

IN THE SUPERIOR COURT OF FORSYTH COUNTY
STATE OF GEORGIA

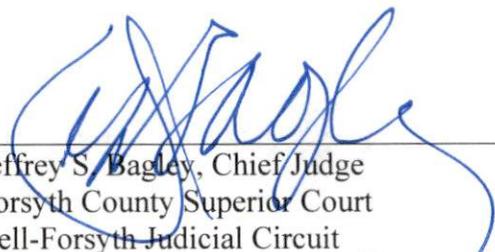
ADMINISTRATIVE ORDER 23-10

IN RE: MENTAL HEALTH COURT

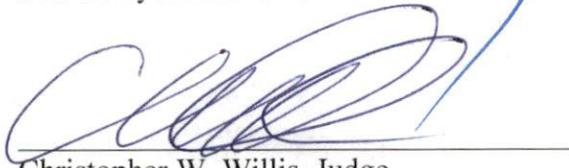
ORDER AMENDING
ADMINISTRATIVE ORDER 22-11

The *Mental Health Court Policies and Procedures* were amended by agreement of the members of the Mental Health Court Planning Group and accepted on 19th of October, 2023, approved by the Court on said date and shared with participants in court on the 2nd of November, 2023. The most current *Mental Health Court Policies and Procedures* are on file with the Clerk of the Forsyth County Superior Court, which are available for review during normal business hours. This order shall be considered as an addendum to Administrative Order 14-2.

SO ORDERED, this 6th day of November, 2023.



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



Christopher W. Willis, Judge
Forsyth County Superior Court
Bell-Forsyth Judicial Circuit
Designated to sit as presiding Superior Court Judge under
Administrative Order 14-3

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



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

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

INTRODUCTION

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

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

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

This is a mental health treatment program that is typically 24 months in duration and consists of five phases. Length of program participation cannot exceed the maximum possible statutory sentence for the underlying charge. The goal of the program is to link individuals with mental health treatment services, and if needed, substance abuse treatment in addition to community resources that will allow them to live a healthy, productive life and reduce/eliminate future involvement with the criminal justice system.

PLANNING GROUP COMMITTEE

PURPOSE:

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

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

MEMBERS:

- Honorable Christopher Willis, State Court Judge, Mental Health C.A.R.E. Program Judge, Attended State Conference in September 2023
- Jennifer Scalia, Assistant District Attorney, Attended State Conference in September 2023
 - Adam Keller, Assistant Solicitor General, Attended State Conference in September 2023
- Shelese Amos-Carter, Criminal Defense Attorney, Attended State Conference in September 2023
- Jennifer Johnston, Accountability Courts Director, Attended State Conference in September 2021
- Carol Simpson, Accountability Courts Assistant Director, Attended State Conference in September 2023
- Ellie Slater, CARE Program Clinical Case Manager, Attended State Conference in September 2023
- Sergeant Terry Hawkins, Forsyth County Sheriff's Office, Attended State Conference in September 2021
- Deputy Alec Snyder, Accountability Court Law Enforcement Officer, Attended State Conference in September 2023
 - Avita Treatment Representative
- Jonathan Carrasco-Lebron, Department of Community Supervision, Felony Probation Representative, Attended State Conference in September 2023
- Carolyn Moore, Georgia Probation Management, Misdemeanor Probation, Attended State Conference in September 2021

CONTINUING EDUCATION REQUIREMENTS:

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

Attorneys: 12 hours of CLEs/year
Counselors: 35 hours of CEUs/biennially
Probation Officers: 20 hours of POST credit/year
Law enforcement: 20 hours of POST credit/year

STEERING COMMITTEE:

A committee comprised of court officials, community organizations, healthcare providers, social service agencies, education providers, and business leaders will meet a minimum of twice per year to review the progress of all Accountability Courts in Forsyth County. Additionally, this committee is tasked with connecting Accountability Courts with appropriate services available in the community, assisting in educating the community on Accountability Courts, aiding Accountability Courts in securing additional funding for ancillary services for indigent participants, etc.

MISSION STATEMENT

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

GOALS AND OBJECTIVES

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

STRUCTURE/MODEL

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

Court Description

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

The Forsyth County Mental Health C.A.R.E. Court will typically meet every other Thursday of the month at 10:30 a.m. and Status Review meetings will take place prior to court each session at 8:30 a.m.

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

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

Status Review Meetings

Status Review meetings (typically held every other Thursday of the month at 8:30 a.m.) will include the presiding Judge, the District Attorney's Office, the Solicitors Office, the Mental Health Court C.A.R.E. Clinical Case Manager, the Treatment Provider representative, Law Enforcement representative, Misdemeanor and Felony Probation Services representative, and an appointed Defense Bar representative. If the presiding Judge is not available another Accountability Court Judge will be utilized or court will be cancelled. The Mental Health Court C.A.R.E. Office, Probation Services and the Treatment Providers will communicate weekly on all participants' progress and any issues that need immediate resolution will be brought to the team. The Judge and team shall minimize discussion of protected health information, and otherwise private information, in an open court setting, even where a participant has executed a HIPAA waiver.

STAFFING AND RESPONSIBILITIES

JUDGE'S ROLE

The C.A.R.E. Program Judge is a vital member of the C.A.R.E. Team. The dedicated C.A.R.E. Program Judge will be committed to serving for at least two years. The C.A.R.E. Program Judge presides over all court hearings, attends all status review meetings, and reinforces therapeutic interventions through the application of legal sanctions and incentives. The Judge will strive to speak to each participant individually for an average of 3 minutes or more at each review. All sanctions will be immediate and will specifically address the participant's noncompliance. The C.A.R.E. Program Judge has knowledge of the impact of mental illness and substance abuse on the court system, the lives of participants, and the entire community and is, therefore, committed to the Program mission and goals, and works as a lead partner to ensure its success. One way the C.A.R.E. Program Judge leads is through assisting the Treatment Team in developing policies and procedures for the program. In the courtroom, the Judge develops a personal, working relationship with each participant while monitoring participant progress.

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

The Judge may authorize assistance from other Judges when unable to conduct court. All Judges must be allowed/designated to preside over the felony program.

