

WARREN COUNTY RECOVERY COURT PROGRAM DESCRIPTION



WARREN COUNTY COMMON PLEAS COURT
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PREAMBLE

The following is a Program Description of the Warren County Recovery Court (hereinafter Recovery Court). Recovery Court is a specialized docket adopted and administered by the General Division of the Warren County Common Pleas Court and its Recovery Court Coordinator under authority of Sup. R. 36.20-36.29, Specialized Docket Standards, Appendix I Rules of Superintendence, and Local Rule 9.01.

The Recovery Court Judge shall preside over this specialized docket.

CHAPTER 1: POLICIES AND PROCEDURES

Mission Statement

The mission of Recovery Court is to enhance community safety and restore productive law abiding citizens by breaking the cycle of drug and alcohol addiction. Recovery Court will provide a court-managed monitoring program that assists participants with a substance use disorder diagnosis in developing a sober lifestyle through evidence-based intervention and treatment in a non-adversarial setting as an alternative to traditional case processing. Recovery Court will strive to transform these offenders into positive, contributing members of the community thereby closing the “revolving door” to the criminal justice system.

Agreement Among the Relevant Parties

Recovery Court is a program for persons who qualify for specialized programming as part of a condition of their community control or intervention in lieu of conviction (“ILC”) plan. The primary function of Recovery Court is to ensure that participants live a drug free, productive life. While participants are in the program, the judge, treatment staff, and Warren County Court Services (probation) department monitor their success. The Recovery Court Judge, county prosecutor, public defender, Recovery Court Coordinator, Court Services Department, Warren County Children Services, law enforcement, and various licensed treatment providers have all agreed to the terms and conditions of the Warren County Recovery Court Program as set forth in this program description.

Advisory Committee

Partnerships are an essential component of the specialized docket court model, as they enhance credibility, bolster support, and broaden available resources. The specialized docket model is designed and dependent upon a strong team approach. The cooperation of multiple agencies and community organizations, otherwise known as the relevant parties, have come together to develop an agreement setting forth the terms of the specialty court docket known as Recovery Court. This document is the result of collaboration, development and review of Recovery Court by the Advisory Committee members.

In order to have a comprehensive and collaborative program, the Recovery Court program works in conjunction with the Recovery Court Advisory Committee. The Advisory Committee consists of the Recovery Court Judge, who attends and serves as chairperson, the Recovery Court Coordinator, representatives from the Warren County Court Services Department, representatives from the Warren County Mental Health and Recovery Services Board, representatives from the Warren County Prosecutor's Office, representatives from Warren County Children Services, representatives from Ohio Means Jobs, a defense attorney, representatives from Warren County's law enforcement, representatives from treatment providers including Talbert House, Solutions and Recovery Defined, and the Warren County Court of Common Pleas Court Administrator.

The Advisory Committee meets regularly to review and provide input into Recovery Court's policies, procedures, and operations. The Advisory Committee serves as the policy-making authority for Recovery Court, and reviews the legal and clinical eligibility criteria, discharge criteria, the target population, use of graduated sanctions and incentives, treatment resources, financial expenditures and funding resources, and consults with the treatment team on whether or not the Recovery Court program is meeting its goals and objectives.

Treatment Team

The Recovery Court program treatment team consists of the Recovery Court Judge, Magistrate, Recovery Court Coordinator, representatives of the program's treatment providers, an employment services officer, job developer, vocational rehabilitation counselor, Warren County Court Services probation officers, a representative from the Warren County Prosecutor's Office, a defense attorney, and a representative from Warren County Children Services.

The treatment team is responsible for implementing the daily operations of the Recovery Court program. For consistency and stability in the program, treatment team members agree to serve on the treatment team for a minimum of one year.

The Recovery Court Judge attends and chairs the treatment team meetings.

Goals and Objectives

The Ten Key Components

The National Association of Recovery Court Professionals has identified ten key components for successful Recovery Courts. These elements, as set forth below, are considered essential to a Recovery Court's success and the Warren County Recovery Court strives to incorporate all of them:

- 1) Recovery Courts integrate alcohol and other drug treatment services with justice system case processing.
- 2) Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
- 3) Eligible participants are identified early and promptly placed in the program.
- 4) Recovery Courts provide access to a continuum of alcohol, drug and other related treatment and rehabilitation services.
- 5) Abstinence is monitored by frequent alcohol and other drug testing.
- 6) A coordinated strategy governs Recovery Court responses to a participants' compliance.
- 7) Ongoing judicial interaction with each program participant is essential.
- 8) Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
- 9) Continuing interdisciplinary education promotes effective program planning, implementation and operations.
- 10) Forging partnerships among Recovery Courts, public agencies, and community-based organizations generates local support and enhances a Recovery Court's effectiveness.

Goals and Objectives

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| Goal: | Assist participants to lead a clean and sober lifestyle. |
| Objective: | Participants shall abstain from abusing illegal drugs and prescription medications, which shall be monitored through random/observed drug testing. |
| Goal: | Enhance the community and public safety by reducing recidivism. |
| Objective: | Participants shall be supervised by Warren County Adult Probation Department to ensure additional crimes are not committed. |
| Goal: | Assist participants to obtain stable housing. |
| Objective: | 80% of participants maintain secure permanent housing. |
| Goal: | Assist participants in obtaining and maintaining stable employment. |
| Objective: | 80% of participants maintain long-term, stable employment. |

Goal: Increase or maintain successful completion rate for RECOVERY COURT clients.
Objective: At least 45% of participants will successfully complete RECOVERY COURT program.

Participation Agreement and Participant Handbook

Recovery Court utilizes a written Participation Agreement and Participant Handbook, which detail the rights and responsibilities of the participant in the program. These documents provide an explanation of the rules and regulations of the program, including conduct required for compliance with the program and the consequences of noncompliance, including termination from the program.

Each Recovery Court participant reviews the Agreement and Handbook with his/her defense attorney and must sign the Participation Agreement acknowledging understanding of the rules before formally being accepted into the program.

Courthouse Closure Procedure

In the event the courthouse closes or restricts public access due to fire, flood, tornado, pandemic, or other catastrophic event, each participant will be given instructions on how to continue satisfying his/her Recovery Court requirements. These instructions may include drug testing at a different location, completing online sober support meetings, and attending treatment sessions, office visits, classes, or status review hearings electronically. The participants will receive 48 hours' notice of any modifications to their Recovery Court requirements due to courthouse closure before those modifications go into effect. After 48 hours, the failure to comply with any of the modified Recovery Court requirements shall result in sanctions.

CHAPTER 2: TARGET POPULATION

Target Population

Recovery Court serves Warren County residents and approved residents of peripheral counties who suffer from drug and/or alcohol dependency that has contributed to the commission of his/her charges and offense(s), and who require more intensive court-monitored treatment in order to enhance his/her ability to lead a law-abiding life.

A participant must meet legal and clinical criteria as outlined below.

Legal Criteria

Written legal eligibility criteria is collaboratively developed, reviewed, and agreed upon by the Advisory Committee. In order to participate in Recovery Court, the offender must meet the following criteria:

- The offender must be 18 years of age or older
- The offender is a resident of Warren County or a surrounding county
- The offender is eligible for community control (probation or intervention in lieu of conviction)
- The offender has no criminal history of violent behavior
- The offender's charges must meet the following conditions:
 - No felonies of the 1st or 2nd degree
 - No sex offenses
 - No offenses of violence
 - No drug trafficking offenses
 - No burglary offenses
 - No crimes involving a child victim
 - No aggravated vehicular homicide, vehicular homicide, or aggravated vehicular assault offenses
 - No felony OVI offenses
 - No offenses requiring a mandatory prison term
 - No offenses involving corrupting another with drugs
 - No offenses involving the illegal administration or distribution of anabolic steroids
- The offenses involved are directly related to substance abuse and the offender is determined to be a drug and/or alcohol dependent person that would benefit from treatment.

