked (2 nd Month)	12 hrs CSW and deadline from Court; failure to meet deadline is a possible termination offense (3 rd Month)	
Program Fees over \$400	4 hrs CSW	8 hrs CSW and complete written budget	Set payment plan, if had money to pay, 16 hrs CSW	Discuss Chronic Non-Compliance
Probation Fees over \$200	4 hrs CSW	8 hrs CSW and complete written budget	Set payment plan, if had money to pay, 16 hrs CSW	Discuss Chronic Non-Compliance
Budget Violation	Failure to complete Budget: 1 day Jail Missed or Insufficient Payment: 1 day jail from Saturday 8pm to Sunday 8pm			
Notes	<p>Jumpstart – a weekly group focused on employment assistance and life skills</p> <p>Daily Job Search – participant reports to ACO daily at 8:30am to complete the job search, form must be completed and returned by close of business on the same day, and attend Jumpstart weekly.</p> <p>Continuous Employment – participant must be continuously employed for 28 days (4 weeks) before job search requirement is reset (if quits or loses new job within 28 days, return to last spot in job search)</p> <p>Quitting job or losing job without a replacement – Start job search requirements at daily job search</p> <p>112 Hours Per Month Requirement: This is a sanction only imposed one time per month. Each sanction listed above is for the next consecutive month. (Example: If a participant works 90 hours in January, 120 hours in February, and 90 hours in March, in March, they get the first sanction again.)</p> <p>Requested deviation from payment plan must be submitted in writing by Tuesday at 12pm</p> <p>All fees must be current to move to Phase 5</p> <p>Only one type of fee violation is required for sanction, both fees must be under the respective threshold for the offenses to “reset.”</p>			

DEADLINE AND DISHONESTY SANCTIONS

	1st Offense	2nd Offense	3rd Offense	4th Offense
Failed to Complete CSW Sanction	CSW Doubled	Overnight Jail (6am release) (Erases CSW)	Discuss Chronic Non-Compliance	Discuss Chronic Non-Compliance
Failed to submit CSW Sanction by deadline	Redo CSW	Double CSW	Overnight Jail (6am release) (Erases CSW)	Discuss Chronic Non-Compliance
Failed to complete Court Assignment/Program Requirement	8 hrs CSW and Complete Assignment and/or Requirement	16 hrs CSW and Complete Assignment and/or Requirement	Discuss Chronic Non-Compliance	Discuss Chronic Non-Compliance
Failure to submit Court Assignment by deadline	4 hrs CSW	8 hrs CSW	Overnight Jail (6am release)	Discuss Chronic Non-Compliance
Falsifying Documents to Court	6 days Jail	Up to 30 days jail and possible termination	No Sanction Listed	No Sanction Listed
Behavior Plan	Phases 3, 4, and 5: Start at 2 nd Offense (proximal versus distal)			
Phase-Up Impact	Required days of documented sobriety and time without any jail sanctions (calculated from the day after the violation was committed) Phase 1: 28 days; Phase 2: 28 days; Phase 3: 60 days; Phase 4: 90 days; Phase 5: 90 days			
Notes	All above sanctions are assessed as consecutive DUI Court sessions. A clean slate is given after successful completion at a DUI Court session.			

IMPORTANT: No drug screen sanction will be imposed without written confirmation from the laboratory. All positive tests will be confirmed by GCMS, LCMS, or other appropriate confirmation testing, and, appropriate action will be taken as soon as possible. If a participant wishes to contest a drug screen result after this laboratory confirmation, he/she may request a Revocation Hearing, but they may wait in custody for such a hearing.

B. Firearm/Weapon Definition

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.*

A weapon is defined as:

OCGA 16-11-127.1 (2) 'Weapon' means and includes any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, metal knuckles, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun or taser as defined in subsection (a) of Code Section 16-11-106. This paragraph excludes any of these instruments used for classroom work authorized by the teacher. No blades over two inches with the exception of kitchen cutlery, utility knives, or sporting equipment which is stored in a location which it is commonly stored.

C. 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.

D. Therapeutic/Treatment Responses

a. Therapeutic Responses

“Therapeutic Responses” are treatment-oriented responses to non-compliant participant behavior. They can include, but are not limited to, therapeutic evaluations, increased group treatment, individual treatment, and any other resources available. These responses are designed to help the participant in his/her recovery.

b. Treatment Noncompliance

If a participant is noncompliant with treatment and all treatment resources have been exhausted per Accountability Court Office, they shall receive an individualized deadline from the court. Response to failure to meet deadline will be handled on a case by case basis.

c. Check-ins with Case Manager

Check-ins will be required for all Phase 1 participants as scheduled by the DUI Court Office. Other phase participants can be required to report to the DUI Court Office as directed.

d. EtG - less than 500

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

E. Incentives

Incentives are swift, positive responses to compliant participant behavior. The Forsyth County DUI Court recognizes the importance of rewarding participants for good behavior. Incentives include, but are not limited to, applause for progress, recognition of positive life events, “Tell Me Something Good” candy, Judge’s praise, community service credit, reduction of court-ordered fines, program incentives (Uber gift cards through transportation grant, extra leave, fee credit), curriculum completion certificates, phase promotion certificates, freebies, graduation certificates, Accountability Court Limited Permit, and Ignition Interlock Permits.

a. Accountability Court Limited Permit

Participants are eligible for an ACLP 28 days after their first court session AND 28 days of documented sobriety. A Limited Permit form must be turned in by the participant for the defense attorney. The defense attorney will confirm with DDS Accountability Court Help Desk that the participant is eligible for an ACLP. All ACLPs will require the participant to have Ignition Interlock. Eligibility does not guarantee the granting of an ACLP, it is always at the discretion of the judge. If a participant has 3 or more triggering events in the past 5 years, their license is revoked and they are not eligible for an ACLP.

b. Ignition Interlock Driving Permit

An IIDP Affidavit may be granted by the Judge after an initial 120 day suspension. The participant must meet the DDS requirements before a permit will be considered by the Court. Participants are not eligible for the IIDPA within 30 days of a jail sanction.

c. Freebie

Participants will receive a Freebie each month sanctions are not imposed. Freebies may be used to nullify sanctions for anything other than fee sanction and jail sanctions. When a participant accumulates 6 freebies, they must turn in 5 freebies for a \$25 fee credit or extra leave request.

d. Participant of The Month

Each month, on the second court date, all participants who received a sanction free Freebie will have a ticket placed in a container for a random draw. Two names will be drawn each month to receive Sanction Free awards. These participants will receive an Uber Gift Certificate (so long as Transportation Grant funds allow), an extra leave request, or a \$25 fee credit.

The DUI Court Team may choose at least two participants each month to receive a Star Award. The Star Award is to reward a particular participant that has done exceptionally well or has made great improvements. This participant will receive recognition on the second DUI Court session of the month, and will choose one of the following: Uber Gift Certificate (so long as Transportation Grant funds allow), an extra leave request, or a \$25 fee credit; and a gift card.

e. Pro-Social Activities

Participants in Phases 3-5 may attend an approved pro-social activity in lieu of one required recovery meeting per week.

f. 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

DUI School/ RRS=20 hours csw credit

Total=240 hours csw credit

g. Court Fine Credits

Up to half or all of the participants' court fine for the DUI 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.

h. Credit for Voluntary Individual Sessions

Participants in Phase 4 and Phase 5 will receive credit for a recovery meeting when they voluntarily engage in individual sessions.

i. Graduation With NO Sanctions

If a participant graduates the program with no sanctions of any kind, they will receive a \$100 gift card of their choice at their graduation. The gift certificate will not be from a place that serves alcohol. ion ceremony.

j. Transfer to Another County

All transfers are done as a courtesy to the participant and are at the sole discretion of the Court, and must be completed within 30 days of sentencing or otherwise at the discretion of the Court. Transfers will be requested by the participant. The Coordinator will assist as necessary in the transfer. All transfers out of Forsyth County to another county will receive the same Court fine credits & CSW credits as a Forsyth County DUI Court participant would receive. The same type memos showing the credits shall be given to the Forsyth County Clerk of Court for documentation purposes.

k. Leave Requests

Leave Requests allow participants to miss counseling sessions and drug screens. Leave Requests will be presented to the Court if the participant is eligible for a leave. The leave should be granted if participant is not receiving any community service or jail sanctions.