PROSECUTORS ROLE

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

DEFENSE ATTORNEY'S ROLE

The C.A.R.E. Program Defense Attorney represents most participants in the Program. The Defense Attorney's role is to evaluate the defendant's legal situation and ensure that his/her legal rights are protected. Additionally, the Defense Attorney effectively advises the defendant on his/her legal rights, legal options, treatment options, program conditions, and sentencing outcomes while developing a relationship with the defendant that promotes his/her long-term best interest. The Defense Attorney will also communicate with the defendants' attorney regarding the C.A.R.E. Program. They also monitor participant progress and ensure the appropriate provision of treatment and other rehabilitative services. The Defense Attorney attends staff meetings to discuss possible candidates for the program and to determine appropriate sanctions and incentives for current participants. The defense attorney will reach out to participants with pending jail time sanctions to discuss their sanction prior to court unless Clinical Case Manager reports concern for this information being provided at this time. In these unique cases, the participant will be told once they are inside the courtroom for

court. Like the Prosecutor, the Defense Attorney also contributes to educating the community and assists in educating peers, colleagues, and judiciary in the effectiveness of C.A.R.E. The defense attorney attends quarterly planning group meetings and provides input from a legal perspective related to the screening, eligibility, and case-processing.

LAW ENFORCEMENT'S ROLE

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

PROBATION

A representative from Department of Community Supervision as well as Professional Probation Services attend status review meetings and court sessions. The Probation representative will be the liaison between the Probation department and the CARE Program. These representatives will provide updates to the court. The liaisons 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 CARE Program that meet the eligibility requirements and have at least thirty 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 Officer may conduct alcohol and drug screens on participants.

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 CARE Program; provide staff oversight; provide community outreach and resources for the program; and, they oversee treatment and ensure fidelity to the curriculum. Other responsibilities include coordinating continuing education for staff and stakeholders, and chairing meetings of the C.A.R.E. Program Team.

CLINICAL CASE MANAGER

The CARE Program Clinical Case Manager is 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 Clinical Case Manager is the "central clearinghouse" for all information and communication for the staff, team, and participants. The Clinical Case Manager maintains participant records, including, but not limited to, residence, employment, and treatment updates; they manage all participant files and update these files; they can administer drug and alcohol screens; and, they schedule and distribute the CARE Program spreadsheet to the team. They also update the team in between staffing by email with any significant events which occur.

The C.A.R.E. Program Clinical Case Manager is responsible for overseeing the operations of the program under the direction of the Director and Assistant Director. The Clinical Case Manager provides programmatic information to all those involved in the facilitation of the program to ensure monitoring and evaluation.

The Clinical Case Manager meets individually with each participant and helps to provide linkage to resources such as vocational rehabilitation, housing, benefits, food pantries, education services, etc. based upon their individual needs. The Clinical Case Manager is also responsible for maintaining and updating all of the case management system and participant treatment plans. The Clinical Case Manager monitors participant

compliance and coordinates treatment services and makes appropriate referrals for services. The Clinical Case Manager prints certificates for phase ups and graduation. He/she maintains log of court-imposed sanctions and ensure compliance by adding sanctions/incentives/leaves to each participant's file.

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

MENTAL HEALTH TREATMENT TEAM

The mental health provider conducts individual and group therapy for the participants in the program, attends all treatment team meetings, and reports participants' progress in treatment. The provider maintains active contact with the CARE Program Clinical Case Manager in order to ensure the continuity of care.

ELIGIBILITY CRITERIA

Eligible participants will meet the following criteria:

- Documented history of severe and persistent mental health diagnosis
 - Presence in United States is legally documented
- Live in Forsyth County or an adjacent county to Forsyth (subject to approval)
 - At least 18 years old
- Current involvement in the legal system with charges related to mental illness
- Not taking any Opiates, Benzodiazepines, Amphetamines, Sedatives, or any other addictive medications
 - Probationers with a minimum of 30 months left on their sentence
- Defendants convicted of intent may be considered after 5 years from arrest date; referral still within prosecutor discretion
- Must have at least 12 months since graduation, termination, or discharge from an accountability court and then will be considered on a case by case
 - Cases will be considered on a case by case basis

We provide a safe, welcoming, and supportive environment for all people and promote an area of growth for each person who enters our programs. We will create a therapeutic environment that broadens our understanding and appreciation of multiculturalism and diversity. We will be respectful of all people regardless of race, religion, gender identity, sexual orientation, political views, etc.

DISQUALIFICATION CRITERIA

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

- Violent charges which include but are not limited to murder, armed robbery, aggravated child molestation, vehicular homicide, aggravated sexual battery, kidnapping, rape, voluntary manslaughter, child molestation, child exploitation, possession of child pornography, sexual battery of a minor, cases involving strangulation, and statutory rape
- Involvement in sale or distribution of illegal drugs, based on law enforcement intelligence within last 5 years
 - Any trafficking convictions in lifetime (regardless of First Offender Act)
 - No affiliation or association with any gang or other criminal enterprise
- Taking any Opiates, Benzodiazepines, Amphetamines, Sedatives, or any other addictive medications
 - Primary diagnosis of developmental disorder or traumatic brain injury
 - Under the age of 18

ENTRY PROCESS

CLINICAL SCREENING/EVALUATION PROCESS/IN CUSTODY TIME

Individuals are screened for clinical eligibility based on an extensive clinical interview and completion of a symptom checklist. The referral completes the Bio/Psycho/Social, TCU Drug Screen II, Modified Mental Health Screening Form, BASIS, and TCU Criminal Thinking Short Form to determine ASAM level of treatment. The LS-CMI is administered to determine risk/needs of each referral. Our contracted treatment provider administers these assessments and makes clinical recommendations as well as establishes an individualized treatment plan. In addition, releases are signed so collateral information can be obtained from mental health hospitals, primary care physicians, psychiatrists, and community mental health treatment providers. All of the aforementioned information is presented in staffing to determine if the referral meets the clinical eligibility criteria into the Program. The Clinical Case Manager enters all clinical evaluation results into the case management system.

During the referral process, the individual is evaluated for clinical eligibility. Participants must be assessed as moderate to high risk for re-arrest with moderate to high treatment needs. If at any point during the referral process the question of competency is raised by a clinician, attorney, or any other team member, the referral process is halted. The individual is immediately referred to the appropriate legal avenues for evaluation and competency restoration.

Every effort is made to have a potential participant enter the program within 30 days of the referral. The only delays in this length of time for entry is ensuring we have appropriate medical documentation confirming diagnoses and previous treatment; or, in the situation listed below.

Individuals who previously declined CARE Program will be discussed on a case by case basis.

