



**13TH Circuit Court - Family Division
Behavioral Treatment Court
Handbook**

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PROGRAM SUMMARY

- Program lasts a minimum of six (6) months
- Program has three (3) levels
- Each level has a key concept and specific assignments to complete
- Each level must be completed before moving to the next level
- Goals will be set by participant and the Court Team
- Progress will be determined using individual goals
- Parents/guardians are required to participate in the Parent Support Group
- The Court may modify the case plan to compliment participant goals

GRADUATION

- After the successful completion of the program, a special ceremony will be held
- Family and friends are invited
- All participants are required to attend Court on graduation dates
- The Court Team honors the participant
- Each participant will be asked to speak
- Family and friends may also speak

COSTS OF THE PROGRAM

- Costs include fines and restitution and must be paid in full prior to graduation
- Costs may depend on family income and the agencies and services involved
- Payment plans can be set up
- Parents are responsible for reimbursing the court for the cost of the Parent/Guardian Support Group
- Detention, Challenge Camp, treatment facility, or jail time may also be required (parents are responsible for this cost)
- Parents are responsible for all costs of program participation in addition to those listed above

TREATMENT

- Before entering the program
 - Participant must have a doctor's diagnosis
 - Participant must have completed an assessment
- During the program
 - Participant should keep all counseling appointments
 - Participant shall follow all treatment recommendations

REVIEW HEARINGS

- Participants and a parent must attend scheduled review hearings held every other Thursday at 4:30 p.m.
- Hearing last 30-45 minutes
- The Judge will review progress and decide on appropriate rewards, penalties or changes.

TEAM MEMBERS

Honorable Melanie D. Stanton	--Judge
Kris Randall	--Probate/Family Court Administrator
Jennifer Weber	--Therapeutic Programs Manager
Cheryl Goodwin	--Intensive Probation Officer
Matthew Ferguson	--Intensive Probation Officer
John Sabatini	--Intensive Probation Officer
Amanda Steele	--GTC Assistant Prosecuting Attorney
Mark Risk	--Defense Attorney
Craig Hexham	--Individual/Family Therapist
Nancy Giles	-- Pediatric Psychologist & Court Volunteer
Marv Nordeen	--School Liaison

ALL LEVELS OF THE PROGRAM INCLUDE THE FOLLOWING

Involvement and participation of juvenile and family in:

- Bi-weekly status review hearings
- Group work and one-on-one counseling per individual goals
- Weekly contact with Probation Officer to ensure program rules and probation orders are being followed
- Attendance and positive behaviors in school or similar program
- Turning in all homework assignments
- Parent attendance and participation in the Parent/Guardian Support Group
- Finishing all tasks and assignments given by the Judge, Probation Officer, Team, and/or counselors
- Rewards and penalties based on behavior
- Before entering the program, participants must observe a review hearing

Requirements to move to next level:

- At least 60 days at each level
- Attendance and participation in group/individual counseling sessions
- Good attendance and behavior in school program; no missing school assignments
- Attendance and passing Status Review Hearings
- Penalty free for two weeks

BRONZE LEVEL: COMMITMENT

- Introduction to the program
- Begin to build basis for progress
- Learn how to commit time in the program
- Participants will complete 4 assignments throughout the phase pertaining to commitment and present them in court
 - **Assignment #1:** Introduction Letter
 - **Assignment #2:** Commitment/Goals Assignment
 - **Assignment #3:** Goal For It Worksheet
 - **Assignment #4:** Application for Advancement

SILVER LEVEL: EFFORT

- Continue progress made in Bronze level
- Continue to work on goals and plans
- Focus on building self-control
- Learn individual strengths and needs
- Build support for help to lead a positive, healthy life
- Continue to improve behavior at home, in school, and in the community
- Participants will complete 4 assignments throughout the phase pertaining to effort to be presented in court
 - **Assignment #1:** The Outcome of Effort
 - **Assignment #2:** Effort Examples
 - **Assignment #3:** Goal For It Worksheet
 - **Assignment #4:** Application for Advancement

GOLD LEVEL: ACHIEVEMENT

- Maintain progress made in Silver Level and move focus to finishing the program
- Learn tools needed to improve their lives and to finish the program
- Continue to make good lifestyle choices
- Look for a job or join after school activities
- Pay off court costs and fines
- Continue good attendance and behavior in school, including no missing assignments
- Continue to attend and participate in support programs and counseling
- Participants will complete 4 assignments throughout the phase pertaining to achievement to be presented in court
 - **Assignment #1:** Goal For It Worksheet
 - **Assignment #2:** What is a Champion?
 - **Assignment #3:** Develop a plan for continued success
 - **Assignment #4:** Graduation Application will be presented in court - Participants must also write a statement of encouragement for current participants. Present your statement in court at the end of your presentation.