If the offender is seeking Recovery Court in connection with his/her Intervention in Lieu of Conviction (ILC) plan, he/she must also satisfy the criteria listed in Ohio Revised Code Section 2951.041.

Clinical Criteria

After the determination of legal eligibility in Recovery Court, clinical eligibility is considered. Written clinical eligibility criteria is collaboratively developed, reviewed and agreed upon by the Advisory Committee. Recovery Court is an intensive program reserved for offenders who require more services than traditional community control can provide. Each case is reviewed individually, and potential participants are assessed as to the risk they pose to the safety of the community. In order to participate in Recovery Court, the offender must meet the following clinical standards:

- Have a substance use disorder identified through screening and assessment with one of Recovery Court's treatment providers.
- The current and/or past criminal behavior is substance use driven.

- The offender demonstrates a willingness not to take any medication that is determined by the Recovery Court treatment team as being addictive, including but not limited to benzodiazepines and opiate-based medications.
- If the offender has been identified as having a mental illness, then he/she must be willing to take medication as prescribed.

Capacity

Recovery Court can effectively monitor and treat up to thirty (30) offenders at any given time. Should the number of participants go over thirty (30), a co-facilitator would be needed.

Voluntary Participation Criteria

Participants must agree to comply with all the terms of the program. It is a program where participants are required to have medical appointments, counseling sessions, probation appointments and status hearings. Potential participants must be ordered into the program, but their participation is voluntary. If an individual is unwilling to comply with the program rules, regardless of a court order, the individual will be excluded. Potential participants will not receive a harsher court penalty for choosing not to participate in the program. These individuals will be considered for other court programs as decided upon by the assigned judge.

CHAPTER 3: PROGRAM ENTRY AND CASE FLOW

STAGE 1: Identification / Referral Process

Identification of potential participants for Recovery Court is the first step for an offender to enter Recovery Court. Once the offender has been charged with a felony that meets the eligibility criteria through the Warren County Court of Common Pleas, a referral may be done at any time throughout the court proceedings. The procedure may be informal and could come from probation officers, pretrial officers, presentence investigators, defense counsel, the prosecutor, or the judge.

STAGE 2: Application

An offender who is interested in participating in Recovery Court must submit, through his/her attorney, an application to the Recovery Court Coordinator. The application must be completely filled out and signed by the defense attorney, or the applicant will be rejected. Once a completed application is received, a Recovery Court team member reviews the application for compliance with legal criteria. If deemed appropriate, the applicant will be referred for a triage.

The application may be obtained from the Recovery Court Coordinator, a Warren County Common Pleas Court Bailiff, or online via the Warren County Common Pleas Court website.

Stage 3: Triage and Preliminary Eligibility

If an applicant satisfies the program's legal criteria, he/she will be referred for a triage, which will help determine whether the applicant meets the clinical criteria outlined above.

Upon completion of the triage, the Recovery Court treatment team shall provide a written report to the assigned judge that the application is or is not preliminarily eligible for Recovery Court.

STAGE 4: Resolution of Pending Criminal Proceedings

An offender may be admitted into Recovery Court through one (1) or more of the following four (4) methods:

- Intervention in Lieu of Conviction
- Condition of probation following Sentencing
- Condition of probation following a Probation violation
- Condition of probation following Judicial Release

If the offender is preliminarily eligible to enter into Recovery Court, the assigned judge shall dispose of the pending criminal proceedings involving the offender.

INTERVENTION IN LIEU OF CONVICTION. The assigned judge shall accept the offender's plea of guilty, grant the motion for intervention in lieu of conviction and establish a treatment plan for the offender. The treatment plan shall include a provision which requires the offender, if accepted, to enter into and successfully complete Recovery Court.

TERM OF PROBATION. The assigned judge shall sentence the offender, modify the terms of the offender's probation following a probation violation or grant a motion for judicial release. The terms of probation shall require the offender, if accepted, to enter into and successfully complete Recovery Court.

The assigned judge may not refer an individual to enter into Recovery Court unless the offender has been determined to be preliminarily eligible as set forth in Stages 2 and 3.

STAGE 5: Screening and Assessment

Once the applicant has been referred by the assigned judge, he/she will be referred to a treatment provider for a clinical assessment to determine an appropriate level of care. This assessment will also include a medical eligibility assessment and a mental health assessment. This information will form the basis of a diagnosis consistent with standards contained in the most current version of the Diagnostic and Statistical Manual of the American Psychiatric Association.

A clinical assessment shall be conducted to determine the level of care needed (i.e. outpatient or residential). The licensed staff member shall use the Solutions for Ohio Quality Improvement and Compliance (SOQIC) form, the Intake Review, and Clinical Assessment to make said determination. All chemical dependency, mental health, and other programming assessments shall include available collateral information to ensure the accuracy of the assessment. The offender must have a substance use disorder as identified through Screening and Assessment referenced in this chapter.

The Recovery Court team shall review the case (using the PSI and clinical assessment / recommendation) to determine if the offender is appropriate for Recovery Court. The Recovery Court Judge shall have discretion to decide admission into the program in accordance with the Recovery Court written eligibility criteria. Meeting the legal and clinical eligibility and termination criteria as outlined above in Chapter 2 (Target Population) does not create a mandatory right to participate in Recovery Court.

The participant shall sign an authorization for release of information form to provide for communication about confidential information, participation/progress in treatment, and compliance with the provisions of relevant law, including the “Health Insurance Portability and Accountability Act of 1996,” 42 U.S.C. 300gg-42, as amended and sections R.C. 2151.421 and 2152.99 of the Revised Code.

STAGE 6: Acceptance and Program Admission

If the Recovery Court Judge finds the offender is appropriate for Recovery Court, he shall transfer the case to the Recovery Court Docket pursuant to Local Rule 9.01 and set the matter for an initial acceptance hearing. At the hearing, the offender, with counsel where appropriate, shall review and sign the Participation Agreement. The offender shall be given a copy of the Participant Handbook prior to acceptance into Recovery Court.

If accepted, the offender shall be notified at the initial acceptance hearing as to his or her acceptance into Recovery Court and appropriate treatment services and programs shall begin as soon as possible. If the Recovery Court Judge finds the offender is not appropriate for Recovery Court, he shall report this to the assigned judge and the case shall be returned to traditional, non-Recovery Court supervision docket without a hearing.

By entering Recovery Court, each participant will be required to waive some of his/her constitutionally guaranteed rights to which he/she would otherwise be entitled. These rights are:

- The right to be represented by an attorney at all status review hearings before the Recovery Court Judge, though the participant maintains the right to request the attendance of an attorney during the portion of any Treatment Team meeting that concerns that participant.

- The right to object to *ex parte* communications with the Recovery Court Judge regarding the participant's treatment, progress, and rule infractions without his/her presence or the presence of his/her attorney.
- The right to have his/her person, residence, or personal property searched without probable cause and/or a warrant by Recovery Court staff.
- The right to remain silent and to not incriminate themselves regarding violations of the rules of the Recovery Court program. However, the court does not require the waiver of those rights in regard to pending criminal charges and statements made by participants cannot be used as evidence in any criminal prosecution.