Our Clinical Case Manager makes every effort to work with their legal counsel during the review process to expedite this process. Once all information has been received and the potential participant has been deemed a clinical fit, we schedule them to enter the program at the nearest court date.

REFERRALS

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

A defendant is referred to the Program and a legal screening is conducted by the Assistant District Attorney or the representative from the Solicitor's Office assigned to the Team. If the person is deemed ineligible at any point, a treatment recommendation and referral is made and the individual is denied entry into the C.A.R.E. Program. One of the goals of the team is to link individuals to treatment resources in the community so these referrals would be made at the time of denial into the program. If the person is eligible following the legal screening, a clinical assessment is conducted to deem clinical eligibility for the program. Before the clinical screening, each potential participant has an opportunity to meet with the Defense Attorney to discuss terms of participation and participant handbook. If they are interested in the program the clinical screening will follow. The clinical eligibility includes a diagnosis of an Axis I severe and persistent mental illness. The individual cannot have a primary substance abuse, developmentally disabled, or traumatic brain injury diagnosis. The current legal involvement has to be linked to the mental illness in some way to be deemed clinically eligible. A candidate must have their residency verified prior to entry into the program. This verification will be done by

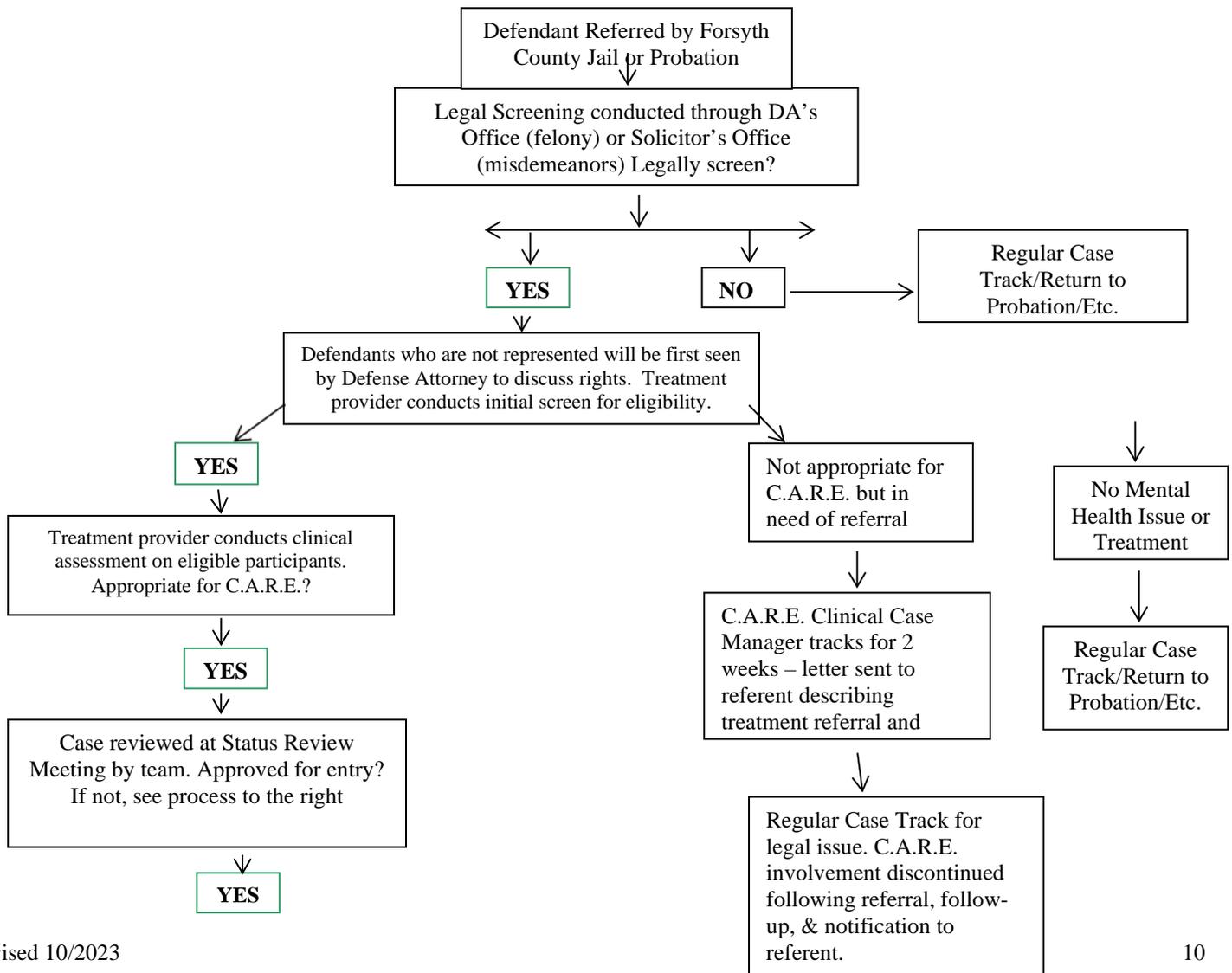
the Accountability Courts Law Enforcement Officer. The court will consider referrals who require and are interested in residential treatment to enter without a verifiable address in Forsyth County on a case by case basis.

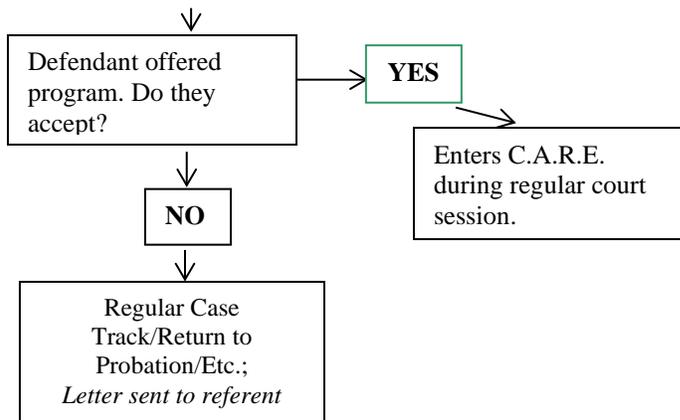
Transfers in and out of the program are considered on a case by case basis. These are considered prior to entry into the program. In order for a person to be eligible to transfer into our program from another county they must have a viable residence in Forsyth County. They must go through a legal screening prior to the clinical screening. The transferring county must be willing to transfer the entire case or the prosecutor must agree to supervise the case by way of a transfer order. Transfers out of the program are for supervision only and will be legally and clinically screened in our county. Once the legal screening takes place the potential participant will report for a clinical screening with the treatment provider.