XXIV. TREATMENT PROTOCOL

All DUI Court activities and locations may be viewed as an extension of the Forsyth County DUI Court. Participant behavior should reflect that understanding at all times. This includes treatment, community service sites, special events, and other functions associated with DUI Court activities. Violations of program rules can result in sanctions and/or new criminal charges. All staff members of the Forsyth County DUI 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 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 **severe 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 DUI 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 Accountability Court participant 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 is required for all DUI Court related activities. No clothing with alcohol or drug related logos or accessories should be worn at any time during DUI Court functions.
12. Electronic devices must not be taken into the Treatment Facility. They will be confiscated if they are seen at any DUI Court related activity and will be returned to the participant by the Accountability Court Office at a future date.
13. **Sexual harassment of any kind will not be tolerated!**

XXV. CURRICULUM

The evidence-based treatment curriculum focuses primarily on cognitive-behavioral therapy. Participants will receive individualized treatment throughout the program by having an individualized treatment plan that is updated periodically. All participants will receive Early Recovery Skills, Life Skills, Moral Reconciliation Therapy (MRT), Prime Solutions, Trauma Recovery Empowerment Model (TREM), and Staying Quit. Elective treatment options may include, but are not limited to, 7 Habits of Highly Effective People, Anger Management, Self-Esteem, Healthy Relationships, Untangling Relationships, Dialectical Behavioral Therapy (DBT), Grief, Parenting, and Co-Dependent No More.

XXVI. TREATMENT EXPECTATIONS

- Each participant entering into the treatment process will maintain a lifestyle of abstinence. There will be no drinking, use of mood or mind altering substances, or use of illegal drugs.
- Participants will be actively involved in treatment and strive to make personal progress while they are in the program.
- Participants will behave in a manner appropriate to the setting.
- Participants will make their treatment of primary importance. Missing treatment will be sanctioned.
- Participants will give monitored drug screens when directed to do so. Missing drug screens will be treated as a positive screen for sanctioning purposes.
- Participants will arrive on time for group meetings, or sanctions/work detail will be imposed.

XXVII. TREATMENT PROVIDER REQUIREMENTS

The contracted treatment providers working with Forsyth County Accountability Court participants must be certified by the Georgia Addiction Counselors Association and/or licensed by the State of Georgia (or working towards licensure) (LPC, LCSW, LMFT, etc.) and maintain certification/licensure through required continuing education. As of 2014, licensees must have 35 hours of continuing education. Additionally, the contracted treatment provider shall adhere to the continuing education requirements of all Accountability Court staff as noted on page 2 of this manual.

XXVIII. PROBATION PROTOCOL

The DUI Court Program is a special condition of probation. This consists of reporting to the probation department 1 time per month and paying a fee of \$64.00 per month in Phases 1 and 2 and \$50 a month in Phases 3, 4, and 5. Probation will run a criminal history on eligible DUI Court Graduates approximately one month before their graduation date. Participants will not be permitted to graduate if they have obtained new charges that have not been addressed through sanctions or a Revocation Hearing. All other conditions of probation must be met.

XXIX. DUI COURT OFFICE PROTOCOL

Forsyth County DUI Court participant cases will be managed by the DUI Court Case Managers. The Case Managers are responsible for maintaining participant records regarding group attendance, meeting attendance, fulfillment of community service requirements, drug screen requirements and results, sanctions and incentives, demographic information, and all other pertinent information. The information will be stored in the case management system (CMS). The Case Managers will gather such information from necessary agencies and prepare progress notes on each participant to be used in DUI Court Team Staffing and court.

A. Case Opening Procedures

- 1) Defendant shall plead guilty or be convicted, sentenced, and placed on probation with the DUI Court as a special condition of the probation sentence.
- 2) The participant's case will be set up in CMS. Notes will be added regarding Court sessions, group and individual sessions, alcohol/drug testing, etc.
- 3) Defendant will be given an appointment for Intake into DUI Court in Court or directly thereafter.
- 4) All DUI Court paperwork is completed during the intake appointment, including participant agreement, releases, and any other documentation required by Court. A drug screen will also be performed at Intake into DUI Court and sent to the lab.
- 5) Participants will begin treatment as soon as possible.

B. Case File Procedures

While the DUI Court Office and probation services will each maintain separate files on participants, all data will be entered into CMS by the respective parties.

DUI Court Office files will contain an electronic or hard copy of the following:

- 1) Participant's sentence
- 2) Orientation information (including demographics)
- 3) Copy of assessment(s)
- 4) Releases of Confidentiality to include, but not be limited to: the referring Court, Solicitor's Office, Attorney of Record, law enforcement, and treatment provider; shall be witnessed by the DUI Court Defense Attorney, participants' own attorney, or Accountability Court Staff
- 5) All documentation included in the Entry Packet that is required at the time of plea
- 6) All reports documenting level of participation in treatment
- 7) All drug and alcohol screening
- 8) All Sanction/Incentive Records
- 9) Proof of payment of all monies to the DUI Court Office

Note: The participant's attorney, in preparation for a Revocation/Termination hearing, may come to the DUI Court office to look at the participant's file. No copies of the file are to be made. Participant files are not discoverable, outside the DUI Court setting, without a Judge's Order. (The Accountability Court Office/Director will direct the county attorney or assigned counsel to file a Motion to Quash any subpoena or Notice to Produce for any Accountability Court file.)

C. Case Tracking Procedures

Participants are tracked electronically with the CMS. This tracking is reviewed quarterly.

D. 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 and closed appropriately in Five Points.

a. Graduated:

A case is considered a graduated closure when treatment has been completed, all court costs, treatment fees, and other fees are paid and the participant has successfully graduated the Program.

b. Terminated:

A case is considered a terminated closure when treatment is not completed and the participant has been revoked and/or removed from the DUI Court.

c. Maximum Benefit:

A case is considered a maximum benefit closure when a participant's probation expires prior to completion of the DUI Court Program.

d. Transfer:

A case may be closed as a transfer if the case was successfully transferred to another DUI Court.

e. Discharge:

If a participant is excused from participation in the DUI Court Program for any reason other than the above-listed, for example: medical inability to complete the program, mental health issues preventing completion, etc.; the probation shall be modified and case closed.

XXX. TESTING PROTOCOL

While in the DUI Court Program, participants are required to check the screen line daily. However, a breath or urine specimen may be required at any time. Randomization of drug and alcohol testing is scheduled by Abbott's call-in system.

Participants must check whether they have a screen daily by calling the screen line (800-494-1250) or checking online (drugtestcheck.com). If, for any reason, they cannot access this information, it is their responsibility to report to the screening facility between 6:00am-9:00am (these are the

normal screening hours). Late arrivals will not be allowed to test and this failure to submit a specimen will be considered a positive screen. Tampering with or diluting a drug screen may be grounds for termination.

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. Participants may have multiple opportunities for honesty and may receive a benefit for said honesty. The participant should not admit use if he/she is taking a medication that has been approved by the DUI Court Office.
2. Participants must submit a breath sample at each screening which is administered by an authorized official of the Accountability Court.
3. Only one participant is allowed in the testing area at a time. A same-sex screener must accompany the participant at all times during the drug screening process.
4. Participants must hand their specimen to the same-sex screener and watch them put the participant's label on the bottle/screen.
5. 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.
6. A screener of the same sex must always witness the sample being given for it to be considered valid.
7. Participants must not carry purses, coats, bags, etc. into the testing area.
8. Shirt sleeves should be rolled up to the elbow and participants may be required to remove additional clothing to ensure validity of specimen.
9. The test cup must contain a minimum of 1/3 level to be adequate for testing.
10. Female participants are required to pour their specimen into the provided vial, prior to application of the label.

After any approved leave from DUI Court, the participant must report to screen the following day, regardless of whether they are called-in for a screen. If there are no screens on the return day but the Accountability Court Office is open, they must report to their Case Manager for a screen. If there are no screens on the return day and the Accountability Court Office is not open, they must return each subsequent day to the screening facility until they provide a sample.

All screens are confirmed using GCMS or LCMS prior to sanctioning. Screen results are typically reported via online access within 48 hours of shipping or confirmation requests. Contested results will result in a Contested Revocation Hearing.

A 2 hour window, at a minimum, is provided for all drug screens. If a screen is announced at group (not on the daily call), the 2 hours begin at the time of check-in. Participants may screen until group begins and again for 15 minutes following the conclusion of group. Failure to submit a screen during those times will result in a missed screen for sanctioning purposes. This scenario applies even if one is late for or not allowed to enter group. Missing a screen announced at group will count as a missed screen for sanctioning purposes.

It is the participant's responsibility to provide a clean, unadulterated, testable sample. All use of illegal drugs, alcohol, or any unapproved mind or mood altering drugs will be sanctioned. This is not intended as a punishment, but to encourage sobriety. Thus, the ultimate goal of drug and alcohol testing is to provide accountability and confirmation of an individual's progress towards recovery.