The Recovery Court program shall comply with all constitutional and statutory rights of their participants. Any such rights that are permitted to be waived by said participants are to be done in a manner ensuring the substantive due process rights of the participant.

Non-Discriminatory Practices

No offender shall be denied admission to Recovery Court based on race, color, religion, gender, sexual orientation, national origin, ancestry, age, citizenship, marital status, veteran's status, financial ability, or disability.

The Recovery Court Judge shall have final discretion to decide admission into Recovery Court. No offender may be transferred to Recovery Court without the consent of the assigned judge. Once the offender is admitted into Recovery Court, he or she shall be directed to the Warren County Court Services Department to review the conditions of supervision and placed as soon as possible under reporting supervision to monitor compliance with court requirements.

Specialized Docket File Maintenance and Confidentiality

The Recovery Court Coordinator shall maintain Recovery Court files. Recovery Court files are to be stored in a manner so that only Recovery Court staff members have access to the files, whether by hard copy or electronically. Files shall contain the signed Release of Information, the Participation Agreement, weekly status reports, drug testing results, and journal entries issued by the Court.

All treatment team members are required to comply with Part 2 of Title 42 of the Code of Federal Regulations governing confidentiality of alcohol and drug abuse patient records. Recipients of any disclosures may only re-disclose within the scope of the signed Release of Information. The Release of Information authorized disclosure of protected health information pursuant to the "Health Insurance Portability and Accountability Act of 1996." 42 U.S.C. 300gg-42, as amended, and sections 2151.421 and 2152.99 of the Revised Code.

CHAPTER 4: TREATMENT TEAM

Duties of Treatment Team Members

1. The treatment team is responsible for the daily operation of Recovery Court.
2. Treatment team members agree to serve on the treatment team for a minimum of one (1) year.
3. Treatment team members agree to work with local community leaders to ensure the best interests of the community are considered.
4. Treatment team members should engage in community outreach activities to build partnerships that will improve outcomes and support Recovery Court sustainability.
5. Treatment team members shall engage in a non-adversarial approach while recognizing their distinct roles and responsibilities.
6. Treatment team members shall engage in on-going communication via e-mail, telephone calls, faxes, and in-person meetings in order to facilitate frequent exchanges of timely and accurate information regarding participant overall performance.
7. Mechanisms for decision-making and resolving conflicts among treatment team members have been established and are utilized. The judge serves as the final decision-maker and shall resolve all conflicts.
8. Treatment team members shall maintain professional integrity, confidentiality, and accountability.
9. Treatment team members should make reasonable efforts to observe Recovery Court provider programs in order to have confidence in services provided and to better understand the treatment and programming process.
10. The treatment team shall work with the Advisory Committee to assess the team functionality, review all policies and procedures, and assess the overall functionality of Recovery Court.

Specific Roles and Responsibilities

Below is a list of treatment team members and their responsibilities.

Judge

The Recovery Court Judge presides over all participants in Recovery Court. It is the job of the Recovery Court Judge to be knowledgeable about a participant's case, treatment, and how the Recovery Court treatment team can assist a participant in being successful in the program. He or she is the leader of Recovery Court and the final decision-maker on conflicts between the Recovery Court Team members. The Recovery Court Judge has the final say on admission or termination in the program in accordance with the Recovery Court written criteria, awarding incentives, sanctions, phase advancements, completions, and terminations in accordance with the Recovery Court written criteria.

The judge assigned as the Recovery Court Judge is the Honorable Robert W. Peeler.

Magistrate

When the Recovery Court Judge is not available (i.e., vacation illness, leave of absence, etc.), the Magistrate may preside over the status review hearing. The Magistrate must be knowledgeable about all Recovery Court cases, including the participants' treatment, progression in the program, and how to assist participants in being successful in the program. In the absence of the Recovery Court Judge, the Magistrate becomes the final decision-maker on conflicts between the Recovery Court Team members, and awarding incentives, sanctions, and phase advancements. The Magistrate can accept applicants into the program, but he or she cannot terminate anyone from Recovery Court. The Magistrate is not allowed to impose jail sanctions and must otherwise comply with the rules that limit magistrate authority in the State of Ohio.

Recovery Court Coordinator

The Recovery Court Coordinator assists in the day-to-day operations of Recovery Court. The Coordinator performs assessments of individuals who have been referred to Recovery Court and assists with deciding who should be accepted and rejected from the program. The Coordinator is also responsible for gathering information for status reports to the Recovery Court Team, maintaining the records of the program, and participating in discussions regarding incentives, sanctions, phase advancements, and completions from Recovery Court. Additionally, the Coordinator is tasked with completing an Orientation program and packet with each participant.

Assistant Prosecuting Attorney

Recovery Court incorporates a non-adversarial approach while recognizing the distinct role of the prosecutor in pursuing justice, and protecting public safety and victim's rights. Therefore, the Warren County Prosecutor's Office participates in Recovery Court to advocate for public safety and victim's rights. The Prosecutor's Office also plays an active role in identifying eligible participants for Recovery Court.

Defense Counsel

Recovery Court incorporates a non-adversarial approach while recognizing the distinct role of defense counsel in preserving the constitutional rights of the Recovery Court participant. Therefore, a public defender has been assigned as defense counsel for all participants in Recovery Court who are indigent. This defense attorney participates in Recovery Court to help preserve participants' constitutional rights, help explain the Recovery Court rules to the participants, and help advocate for those participants who face a sanction or violation hearing.

Each participant has the right to request the attendance of an attorney to attend that portion of a treatment team meeting concerning the participant. If a participant elects to utilize a defense attorney, the attorney will comply with the requirements of the attorney-client relationship, and will only share with the Recovery Court Team that information which the participant agrees to share.

If a participant chooses to have the Recovery Court defense attorney appear at treatment team and status review hearings on his/her behalf, the participant will be charged a small fee for his or her service. Certain costs will be waived if participant is deemed indigent.

Probation Officers

A participant shall form a close relationship with his/her probation office ("PO") during the Recovery Court program. The PO will meet with the participant regularly to discuss the participant's individualized program plan and goals, as well as discuss the participant's progress and setbacks throughout Recovery Court. The PO will attend treatment team meetings and status review hearings to discuss each participant with the Recovery Court Judge and treatment team. The PO will also conduct home, office, and field visits with the participant, and monitor the participant's overall compliance in the program. The PO will recommend incentives and sanctions for each participant based upon that individual's conduct. The PO will also monitor a participant's medication compliance in tandem with the Recovery Court Case Manager, and will conduct random drug and alcohol screens.

Licensed Treatment Providers

Upon one's acceptance into Recovery Court, he/she will be assigned a treatment provider. Recovery Court currently uses the following treatment providers:

- Talbert House
- Solutions
- Recovery Defined

The treatment provider is responsible for screening and assessing a participant to determine the treatment plan and possible mental health plan that will most benefit for the participant, and

then provide him/her that treatment. The provider is appropriately licensed and trained to deliver the type of treatment needed by each participant.

A participant will meet with his/her treatment provided regularly for group and individual meetings. They may also provide psychiatric care and medication assistance, if deemed necessary and accepted by the participant. A staff member of each treatment provider utilized by Recovery Court shall attend status review hearings to update Recovery Court about the participants' progress in treatment.