BEHAVIORAL TREATMENT COURT - SUMMARY CHART

LEVELS	KEY CONCEPT	REVIEW SESSIONS	PROBATION CONTACTS	TREATMENT SESSIONS	MINIMUM ADVANCEMENT CRITERIA
Bronze Level	Commitment	Bi-weekly	Must have weekly contact with PO	At least 4 sessions per month	60 day; all phase assignments completed; Penalty free for 2 weeks; Team recommendation for advancement
Silver Level	Effort	Bi-weekly	Must have weekly contact with PO	Decided by therapist and Team	60 days; all phase assignments completed; Penalty free for 2 weeks; Team recommendation for advancement
Gold Level	Achievement	Bi-weekly	Must have weekly contact with PO	Decided by therapist and Team	60 days; all phase assignments completed; Penalty free for 2 weeks; Team recommendation for advancement
GRADUATION	Upon successful completion of all three levels of the program and completing all other Court requirements, participants will graduate from the Behavioral Treatment Court Program.				
Parent/Guardian Expectations	Parents are required to attend the Parent Support Group while their child is in the program. Parents will attend the Parent Support Group on the weeks their child has a Status Review Hearing.				

RULES

SEATING

- Participants will sit near family and /or support person anywhere in the courtroom
- The Court Team will sit in the Jury Box

ATTENDANCE

- Participants are expected to be on time
- A twenty-four (24) hour notice should be given when participant is unable to keep appointment
- Penalties may be given for being late or failing to attend

LANGUAGE AND BEHAVIOR

- Enforced in the courtroom, parking lot, waiting area, and the hallway outside the courtroom
- Inappropriate language is not allowed including:
 - No swearing
 - No references to alcohol or drug use
 - No racist, sexist, violent, or other offensive language
- Aggressive behavior is not allowed
- Horseplay will not be tolerated
- No talking during the hearing
- No touching, hugging, or patting others

DRESS CODE

- The Family Court - Juvenile Division Dress Code Policy must be followed
- Hats and chewing gum should be removed before entering the courtroom
- Clothing should be neat and clean
- Clothing with offensive material (bad language, sexually suggestive statements, gang, drug symbols) should not be worn

RESPECT FOR THE COURT AND ADULTS

- Participants and parents should treat others with respect
- Failing to be respectful will be addressed by the Judge and the Team

POSSIBLE REWARDS

- Reinstating previous privileges
- Gift/event certificate
- Mention in court of progress, including applause
- Moving to the next level
- Certificates of accomplishment

POSSIBLE PENALTIES FOR FAILURE TO MET PROGRAM GOALS

- Mention in court by Judge
- Loss of free time
- Loss of privileges
- Additional homework assignments
- Community service work (If community service work hours are given as an immediate sanction, the hours need to be completed within 4 days of being assigned. Verification of hours must be turned in to the probation officer.)
- More meetings with Probation Officer
- In home detention (House Arrest)
- Letters of apology
- Writing essays on topics such as honesty, accountability, and influential person, etc
- Serving time in the court's holding room
- Electronic GPS tether monitoring
- Detention (secure and non-secure)
- Residential treatment program
- Challenge camp
- Removal from the program

REASONS FOR REMOVAL FROM THE PROGRAM

- Failure to attend counseling appointments
- Positive drug screen
- New court involvement/petitions
- Behavioral Treatment Court contract failure
- Leaving a court ordered program without permission
- Failure to attend school
- Any violation of probation or bond
- Weapons possession
- Violation of rules as to dress, language, behavior, or disrespect
- Repeated failure to follow treatment plan
- Physical violence
- Threatening or assaulting another participant or court staff member

PROGRAM PROGRESS EVALUATION

- If a participant is failing to show progress in any area and/or violates orders of their probation, there is a two-step process that enables the team to evaluate possible removal from the program.
- Step 1 is a Program Conference Review that is scheduled between the participant, parent/guardian, probation officer, and Therapeutic Program Manager to address the concerns of the participant and any supports that can be put in place to resolve the concerns.
- Step 2 is a Program Violation Notice that is scheduled between the participant, parent/guardian, Judge, probation officer, and the rest of the Behavioral Treatment Court Team. Potential removal from the program could result from this meeting.
- Step 3 is a formal probation violation hearing may be scheduled if steps 1 and 2 are not followed.