If on felony probation in another jurisdiction, the assigned probation officer will communicate with said jurisdiction to determine cooperation with entry into CARE Program. Refusal by said jurisdiction results in the defendant not being referred legally. Any pending felonies must be closed by the defendant. Misdemeanors may have to be closed and will be managed on a case by case basis.

If the participant is eligible legally and clinically, the case is presented to the C.A.R.E. Program Team at the status review meeting. All known issues are discussed and a determination of entry will be made. Those who are offered the program and accept will be admitted in court at the next session, and all entrance paperwork is completed. If an individual is not referred to the program the defense attorney will explain this to the individual and make a referral to Indigent Defense. The entrance diagram follows:

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





Once they enter the program, they are required to report to our CARE office the following morning and complete an orientation. They will be given a participant handbook and acknowledgement form. They are scheduled to start treatment services upon entry once the admission process is complete.

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

CONFIDENTIALITY

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

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

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

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

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

Any important information which comes up between status review hearings will be emailed out to members of the team as needed.

RECOVERY MEETING REQUIREMENTS

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

LEAVE REQUESTS

Leave requests must be submitted in writing (on the proper request form) to the C.A.R.E. Office two weeks in advance. All requests must be submitted to the C.A.R.E. Office Monday by 5:00 pm before the next Court session. Requests will be reviewed the Court date before the anticipated leave. Participants in Phase 1 will not be granted leave for any reason other than emergencies and/or documented court appearances, etc. Participants in Phase 2, 3, 4 and 5 will be granted 2 leave requests per phase and will be limited to a maximum of three days. The participant will be allowed to miss 1 group/individual counseling session during each leave request, but will be required to make the group/individual session up by the next C.A.R.E. court session unless otherwise directed by the C.A.R.E. Office. The participant will be required to provide written documentation of the make-up session and the documentation is to be signed off on by the treatment team leader. Lastly, the participant will be required to submit to an EtG upon returning from the leave. The participant must contact the C.A.R.E. Office to schedule the screen. No leave requests will be granted for out of the country travel. These requests are apart from any emergency, subpoena, court appearance, etc.

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

MEDICAL LEAVE/MATERNITY LEAVE

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

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

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

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

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

EMPLOYMENT

Participants will be required to maintain full-time or part-time employment while in the C.A.R.E. Court Program unless that participant is unable to work based on disability or enrolled full-time in school. If a participant is unable to get a job and/or maintain a job they may be referred at the discretion of C.A.R.E. Staff to Vocational Rehab or put on a daily job search. Participants are not allowed to work in any establishment with open pour alcohol.

PHASES OF TREATMENT

The Forsyth County Mental Health Court C.A.R.E. Program is a minimum of 24 months in duration for felony cases and a minimum of 18 months in duration for misdemeanor cases. The program consists of five phases. Phase 1 is the Stabilization Phase, Phase 2 is the Early Recovery Phase, Phase 3 is the Maintenance Phase, Phase 4 is the Preparation Phase, and Phase 5 is the Aftercare Phase. Each participant completes an individualized treatment plan upon entry into program. This plan is updated prior to each phase move.

Each participant is required to complete a Phase Up Review with the Clinical Case Manager prior to phasing up. The treatment plan will be updated at each review. Restitution payments should be addressed at Phase Up Review beginning in Phase 2. Failure to pay restitution could delay a participant from phasing up.

Phases will be as follows:

- Phase 1: comply with treatment plan; 1 approved recovery/community support meeting/week if dual-diagnosis for a minimum of 3 months (felony) or 2 months (misdemeanor); weekly individual counseling; meet with Psychiatrist and start meds; attend C.A.R.E. Court twice per month; 30 days without a positive or missed screen or without jail time sanctions to transfer to Phase 2; find employment or enroll in Vocational Rehab or if disabled apply for SSI; remain productive with time; find stable housing; comply with random drug screening; curfew from 10:00 p.m. to 5:00 a.m.; review handbook and pick 5 things which stand out to you and present them to the group prior to phase move; attend an introductory session/meet and greet/tour at The Connection
- Phase 2: comply with treatment plan; 1 approved recovery/community support approved meeting if dual-diagnosis/week for a minimum of 6 months (felony) or 5 months (misdemeanor) & obtain sponsor, mentor, or peer recovery coach & begin working steps if required; maintain medication compliance and meet with Psychiatrist; individual as recommended by treatment; set 5 personal life goals; attend C.A.R.E. Court twice per month; 60 days without a missed or positive screen and/or jail time sanctions and med compliance for 60 days to transfer to Phase 3; maintain stable housing; find employment or continue involvement with Vocational Rehab; start paying restitution if applicable and deemed appropriate; be productive with time; comply with random drug screening; curfew from 10:00 p.m. to 5:00 a.m.
- Phase 3: comply with treatment plan; 2 approved recovery/community support meetings/week if dual-diagnosis for minimum of 6 months (felony) or 5 months (misdemeanor) ; maintain medication management and meeting with Psychiatrist; individual as recommended by treatment; attend C.A.R.E. Court twice per month; 90 days without a positive or missed screen or jail time

sanctions days med compliance to transfer to Phase 4; comply with random drug screening; maintain stable housing and employment; be current with restitution, if applicable; curfew 12 a.m. to 5:00 a.m.

Phase 4: comply with treatment plan; 2 approved recovery/community support meetings/week if dual-diagnosis for minimum of 5 months (felony) or 3 months (misdemeanor); maintain medication management and meeting with Psychiatrist; individual as recommended by treatment; attend C.A.R.E. Court one time per month; 90 days without a missed or positive screen and/or jail sanction and 90 days med compliance to transfer to Phase 5; comply with random drug screening; maintain stable housing and employment; be current with restitution, if applicable; curfew 12 a.m. to 5:00 a.m.

Phase 5: comply with treatment plan; 3 approved recovery/community support meetings/week if dual-diagnosis for a minimum of 4 months (felony) or 3 months (misdemeanor); complete letter to Judge & 20 hour Giving Back Project; comply with random drug screening; 90 days without a missed or positive screen and/or jail time sanctions; maintained stable employment and housing; individual as recommended by treatment; attend C.A.R.E. Court once per month; be current with restitution, if applicable; curfew 12 a.m. to 5:00 a.m.; if a person's completion date is within 30 days of the designated graduation date, they are eligible for graduation; participants are eligible to move into completion status once their eligibility date arrives if there is no graduation date set within the 30 day window and all requirements for graduation have been met. While on completion status the participant is only required to continue to check the screen line and screen as directed and follow any directions from the Accountability Court Office.