Case Manager

Recovery Court employs a case manager to help assist participants in setting and obtaining goals for life after substance abuse. The case manager assists with many issues that Recovery Court participants often face when first starting out in the program, including transportation, housing, education, obtaining medical care, dealing with family issues, and applying for government assistance. The case manager will also monitor medication compliance in tandem with the probation officer and may conduct random drug and alcohol screens.

The case manager will attend status review hearings to update the Recovery Court Team about the participants' progress in the program and current needs. He or she can also inform the Team what hurdles a participant is working to overcome.

Employment Specialist Officer/Job Developer/Vocational Rehabilitation Counselor

Recovery Court offers the assistance of an Employment Specialist Officer (ESO), job developer and Vocational Rehab Counselor to assist participants in obtaining employment. They provide assistance with résumés, interviews, job applications, finding job opportunities that fit a participant's life, and building a career. He or she also assists in verifying employment once a participant has found a job. Working with them is a program requirement.

Children's Services Representative

Recovery Court has partnered with Warren County Children Services (WCCS) to assist participants who have children connected with that organization. Recovery Court and WCCS work collaboratively with the Recovery Court Team to reach common goals and to eliminate repeated expectations. These common goals include ensuring the safety and well-being of children and their parents who are in recovery. The WCCS shares and appreciates Recovery Court's mission and vision in building healthy, productive members of the community.

CHAPTER 5: PARTICIPANT MONITORING

Treatment Team Meetings

Treatment team meetings shall take place prior to each status review hearing, and are held twice monthly on Wednesday, 1:15 p.m., at the Warren County Common Pleas Court, 500 Justice Drive, Lebanon, Ohio.

Required attendees for treatment team meetings include the Recovery Court Judge, Magistrate, the assistant prosecuting attorney, probation officers, defense counsel, licensed treatment providers, case managers, ESO and the Recovery Court Coordinator. Private defense counsel may attend if attendance is requested by the Recovery Court participant.

The Recovery Court Coordinator shall distribute a treatment team schedule and docket at least 24 hours prior to the scheduled treatment team and status review hearing sessions. Status reports shall be available for treatment team members.

Status Review Hearings

The Recovery Court program incorporates ongoing judicial interaction with each participant as an essential component of Recovery Court. Thus, while in Recovery Court, a participant must appear before the Recovery Court Judge at regularly scheduled status review hearings. Upon initial entrance into the program, these hearings shall occur no fewer than twice per month. As a participant progresses through the program, required attendance at status review hearings shall occur less frequently, but participants are encouraged to attend as often as he/she feels is necessary for his/her own recovery.

Status review hearings are court hearings scheduled for 2:30 p.m. twice monthly on Wednesday in Courtroom 2 of the Warren County Common Pleas Courthouse, 500 Justice Drive, Lebanon, Ohio.

During a status review hearing, the Recovery Court Judge will review with each participant present his or her progress in the program, and provide incentives or sanctions where appropriate. The Judge may ask questions about a participant's progress in the program, treatment, and life in general. The purpose of these hearings is to allow the participants to share their recent successes and failures while receiving support from the treatment team and Recovery Court Judge. Each participant is expected to converse with the Judge, and is encouraged to be open and honest.

Participants and treatment team members agree to maintain confidentiality regarding the information shared during status review hearings.

Disqualifying Behavior

Certain behavior may result in immediate removal from a court proceeding and unsuccessful termination from Recovery Court. That behavior includes, but is not limited to, the following:

- Violent conduct

- Threats of any kind
- Use and/or possession of drugs, alcohol, or paraphernalia
- Belligerent or disrespectful behavior
- Possession of any type of weapon
- Inappropriate sexual behavior or harassment

Recovery Court is meant to be a safe, open, and healthy environment for staff and participants, and behavior otherwise will not be tolerated.

Dress Code

For all status review hearings, participants must follow the below dress code:

- No shorts
- No miniskirts
- No spaghetti straps, tank tops, halter tops, or strapless tops or dresses
- No tops or dresses exposing any portion of the breast
- No skin tight pants or skirts
- No see-through clothing
- No baggy pants
- No pajama pants
- No sexually suggestive clothing
- No clothing making reference to illegal drugs, alcohol use, weapons or offensive language
- Hats must be removed for all indoor activities
- Pants must be pulled up to the waist

Any failure to comply with the Recovery Court Dress Code may result in sanction and the participant being asked to leave the courthouse.

Electronic Devices

There are to be no cell phones, tablets, or other electronic devices visible or used during status review hearings. These devices will be collected at the beginning of each status review hearing. If a participant is found to be in possession of an electronic device during the status review hearing, it will be confiscated and a sanction may be imposed.

Other Attendees

Participants should feel free to bring family, friends, and/or sober support persons to status review hearings with them. Emotional support is important to recovery.

If children are brought to court, they may be asked to watch the proceedings from a separate room to prevent disruption.

Summary of Treatment

Recovery Court promptly assesses individuals and refers them to appropriate services. Each participant receives prompt access to a continuum of approved treatment and other rehabilitation services. All required treatment and programming (chemical dependency, mental health and other) is provided by programs that are appropriately licensed and trained to deliver such services according to the standards of their profession and include available collateral information to ensure the accuracy of the assessment.

Each participant receives a treatment plan based upon their individualized needs. All provided services incorporate evidence-based strategies. The Recovery Court program maintains a current treatment plan and record of activities of each participant. Each plan takes into consideration services that are gender-responsive, culturally appropriate, and that effectively address co-occurring disorders. All provided services including case plans are appropriate and clinically necessary to the degree that available resources allow.

Recovery Court has currently partnered with the following agencies to provide services to participants: Talbert House, Solutions, Recovery Defined, and the Mental Health Recovery Service Board. Many of these provide registration/intake, baseline alcohol and drug testing, assessment, development of treatment plans, case management, group therapy, individual treatment sessions, relapse prevention plans, aftercare plans, gender specific programming, programming to address those who have been diagnosed with co-occurring disorders, supportive housing, family therapy and medication monitoring. These agencies shall collaborate with other community agencies to provide educational and vocational training, employment, substance abuse programming, transportation, housing, domestic violence programming, parenting classes and mental health services.

Outpatient Treatment

A participant must attend at least 80% of all required outpatient treatment sessions in order to advance through the Recovery Court program. If he/she fails to attend these treatment sessions, the participant may be sanctioned by the Recovery Court Judge. Arriving late to treatment may be considered an unexcused absence for which a participant may be sanctioned.

Outpatient treatment will likely include the following stages:

- Preliminary Assessment
 - Prior to official acceptance into Recovery Court, a participant must undergo a risk assessment and investigation with the Warren County Court Services Division and a substance abuse assessment by your assigned Recovery Court Treatment Provider.
 - A participant will be required to complete a release of information for communication about confidential information, participation/progress in

treatment, and compliance with the provision of relevant law, including the “Health Insurance Portability and Accountability Act of 1996,” 42 U.S.C. 300gg-42, as amended, and Sections 2151.421 and 2152.99 of the Ohio Revised Code and 42 CFR.

