

WARREN COUNTY RECOVERY COURT

PARTICIPANT HANDBOOK



WARREN COUNTY COMMON PLEAS COURT

ROBERT W. PEELER, JUDGE
500 Justice Drive
Lebanon, OH 45036
513.695.1244

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Welcome

Congratulations on your decision to consider Recovery Court! This is a voluntary program with a goal to make you a substance-free productive member of society. Before you consider applying and entering into the Recovery Court program, you need more information. This Handbook, along with the Recovery Court Participation Agreement, is full of information about Recovery Court, and its requirements, rules and expectations, including your rights and responsibilities. Keep reading to find out if this program is right for you.

What is Recovery Court?

Recovery Court is a program offered by the Warren County Common Pleas Court, Criminal Division, as an alternative to treating substance use in individuals who live in and around Warren County, Ohio.

Recovery Court is a voluntary program, which means you are not required to participate in this program and you do not have a specific right to participate. Rather, if you meet the criteria, you decide you want to participate in the program, and the Recovery Court Judge determines that you are appropriate for the program, then you will be accepted into Recovery Court.

Recovery Court is a four-phase program that begins with intensive supervision and substance use monitoring requirements which slowly lessen over time, based upon your progress in your recovery. The program lasts approximately 15 months, but this can change depending on your individual needs. More information on these phases can be found in this Handbook.

While in Recovery Court, you will be required to provide random, frequent, and observed drug screens. You may also be required to attend substance use treatment, mental health treatment, and meetings with probation officers, case managers, employment specialists, and others. What your specific requirements are in Recovery Court will be determined based upon your individualized needs.

What Makes a Person Eligible for Recovery Court?

A person who is interested in Recovery Court will be assessed for both legal and social factors to determine if they meet criteria for admission. These factors include current charge(s), criminal history, and circumstances of offense(s).

The Recovery Court Judge has final discretion to decide whether a person should be admitted into or terminated from Recovery Court in accordance with the program's written eligibility criteria. Meeting the program's legal and clinical eligibility requirements does not create an automatic right to participate in the program.

Admission into Recovery Court is on a first come, first served basis, and is without regard to race, color, ancestry, citizenship, national origin, age, gender, religion, marital status, veteran's status, disability, financial ability, or sexual orientation of the applicant.

Eligibility Criteria

Legal Criteria

In order to be eligible for Recovery Court, you must meet the following legal criteria:

- Must be 18 years of age or older.
- Must be a resident of Warren County or a surrounding county.
- Must be eligible for community control (probation or intervention in lieu of conviction).
- Must have no criminal history of violent behavior.
- 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 charges against you must directly relate to substance use and/or you are determined to be a drug and/or alcohol dependent person that would benefit from treatment.

If you are seeking Recovery Court in connection with your Intervention in Lieu of Conviction (ILC) plan, you must also satisfy the criteria listed in Ohio Revised Code Section 2951.041.

Clinical Criteria

In addition to being legally eligible for Recovery Court, you must also meet the following clinical standards:

- You have a substance use disorder identified through screening and assessment with one of Recovery Court's treatment providers.
- You have criminal behavior that currently or in the past was related to substance use.
- You have demonstrated 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, opiate-based medications or medical marijuana.

- If you have been identified as having a mental illness, you have demonstrated a willingness to take medication for that illness as prescribed.
- You do not have needs that are beyond the scope of what Recovery Court can reasonably accommodate.

How Do I Apply for Recovery Court?

A person who is interested in participating in Recovery Court must be referred to Recovery Court. This referral can come from you, your probation officer, your pretrial officer, your pre-sentence investigator, your attorney, the prosecutor, or the judge. If your judge thinks you might be eligible for Recovery Court, he or she will order you to be assessed for the program and your attorney will need to fill out and sign a Recovery Court application to be submitted to the Recovery Court Coordinator.

The Recovery Court Coordinator will review your application to see if you meet the legal criteria discussed above. If you do, then you will be referred for triage. This triage will help determine if you meet the clinical criteria discussed above. You need to be honest so they will know if you are the right candidate for Recovery Court. Failing to be honest or fully cooperating during the triage may result in you not being accepted into Recovery Court.