DRUG TESTING PROGRAM POLICY AND PROCEDURE

All juveniles under the jurisdiction of the 13TH Circuit Behavioral Treatment Court Program are required to submit to random drug/alcohol tests as directed by Probation Officers, as recommended by their counselor or as set forth by their Behavioral Treatment Court Plan.

Court procedure dictates that a urine specimen shall be collected by *Body to Bottle Observation*. This requires the screener to be in direct view of the collection ensuring the specimen bottle is in site at all times and watches as the specimen leaves the donors body and enters into the approved specimen collection bottle. Tests will be administered and observed by a Probation Officer or Court designee. Staff may also request that the youth report/submit for testing at Addiction Treatment Services, or another treatment agency, which follow the court's body to bottle observation method.

The process for collecting specimens is as follows:

1. Ask individual to empty pockets – make note of items in comment section
2. Ask individual to wash hands – using court provided soap/paper towels
3. Individual shall pull his/her pants to the floor
4. Individual shall pull his/her under garments to the floor
5. Drug Screener – Watch individual urinate into the cup
6. Have individual put lid on cup and tighten - observe them while they are completing this process
7. Have individual put Security Label over the top of the cup – have individual place Chain of Custody label around the front of the cup. Individual places cup into the baggie, tears off the tab, and seals the bag in front of the collector.

Staff may schedule testing times at the Probation Department offices or conduct unannounced tests at the juvenile's home, school, or wherever necessary. Staff will communicate test results or any lack of compliance to the Behavioral Treatment Court Team each week.

Missed tests, dilute and/or positive tests will result in a program violation; sobriety days will be reset, and additional consequences may be imposed.

Failure to submit a sample within 30 minutes of request will be treated as a refusal. A positive test in any Behavioral Treatment Court Phase will result in the Behavioral Treatment Court Team evaluating whether more help is needed (such as residential placement, more intensive outpatient counseling or other services). The Judge may also decide that time in detention is necessary to help stop drug-using behaviors.

Behavioral Treatment Court participants shall not possess, use or consume alcohol or illegal drugs or any substance (whether legal or illegal to possess) for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, or dulling of the senses or nervous system. Participants may not intentionally smell or inhale fumes of any substance or intentionally drink, eat or otherwise introduce any substance into his/her respiratory or circulatory system. The participant shall not associate with people that are illegally using alcohol, using illegal drugs, or involved in the use of any substance as outlined above. The participants shall not possess over the counter medications and shall only use over the counter medications with direct permission from a parent. The participant shall not possess any drug paraphernalia. The parents shall provide to the probation officer a list of all prescriptions, vitamins, supplements, and over the counter medications being administered to the participant. Additionally, the parents shall notify the Probation Officer of all subsequent changes in prescriptions, vitamins and supplements. Probation Officers shall be told of any routine use of over the counter medications and/or dosage levels of said medications. The parents shall notify the probation officer within 24 hours of administering any over the counter medication to the participant.

Sanctions for failed tests are imposed at the discretion of the Behavioral Treatment Court Judge/Team.

13th JUDICIAL CIRCUIT COURT

**BEHAVIORAL TREATMENT COURT
PARTICIPATION AGREEMENT**
HONORABLE MELANIE D. STANTON

Youth _____ and Parent or Legal Guardian _____

Hereby request entry into the **GRAND TRAVERSE COUNTY BEHAVIORAL TREATMENT COURT** and understand that this Program is voluntary and if accepted into this Program, agree to follow the rules and conditions or be subject to possible sanctions set forth. I understand that references to the Behavioral Treatment Court program may appear on legal documents and court orders.

In consideration of the promise listed above, it is therefore agreed between the above named youth, parent or legal guardian, Prosecuting Attorney and the Grand Traverse County Behavioral Treatment Court Judge, the following terms and conditions:

1. Admission to the Program for a minimum of 6 months and abide by all Program rules and conditions;
2. I will comply with my treatment plan and actively participate in all phases of treatment;
3. I will sign a "client release of information authorization" to allow communication between the treatment provider and the Court;
4. I will take medications as prescribed by treatment provider or attending physician;
5. I will be placed on house arrest for a minimum of 30 days;
6. I understand that upon acceptance into the program, all privileges, such as having friends over to my house, phone use, computer use, use of I-pods, I-pads, tablets, video games, etc are removed and I will be placed on house arrest (additional case specific privileges may also be added to this list). I will have the opportunity to regain privileges back at the bi-weekly Behavioral Treatment Court status review hearing or at the probation officer's discretion by demonstrating rule compliance;
7. I will not use drugs or alcohol (including marijuana, synthetic drugs, narcotic drugs or prescription medications), or any mood altering chemicals unless prescribed by a doctor. I will submit to observed, random drug and alcohol screens as requested;
8. I will attend all status review hearings as ordered by the Court;
9. I will engage in open discussions with the Judge as to my progress in the treatment program;
10. I will report to Juvenile Probation Officer as directed and abide by all rules and orders of the Court;
11. I will violate no criminal laws;
12. I will not associate with any youth or adult, with the exception of an immediate family member, who is on probation with District or Circuit Court unless for the purpose of school, employment or a court sanctioned activity;
13. I will participate in additional counseling and/or education programs as recommended by the Behavioral Treatment Court Team. This may be individual, with my family, or both;