- Intensive Outpatient Program (IOP)
- Outpatient Program (OP)
- Seeking Safety
- Relapse Prevention
- Medication Assisted Treatment and Mental Health
 - In appropriate cases, the Recovery Court Team will work with a participant’s treatment provider to provide medically assisted treatment (MAT) (i.e., Suboxone, Subutex, Vivitrol, etc.).
 - In appropriate cases, the Recovery Court Team will work with a participant’s treatment provider to provide mental health treatment, including psychiatry, individual therapy, case management services, and supported employment.

Residential Treatment

Participants may be recommended for residential treatment at the time of assessment, sentencing, probation violation, judicial release or any other time during treatment. Recovery Court is expected to last for fifteen (15) months. However, if residential treatment is ordered at the time of assessment, that residential treatment is designed to last from three (3) to six (6) months, which would then be followed by outpatient treatment for the time remaining in the fifteen (15) month program. The length of Recovery Court could be longer than fifteen (15) months if residential treatment is ordered after the participant had already begun outpatient treatment.

If deemed appropriate or necessary, the residential treatment facilities used by Recovery Court are Women’s Recovery, River City Correctional Center, the MonDay program, the Community Correctional Center (CCC) and Turtlecreek Halfway House.¹ Other facilities may be recommended by the treatment team to the court with the approval of the Judge.

Educational Classes

- Life Skills
 - During Phase II, the participant will begin attending Life Skills twice per month. The Life Skills program aids in developing skills to assist in functioning more effectively within the community.
 - The program addresses judgment skills, problem solving techniques, communication skills, boundaries, thinking errors, difficulty dealing with stress,

¹ If a participant is required to attend residential treatment at River City, the MonDay Program, or the Community Correctional Center, the participant shall receive jail time credit for their time.

problems with health and wellness, and financial management issues. Every session includes a physical aspect.

- Thinking for a Change (T4C) and/or Moral Recognition Therapy (MRT)
 - During Phase III, the participant shall begin attending a T4C and/or MRT class. These classes are taught by the case manager or a member of the Warren County Court Services Department that have their own rules and guidelines.
 - These classes will expand on topics addressed in Life Skills, including addressing judgment skills, problem solving techniques, communication skills, boundaries, thinking errors, difficulty dealing with stress, problems with health and wellness, and financial management issues.

Sober Support Meetings

Recovery Court participants are required to attend 3 sober support meetings of their choice each week. These meetings can include AA/NA meetings, church services, grief support meetings, and educational groups.

These meetings will help the participant see how others with similar problems are recovering from their addiction. The participant will observe that changing to a drug-free lifestyle is a positive and exciting experience.

Attendance at these groups is mandatory and must be documented. Lying about attendance at sober support meetings will result in immediate sanctioning.

Phases

Phases are the steps in which a participant's performance and progress through Recovery Court is monitored. These phases are used as guidelines that can be modified to meet a participant's specific needs. Participants are required to frequently report to the Recovery Court Judge and other treatment team members for compliance monitoring, assistance with treatment plans and random alcohol/drug testing. Each advancement between the phases brings a new level of independence for the participant, so that he/she is prepared for life after Recovery Court.

Factors that will go into each phase advancement including a participant's sobriety, mental health, progress in treatment, attendance at appointments, compliance with court orders, payment of court costs, and team recommendation. Progression through each phase will be monitored by the Recovery Court Team, including the probation officer, case manager, and the Recovery Court Coordinator and is based upon participant's performance in the treatment plan and compliance with requirements of the Recovery Court phases. A participant's progress through the Recovery Court phases is not based solely upon pre-set timelines.

Phase I

This phase introduces the participant to Recovery Court and assures a participant's compliance with Recovery Court requirements. This phase is the stabilization phase. During this initial phase, the participant has the most contact with the court by attending scheduled status review hearings before the Recovery Court Judge at a minimum of twice per month.

The participant will engage in an assessed level of treatment. This level is determined by the treatment provider and is not negotiable. Needs are assessed on an ongoing basis and referrals will be made as needed. While length of stay is based on the participant's performance in the treatment plan and compliance of the phase itself, the expected length of stay is thirty (30) days.

Participant requirements for Phase I include:

- Attend orientation group with the Recovery Court Coordinator or case manager.
- Sign any necessary releases of information and other documentation.
- Become familiar with the location of the offices of the Recovery Court Team and your treatment provider.
- Inform the Recovery Court Team of any transportation, employment, or other issues you have starting out in the program.
- Attend status review hearings at least twice a month.
- Attend treatment sessions as required.
- Complete a mental health assessment, if required.
- Attend all required meetings and follow all rules of supervision with Recovery Court and community control.
- Attend sober support meetings at least 3 times a week.
- Comply with any court-ordered GPS monitoring.
- Submit to random drug and alcohol testing a minimum of 2 times a week.
- Cooperate with random home visits.
- Write a phase up letter.
- Abide by all the rules of your community control, all the rules of Recovery Court, and all the laws of the State of Ohio.
- Remain otherwise law abiding.

To advance to Phase II, a participant must have a minimum of 14 consecutive days sober and 14 days with no major infractions/sanctions. Movement through this phase is based upon compliance and progress.

Phase II

After the participant obtains stability in Phase I, he/she shall begin to address the issues that brought him/her into Recovery Court. During Phase II, the participant shall begin to develop skills to address identified criminogenic needs, improve family relationships and develop employment,

vocation, or educational goals. During this phase, the participant shall attend regularly scheduled status review hearings at least twice per month to review their progress. The participant shall have at least two (2) sessions per month with the assigned case manager. While length of stay is based on participant's performance in the treatment plan and compliance of the phase itself, the expected length of stay is ninety (90) days.

Participant requirements for Phase II compliance include:

- Attend status review hearings twice a month or as otherwise required.
- Attend treatment sessions as required.
- Attend all required meetings and follow all rules of supervision with Recovery Court and community control.
- Attend sober support meetings at least 3 times a week.
- Attend all employment specialist officer meetings and complete all assignments as required.
- Obtain a sober support person (i.e., a sponsor).
- Attend Life Skills group if referred.
- Comply with any court-ordered GPS monitoring.
- Submit to random drug and alcohol testing a minimum of 2 times a week.
- Develop and follow through with housing, educational, vocational, and employment referrals and goals.
- Cooperate with random home visits.
- Write phase up letter
- Keep the Recovery Court Team informed on any significant changes in your life that may have any impact on your progress in the program.
- Remain otherwise law abiding.

To advance to Phase III, the participant must have a minimum of 30 consecutive days sober and 30 days with no major infractions/sanctions. Movement through this phase is based upon compliance and progress.

Phase III

This phase is the action phase and is focused on developing self-sufficiency. The participant shall begin to utilize skills learned in treatment and programming through Phase I and Phase II. The participant shall continue to improve family relationships and begin to develop long-term employment and housing plans. This phase is key as the participant puts into practice everything learned in the first two phases. The participant shall be able to demonstrate on-going stability. During this phase, the participant shall attend regularly scheduled status review hearings at least once per month to review their progress. The participants shall have at least one (1) session per month with the assigned case manager. While length of stay is based on participant's performance in the treatment plan and compliance of the phase itself, the expected length of stay is one hundred-fifty (150) days.

Participant requirements for Phase III compliance include:

- Attend status review hearings once a month or as otherwise required.
- Attend treatment sessions as required.
- Attend sober support meetings at least 3 times a week.
- Maintain contact with your sober support person.
- Attend all required meetings and follow all rules of supervision with Recovery Court and community control.
- Improve family relationships.
- Develop long-term housing, educational, vocational, and employment goals.
- Submit to random drug and alcohol testing a minimum of 2 times a week.
- Complete a T4C or MRT class if referred.
- Cooperate with random home visits.
- Create a budget and begin paying down court costs, fines, program fees, and restitution, if applicable. Certain costs will be waived if participant is deemed indigent.
- Write phase up letter.
- Keep the Recovery Court Team informed on any significant changes in your life that may have any impact on your progress in the program.
- Remain otherwise law abiding.