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

*Each phase will be randomly drug-tested a minimum of twice per week throughout the program.

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

*Law Enforcement home visits may occur during each phase.

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

TERMINATION CRITERIA

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

- A new arrest/charge
- Substituting or otherwise tampering with a drug/alcohol screen, which may include continuous dilution of drug screens
- Chronic non-compliance evidenced by, but not limited to, continued use, multiple missed groups, failure to follow program requirements or poor attitude
- Being AWOL from the program

- Threats/violence toward other participants or any C.A.R.E. Court staff member
 - Possessing a firearm
- Submitting forged documents to the court
 - Recording court or group session

GRADUATION CRITERIA

The following criteria must be completed **thirty days** prior to graduation date (unless otherwise specified by the C.A.R.E. Court Office). Graduations will occur quarterly at the first court session of the month after completion of court.

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

MAXIMUM BENEFIT CRITERIA

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

SANCTIONS, TREATMENT RESPONSES, INCENTIVES, AND GENERAL GUIDELINES

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

MEDICATION NON-COMPLIANCE

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

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

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

DRUG/ALCOHOL SCREEN VIOLATIONS

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

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

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

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

****In the event a single urine sample tests positive for more than one substance the results shall be considered as a single positive drug test****

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

First Positive with Admission

- Admonishment from Bench
- Meet with Clinical Case Manager and follow any recommendations

First Missed/Positive with Denial

- 4 hours community service work
- Meet with Clinical Case Manager and follow any recommendations

Second Positive with Admission

- 8 hours Community service work
- Recovery team meeting (case management & treatment team member) and follow recommendations

Second Missed/Positive with Denial

- Overnight in jail
- Recovery team meeting (case management & treatment team member) and follow recommendations

Third Positive with Admission

- Overnight in jail
- Level of care assessment and follow recommendations

Third Missed UDS/Positive with Denial

- 1 day in jail
- Level of care assessment and follow recommendations

Fourth Positive with Admission

- 1 day in jail
- Level of care assessment and follow recommendations

Fourth Missed/Positive with Denial

- 2 days in jail
- Level of care assessment and follow recommendations

Fifth Positive with Admission

- 2 days in jail
- Level of care assessment and follow recommendations

Fifth Missed/Positive with Denial

- 4 days in jail
- Level of care assessment and follow recommendations
- Termination discussion

Sixth Missed/Positive with Admission

- 3 days in jail
- Level of care assessment and follow recommendations
- Termination discussion

Sixth Missed/Positive with Denial

- 6 days in jail
- Level of care assessment and follow recommendations
- Termination discussion

Seventh Missed/Positive with Admission

- 4 days in jail
- Level of care assessment and follow recommendations
- Termination discussion

****Participants will have a clean slate after completion of Phase 2 and will start at the 3rd missed/positive in the progression.****

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

EtS is the control and is set at 250 ng/mL or above to be considered a positive.

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

DILUTION/SUBSTITUTION/ADULTERATION

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

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

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

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

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

SANCTION GUIDELINES

Diluted Screen:

- 1st Offense = Education with Clinical Case Manager (does not hold from phasing forward) and 14 day food intake journal
- 2nd & 3rd Offense = Sanction in progression same as positive screens with denial

Adulterated Screen:

- 1st Offense = 1 day in jail & education with Clinical Case Manager & 14 day food journal (counts in progression)
- 2nd Offense = 2 days in jail & possible termination (counts in progression)
- 3rd offense= 3 days in jail & possible termination (counts in progression)

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

Use of Substances w/o approval (including filling a prescription without permission)

Non mood or mind-altering

- 1st time=Admonishment from the bench, therapeutic response
- 2nd time=increased treatment or meet with Clinical Case Manager
- 3rd time=24 hours in FCDC
- 4th time=48 hours in FCDC

Mood or mind-altering

- 1st time=Increased treatment
- 2nd time= 4 hours CSW
- 3rd time= 2 days in FCDC
- 4th time= 4 days in FCDC

Mind or mood-altering substances are defined as any drug that can produce mood changes and/or distorted perception. Use of any mind or mood-altering substance which includes, but is not limited to, designer drugs, synthetic marijuana, Kratom, bath salts, etc., regardless of chemical compound will be sanctioned as a use (not use of over-the-counter without permission)

Drug Screening Protocol Infractions

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

- Sanction as a Missed Screen.

Late to Screening

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

Failure to sign in on screening Sign in Sheet

- 1st time=4 hours CSW
- 2nd time=8 hours CSW
- 3rd time=16 hours CSW

Failure to Circle Admit/Deny on Sign in Sheet

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

GROUP AND/OR INDIVIDUAL COUNSELING VIOLATIONS

Missed Group (defined as 16 or more minutes late)

- 1st time= Admonishment from the bench, apology to treatment provider, and clean up duty at Accountability Court Office or Department of Community Supervision
- 2nd time=check in with Clinical Case Manager by next court date & 8 hours Community Service Work
- 3rd time= check in with Clinical Case Manager and attend an additional community support meeting by next court date & overnight in jail (Review attendance record & team to discuss)
- 4th time- Discuss residential or termination

Missed Individual Counseling (defined as 16 or more minutes late)

- 1st time= Admonishment from the bench, apology to treatment provider, and clean up duty at Accountability Court Office or Department of Community Supervision
- 2nd time=check in with Clinical Case Manager by next court date & 8 hours Community Service Work
- 3rd time= check in with Clinical Case Manager and attend an additional community support meeting by next court date & overnight in jail (Review attendance record & team to discuss)
- 4th time- Discuss residential or termination

Missed Psychiatrist Appointment (defined as 16 or more minutes late)

- 1st time= Admonishment from the bench, apology to treatment provider, and clean up duty at Accountability Court Office or Department of Community Supervision
- 2nd time=check in with Clinical Case Manager by next court date & 8 hours Community Service Work
- 3rd time= check in with Clinical Case Manager and attend an additional community support meeting by next court date & overnight in jail (Review attendance record & team to discuss)
- 4th time- Discuss residential or termination

Late To Group (defined as up to 15 minutes)

- 1st time=Admonishment & letter of apology to provider
- 2nd time=clean up duty for 1 hour at ACO or DCS, apology to group and treatment provider, come an hour early for group and fill out calendar with case manager
- 3rd time= 4 hours CSW

Late To Individual Session (defined as up to 15 minutes)

- 1st time=Admonishment & letter of apology to provider
- 2nd time=clean up duty for 1 hour at ACO or DCS, apology to group and treatment provider
- 3rd time= 4 hours CSW

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

- 1st time- 2 days in jail
- 2nd time- Team to discuss

RECOVERY/COMMUNITY SUPPORT MEETING VIOLATIONS

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

SANCTIONING GUIDELINES:

Meeting log lacks proper documentation

- 1st time- Instructional meeting with Clinical Case Manager.
- 2nd time- Complete assignment given by Clinical Case Manager.