XXXI. MEMORANDUMS OF UNDERSTANDING

MOUs signed with treatment counselors and screeners regarding expectations are available for review through the Purchasing Department.

Community Resources

If a participant is in need of an ancillary services, they are instructed in the participant handbook to contact the DUI Court Office to initiate referral or to set up services.

Hospitals

Northside Hospital-Forsyth

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

North Fulton Regional Hospital

3000 Hospital Blvd.
Roswell, GA
770-751-2500

Laurelwood – Mental Health/Substance Abuse

200 Wisteria Drive
Gainesville, Ga
(770) 531-3800

Lakewinds – Detox/Mental Health

Gainesville, Ga
(770) 535-5412

Basic Needs

Consumer Credit Counseling
(404) 527-7630

Gainesville Baptist Rescue Mission (Men)
(770) 287-9700

Forsyth Area Transit
(770) 538-2602

My Sister's Place (Women)
(770) 532-5111

United Way
(770) 781-4110

Labor Finders
(678) 513-7328

Georgia Highlands Medical Services (fees based on income)
770-887-1668

www.ghms-inc.org

Family & Children Services
(770) 781-6700

Good News at Noon
(770) 503-1366

Housing Authority
(770) 536-1294

Salvation Army
(770) 534-7589

Driver's License Renewal
(770) 205-5401

Dial-A-Ride
(770) 781-2195

Education

Lanier Tech (Adult Education/GED) 678-341-6600

www.laniertech.edu

Crisis Lines

HELPLINE

(770) 534-0617

Georgia Council on Child Abuse
(800) 532-3208

Rape Response
(770) 503-7273

Gateway House (Domestic Violence)
(770) 536-5860

Georgia Mts. Com. Srvc. (M.Health)
Emergency: (800) 347-5827
Regular Office:(770) 535-5403

Substance Abuse

Alcoholics Anonymous (Georgia)
(404) 525-3178

Drug Helpline
(800) 378-4435

Laurelwood
(770) 531-3800

Cocaine Hotline
(800) 905-8666

Forsyth County Sheriff's Office-
Non-Emergency: (770) 781-3087

Narcotics Anonymous (Atlanta)
(404) 362-8484

Forsyth County DUI Court



Participant Handbook

DUI Court Case Manager:
Jennifer O'Kelley
JAOKELLEY@FORSYTHCO.COM

DUI Court Case Manager:
Morgan Samples
RMSAMPLES@FORSYTHCO.COM

Drug screen line phone number:
800-494-1250
Website: drugtestcheck.com
Screening Time: 6:00am—9:00am

Forsyth County DUI Court
Phone: 678-455-4780
Fax: 678-455-4781
Emergency Cell: 678-215-7672

(Cell only for emergencies & emergency medication approval after regular business hours)

Accountability Court Address:
(counseling, screening, & staff offices)
425 Tribble Gap Road
Cumming, GA 30040

Courthouse:
(Court Sessions)
101 East Courthouse Square
Cumming, GA 30040

To Schedule Individual Counseling
678-455-4780

Forsyth County DUI Court website:
<http://www.forsythco.com>
(Accountability Courts)

Article I. Forsyth County DUI Court Program

The Lighthouse

Participants in the DUI Court Program must follow the guidelines in this handbook.

I. Introduction

The Forsyth County DUI Court was created in February 2006 under the direction of State Court Chief Judge T. Russell McClelland. The DUI Court Team is a partnership among the Judge, Solicitor's Office, DUI Court Defense Attorney, Probation, Law Enforcement, Accountability Court Office, and the Treatment Team.

This program is a minimum of eighteen (18) months and consists of five (5) phases. Phase 1 is the Anchor Phase; Phase 2 is the Charting Your Course Phase; Phase 3 is the Holding Steady Phase; Phase 4 is the Setting Sail Phase; and, Phase 5 is the Open Seas Phase.

This program provides intervention and serves as a meaningful alternative to jail for the participant who can function in the community with support. It is our goal to improve the quality of life and reduce recidivism for participants. Those who graduate will have a solid foundation of sobriety and improved decision making on which to build.

II. Team Roles

A. Judge's Role

The Judge has knowledge of the impact of substance abuse on the court system, the lives of the participants, and the entire community and is, therefore, committed to the program mission and goals. In the courtroom, the Judge develops a personal working relationship with the participants while monitoring their progress.

Direct contact with the Judge and his office should be avoided beyond the courtroom setting. The Judge is not your case manager, personal attorney, and/or legal advisor. Information from you and your family must go through the Accountability Court Office or your attorney. The Judge attends non-court meetings, including Planning Groups and staffing, reviewing candidates for participation; determining appropriate and effective sanctions for program violations; and, providing incentives for continued success. These decisions are

made using knowledge of addiction, relapse, and other factors (i.e., criminal history, gender, age, culture) that may impact a participant’s success. Further, the DUI Court Judge advocates for the program by creating community interest and support for the program and developing community resources to assist participants in their treatment.

B. Director and Assistant Director Roles

The Director and Assistant Director review and update the program policies and procedures manual and participant handbook to ensure operations and administration comply with applicable local, state, and federal requirements. The Director and Assistant Director also apply for and manage grant funds for the DUI Court; provide staff oversight; provide community outreach and resources for the program; and, they oversee treatment and ensure fidelity to the curriculum.

C. Case Manager’s Role

The DUI Court Case Managers are responsible for ensuring each participant is fully informed of the rules, regulations, and policies of the Program, as well as monitoring each participant’s progress throughout the program. The Case Managers are the “central clearinghouse” for all information and communication for the staff, team, and participants. The Case Managers maintain participant records, including, but not limited to, residence, employment, and payments; they manage all participant files and update these files; they can administer drug and alcohol screens; and, they schedule and distribute the DUI Court calendar to the DUI Court Team.

D. Solicitor General’s Role

The Solicitor General has many responsibilities to the DUI Court Program. The Solicitor presents each case to the Judge and makes eligibility and referral decisions for entry into The Lighthouse. The Solicitor attends Planning Groups, staffing, and court, assisting in the determination of appropriate sanctions and incentives for current participants. Such decisions are made using knowledge of addiction, relapse, and other factors (i.e., criminal history, gender, age, culture) that may impact a participant’s success. The Solicitor also contributes to community education and acquisition of community resources to aid the program; the Solicitor educates peers, colleagues, and judiciary on the effectiveness of DUI Courts; and, the Solicitor will make recommendations of termination and probation revocations, should it become necessary.

It is not appropriate to seek legal counsel from the Solicitor or staff of the Solicitor General’s office.

E. Defense Attorney's Role

The DUI Court Defense Attorney represents each referred offender and participant in The Lighthouse who is not otherwise represented by counsel. Prior to entry into The Lighthouse, the Defense Attorney's role is to evaluate the offender's legal situation and ensure their legal rights are protected. The Defense Attorney effectively advises offenders of their legal rights, legal options, treatment options, program conditions, and possible sentencing outcomes, while developing a relationship that promotes the offender's long-term best interests. The Defense Attorney attends Planning Groups, staffing, and court, assisting in the determination of appropriate sanctions and incentives for current participants. Such decisions are made using knowledge of addiction, relapse, and other factors (i.e., criminal history, gender, age, culture) that may impact a participant's success. Like the Solicitor, the Defense Attorney also contributes to the education of the community and assists in educating peers, colleagues, and judiciary in the effectiveness of DUI Courts.

It is not appropriate to seek legal counsel from the DUI Court Defense Attorney regarding matters unrelated to DUI Court or your Driver's License.

F. Law Enforcement's Role

Law Enforcement plays a major role in your opportunity to participate in the DUI Court Program. They have recommended you receive treatment, not jail. Law Enforcement provides accountability for your participation in this program through attendance at Planning Groups, staffing, Fourth Amendment searches, drug and alcohol screening, and other enforcement as needed. Your total honesty and cooperation with all law enforcement is essential to compliance with this program.

G. Probation Officer's Role

The Probation Officer may refer some cases to the DUI Court Program. It is the responsibility of the Probation Officer to conduct the initial evaluation of these cases. If the probationer is determined to be a candidate for The Lighthouse, the Probation Officer refers the case to the Accountability Court Office and team. The Probation Officer keeps The Lighthouse Team informed of all participant progress on probation by attending staffing and Court. The Probation Officer contributes to community education and cooperation with the program and assistance with community resources to aid the program. In the event you are brought before the Judge for a Revocation of Probation Hearing, the Probation Officer will make recommendations related to your sentencing.