14. I waive my Fourth Amendment right to have a warrant issued before a search or seizure is executed of my person, residence or other property possessed or occupied by me;
15. I understand that if I violate program rules, I will face consequences as decided by the Judge with input from the Behavioral Treatment Court Team. Consequences can range from a verbal warning to discharge from the Program. Examples include written assignments, community service work, house arrest, tether and detention;
16. I will be regular in attendance in school, complete all assignments and shall not receive any out of school suspensions;
17. I will be obedient to my parents and follow all rules set forth by them;
18. I will abide by curfews as agreed upon jointly with my parents, Probation Officer and the Behavioral Treatment Court Team;
19. I will have ten (10) days of secure/non-secure detention held in abeyance (or if I am 17, jail), to be served at the discretion of the Behavioral Treatment Court Coordinator/Team. Any additional days to be served require a court hearing;
20. I understand that I may be required to serve 5 days in the secured Holdover Room of the Court, to be held in abeyance and utilized at the discretion of the Juvenile Probation Department. This room is monitored by sight and sound surveillance through the Juvenile Division. This procedure will provide safety for the youth prior to or subsequent to Court hearings, pending transport, and for emergency situations where there is a substantial likelihood of public safety endangerment;
21. If restitution is owed I agree to pay all restitution costs, in the amount specified by the prosecuting attorney's office, to the court for forwarding to the victim. (Restitution owed \$_____);
22. If not accepted into the Behavioral Treatment Court Program, this matter shall be set for a Review Hearing;
23. I have had the Behavioral Treatment Court Program explained to me. I fully understand this Contract and freely and voluntarily agree to the terms contained with the Contract. I also understand that the program is designed to last a minimum of six (6) months, and may be extended based on delayed progress.

Minor

Date

Parent/Legal Guardian

Date

**AUTHORIZATION FOR DISCLOSURE OF CONFIDENTIAL INFORMATION:
BEHAVIORAL TREATMENT COURT**

I, _____, authorize, Grand Traverse County Behavioral Treatment Court Team to disclose to, and discuss with, the following persons or organizations or their designees:

- | | |
|--|---|
| <u>Judge Melanie D. Stanton, 13th Circuit Court</u> | <u>Kris Randall, Probate/Family Court Administrator</u> |
| <u>Craig Hexham/Nexus Family Services</u> | <u>Matt Ferguson, Probation Officer</u> |
| <u>Northern Lakes Community Mental Health</u> | <u>Addiction Treatment Services</u> |
| <u>Amanda Steele, Senior Attorney – PAO</u> | <u>Mark Risk, Defense Attorney</u> |
| <u>Jennifer Weber, Therapeutic Programs Manager</u> | <u>Redwood Toxicology Labs</u> |
| <u>Pine Rest Children’s Clinic</u> | <u>Marv Nordeen/TBA ISD</u> |
| <u>Department of Health & Human Services</u> | <u>All approved court employees and interns</u> |
| <u>Nancy Giles – Child Psychologist & Court Volunteer</u> | <u>Wraparound</u> |
| <u>John Sabatini, Probation Officer</u> | <u>Cheryl Goodwin, Probation Officer</u> |

the following information: eligibility and/or acceptability for treatment services; treatment attendance, prognosis and compliance; general progress and compliance with Behavioral Treatment Court rules and orders, including but not limited to: compliance with probation requirements, drug screen results, school attendance and performance.

The purpose the disclosure authorized herein is to: **permit the participants of a case conference to exchange information with one another concerning my case.**

I understand that this consent will remain in effect and cannot be revoked by me until there has been a formal and effective termination on my involvement with the Behavioral Treatment Court program.

I understand that the Behavioral Treatment Court Status Review Hearings are open hearings and information regarding my participation in the program will be discussed in court in front of other participants and their parent(s).