Late community support logs (Phases 3 and up start at 2nd tier)

- 1st- Admonishment
- 2nd- Meet with Case Manager to go over requirements and complete a calendar
- 3rd- 4 hours CSW
- 4th- Team discretion

Missed community support group meetings

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

PROBATION VIOLATIONS

Missed Probation Meeting

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

C.A.R.E. WORK PROGRAM

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

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

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

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

Failure to notify Clinical Case Manager by the next business day:

- 1st time=4 hours CSW
- 2nd time=8 hours CSW

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

Insufficient proof of employment:

- 1st time=4 hours CSW
- 2nd time= 8 hours CSW
- 3rd time=16 hours CSW

No job

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

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

JOB SEARCH POLICY

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

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

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

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

- Failure to notify Clinical Case Manager of the loss of employment or school by the next business day = Admonishment
- For missing Job Search = Referral to Jumpstart, Avita Supportive Employment, or Vocational Rehab

CARE COURT VIOLATIONS

Court Dress Code Violations

- 1st time=Verbal Warning by Clinical Case Manager
- 2nd time=4 hours of csw
- 3rd time=8 hours of csw

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

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

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

- 1st time=Admonishment from the bench
- 2nd time=4 hours csw

Unexcused Absence from Graduation

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

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

1st time=Admonishment from the bench

2nd time=4 hrs csw

Recording another participant in court = 1st) 3 days in jail subject for immediate arrest & termination discussion

Recording yourself in court = 1st) overnight in jail subject for immediate arrest & termination discussion

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

OTHER VIOLATIONS

Energy Drinks/Fermented Drinks (Kombucha Tea, etc)

- 1st = Nutritional meeting with Clinical Case Manager
- 2nd = 8 hours csw
- 3rd = 24 hrs in jail

Harassment of Staff/Peers

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

Incomplete CSW

- 1st time= Complete the original amount and meet with Clinical Case Manager to discuss success plan
- 2nd time= Double the original amount
- 3rd time= Team to discuss

Forged Log

- 1st- 3 days in jail
- 2nd – Team to discuss; may result in termination

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

- 1st time= admonishment from the bench, apology letter to Clinical Case Manager, and 1 hr clean up duty
- 2nd time = 8 hrs community service work
- 3rd time = overnight in FCDC
- 4th time = Discuss residential or termination

Late to Case Manager Check In (defined as up to 15 minutes late)

- 1st time- Admonishment
- 2nd time- Clean up duty & apology letter to case manager
- 3rd time- 8 hours CSW

Sanction Due Dates

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

- 1st time= 1 day in jail
- 2nd time= 2 days in jail
- 3rd time=4 days in jail
- 4th time= Termination discussion

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

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

Failure to comply with a home or phone search = 7 days in jail

Contraband found in house/on person/in vehicle

- Alcohol (first time) = **(found in house)** 8 hours CSW and paper on effects of alcohol on the body and adverse interaction with medications

- (first time) **(found in car or on person)** 1 day in jail
- Alcohol (second time) = team to discuss
- Vaping devices to include all e-cigarettes, all supplies, and all accessories
 - 1) Overnight in jail, paper on negative effects of the drug and adverse interaction with medications
 - 2) Team to discuss
 - 3) Team to discuss
- Vaping liquids/juices/oils = Treat as drug paraphernalia
- Drug Paraphernalia=overnight in jail, paper on negative effects on the drug and adverse interaction with medications
- Possession of mood-altering substances/substances not approved by the court:
 - 1) Admonishment
 - 2) 4 hours CSW
 - 3) Overnight in jail
 - 4) Team to Discuss
- Knife (or straight blade/razor) = up to 48 hours in FCDC
- Ammo = up to 48 hours in FCDC
- Firearms = 2 days in FCDC to termination
 - Includes all firearms regardless of age/size/location
 - Using modified language from Federal Firearms Definitions 18 U.S. Code § 921, the term “firearm” means
 - Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or provides an electrical charge;
 - The frame or receiver of any such weapon;
 - Any firearm muffler or firearm silencer; or
 - Any destructive device.
 - The term “destructive device” means –
 - Any explosive, incendiary, or poison gas –
 - Bomb
 - Grenade
 - Rocket having a propellant charge of more than four ounces;
 - Missile having an explosive or incendiary charge of more than one-quarter ounce,
 - Mine, or
 - Device similar to any of the devices described in the preceding clauses;
 - Any type of weapon by whatever name known which will, or which may be readily converted to expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and
 - Any combination of parts either designed or intended for use in converting any device into any destructive device as described in the paragraphs above and from which a destructive device may be readily assembled.
 - Nerf guns which clearly look like children’s toy guns are permitted once approved by Accountability Court Law Enforcement Officer.

Contact Violations

- Participants are not to have contact with other participants outside of court related business, requirements, or court sanctioned events. Communications including but not limited to, sexting, having contact of a sexual nature, distributing photographs that may be deemed inappropriate, or communications that are otherwise inappropriate for a court setting, etc. Participants are also not to have contact with persons on probation and/or parole, convicted felons, known drug users or drug dealers, people incarcerated in any institution, without advance permission

of the court. There is a form to request contact which must be turned in to the court prior to staffing and/or court. This request includes spending time with or staying with or requests to become roommates. This request cannot be submitted until Phase 2 of the program.

- 1st time = 4 hours CSW
- 2nd time = 8 hours CSW
- 3rd = 1 day in jail
- 4th = 3 days in jail
- 5th = presumed termination

- If directly told by judge not to have contact = team discretion
- If you become aware another participant has entered the program who you have known in the past you must notify the program within 24 hours.