H. Treatment Team's Role

The Accountability Court Assistant Director and the counseling team facilitate all group counseling sessions, individual counseling sessions, and other recommended counseling. The Lighthouse participants are provided with specialized curriculum and proven, evidence-based treatment practices. The Treatment Team reports all participant progress, or lack thereof, to the Accountability Court Office. A representative from the Treatment Team attends all Planning Group, staffing, and Court sessions. The Treatment Team does not discuss sanctions or other requirements with The Lighthouse participants, including results of drug and alcohol screens performed.

Individual counseling is available to you, at your request, or may be mandated by the Court. You must contact the Accountability Court Office to schedule individual sessions. You can discuss the cost, if any, of the sessions with the Accountability Court Office.

III. Court

A. Courthouse Behavior

Your attendance in court is a critical condition of your participation in the Forsyth County DUI Court. Your behavior from the time you leave your vehicle until you arrive in the courtroom should reflect positively on The Lighthouse. This means **NO** standing on the front steps of the courthouse before or after your court sessions. Your attire should **NOT** include shorts, sleeveless shirts/dresses, tank tops, see-through clothing, halter-tops, revealing clothing, hats, tight clothing, sunglasses, excessively baggy clothing, flip-flops, clothing with holes, open-toed shoes, sandals, or clothing with offensive language, alcohol, or drugs or references to such. Loud and boisterous behavior is unacceptable. This behavior and attire is required **ANYTIME** you are in the courthouse, the Accountability Court Office, or any other location that would be an extension of The Lighthouse.

You must be punctual. Court is called to order at 3:00 p.m. for all phases and you must arrive at 2:45 p.m. or earlier. Once in the courtroom, conversations should be minimal. When the Judge is in the courtroom, you are to have no side conversations with your fellow participants. You are not allowed to read or sleep in the courtroom. You are not to have food, drink, or chewing gum in the courtroom. You may not use your cellphone or any other electronic device in the courtroom. If your cellphone goes off, in any way, while in the courtroom, it will be confiscated. You are responsible for your guests and/or children.

When you are addressed by the Judge, you should stand and respond respectfully, this means your answers should be **“Yes, sir”** and **“No, sir,”** spoken clearly, and made to the Judge. Do not interrupt the Judge when he is speaking to you or to

your fellow participants. Do not use vulgar language. **Violations of Courthouse and Courtroom behavior will result in sanctions.**

B. Inclement Weather Procedures

If there is inclement weather, if the Forsyth County Courthouse is closed or delayed, the Accountability Courts Office and any court sessions will be as well. You must continue to check the drug screen line each day. Office closure **DOES NOT** mean there will not be drug screens.

C. Sanctions

The Lighthouse Program will impose sanctions if you violate program rules. Sanctions can be in the form of jail time, additional community service work, additional recovery meetings, treatment responses, or anything that is deemed appropriate by the DUI Court Team. If your violation does not result in community service or jail time, and is not for a drug screen violation, the sanctions will be imposed by the DUI Case Managers. The participant is to treat all sanctions as if they are from the Judge, failure to do so will result in a Court consequence. The Judge will impose sanctions in Court for program rule violations that result in jail time, community service, or are for drug screen violations. Phases 1 and 2 are in Court for every session. Phases 3, 4, and 5 are required to attend all graduations and the second court session each month, unless they are receiving a **jail sanction, a community service sanction, or a drug screen violation sanction**. It is your responsibility to turn in properly and completely filled-out documentation to DUI Court, Probation, and Treatment Team.

If you are receiving a jail sanction, the Defense Attorney will attempt to notify you prior to court. You should expect to go into custody from court, therefore, arrangements need to be made prior to court for your job, children, vehicles, etc. Jail sanctions will not be allowed to be served early, split up, served on weekends, or otherwise delayed, unless permitted by the Policies and Procedures of the DUI Court Program or otherwise approved. Bring your current prescription medications when you come to court and are receiving a jail sanction. Do not bring purses, backpacks, bags, clothing, etc., as these cannot be taken to the jail with you. To move from one phase to the next, there will be a prescribed amount of time to be free from jail sanctions. This time begins the day after your violation. You must report to the Accountability Court Office for a check-in with your case manager within 24 hours of your release from custody, or, if released on the weekend, first thing Monday morning.

You must report any law enforcement contact, new criminal charges, or citations to the Accountability Court Office and Probation Officer within 48 hours. **You are not allowed to be in an establishment where the primary purpose is alcohol or drug related, or where food is no longer served.**

D. Progressive Sanctions

Progressive Sanctions will be imposed when participants do not move from one phase to the next in a timely manner. Each phase has been assigned a minimum amount of time necessary for completion of the phase. Progressive sanctions will begin the week you are scheduled to move up if you have not submitted your paperwork to move up to the next phase. Progressive sanctions are imposed to encourage participants to finish the requirements of the program in a timely manner.

E. Termination

The Forsyth County DUI Court Program is committed to giving participants the opportunity to learn to be drug and alcohol free and to be better decision makers. However, your continued participation in The Lighthouse is contingent on compliance with **ALL** program rules and regulations. Non-compliance can result in termination.

Behavior that may lead to termination include, but are not limited to, inability to remain clean and sober; obtaining a new DUI charge; forging any documentation turned into the Court; failure to attend and participate in groups; threats or violence against peers, staff, or the team; altering or tampering with drug screens (including adulteration of a screen); some new criminal charges; chronic non-compliance as evidenced by an accumulation of program violations; chronic failure to pay program fees; pairing off or becoming romantically involved with another Accountability Court participant; and, failure to treat staff, the team, or fellow participants with respect.

Our goal is for every participant to graduate from The Lighthouse and we consider termination as the last resort. Termination will only be imposed after all other possible avenues have been explored including increased jail time, increased intensity and attendance in ongoing treatment, residential treatment, etc.

F. Incentives

Program compliance and good behavior will be recognized by the Judge as an incentive to continue your recovery. Your initial jail time was reduced or suspended, your court fines were reduced or suspended, and your community service may be credited as you progress through the program. These are the initial tangible incentives for participation in The Lighthouse.

Participants could be awarded Participant of the Month, will be recognized when they complete each phase of the program, and will have the ability to take leaves from the program as they progress through the phases. Freebies are rewards for those participants who achieve a month without any sanctions each time it is

achieved. Freebies will be tracked by the Accountability Court Office and can be used to avoid the imposition of future sanctions, except those for jail time or fee sanctions. If you are receiving a jail sanction or a community service sanction (unless a freebie is used for the community service sanction), you will not receive an incentive, including leave requests or phasing up. If you accumulate 6 Freebies, 5 Freebies must be traded in for an extra leave request, \$25 fee credit, or an Uber gift card. The participant will retain one Freebie.

IV. Program Guidelines

A. Residence

The DUI Court and Probation Officer must have the address of your current residence and your phone number. This address is defined as where you sleep every night and the phone number is the one where you can be reached most quickly. You may not stay away from the residence provided to the Accountability Court Office overnight without having a leave request granted.

The “Change of Address” form must be completed and turned in to the Accountability Court Office **BEFORE** the first date you wish to reside at the new address. If you wish to move further than 25 miles from the Forsyth County Courthouse, you will need to get approval from The Lighthouse team prior to moving. Failure to notify the Accountability Court Office of your new address prior to moving will result in a jail sanction.

B. Curfew

You have a curfew from 12:00 a.m. until 5:00 a.m. during your entire time in the DUI Court Program. If you need to adjust the time of the curfew for work or recovery meetings, you must receive prior permission from the Accountability Court Office. You must be at the residence you provided during your curfew.

C. Fraternalization or “Pairing Off”

While in the DUI Court Program, you must avoid people on probation, parole, convicted felons, drug users, drug dealers, people incarcerated in any institution, people being supervised by any court agency, on misdemeanor or felony release/bond, and people participating in accountability courts in other counties, unless you have prior approval from the Accountability Court Office. Request for contact with prohibited individuals must be made in writing.

Participants are never allowed to enter into a romantic/physical relationship with another participant in the DUI Court Program. Participants are never allowed to “hang out” in the residence of another participant in the program. In Phases 1 and 2, participants may not “pair off” with any other participant of the program, including communication and association between or among two or more

participants. Any such communication is limited to official DUI Court business, DUI Court requirements, and DUI Court approved events. Beginning in Phase 3, participants may hang out with others in any Forsyth County Accountability Court who are in Phases 3 and above. However, the restrictions against romantic/physical relationships and participant homes remain. Additionally, participants may not hang out together where alcohol is served unless it is a DUI Court permitted activity.

DUI Court Participants may not supervise one another at a place of employment without Court approval. DUI Court Participants may not loan one another money, clothing, or other personal items. DUI Court Participants may not give each other gifts. DUI Court Participants may not perform, offer to perform, or solicit professional, technical, or vocational services for any other participant, without Court approval. Participants are not allowed to live with each other or participants in the other Accountability Court Programs. Participants are not allowed to sext, have contact of a sexual nature, distribute photographs that may be deemed inappropriate, or communications that are otherwise inappropriate.