To advance to Phase IV, the participant must have a minimum of 60 consecutive days sober and 30 days with no major infractions/sanctions. Movement through this phase is based upon compliance and progress.

Phase IV

Phase IV is the continuation phase. In this phase participants will further step down their appointments with the treatment team and continue to make progress toward goals. Participants are drug and alcohol screened at least twice a week. Probation appointments are scheduled every four weeks and chemical dependency counseling is done as indicated in their treatment plan. Status review hearings with the judge are at minimum monthly to review participant's progress. Before completing this phase the participant must remain drug and alcohol free for ninety (90) consecutive days. Participants must complete a Relapse Prevention Plan (RPP). While length of stay is based on participant's performance in the treatment plan and compliance of the phase itself, the expected length of stay is one hundred-eighty (180) days.

Participant requirements for Phase IV compliance include:

- Attend status review hearings once a month or as otherwise required.
- Attend treatment sessions as required.
- Complete a discharge plan.
- Attend sober support meetings at least 3 times a week.

- Maintain contact with your sober support person.
- Attend all required meetings and follow all rules of supervision of Recovery Court and community control.
- Implement long-term housing, educational, vocational, and employment goals.
- Submit to random drug and alcohol testing at least 2 times a week.
- Cooperate with random home visits.
- Keep the Recovery Court Team informed on any significant changes in your life that may have any impact on your progress in the program.
- Continue to pay down court costs, fines, program fees, and restitution, if applicable. Certain costs will be waived if participant is deemed indigent.
- Remain otherwise law abiding.

To successfully complete Recovery Court, the participant must have a minimum of 90 consecutive days clean and 30 days with no major infractions/sanctions. Movement through this phase is based upon your compliance and progress.

Graduation

Near the end of your time in Phase IV, you will be required to complete and submit a written application for Graduation. You will then participate in an interview with the Recovery Court Team to determine if you are ready to leave the program.

If the Recovery Court Team and Recovery Court Judge determine that you have completed all the necessary requirements of Recovery Court, you will receive a certificate of successful completion from Recovery Court. In order to make this determination, the Recovery Court Team will review the following factors:

- Whether you have demonstrated a period of abstinence from drugs and alcohol evidenced by negative drug screens for at least 90 consecutive days.
- Whether you have completed all required community service hours.
- Whether you have regularly attended all required sober support meetings.
- Whether you have obtained and maintained a sober support person in your life.
- Whether you have regularly been open and honest during status review hearings.
- Whether you have complied with all rules of Recovery Court and community control.
- Whether you have displayed a change in thinking, attitude, and beliefs.
- Whether you have attended at least 80% of all required treatment sessions.
- Whether you have successfully completed your treatment plan.
- Whether you have demonstrated the ability to identify and eliminate criminal thinking patterns.
- Whether you have met your housing, educational, vocational, and employment goals.
- Whether you have made payments toward your court costs, fines, program fees, and restitution, if applicable. Certain costs will be waived if participant is deemed indigent.
- Whether you have completed all Recovery Court required paperwork.

The Recovery Court Judge has final discretion to decide whether you will be terminated from Recovery Court, successfully complete Recovery Court, and whether you will additionally be terminated from probation or ILC in accordance with written eligibility criteria.

INCENTIVES & SANCTIONS

Warren County Recovery Court has written policies and procedures regarding responses to a participant's behavior that are predictable, fair, consistent, and administered in accordance with evidence-based principles of effective behavioral modification.

Incentives

Immediate, graduated and individualized incentives govern the responses of Recovery Court to the participant's compliance. Incentives are individualized according to the specific treatment plan and directly related to the participant's achievements as certain milestones of Recovery Court treatment plan are attained. Incentives are also tracked to ensure the participant is rewarded on a progressive basis.

The following are types of behaviors appropriate for incentives:

- Attending all status review hearings
- Attending all treatment sessions
- Attending all appointments with your case manager, probation officer, employment services officer, and/or Recovery Court Coordinator
- Abstaining from drugs and alcohol, as evidenced by negative test results
- Engaging in vocational and educational activities
- Obtaining a sober support person
- Obtaining verified employment
- Securing stable housing
- Advancing in the Recovery Court phases
- Accomplishing any other milestone identified by the Recovery Court Team

The following are types of incentives:

- Encouragement and praise from the Recovery Court Judge
- Certificates of progress
- Advancement in the Recovery Court Phases
- Decreasing court appearances and supervision contacts
- Decreasing time on GPS monitor
- Increasing or expanding privileges
- Reducing fines or fees
- Gift cards

- Monthly fishbowl incentives
- Successful completion of Recovery Court

Sanctions

Immediate, graduated and individualized sanctions govern Recovery Court responses to the participant's non-compliance. Graduated sanctions are used to help the participant conform behavior to program requirements. Sanctions are crafted in an individualized and creative manner, as well as in a progressive manner based on the infraction. Sanctions are issued when there is non-compliance with program protocol, treatment plan or failure to comply with Electronic Monitoring. Sanctions shall be used as a deterrent to negative behavior and to encourage future compliance. An adjustment in treatment services as well as participation in community-based mutual support meetings is based solely on the clinically informed interests of the participant. Incremental adjustments to the treatment plan made at the discretion of the Judge and the treatment team are not to be considered sanctions. However, failure to comply with treatment plan adjustments shall subject the participant to sanctions.

At the time of a positive drug test upon relapse, the treatment team will consider an adjustment in treatment and participant will be sanctioned. Any change in the treatment plan and/or sanctions, when appropriate, are enforced and reinforced by the Judge. Participants are not sanctioned for use prior to entering the program. The use is addressed at the participant's initial status hearing and the Judge reinforces the time line given to be clean.

A participant in jeopardy of receiving a jail sanction shall be provided with notice, a hearing, and the right to be represented by an attorney. Said participant may waive the right to a hearing, as long as participant had the right to consult with an attorney and the waiver is made knowingly, intelligently, and voluntarily.

A level of sanction is applied to each type of possible infraction. This type of planning ensures lesser infractions will be met with lesser, more commensurate sanctions. Infractions are also tracked, along with resulting sanctions, so that additional sanctions can be applied in a graduated manner.