Remember, there is no legal right to participate in Recovery Court, and the decision of the Recovery Court Judge regarding admission is final.

What Happens If I Test Positive Before Entering Recovery Court?

You will not be sanctioned for use prior to entering the Recovery Court program. This use will be addressed at your first status review hearing with the Recovery Court Judge, and the Judge will explain a timeline within which you need to have negative drug screens.

How Much Will I Have to Pay for Recovery Court?

There are no costs for participating in Recovery Court.

You may have the following fees owed to the Electronic Monitoring Department. You will be ordered to wear a GPS bracelet after release from jail or upon acceptance into Recovery Court. There is no cost to you for this. However, if you are sanctioned and put on monitor, your costs shall be a forty-dollar (\$40.00) installation fee and up to ten dollars (\$10.00) per day. In addition, there is a twenty dollar (\$20.00) per month supervision fee.

You shall pay a program fee of three hundred sixty dollars (\$360.00)(subject to change) owed to the Probation Department. None of the three hundred sixty-dollar (\$360.00) program fee shall be used as part of the treatment costs.

These costs will be added to your court costs. Costs will be waived if you are deemed indigent.

Overview of Recovery Court Requirements

If you are accepted into Recovery Court, you will be referred to a treatment provider for a clinical assessment to determine your appropriate level of care. This information will form the basis of a diagnosis. If deemed appropriate, the provider will educate you on the Medication Assisted Treatment Program to determine your interest and commitment level. The treatment provider will develop your treatment plan. You will be required to attend all treatment sessions in your treatment plan, submit to random, observed urine screens, attend sober support meetings, comply with ongoing case management, report for status review hearings, complete the required Recovery Court phases, comply with Recovery Court Participation Agreement, and comply with all supervision rules as identified by the Court.

What Happens Now That I Have Been Accepted into Recovery Court?

If you are accepted into Recovery Court, successfully completing Recovery Court will become a requirement of your community control supervision or your ILC plan.

Term of Probation: If you are accepted as a term of your community control supervision (commonly referred to as probation), your assigned judge will sentence you on your charge(s) and, as part of your probation terms, require you to successfully complete Recovery Court. Then your case will be assigned to the Recovery Court Judge for the rest of your time in the program.

Term of ILC: If you are accepted as a part of your ILC plan, your judge will accept your plea of guilty to your charge(s), grant you ILC, and make Recovery Court a part of your ILC plan. Then your case will be assigned to the Recovery Court Judge for the rest of your time in the program.

How Long Will I Be in Recovery Court?

The Recovery Court program is divided into phases that take, on average, 15 months to complete.

The time you spend in each phase of the program is based on your performance in treatment and your compliance with the requirements of each phase. These determinations are made by the Recovery Court Team on an individual basis, taking into consideration what each program participant needs to be successful. In order to successfully complete Recovery Court, you must complete the requirements of each phase and have negative drug screens (that means no misses too!) for a minimum of 90 days and no sanctions within your last 30 days in the program.

What Rights Am I Giving Up?

By entering Recovery Court, you will be required to waive some of your constitutionally guaranteed rights to which you would otherwise be entitled. These rights are:

Your right to be represented by an attorney at all status review hearings before the Recovery Court Judge, though you maintain the right to request the attendance of your attorney during the portion of any Treatment Team meeting that concerns you.

- Your right to object to *ex parte* communications with the Recovery Court Judge regarding your treatment, progress, and rule infractions without your presence or the presence of your attorney.
- Your right to have your person, residence, or personal property searched without probable cause and/or a warrant by Recovery Court staff.
- Your right to remain silent and to not incriminate yourself regarding violations of the rules of the Recovery Court program. However, the waiver does not apply to your rights in regard to pending criminal charges and statements that you make cannot be used as evidence in any criminal prosecution.

Recovery Court will comply with all constitutional and statutory rights regarding your participation. Any rights that are permitted to be waived by you are to be done in a manner ensuring your due process rights.

What Happens If I Don't Complete Recovery Court?