Fraternization violations will be sanctioned and may result in termination.

D. Leave Requests

Special requests to be excused from drug screens and group must be approved, in advance, by the DUI Court Judge. Leave requests are available as follows: Phase 1: no leave available; Phase 2: two (2) leave requests available; Phase 3: two (2) leave requests available; Phase 4: one (1) leave request available; and Phase 5: one (1) leave request available. All leaves will be limited to three (3) days and leaves cannot be taken together. You may not use more than more 1 extra leave request per phase. Participants may not miss more than one group session per leave. No leave requests will be granted for participants to leave the country. Participants are not excused from Recovery/Community Support Meetings when they take a leave. After any approved leave from DUI Court, you must report to screen the following day, regardless of whether you are called-in for a screen. If there are no screens on your return day but the Accountability Court Office is open, you must report to your Case Manager for a screen. If there are no screens on your return day and the Accountability Court Office is not open, you must return each subsequent day to the screening facility until you provide a sample at screening or to the Accountability Court Office.

Leave Requests must be submitted, in writing on the appropriate form, to the DUI Court Office by 12:00 p.m. Tuesday before the next DUI Court session. The DUI Court Case Managers will determine whether you are eligible for a leave. If you are eligible, the DUI Court Team will consider your leave, as long as you are not receiving a jail sanction or community service sanction. The Judge will inform you in Court on Wednesday if your leave is granted. If your phase is not required

to be in court for the session before your leave, you need to contact the Accountability Court Office to find out whether your leave was granted.

In the event of a sudden illness and/or death of an immediate family member, you must contact the Accountability Court Office immediately, or the Assistant Director via cell phone if it is after regular business hours. Immediate family members are your spouse, children, siblings, parents, and grandparents only. If the death or severe emergency occurs over the weekend or after regular business hours, call the emergency cell phone. Proof of your relationship to the deceased and an obituary will need to be submitted immediately.

E. Program and Treatment Fees

DUI Court fees are \$200.00 per month: \$50 Program Fee and \$150 Treatment fee, which includes counseling and drug and alcohol screening (this does not include your probation supervision fees, which must be paid directly to probation). All fees are to be paid directly to the Accountability Court Office in the form of a money order made out to the Forsyth County DUI Court. Make sure your name is written legibly on the money order. You may incur an additional fee for lab confirmed positive screens. Your payment may be placed in the box at the Accountability Court Office or delivered directly to Accountability Court Staff in the Accountability Court Office. Each month's payment is due before noon on the 15th. In the event you owe more than \$400.00 in DUI Court fees, you are considered to be behind and will be sanctioned. If you are unable to bring your fees current within a certain amount of time, you may be placed on a budget. If you are placed on a budget, your fees will continue to accrue, and your arrearage will grow. Failure to make a budget payment will result in a sanction. If you are unable to make a budget payment, you must request, in writing, before the payment due date, for consideration of the circumstances. Payments made after the cutoff will not eliminate fee sanctions.

If you choose or are required to attend residential treatment during your time in the DUI Court Program, you will be required to pay the monthly \$50 Program Fee during your time in residential treatment, but you will not be required to pay the monthly \$150 Treatment fee.

If you cannot meet your financial obligations, it is your responsibility to discuss your situation with the DUI Court Case Managers and develop a solution. Financial responsibility is considered an integral part of the recovery process.

F. Probation Department Fees

Probation fees must be paid on a monthly basis directly to the probation department. If your probation fee balance is above \$200.00 the Judge will address it in each court session. Court ordered fines must be paid to the probation

office after 12 months in the program, however, it is recommended you make payments toward any fines throughout your time in the program to avoid large payments in Phases 4 and 5 in the program. Your probation fees are due by noon on the Tuesday before the last Court session of the month. Your probation officer can tell you what forms of payment are acceptable and when payments can be made. If you have questions about your probation fees and/or amounts owed, contact your probation officer. Payments made after the cutoff will not eliminate arrearage sanctions.

G. Employment Requirements

Employment is mandatory in the program unless you are a full-time student. Job verification is required to show the total of all hours worked per pay period.

Check stubs, invoices, etc., are due on the 1st Tuesday of each month, before noon, to show proof of employment of the previous month. You must submit all check stubs/timesheets received to show continued proof of work.

If you are unemployed, you must submit copies of applications, as directed by the Accountability Court Office, to show your effort in obtaining a job.

If you lose or change your employment, you must notify the Accountability Court Office within 72 hours of the employment change.

If you are paid by 1099, we require a letter from your employer stating their intent to file the 1099 on your behalf, as well as documentation of continued work. If you are self-employed, you must provide a copy of your business license/business setup documentation initially and then copies of checks, invoices, receipts, purchase of supplies, documentation of hours worked, etc., monthly to show continued work. This business must have been set up, registered with the State of Georgia, and active at the time of your entry into DUI Court. If you are in school, you must provide proof of continued enrollment through credit hours, class descriptions, schedule, grades, etc. All questions regarding employment verification should be directed to the Accountability Court Office. Failure to work at least 28 hours per week (112 hours a month) will result in sanctions.

You may not work in a bar or restaurant where alcohol is served, nor may you work in any establishment where the primary sales are alcohol, such as a package store. Additionally, you may not work where narcotics, dangerous drugs, or other mood-altering substances are available unless otherwise approved by the staff in advance. You are not permitted to start your own business after you have entered the program and you are not permitted to work for family members.

H. Medication

There are many reasons you may feel the need to use a variety of substances. Pain is the most common. Use of analgesics (pain killers) or other narcotics are likely to cause relapse as these substances may lower your inhibitions and your ability to control impulsive action. You must be very cautious when you become physically ill, even with respiratory diseases (colds, flu, or pneumonia), as many drugs used to treat these conditions can also trigger relapse. There are many compounds that may cause you to crave a drink/drug. It is difficult to remember which drugs to avoid; therefore, **all medications/substances you request to use must be provided to the Accountability Court Office for inspection and approval prior to obtaining, purchasing, or ingesting the substance. No prescriptions written by a physician who does not have a physical office or place of practice will be approved. Internet prescriptions will not be approved.**

You must have the “Notice to Medical Professionals/Physicians Form” signed off on by every medical professional, including, but not limited to, physicians, nurses, physician assistants, and dentists, who treats you and prescribes or administers any medication. If no medications are prescribed or administered, the form is not required to be submitted to the Accountability Court Office. If medication is prescribed or administered, you are required to submit the form within 72 hours of the medical appointment. The forms are located on the DUI Court website and in the lobby of the Accountability Court Office.

After receiving approval, you must fill out the DUI Court medication form, in person, at the Accountability Court Office with your medication. If a regular maintenance medication is changed (dosage, type, etc.) or if you obtain a new medication, this protocol must be followed. Refills on regular, maintenance medications are not required. All medication approvals must be during regular business hours, unless you must visit the emergency room/quick care doctor (for an event that has occurred after 5 p.m. or on the weekend). Under those specific circumstances, you may contact the emergency cell phone to obtain prescription approval.

The only medications you may take without permission are ibuprofen (Advil/Motrin), acetaminophen (Tylenol), Aspirin (Excedrin/Bayer), and Naproxen (Aleve). **ALL OTHER MEDICATIONS REQUIRE APPROVAL FROM THE ACCOUNTABILITY COURT OFFICE PRIOR TO FILLING AT A PHARMACY OR INGESTION. If you elect to continue use of any medications without authorization from the Accountability Court Office, positive drug screens will be considered sanctionable and could result in termination. Be sure to follow medication approval protocol outlined above. All medicinal needles possessed by you or anyone in your household are required to be documented with the Accountability Court Office. If they are not documented, it will be sanctioned as contraband.**

I. Dental and Surgical Procedures

If you are required to have dental or surgical procedures while in the program, you must contact the Accountability Court Office as soon as possible, prior to the surgery or procedure. You must provide information about the type of procedure and when it is tentatively scheduled. Documentation from the doctor or dentist of the necessity of the surgery or procedure is required. All necessary medication must be pre-approved by the Accountability Court Office; therefore, a list of medications the doctor anticipates prescribing before, during, and after the procedure is required; The Notice to Medical Professionals/Physicians Form must be completed and submitted. If the doctor insists on a narcotic or addictive medication after surgery, extra drug/alcohol screens will be performed, and the participant may be required to pay any additional costs. The participant's case will not be tolled and the participant will be required to check in with the Accountability Court Office and come in for daily pill counts, if necessary, as directed by the Accountability Court Office. All documentation must be turned in on the doctor's letterhead.