The following are common types of infractions:

- Failure to attend status review hearings
- Failure to attend treatment sessions
- Failure to attend meetings with members of the Recovery Court Team including probation officer, case manager, and Recovery Court Coordinator
- Failure to respond in a timely manner to a voicemail message left from your probation officer or other member of the Recovery Court team
- Failure to call in for drug testing in the allotted time
- Failure to attend required sober support meetings

- Noncompliance with random drug and alcohol screens
- Testing positive for drugs or alcohol
- Adulterating or attempting to adulterate a drug or alcohol test
- Noncompliance with any Recovery Court requirement
- Failure to improve troublesome behaviors
- Lying

The following are common types of sanctions:

- Warnings and admonishment from the Recovery Court Judge
- Community service work
- Writing essays or reading books
- Electronically monitored house arrest or curfew
- Use of TAD monitor or Soberlink device
- Increased frequency of drug or alcohol testing
- Increased frequency of court appearances
- Increased supervision contacts
- Increased frequency of attending status review hearings
- Refusing requests for permission to travel
- Reducing expanded privileges or rescinding privileges previously granted
- Issuing a no contact order with specific individual(s)
- Filing probation or ILC violation
- Imposition of jail days
- Unsuccessful termination from Recovery Court

CHAPTER 6: PROGRAM COMPLETION

Successful Completion

Written successful completion criteria has been collaboratively developed, reviewed and agreed upon by the Advisory Committee. Successful completion criteria serve as the guidelines used to identify how participants can successfully complete Recovery Court. In order to successfully complete Recovery Court, the participant shall demonstrate the compliant behavior and accomplishments listed below:

Compliant behavior may include:

- Demonstrating a period of abstinence from drugs and alcohol evidenced by negative drug screens for at least 90 consecutive days.
- Completing all required community service hours.
- Regularly attending all required sober support meetings.
- Obtaining and maintaining a sober support person.

- Regularly being open and honest during status review hearings and meetings with the Recovery Court team.
- Complying with the Recovery Court rules and the rules of community control.
- Displaying a change in thinking, attitude, and beliefs.
- Attending at least 80% of all required treatment sessions.
- Successfully completing treatment.
- Demonstrating the ability to identify and eliminate criminal thinking patterns.
- Meeting housing, educational, vocation, and/or employment goals.
- Making payments toward court costs, fines, program fees, and restitution, if applicable. Some costs will be waived if participant deemed indigent.
- Completing all required program paperwork.

Accomplishments may include:

- Demonstrated a period of abstinence from alcohol/drugs evidenced by negative drug/alcohol screens for a minimum of ninety (90) consecutive days prior to completion of Recovery Court
- Relapse prevention plan established
- Regular sober support attendance
- Obtained a sober support sponsor
- Completed community service hours
- Completed any other Recovery Court requirements
- Completed vocational or educational plans
- Paid towards Court costs, program fees, and restitution (if applicable)
- Displayed responsibility for his or her behavior
- Demonstrated stability in the community
- Obtained/maintained consistent employment
- Obtained/maintained stable housing
- Completion of treatment

Upon review of the compliant behavior and review of the participant's accomplishments, the treatment team may recommend successful completion. The Judge has final discretion to determine when the participant shall successfully complete Recovery Court. Upon successful completion of Recovery Court, the participant shall attend a ceremony hosted by the Court and receive a Certificate of Completion. If the case for the participant is that of Intervention in Lieu of Conviction and the participant has complied with all requirements under R.C. 2951.041, then the indictment against the participant may be dismissed.

Unsuccessful Termination

Written unsuccessful termination criteria has been collaboratively developed, reviewed and agreed upon by the Advisory Committee. Unsuccessful termination criteria serve as the guidelines used to identify how participants may be unsuccessfully terminated from Recovery

Court. The Recovery Court Judge has final discretion in deciding termination from the specialized docket in accordance with the Recovery Court written criteria.

A participant that is in jeopardy of an Unsuccessful Termination shall be provided notice of intent to terminate, a hearing and the right to be represented by an attorney. Said participant may waive the right to a hearing, as long as participant had the right to consult with an attorney and the waiver is made knowingly, intelligently, and voluntarily.

Criteria for unsuccessful termination from Recovery Court include:

- Ongoing non-compliance with Recovery Court rules, Recovery Court Participation Agreement, or the rules of community control
- Non-compliance with GPS monitoring
- On-going non-compliance with treatment
- Continued use of illegal substances
- A verified positive confirmation from a contested drug/alcohol screen
- Non-compliance with prescribed medications
- Non-compliance with confidentiality
- Absconding from community control supervision
- New criminal convictions
- Continued infractions resulting in graduated sanctions
- Probation violation or Intervention in Lieu revocation hearings

Neutral Termination

Written neutral termination criteria has been collaboratively developed, reviewed and agreed upon by the Advisory Committee. Neutral termination criteria serve as the guidelines used to identify how participants may be neutrally discharged from Recovery Court. Recovery Court Judge has final discretion in deciding termination from the specialized docket.

A participant may be neutrally discharged from Recovery Court if the participant is no longer capable of completing Recovery Court as a result of any of the following:

- A serious medical condition
- Death
- Other factors that may keep the participant from meeting the requirements for successful completion

Discretion by the Recovery Court Judge to determine if the participant is no longer appropriate for Recovery Court. Upon neutral discharge from Recovery Court, the level of community control supervision shall be determined by the Judge

Inactive Status

Recovery Court has an inactive status for participants who meet any of the following:

- Placed in a residential facility (Community Based Correctional Facility) and cannot be transported for status review hearings
- Serving time in a local or state jail facility for another county/jurisdiction
- Absconded from community control supervision
- Hospitalization for accident or illness for more than 24 hours

CHAPTER 7: SUBSTANCE MONITORING

Recovery Court monitors a participant's substance use by random, frequent and observed alcohol/drug testing protocols. Substance monitoring shall be part of the individualized treatment that includes an alcohol/drug testing plan. Participants shall submit to random, frequent, and observed alcohol/drug screens. Recovery Court uses the Ohio Community Supervision System (OCSS) program to randomize substance testing for the program. Participants must call the Substance Test Check in System at 937-870-3422 between 6:00 am and 2:00 pm on a daily basis. If the participant is selected, they must test that day, and they will be required to report to the Warren County Court Services Department at 520 Justice Drive, Lebanon, Ohio 45036, between the hours of 8:00 am and 3:30 pm. The court has clearly established plans for addressing a participant who tests positive at intake or relapses while in the program. The plans include treatment guidelines and sanctions, when appropriate, that are enforced and reinforced by the Recovery Court Judge.

Testing may include instant urinalysis screens, portable breathalyzers and the use of scientifically validated technology for ethyl alcohol or other devices that are deemed reliable. Testing includes the participant's primary substance of dependence, as well as a sufficient range of other common substances. All testing shall be recorded and maintained for each participant for the duration the participant is in Recovery Court.

Recovery Court utilizes instant urine screens and other types of testing that allow for laboratory confirmation testing. Upon a positive test result, the participant shall be confronted with the result and given the opportunity to either sign an admission form or contest the positive test. If contested, the test shall be sent to a certified laboratory for confirmation. While waiting for the laboratory results, sanctions may not be issued. However, if the test returns a positive confirmation from laboratory, then a more severe sanction, which could result in a probation violation, intervention in lieu revocation and/or termination from Recovery Court, will be issued based on deception and the use of substances. The laboratory fee for a confirmed positive test may be applied to the participant's court costs.

The results of substance monitoring tests shall be immediately provided to the appropriate treatment team members. Failure to submit to testing, tampering with a urine screen, submitting

an adulterated sample, submitting the sample of another individual, failing to produce a sufficient quantity of urine needed for analysis, testing positive, or diluting the sample is treated as a positive test and the Recovery Court Judge and appropriate treatment team members will be immediately notified and the participant added to the next status review hearing for immediate sanctioning.

Any Court Services staff and/or member of the treatment team who conducts a urine screen shall comply with the Warren County Common Pleas Court Drug Testing Policy and Procedures Manual. The Drug Testing Policy and Procedures Manual addresses elements that contribute to the reliability and validity of the testing process and provide stringent guidelines for sample collection, sample analysis and result reporting. The treatment team member shall immediately notify the probation officer of the outcome of any and all tests as they are conducted.