I understand that any disclosure made is bound by the Code of Federal Regulations Title 42, Part 2, governing confidentiality of alcohol and drug abuse patient records and the Code of Federal Regulation, Part 45, Parts 160 and 164 Health Insurance and Portability and Accountability Act (HIPAA) governing protected health information.

(Date)

(Signature of participant)

(Date)

(Signature of parent, guardian)

PARENT/GUARDIAN EXPECTATIONS

Parents play an essential role in their child's success in the Behavioral Treatment Court Program. Parental support and active participation is an important part of the program. Parents of Behavioral Treatment Court participants are required to:

1. Attend, cooperate, and actively participate in **all** Behavioral Treatment Court Status Review Hearings.
2. Make arrangements for your child to get to court, therapy, and probation meetings.
3. Allow the Probation Officer to enter your home and conduct investigations and/or searches.
4. Maintain a drug free and alcohol free home (children learn by example).
5. Submit to random drug and alcohol screens as requested by the Probation Department/Probation Officer.
6. Inform the Behavioral Treatment Court and/or Probation Officer of any violations of their child's conditions of probation, the contract, or other Court Orders.
7. Attend Parent Support Group
 - a. Parents/guardians are required to attend a Parent Support Group while their child is involved in the Behavioral Treatment Court Program. The Parent Support Group will provide parents support and education.
 - b. The Parent Support Group will be approximately 1 ½ hours in duration and will be held on Thursdays following the Status Review Hearings at Nexus Family Services' office.
 - c. Parents/guardians are required to attend the Parent Support Group on the weeks that their child has a scheduled Behavioral Treatment Court Status Review Hearing.
 - d. **Attendance at the Parent Support Group is mandatory.** If unable to attend the Parent Support Group, parents/guardians must contact their child's probation officer in advance and receive the Courts permission to be excused.
8. The Judge may impose sanctions against a parent/guardian for failure to comply with the Parent/Guardian Expectations. If a parent/guardian does not comply, a Show Cause Hearing may be scheduled and he/she may be held in Contempt of Court. **If a parent/guardian is found to be in Contempt of Court, sanctions that may be imposed include, but are not limited to, their child being dismissed from the program and losing the benefit of any plea agreement, additional services being ordered, writing assignments, fines, reinstatement of oversight fees, attendance at Al-Anon meeting, community service work and jail.**

I have read and understand the Behavioral Treatment Court Parent/Guardian Expectations.

Date

Parent/Guardian

Parent/Guardian

JUVENILE AND PARENT HIPAA NOTIFICATION FORM

Confidentiality of Behavioral Treatment Court Participant Records

The confidentiality of Behavioral Treatment Court participant records maintained by the Program is protected by Federal law and regulations. Generally, the Program may not say to a person outside the Program that a juvenile participant attends the Program, or disclose any information unless:

- (1) The participant consents in writing;
- (2) The disclosure is allowed by a court order; or
- (3) The disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit, or program evaluation.

Violation of the Federal law and regulations by a Program is a crime. Suspected violations may be reported to appropriate authorities in accordance with Federal regulations.

Federal law and regulations do not protect any information about a crime committed by a juvenile participant either at the Program or against any person who works for the Program or about any threat to commit such a crime.

Federal laws and regulations do not protect any information about suspected child abuse or neglect from being reported under State law to appropriate State or local authorities.

The undersigned hereby affirm that they have read the above Notification Form and understand that provisions contained therein.

Juvenile Participant's Signature

Date

Parent's Signature

Date

BEHAVIORAL TREATMENT COURT – PHASE ASSIGNMENTS

Phase I – Bronze Level: Commitment

- Participants will complete 4 assignments throughout the phase pertaining to commitment to be presented in court
 - Assignment #1: Introduction Letter
 - Assignment #2: Commitment/Goals Assignment
 - Assignment #3: Goal For It Worksheet
 - Assignment #4: Application for Advancement

Phase II – Silver Level: Effort

- Participants will complete 4 assignments throughout the phase pertaining to effort to be presented in court
 - Assignment #1: The Outcome of Effort
 - Assignment #2: Effort Examples
 - Assignment #3: Goal For It Worksheet
 - Assignment #4: Application for Advancement

Phase III – Gold Level: Achievement

- Participants will complete 4 assignments throughout the phase pertaining to achievement to be presented in court
 - Assignment #1: Goal For It Worksheet
 - Assignment #2: What is a Champion?
 - Assignment #3: Develop a plan for continued success
 - Assignment #4: Graduation Application will be presented in court – Participants must also write on a piece of paper a statement of encouragement for current participants. Present your statement in court at the end of your presentation.