LET YOUR PHYSICIANS, DENTISTS, PHARMICISTS, AND ALL OTHER PERSONS INVOLVED IN YOUR MEDICAL TREATMENT KNOW THAT YOU ARE IN RECOVERY. THIS IS EXTREMELY IMPORTANT IN THE MAINTENANCE OF YOUR RECOVERY!

J. Drug and Alcohol Testing

All participants are given instructions about the drug screen phone line upon entry into the program. For the duration of your participation in the Forsyth County DUI Court Program, it is your responsibility to check daily to see whether you are required to drug test that day. Drug testing is performed on a random basis; therefore, a breath or urine specimen may be required at any time, regardless of whether screens were called. This includes, but is not limited to, any DUI Court sanctioned event such as court, group counseling, office check-in, home search, etc. You can call the screen line as early as 4:00 a.m. **In the event that, for any reason, you cannot access this information by phone or website, it is your responsibility to report to the screening facility during regular testing hours: 6:00 a.m. – 9:00 a.m., 7 days per week.** If you arrive at 9:01 a.m. or later, you will not be allowed to provide a sample and it is considered a missed screen for sanctioning purposes. Failure to provide a urine sample within the testing hours will be considered a missed screen. Tampering with, attempting to tamper with, or adulterating a screen is grounds for termination from the Forsyth County DUI Court Program. Be aware of your daily fluid intake. If you drink excessive amounts of fluids over a short period of time, it could cause the screen to be dilute. You will be sanctioned for a diluted screen regardless of intention.

You will not be sanctioned until the lab has confirmed a positive screen by GCMS/LCMS. You may be charged a confirmation fee if the screen is positive. If you are ordered to undergo increased alcohol and drug testing, you may be charged a service fee. Use of illegal drugs, including, but not limited to, ‘designer drugs’ and items labeled not fit for human consumption (spice, K2, bath salts, etc.), alcohol, kratom, and non-approved prescription drugs **will be sanctioned**. The Accountability Court Office is required by Federal Law to report all positive drug screens to the NICS for the purpose of obtaining a firearm.

IT IS YOUR RESPONSIBILITY TO PROVIDE A CLEAN, TESTABLE SAMPLE.

Upon reporting for a drug screen:

1. Sign in FIRST before you produce your specimen; indicate an admission/denial of alcohol/drug use when you sign in for the screen. (If you are taking a medication approved by the DUI Court Office, you do not need to circle “yes” on the sign-in sheet). This will be your only opportunity to admit/deny use for sanctioning purposes. If you do not sign in for a screen, you will be sanctioned. **Honesty is a crucial component for recovery and participation in the Forsyth County DUI Court Program. Self-disclosure of use will be considered by the Court when sanctions are imposed.**
2. Only one participant is allowed in the testing area at a time. A staff member must accompany you at all times during drug testing.
3. You must make sure you hand your specimen vial/bottle to the staff member and watch them put your label on the bottle/screen.
4. You will not be allowed to leave the testing room or to drink excessive fluids, smoke, etc. until a specimen is produced. It is suggested you not drink excessive fluids two hours prior to screening.
5. A staff member of the same gender must witness the sample being given.
6. You may not carry purses, coats, bags, etc. into the testing area.
7. Shirt sleeves should be rolled up to the elbow; pants should be below the knees; females may not sit on the toilet seat; you may be asked to stop and start your urine stream; and you may be requested to remove additional clothing to ensure the validity of a specimen.
8. You must wash your hands BEFORE providing the specimen.
9. The test cup must contain a minimum 1/3 level to be adequate for testing.
10. Follow the directions given to you by the screener as this list is not all inclusive.
11. Do not text or inform other participants of screening requirements. You may inadvertently cause someone to relapse

K. Fourth Amendment Searches

All participants are subject to a search of the residence, person, place, electronic devices, and belongings at any time of the day or night for any reason, having given such permission in the DUI Court Participation Agreement and the Fourth Amendment Waiver. You must provide any necessary passwords when items requiring passwords are taken for search. Failure to provide passwords will be treated as failure to allow a search and will result in a sanction. Therefore, it is imperative the Accountability Court Office have your current address and contact information.

While in the DUI Court Program, you cannot possess alcohol, illegal drugs, unapproved medications, firearms, ammunition, or weapons or to be in a vehicle or residence where such is located. You cannot possess or use vapes, e-cigarettes, vaping products, or vaping related objects while in the program, or be in a residence or vehicle where such is located. All sporting equipment must be stored in an appropriate location. Violations of the prohibitions will result in sanctions from the Court and possible jail time or termination.

All persons living in your residence need to be made aware of the possibility of your Four Amendment Searches. You and all persons living in your home are required to let the deputies perform searches upon their arrival. Sanctions will be imposed if deputies are denied entry. Upon conducting a search, you may be asked to provide a urine and/or breath sample for alcohol and drug testing. The same rules apply to these tests as those performed at the screening facility. If you choose to admit use, make sure to tell the deputy BEFORE the screen is conducted. Admitting to use after the specimen is collected will be treated as a denial. DO NOT discuss or text other participants when the deputies are performing searches.

L. Recovery Meetings

Attendance at Recovery Meetings will be verified by an attendance log that is given to you by the Accountability Court Office (you will need to make copies of this log for future use or print copies from the website) and signed off on by the group leader, which cannot be a participant in any Forsyth County Accountability Court program (DUI Court, Drug Court, CARE Program, Family Treatment Court). If an Accountability Court participant is leading the group, you must have someone else sign off on your log. This is the only exception allowing someone besides the discussion leader to sign off on your recovery meeting log. You may only attend one meeting per day for credit toward your program requirements. A recovery meeting “week” runs from Tuesday at noon to the following Tuesday before noon. It is your responsibility to insure all information on the log is accurate and legible even if you did not write the information yourself. If incorrect information is written by mistake, you must draw an arrow to another day on the log and require the appropriate information without any errors. Do not

change the dates on the log after it has been written. Submit the original meeting log, copies will not be counted. If your recovery meeting log is not turned in before noon on Tuesday, you will be sanctioned as a failure to attend the required meetings.

Participants in Phases 3 through Phases 5 may replace one Recovery Meeting per week with a pro-social activity or voluntary individual counseling. Any such pro-social activity must be approved by the Accountability Court Office before it will be counted.

Do not approach participants of this program or another treatment program in public unless you have permission from that person. You may unknowingly breach their confidentiality and ultimately endanger their sobriety. Additionally, if you turn in documentation of attendance at a meeting you were late to, left early, or did not attend, it will be grounds for termination from this program. This level of accountability ensures your commitment to the Program and your recovery. Always remember that recovery meetings are **anonymous organizations** and that everyone is there for the same reason. **It is NEVER appropriate to say to a friend, "Guess who I saw at an AA meeting last night!"** Never address your physician, dentist, minister, attorney, or other professional person at a meeting by that person's title or last name. Anonymity includes both name and vocation. Don't ever ask a professional person for professional advice while at a recovery meeting function. To do so can be a serious threat to the attendance and sobriety of that person, who undoubtedly needs the meetings as much as you.

M. Accountability Court Limited Permit

The DUI Court Judge may grant limited driving permits to participants of the DUI Court Program. The Accountability Court Limited Driving Permit can be provided to participants whose license is suspended for any reason. Any such permit will expire or be cancelled when the participant is no longer in DUI Court. Participants who have a suspended license may apply for a Limited Driving Permit after they have 28 days of documented sobriety. Participants whose driver's license has been revoked for any reason is not eligible, under the law, for a limited driving permit of any kind. If a participant has a license cancellation or licensing issues in any other state, those must be resolved before a permit can be issued. The ACLP will last for 12 months and will not be renewed. It is the participant's responsibility to work toward the full reinstatement of their license while in the DUI Court Program. The Judge has the ability to revoke the Accountability Court Limited Permit at any time if the participant's behavior concerns the Judge.

V. Treatment

A. Treatment Facility

All DUI Court activities and locations are to be viewed as an extension of the Forsyth County State Court. Your behavior should reflect that understanding at all times. This includes all contracted treatment locations, community service sites, special events, and any other functions associated with DUI Court activities. Violations of program rules can result in sanctions and/or new criminal charges. All staff members of the Forsyth County DUI Court are officers of the Court, and you are expected to follow their instructions and be respectful at all times.