Failure to notify us within 24 hours

- 1st=4 hours CSW
- 2nd= 8 hours CSW
- Communication and association between or among 2 or more participants is limited to CARE Court business, CARE Court requirements, and CARE Court sanctioned events in Phases 1 and 2. In Phases 3-5, participants may hang out together, so long as it is not in a participant's home or in an establishment that serves alcohol. No physical relationships are allowed.
- Attempting to or alerting another participant of actual or perceived investigative activity by drug court personnel or their agents (including, but not limited to law enforcement)
 - 3 days in jail to termination

Address Verification

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

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

Failure to provide vehicle information to CARE office within 2 business days of possessing/changing vehicles- Admonishment

Being in possession of more than one phone without approval of CARE Office

- 1st- 2 days in jail
- 2nd- Team discretion

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

Failure to report contact with law enforcement (by end of next business day) =

- 1st- 4 hours CSW
- 2nd- 8 hours CSW & write an essay on the importance of obeying the law and/or following the instructions of the court
- 3rd- Overnight in jail

Curfew Violation

Curfew is required in Phase 1 & 2 from 10:00 p.m. to 5:00 a.m. and midnight in Phases 3 and 4.

Revised 10/2023

- 1st violation=Admonishment & earlier curfew (9:00 pm for Phases 1 and 2, 11:00 pm for Phases 3 and 4) until further direction of the court
- 2nd violation=8 hours of csw and team to discuss earlier curfew
- 3rd violation=16 hours of csw and team to discuss earlier curfew

Major Traffic Violations including but not limited to DUI, speeding 24 miles or over the speed limit, racing, aggressive driving, reckless driving, fleeing & attempting to elude, driving while license is suspended, hit & run, duty upon striking a fixed object, hitting an unattended vehicle, open container, and laying drag

- 1st violation= 5 days FCDC up to termination
- 2nd violation= 10 days FCDC up to termination
- 3rd violation= 14 days FCDC & possible motion to terminate; Relinquish license to the Judge until completion of Defensive Driving

(Minor traffic citations such as seatbelt violation, speeding ticket under 24 miles over the limit, failure to yield will not be addressed)

NEW CHARGES/OFFENSES

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

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

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

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

****CARE Program staff will notify the team of any law enforcement calls for service for any participant in the program within 24 hours of incident/report of incident. CARE Program staff will notify team members immediately of any arrests for any participants. An emergency staffing will be conducted as soon as possible to discuss any necessary response prior to court. If a participant is in violation of the program which could result in new charges these responses will be decided on a case by case basis. Participants are aware they are to obey all rules and laws and any violation of these (even if no arrest is made) will be addressed by the court.**

AWOL (ABSENCE WITHOUT LEAVE)

The purpose of this policy is to provide a fair and equitable sanctioning process for individuals who have entered into the C.A.R.E. Program but go absent without leave (AWOL). Participants who go AWOL are presumed terminated and will be considered on a case by case basis. Should the prosecuting attorney decide to move to terminate a participant; the participant will be served with notice of termination. The participant has

the right to be represented by counsel at the hearing. Should an indigent participant contest the termination an attorney will be appointed by Indigent Defense. The court will hold a termination hearing within 30 days unless otherwise agreed by counsel. If the pre-adjudication participant is terminated from the program, then sentencing will take place. If the probation participant is terminated from the program, then a revocation order will be entered.

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

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

THERAPEUTIC/TREATMENT RESPONSES

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

EtS (under 250 ng/mL)

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

90 in 90

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

RESIDENTIAL/ITP

Expectations:

Clinical Case Manager must obtain a monthly report from the residential provider which shows the number and results of drug screens over the last month. The Clinical Case Manager must communicate and confirm that the participant is required to be engaged in mental health treatment. Each participant in residential must be seen by Accountability Courts surveillance at least once throughout their length of stay. Participants in residential will attend court quarterly at which time their treatment plan is reviewed. At the 11-month mark, the Clinical Case Manager will start transition discussion with provider and develop a plan. If participant requests to stay in aftercare in residential facility they must make this request of the court at this time.

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

Re-entry into program:

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

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

Fast Track:

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

Termination/Discharge from residential:

If a participant leaves residential for any reason, they must report to the Accountability Courts Office by 9:00 am on the following business day and must be present at the next court session. Any sanction imposed will be determined on a case by case basis including, but not limited to, admonishment, community service work, jail time, or termination.

INCENTIVES

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

“Tell me something good in court”

Special recognition and draw from the candy bowl

Participant of the Month- one chosen by treatment and one chosen by peers

Can choose a gift card and/or program incentive

Sanction Roll Off Incentive

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

Sanction Free Monthly Awards

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

6 month Sanction Free Awards

1st to go in court and one extra day of leave

Completion of MRT or other recommended curriculum

Certificate, acknowledgement, and pick from the candy bowl

Accountability Court Limited Permit (ACLP)

Participants are eligible to request an ACLP after 28 days of documented sobriety and/or 28 days after release from jail, whichever is later. A Limited Permit form must be turned in by the participant to their case manager.

CSW Credits

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

Phase 1 completion=50 hours csW credit

Phase 2 completion=50 hours csW credit

Phase 3 completion=50 hours csW credit

Phase 4 completion=50 hours csw credit
Victim Impact Program (VIP)=20 hours csw credit if applicable
DUI School/ RRS=20 hours csw credit if applicable
OR:
Family Violence Intervention Program=20 hours csw if applicable

Total=240 hours csw credit

Court Fine Credits

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

Graduation With NO Sanctions

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

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

Transfer to Another County

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

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

TREATMENT PROTOCOL

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

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

An individualized treatment plan is set for each participant and they receive their schedule when they enter. While in the program, participants will engage in evidence-based curricula such as Matrix Early Recovery Skills, MRT, Criminal and Addictive Thinking, Staying Quit, etc. When said curricula involves workbooks or worksheets, these will be provided by the Accountability Court Office. It is the responsibility of each individual participant to keep up with and bring workbooks and/or worksheets to group sessions. There are also many specialty groups which will be offered and/or required as participants progress through the program. These groups include Anger Management, Untangling Relationships, Self-esteem, Dialectical Behavior Therapy, Healthy Relationships, and other identified topics.

TREATMENT EXPECTATIONS

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

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

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

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

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

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

Other expectations will be outlined in the Participant Handbook.