Participant responsibilities include the following:

- Calling the Recovery Court drug testing voicemail line on a daily basis
- Participant is required to call the OCSS Substance Test Check in System at 937-870-3422 daily between 6:00 am and 2:00 pm. If they are selected test that day, they are required to report to the Warren County Court Services Department at 520 Justice Drive, Lebanon, Ohio, that same day between the hours of 8:00 am and 3:30 pm.
- Submit a urine sample as requested by any member of the treatment team at any time
- Provide information regarding prescription medications to both the assigned probation officer and assigned case manager
- No use of alcohol-based mouthwash
- No use of alcohol-based hand sanitizer
- No use of over-the-counter medicine that contains alcohol
- No use of poppy seeds
- No drinking of non-alcoholic beer or wine
- No use of substances containing CBD, including CBD oil

Taking Prescribed Medication

Recovery Court requires that a participant report all prescribed medication taken to their probation officer, case manager, and treatment provider upon entering the program or at any time a new medication is prescribed.

The participant must agree to provide verification of any prescriptions from his/her doctor, including signing a release for the Recovery Court team to contact the doctor(s) and any other individual who prescribes the participant medication.

The participant must agree to take all approved medications strictly as prescribed.

The participant must agree to confer with a pharmacist or medical professional to ensure that any medication taken, whether prescribed or over-the-counter, is not mood altering or addictive, and that it does not contain alcohol.

Medications that are **not** permitted in Recovery Court include:

- Opiates (Lortabs, Vicodin, Oxycontin, Oxycodone, Tylenol 3, Percocet, Darvon, Darvocet, etc.)
- Amphetamines (Adderall, Ritalin, etc.)
- Benzodiazepines (Klonopin, Xanax, Diazepam, Valium, etc.)
- Medical Marijuana

If a doctor believes that it is absolutely necessary to prescribe a participant medication(s) that will yield a positive drug or alcohol screen, the participant must submit a letter to the Recovery Court team from the doctor stating that he/she is aware of the participant's status as a recovering person, that the participant is in Recovery Court, and that the participant is subject to random, frequent, and observed drug and alcohol tests. The letter must also state why the need for the participant to take this medication outweighs the possible risks to the participant's status as a recovering person. If the participant tests positive and does not have a letter from his/her doctor, the participant shall be subject to sanctions, including termination from Recovery Court.

Other Substance Monitoring Requirements

Prohibited Everyday Items: Based upon the types of tests Recovery Court uses, a participant will not be allowed to use the following everyday items. Mistakenly using these items will not be an excuse for a positive drug or alcohol test.

- No alcohol-based mouthwash
- No alcohol-based hand sanitizer
- No over-the-counter medicine that contains alcohol
- No poppy seeds
- Non-Alcoholic beer or wine
- No substances containing CBD, including CBD oil

Notification Prior to Taking New Meds: There are other substances that may create a false positive drug or alcohol test. Therefore, prior to taking any new over-the-counter or prescribed medication, a participant will be required to notify his/her probation officer and case manager about this substance to determine if it could cause issues with treatment and/or drug testing.

Bars, Liquor Stores, Casinos Prohibited: Each participant is barred from entering any establishment that has a primary function of selling alcohol or gambling. Casinos, grocery store liquor sections, packaged liquor stores, and bars are off limits to participants during Recovery Court.

CHAPTER 8: PROFESSIONAL EDUCATION

Recovery Court assures continuing interdisciplinary education of treatment team members to promote effective specialized docket planning, implementation, and operations.

An interdisciplinary, continuing education plan includes training on a variety of topics such as:

- The specialized docket model
- Specialized docket processes
- Best practices in substance abuse and mental health services
- Drug trends, and alcohol/drug testing
- The non-adversarial approach of the specialized docket model for counsel
- Training on community resources

Supreme Court of Ohio Specialized Docket Practitioner Network

All treatment team members shall have the opportunity to attend the Supreme Court of Ohio's Specialized Dockets Practitioner Network Annual Conference. The Judge and the Recovery Court Coordinator agree to participate in the Supreme Court of Ohio Specialized Dockets Practitioner Network and attend at least one (1) sub-network meeting held at the Supreme Court of Ohio. All treatment team members shall receive the Specialized Dockets Newsletter. In addition to the Specialized Dockets Practitioner Network Annual Conference the Specialized Dockets Section offers several training opportunities throughout the year that include free continuing education accreditation in several disciplines.

New Treatment Team Members

The Recovery Court Coordinator shall meet with each new treatment team member and provide a brief overview of Recovery Court. In addition, new treatment team members shall receive a copy of the Program Description, the Participant Handbook and the Participation Agreement. New treatment team members shall also receive training from the agency they serve regarding the role of that agency in Recovery Court. Whenever possible, new treatment team members shall have an opportunity to observe the weekly treatment team meetings and status review hearings with the person they are replacing. The Recovery Court Coordinator shall arrange any additional training that is deemed necessary for the new treatment team member.

Program Operations Review

The Advisory Committee shall review the overall functionality of Recovery Court every two (2) years. During the review, the Advisory Committee shall review all policies and procedures of Recovery Court. The Coordinator shall provide the Advisory Committee with the data necessary to conduct the review.

CHAPTER 9: EFFECTIVENESS EVALUATION

Supreme Court Reporting Data

Recovery Court shall comply with reporting data as required by the Supreme Court of Ohio. This information may be used to assess compliance with the Standards as set forth in Standard 12 of Sup. R. 36.20-36.29, Appendix I (Specialized Docket Standards).

On-going Data Collection/Exit Survey

Recovery Court shall engage in on-going data collection in order to evaluate whether or not Recovery Court continues meeting its goals and objectives

Data collection is an on-going process. Data shall be collected by Recovery Court program Coordinator and by providing agencies. Recovery Court Coordinator shall maintain data as directed by the Judge including, but not limited to:

- Number of participants not qualifying for entrance in Recovery Court
- Number of participants terminated successfully, unsuccessfully, or neutrally discharged
- Current number of participants active in Recovery Court
- Number of participants referred
- Number of participant denied
- Reasons for denials
- Number of jail days served for sanctions
- Number of jail days served on alternative sanctions such as prison diversion and community service diversion
- New offenses committed by participants while in program
- Convictions for new offenses while in program
- Number of rewards for sobriety milestones
- Number of negative drug screens
- Number of positive drug screens
- Number of graduated sanctions
- Number of participants referred to residential treatment
- Number completing residential treatment
- Number of unsuccessful discharges for residential treatment
- Ages of participants
- Number of participants by gender, race and ethnicity
- Employment status of participants at the beginning and end of the program
- ORAS score average/range from lowest to highest among participants
- Length of time for participants in each phase
- Length of time in program for participants

- Types and number of referrals made to ancillary services/programming (mental health, employment, vocational training, cognitive thinking, etc.)
- Number of new convictions by graduates
- Number of new convictions by active participants
- Number of new convictions by terminations

Providing agencies shall also maintain data as required by funding sources.

Upon completion of Recovery Court, each participant shall complete an anonymous exit survey. As data and surveys are collected, all identities shall remain anonymous and not be included in the data collection. The Advisory Committee, as part of the functionality review, shall utilize the data collected.

Initial:	12.31.15
Revised:	3.22.16/9.1.17/12.21.18/3.15.19/7.16.20/6.8.21/2.10.23