1. No alcohol, drugs, weapons, or pocketknives will be brought to these facilities.
2. 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.
3. Participant confidentiality is a must. What is said here, stays here! There will be **severe consequences** to any violations of this rule.
4. Free expression of your thoughts and feelings is encouraged; however, violence, threats or intimidation will not be tolerated. Extreme use of profanity is not acceptable.
5. Sexual harassment **will not** be tolerated!!
6. Do not comment about the physical appearance of other participants or staff members.
7. Leave group only in an emergency after notifying staff and the Assistant Director (via cell phone).
8. Dress Code: no inappropriate tank tops, short shorts, dark glasses. No clothing advertising alcohol or drugs is permitted. Clothing must cover all undergarments. All hats must be removed while indoors.
9. Cell phones must not be taken into the treatment facility. They will be confiscated if they are seen, ring, beep, or vibrate, and will be returned to you from the Judge at the next Court session.
10. **No visitors allowed.** You will be notified of scheduled exceptions to this rule. This includes children and pets. Likewise, those dropping you off or picking you up from group must not remain in the parking lot throughout group.
11. Smoking is permitted outside in designated areas only. **Place cigarette butts in the ash can provided away from the counseling rooms.**
12. No littering in the parking lot or in the building. You must be responsible for assisting in maintaining the cleanliness of the building. Clean up after yourself.
13. Destroying or defacing property will lead to sanctions and possibly termination.
14. Pairing up with another DUI Court participant or any other Accountability Court participant for an intimate, close relationship, or sexual relationship is prohibited and can result in termination from the Program.

B. Treatment Attendance

As a participant of the Forsyth County DUI Court Program, you are required to attend all group counseling sessions as assigned. **You must be on time.** Being late to group or missing check-in will result in sanctions from the Court. Failure to attend group will result in sanctions, and attendance will only be verified by your signature on the sign-in sheet. You must sign in legibly on the correct sign-in sheet for your phase, and circle “yes” or “no” for admitting to any unapproved substance use. Your honesty will result in a reduction of the sanction.

Individual counseling sessions are available to you at no additional cost. If you are scheduled to attend individual counseling sessions, whether on your own or as ordered by the Court, you are required to give a minimum 24-hours notice when rescheduling the session. Do not make a habit of rescheduling.

C. Verification of Treatment Enrollment

Obtaining the 120-day Ignition Interlock Permit or a full driver’s license reinstatement, the Department of Driver’s Services requires a Verification of Treatment Enrollment certificate for those with 2 or more DUIs in a 10 year period. The DUI Court Case Managers can provide this certificate to you. You will need to submit the following to the Accountability Court Office prior to requesting the form: DUI School completion certificate; and, a copy of the Clinical Evaluation completed with a state approved provider of your choice. If you wish to complete the clinical evaluation with the Accountability Court Office, you must provide the following: A copy of the NEEDs assessment from your DUI School (this is the initial assessment completed prior to actually taking the DUI School classes); and, pay \$110 for the clinical evaluation (the minimum required by the State of Georgia) at the time of the evaluation by money order or cashier’s check only. Make it out to Accountability Courts and write on the money order/cashier’s check that it is for the “Clinical Evaluation Fee”.

D. Phases

The Forsyth County DUI Court Program is a minimum of 18 months in duration and consists of five phases. Phase 1 is the Anchor Phase. Phase 2 is the Charting Your Course Phase. Phase 3 is the Holding Steady Phase. Phase 4 is the Setting Sail Phase. Phase 5 is the Open Seas Phase.

Anchor (Phase 1)

- Required to complete Intake with DUI Court Office after sentencing where copies of all paperwork and handbook will be given.
- Minimum of fifty-six (56) days in duration.
- Attend DUI Court sessions twice per month on designated Wednesdays (Court dates for the year will be given at Intake).

- Attend check-ins with the DUI Court Office as directed.
- Treatment groups will occur at least 2 times a week.
- Random, monitored drug/alcohol screens each week as determined by calling the screen line each day.
- A curfew of 12:00 a.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- 28 days without jail time sanctions (28 day window begins the day after the violation) and 28 days of documented sobriety are required to move to Charting Your Course.

Charting Your Course (Phase 2)

- Minimum of one hundred fifty-four (154) days.
- Continue to attend DUI Court sessions on two designated Wednesdays per month.
- Treatment group attendance will continue at least two (2) times a week.
- Random, monitored drug/alcohol screens each week as determined by calling the screen line each day.
- Attend 1 approved recovery meeting per week and submit appropriate written documentation to the DUI Court Office by 12pm each Tuesday.
- A curfew from 12:00 a.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- Participants who have 2 DUIs in a 5 year period and no other license issues can be eligible for an Ignition Interlock permit and are required to complete the following: 120 days license suspension, DUI School, a multiple offender clinical evaluation, 30 days without any jail sanctions, and 90 days of documented sobriety.
- 28 days without jail time sanctions (28 day window begins the day after the violation) and 28 days of documented sobriety are required in order to move to Holding Steady.

Holding Steady (Phase 3)

- Minimum of one hundred fifty-four (154) days.
- Attend Court sessions on 1 designated Wednesday per month (annual dates are provided).
- Attend treatment groups attendance will be at least once per week.
- Random, monitored drug/alcohol screens each week as determined by calling the screen line each day.
- Attend 2 approved recovery meetings per week and submit appropriate written documentation to the DUI Court Office by Tuesday at 12pm. (Pro-social and voluntary individual counseling sessions are treated as a recovery meeting. Will count for only one meeting requirement maximum per week.)
- A curfew from 12:00 a.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- Attend the Victim Impact Panel (VIP) and submit proof of completion to the DUI Court Office.

- Must have 60 days without jail time sanctions (60 day window begins the day after the violation) and 60 days of documented sobriety to move to Phase 4.
- All program fees and probation fees are required to be paid in full prior to moving to Setting Sail.

Note: If you are scheduled to phase up to Setting Sail on a Court date that is not your regularly scheduled Court date, you will not be required to report to Court in order to phase up. Your phase up request will be reviewed by the DUI Court Team. You need to contact the DUI Court Office on Thursday after Court to determine if the phase up was granted. Your phase up will be recognized at the next Court date by the Judge and the team.

Setting Sail (Phase 4)

- Minimum of ninety (90) days.
- Treatment group attendance will be at least 2 group sessions per month.
- Random, monitored drug/alcohol screens each week as determined by calling the screen line.
- Attend 3 approved recovery meetings per week and submit appropriate written documentation to the DUI Court Office of meetings by Tuesday at 12pm. (Pro-social and voluntary individual counseling sessions are treated as a recovery meeting. Will count for only one meeting requirement maximum per week.)
- A curfew from 12:00 a.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- Attend Court sessions on one designated Wednesday of each month (annual dates will be provided).
- Attend probation meetings monthly as scheduled by the Probation Officer.
- All probation and DUI Court fees must be paid in full.
- Must have 60 days without jail time sanctions (60 day window begins the day after the violation) and 60 days of documented sobriety to move to Open Seas.

Note: If you are scheduled to phase up to Open Seas on a Court date that is not your regularly scheduled Court date, you will not be required to report to Court in order to phase up. Your phase up request will be reviewed by the DUI Court Team. You need to contact the DUI Court Office on Thursday after Court to determine if the phase up was granted. Your phase up will be recognized at the next Court date by the Judge and the team.

Open Seas (Phase 5)

- Minimum of ninety (90) days.
- Treatment groups will occur at least 1 time per month.
- Random, monitored drug/alcohol screens each week as determined by calling the screen line.
- Attend 3 approved recovery meetings per week and submit appropriate written documentation to the DUI Court Office of meetings by Tuesday at 12pm. (Pro-social and voluntary individual counseling sessions are treated as a

recovery meeting. Will count for only one meeting requirement maximum per week.)

- A curfew from 12:00 a.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- Attend Court sessions on one designated Wednesday of each month (annual dates will be provided).
- Attend probation meetings monthly as scheduled by the Probation Officer.
- Participants will also complete a Giving Back Project that consists of at least 24 hours volunteer time and must be approved by the DUI Court Office.
- Participants are required to prepare a letter and Life Story to the Judge including what they have learned from the DUI Court Program, how they plan to maintain their sober lifestyle after DUI Court (requirements are outlined at the end of the Participant Handbook) and submit a recovery plan. The Graduation Packet is available on the website.
- Must have 90 days without jail time sanctions (90 day window begins the day after violation) and 90 days of documented sobriety in order to graduate from the program.
- Attend a Phase 1 group counseling session which counts for all required recovery meetings for that week. Be sure to sign the group sign in sheet that is attended and have the counselor sign off on the recovery meeting log with the group counseling information in order to receive credit for the week's meetings.
- Participants are required to complete the Giving Back Project, letter/life story to the Judge, the Recovery Plan, and attend a Phase 1 group counseling session regardless if they intend to graduate or receive a Maximum Benefit attendance certificate. Maximum Benefit is if the probation time is going to expire before a participant eligible graduate. It represents being in good standing at the time of sentence expiration.
- All graduation/maximum benefit requirements must be submitted together in 1 packet to the DUI Court Office 15 days prior to the graduation date.
- Graduations are held every other month on the first Court date of the month. If your phase-out date is after a graduation date, but within 7 days, you will be allowed to graduate. If your completion date is outside the 7-day window, you will be listed under Complete Status. As such, you are still required to call the screen line daily and screen as required, however, that is your only DUI Court Program requirement. Your program fees are reduced to \$75.00 per month.