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 3 of this manual.

SUPERVISION PROTOCOL

Throughout the program participants are subject to quarterly searches of their person, vehicle, residence, workplace, phones, etc., by law enforcement pursuant to their waiver of 4th Amendment Rights. The participant must have a searchable house/room. During such searches, deputies may perform breathalyzers, search phones, look in refrigerators, open cabinets, etc., to determine if the participant is in possession of drugs or alcohol and in compliance with the program rules. If a participant tests positive for alcohol/drugs during a search, the deputy will notify the Accountability Court Office and the participant will be required to attend the next CARE Program session where sanctions may be imposed. Additionally, if illegal drugs, drug paraphernalia, or other contraband is located, the participant may be arrested on new charges or face sanctions, which may result in termination from the CARE Program. When law enforcement attempts to complete a search, they must be allowed to enter the residence. Law enforcement will also complete curfew checks throughout the program.

PROBATION PROTOCOL

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

CARE PROGRAM OFFICE PROTOCOL

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

CASE FILE PROCEDURES

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

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

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

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

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

CASE TRACKING PROCEDURES

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

1. Ensuring that all education and treatment sessions, meetings, and hearings are documented in the participant's file.
2. Ensure that the file includes all contracts, drug tests, referrals, case notes, case reviews, and results of court appearances.

CASE CLOSING PROCEDURES

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

Graduated, Terminated, Maximum Benefit, Transfer, or Discharge

PARTICIPANT REQUIREMENTS

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

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

- 9) The treatment provider will continually evaluate and report information about attendance, participation, and progress to the C.A.R.E. Office each week.
- 10) Participants must not use alcohol and/or illegal drugs. A medical doctor must authorize any prescription medication and the C.A.R.E. Program Clinical Case Manager must give approval before consuming any medications. The expectation of the program is that the participant will try non-narcotic, non-addictive medications first and use addictive medications **ONLY** if it is the last viable medical alternative according to the participant's doctor and must be submitted to the C.A.R.E. Program Clinical Case Manager in writing by the doctor. Abstinence is a necessity to remain involved in the Program. Regular, random drug and alcohol testing will be required. A positive reading will lead to sanction and a return to court for non-compliance. Refusal or inability to submit to a test or missing a test will be considered a positive test and be sanctioned as such.
- 11) Participants must report any changes in home address, place of employment, and work/home telephone number in writing within 24 hours of the change to the C.A.R.E. Office. These changes must be reported in writing to the Treatment Provider, the C.A.R.E. Office, and the Probation Officer.
- 12) Missing treatment or court will be excused in emergency situations only. Emergency situations are defined as:
 - a) Death in the family (as specifically defined in the Participant Handbook), or illness which must be verified in writing by a physician.
 - b) Family emergency, which must be verified in writing by appropriate parties involved.Participants must have prior approval from the C.A.R.E. Program Clinical Case Manager for class or Court absence. If a participant misses a scheduled group meeting, counseling appointment, or C.A.R.E. Court session and has notified the C.A.R.E. Office by telephone, this absence will not be excused until written documentation is provided verifying the absence. In addition, the written excuse must be in the C.A.R.E. Office a minimum of 24 hours of missing the session.
- 13) Participation in the Forsyth County Mental Health Court C.A.R.E. Program will require attendance at outside support group meetings, and will require documentation on a log that will be issued by the C.A.R.E. Office. The participant is responsible for the accuracy of the log and who signs off on the log. Another Court participant cannot sign off on the log if they are leading the group. The log needs to be signed off on by someone else. Only one meeting per day will be credited towards program requirements, and "banking" of the meetings will not be allowed. Only originals of the Recovery log will be accepted; no copies.
- 14) Participants will not be allowed to cohabitate together whether they are romantically involved or not. This includes participants from any other Accountability Court. Exceptions will be made for participants who enter the program that were married prior to entering the program.
- 15) Confidentiality is of the highest importance in treatment. The identity of other group members and any personal information they may share during the group sessions is confidential and may not be disclosed to anyone without the written permission of the person it pertains to. Violation of confidentiality will lead to sanctions and possible termination.
- 16) Failure to satisfy any of the previously stated terms will result in the participant's case being returned to the Court for appropriate action.

TESTING PROTOCOL

For the duration of the client's participation in the C.A.R.E. Program, it is their responsibility to check daily to determine if they are required to drug or alcohol test that day. Drug/Alcohol testing is performed on a random basis; however, a breath or urine specimen may be required at any time. Testing can occur on holidays and weekends. **Participants must call the screening line at 800-494-1250 each day to check on required drug testing and times. Participants may also do a web-based check-in at <https://drugtestcheck.com>. In the event that, for any reason, they cannot access this information by phone, it is their responsibility to report to the treatment facility during scheduled drug/alcohol testing hours. Regular drug/alcohol testing hours are Sun-Sat 6am to 9 am.**

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

1. Participants must sign-in at arrival for the drug screen and must indicate an admission or denial (on the sign-in sheet) of use prior to submitting the screen and grant permission for confirmation of results if appropriate. This will be the participant's only opportunity to admit or deny use of alcohol or drugs. If a participant does not sign the sign-in sheet (regardless of whether the participant was actually there and tested), the participant will be sanctioned. **Honesty is a crucial component for recovery and participation in the Forsyth County C.A.R.E. Court Program. Self-disclosure of use will be considered by the court when sanctions are imposed.** The participant should not admit use if he/she is taking a medication that has been approved by the C.A.R.E. Court Office.
2. Only one participant is allowed in the testing area at a time. A staff member must accompany participants at all times during the drug screening process.
3. Participants must make sure that they hand their specimen to a staff member and watch them put the participant's label on the bottle/screen.
4. Participants will not be allowed to leave the testing facility or drink excessive fluids until a specimen is received. It is recommended that participants not drink excessive fluids 2 hours prior to screening.
5. A staff member of the same sex must always witness the sample being given.
6. Participants must not carry purses, coats, bags, etc. into the testing area.
7. Shirt sleeves should be rolled up to the elbow and clients may be required to remove additional clothing to ensure validity of specimen.
8. The test cup must contain a minimum of 1/3 level to be adequate for testing.

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

All collected specimens are sent directly to Abbott. Contracted lab enters results, which are communicated electronically to the case management system. Any initial positives are confirmed through LCMS or GCMS.

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

BASIC NEEDS

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

CRISIS LINES

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

SUBSTANCE ABUSE

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