Note for all Phases:

- If you are contacted by the DUI Court Office to report for court even if it is not on a required date, you must appear. You can expect this notice for violations which result in community service and jail time.
- Each phase-up request will be reviewed by the DUI Court Team before allowing the phase-up. Phase ups are considered based on progress in the program, positive attitude, sobriety, and commitment to work a program of sobriety.

- Fourth Amendment Waiver home searches may occur during each phase.
- The number of meetings, etc., listed above 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.
- Participants may be referred (as identified by the Court, treatment team, or the individual participant) to individual counseling, anger management, cognitive skills classes, gender group, healthy relationships group, grief group, trauma group mental health assessments/treatment, etc. whichever is appropriate for the individual.

E. Phasing Up

Phase-Up Procedure:

1. Complete a phase-up meeting evaluation as scheduled with the Accountability Court Office; plan ahead when scheduling this appointment.
2. Complete a phase-up request form by having it signed by all parties. The form is available in the Accountability Court Office or on the DUI Court website. Submit the completed form to the Accountability Court Office at or before the phase-up meeting.
3. Provide proof of full-time employment (28 hours per week) or part-time employment and part-time school.
4. If your phase-up date falls between Court dates, the Judge may give you credit back to your “official” phase update.
5. All requirements (phase up meeting and completed phase up form with signatures) must be completed/submitted on or before your actual phase update in order to receive the maximum credit towards your phase up date.
6. You may schedule the phase-up meeting and turn in the request up to 2 weeks ahead of the intended phase-up date with all requirements satisfied.
7. Please note all requirements listed on the Phase-Up Request must be completed before the phase up is allowed.
8. You will not be allowed to phase up if you are to receive a sanction for arrears, community service, or a jail sanction on the same Court date.
9. If your phase up date is delayed more than 30 days due to sanctions, you are required to resubmit the phase-up request to the DUI Court Office (but are not necessarily required to complete the phase-up meeting again). Check with the DUI Court Case Managers to determine if the phase-up meeting is needed.
10. If you are scheduled to phase up on a Court date that is not your regularly scheduled Court date, you do not need to be present. Your phase up will be discussed by the team and you will need to contact the DUI Court Office the next day to find out the team’s decision.

11. All phase up requests will be reviewed by the team and will be granted based on things such as effort, attitude, progress, and are not necessarily guaranteed based on the amount of time in each phase.
12. All Program Fees and Probation Fees must be paid in full to phase into Open Seas.

F. Graduation/Maximum Benefits

Upon completion of Open Seas, you will be eligible for graduation or a maximum benefit certificate (if your probation term is set to expire before you can graduate). Graduation requirements must be met and turned in at least 15 days prior to your anticipated graduation date or expiration of your probation. Do not wait until the last minute to complete the requirements. The Graduation packet is located on the website or at the Accountability Court Office.

1. Complete Giving Back Project
 - a. Project Requests to be submitted to and approved by the DUI Court Case Managers.
 - b. Minimum of 24 volunteer hours. We want you to develop a unique project to give back, not just community service work.
 - c. Documentation must be verified by DUI Court Case Managers
 - d. Submit a written summary of how/why project was chosen, feelings while completing project, personal reactions after project completion.
2. Write your Life Story in letter form to the Judge regarding your progress in the DUI Court Program. The life story must be submitted to and approved by the DUI Court Case Managers and **MUST** include the following:
 - a. Background: Life before DUI Court
 - b. Arrest situation
 - c. Reflections on DUI Court successes
 - d. Reflections on DUI Court struggles
 - e. Plans/Goals for the future: personal and recovery
3. During Open Seas, you will be required to attend an Anchor group counseling session. You will receive credit for your 3 recovery meetings for that week. You must sign in on the Anchor group sign-in sheet that you attend and have the counselor sign off on your recovery log (with the group information) to receive credit for your weekly recovery meetings.
4. Complete the Graduation Request and submit to DUI Court Office.
5. You must have a minimum of 90 days of documented sobriety and 90 days with no jail sanctions to be considered for Graduation
6. All DUI Court fees, Probation fees, and Court fines must be paid in full.

7. Complete an exit interview with the DUI Court Judge (approximately 1-2 weeks before your graduation date) as scheduled with you by the DUI Court Case Managers.
8. Graduations will be conducted on the first Court date of the month every other month.

Please note, you will be allowed to graduate if your Open Seas completion date falls within 7 days of the scheduled graduation and you have 90 days of documented sobriety and no jail sanctions. If you complete all program requirements prior to the next scheduled graduation date, you will go to Complete Status. During that time, you are only required to call the screen line, screen and pay \$75.00 per month. ******Please note that if your probation sentence is set to expire prior to a graduation date, you are still required to complete all of the above requirements. All will be due 15 days prior to your sentence expiration.***

Alcoholics Anonymous meetings can be found at <http://www.aageorgia.org>
Narcotics Anonymous meetings can be found at <http://www.grscna.com>
Smart Recovery meetings can be found at <http://www.smartrecovery.org/meetings>

Twelve Steps of AA

1. We admitted we were powerless over alcohol and all other mind-altering substances and that our lives had become unmanageable.
2. Came to believe that a Power greater than ourselves could restore us to sanity.
3. Made a decision to turn our will and our lives over to the care of God, as we understood Him.
4. Made a searching and fearless moral inventory of ourselves.
5. Admitted to God, to ourselves, and to another human being the exact nature of our wrongs.
6. Were entirely ready to have God remove all these defects of character.
7. Humbly asked Him to remove our shortcomings.
8. Made a list of all persons we had harmed and became willing to make amends to them all.
9. Made direct amends to such people wherever possible, except when to do so would injure them or others.
10. Continued to take personal inventory and when we were wrong promptly admitted it.
11. Sought through prayer and meditation to improve our conscious contact with God, as we understood Him, praying only for knowledge of His will for us and the power to carry that out.
12. Having had a spiritual awakening as the result of these steps, we tried to carry this message to alcoholics/addicts, and to practice these principles in all our affairs.

-Alcoholics Anonymous, 3rd Ed., 1976

COMMUNITY RESOURCES

If you are in need of an ancillary service, please contact the DUI Court Office to initiate referral or to set up services.

Hospitals

Northside Hospital-Forsyth

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

North Fulton Regional Hospital

3000 Hospital Blvd.
Roswell, GA
770-751-2500

Laurelwood – Mental Health/Substance Abuse

200 Wisteria Drive
Gainesville, Ga
(770) 531-3800

Lakewinds – Detox/Mental Health

Gainesville, Ga
(770) 535-5412

Basic Needs

Consumer Credit Counseling
(404) 527-7630
Gainesville Baptist Rescue Mission (Men)
(770) 287-9700
Forsyth Area Transit
(770) 538-2602
My Sister's Place (Women)
(770) 532-5111
United Way
(770) 781-4110
Labor Finders
(678) 513-7328
Georgia Highlands Medical Services (fees based on income)
770-887-1668
www.ghms-inc.org

Family & Children Services
(770) 781-6700
Good News at Noon
(770) 503-1366
Housing Authority
(770) 536-1294
Salvation Army
(770) 534-7589
Driver's License Renewal
(770) 205-5401
Dial-A-Ride
(770) 781-2195

Education

Lanier Tech (Adult Education/GED) 678-341-6600
www.laniertech.edu

Crisis Lines

HELPLINE
(770) 534-0617
Georgia Council on Child Abuse
(800) 532-3208
Rape Response
(770) 503-7273

Gateway House (Domestic Violence)
(770) 536-5860
Georgia Mts. Com. Svc. (M.Health)
Emergency: (800) 347-5827
Regular Office: (770) 535-5403

Substance Abuse

Alcoholics Anonymous (Georgia)
(404) 525-3178
Drug Helpline
(800) 378-4435

Laurelwood
(770) 531-3800

Cocaine Hotline
(800) 905-8666
Forsyth County MANS/Drug Hotline
24 Hours: (770) 297-6267
(770) 531-6878
Narcotics Anonymous (Atlanta)
(404) 362-8484