Unsuccessful Termination

You may be unsuccessfully terminated from Recovery Court if you fail to comply with all the terms and conditions contained in this Handbook and the Recovery Court Participation Agreement. Reasons for unsuccessful termination include, but are not limited to, the following:

- On-going noncompliance with Recovery Court rules
- On-going noncompliance with treatment requirements
- Continued use of illegal substances or alcohol
- Noncompliance with the use of prescribed medications
- Noncompliance with the rules of confidentiality
- Absconding from community control supervision
- Obtaining new criminal convictions

Term of Probation: If you are unsuccessfully terminated from Recovery Court for your failure to comply with the terms and conditions of the program, a probation violation will be filed, and the matter will be set for a violation hearing before the judge originally assigned to your case. Should that judge determine you violated the terms of community control for being terminated from the program, you will then be sentenced to the usual sanctions allowable under the laws for the offense(s) you committed.

Term of ILC: If you are terminated from Recovery Court for your failure to comply with the terms and conditions of the program, an ILC revocation will be filed, and the matter will be set for a violation hearing before the judge originally assigned to your case. Should that judge determine you violated the terms of your ILC plan, you will then be sentenced to the usual sanctions

allowable under the laws for the offense(s) you committed. This may include the termination of your ILC.

If you are in jeopardy of being unsuccessfully terminated from Recovery Court, you will be provided with notice, a hearing, and the right to be represented by an attorney. You may waive your right to this hearing after consulting with or being given the opportunity to consult with an attorney, and only if the court finds your waiver is made knowingly, intelligently, and voluntarily.

Neutral Termination

If you are unable to complete Recovery Court due to a serious medical or mental health condition, or a change in the law that makes it impossible for you to complete the program, you will be neutrally discharged from Recovery Court. In that case, no violation will be filed against you and your case will be sent back to the judge originally assigned to your case to make any modifications to your supervision as needed.

Inactive Status

Recovery Court has the ability to place participants in an “inactive status” in the program, wherein the participant is neither terminated from Recovery Court nor currently participating with Recovery Court requirements. You may be placed on inactive status in Recovery Court if you meet any of the following:

- You are placed in a community based correctional facility (CBCF) for inpatient treatment and you cannot be transported to status review hearings.
- You are serving time in a local or state facility for another county or jurisdiction.
- You have absconded from community control supervision.
- You have been hospitalized due to an accident or illness for more than 24 hours.

What Are Treatment Team Meetings?

Recovery Court uses a team approach. The purpose of the team approach is to have all team members work together to assist you to become a substance free, productive member of society. The whole team is involved in monitoring your performance and progress in the program. To do that, the team holds treatment team meetings prior to the status review hearings. Each participant’s progress is discussed at every team meeting.

The treatment team consists of the Judge, Magistrate, Recovery Court Coordinator, probation officers, treatment providers, the case manager, the employment specialist officer, job developer, vocational rehab counselor, a representative of the Warren County Prosecutor’s Office, a representative of Warren County Children Services, and your defense attorney.

You have the right to request your private defense counsel attend the portion of the treatment team meeting concerning you.

Judge

The Recovery Court Judge will preside over your case during your time in Recovery Court. It is the job of the Recovery Court Judge to be knowledgeable about your case, your treatment, and how the Recovery Court Team can help you be successful in the program. He or she is the leader of the Recovery Court and the final decision-maker on conflicts between the Recovery Court Team members. The Recovery Court Judge also has the final say on awarding incentives, sanctions, phase advancements, completions, and terminations in the program.

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 fills in to preside over the Recovery Court Team and your case. The Magistrate must be knowledgeable about your case, your treatment, and how to help you be a success 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 you 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 the 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 may complete your Recovery Court program orientation with you if the case manager is unavailable.

Assistant Prosecuting Attorney

Recovery Court uses a non-adversarial approach to its cases. 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 Attorney

Recovery Court uses a non-adversarial approach to its cases. 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 your constitutional rights, help explain the Recovery Court rules to you, and help you advocate for yourself if you find yourself at a sanction or violation hearing.

You have the right to request the Recovery Court defense attorney or a defense attorney of your choosing to attend treatment team meetings and status review hearings concerning you. If you wish to use this option, the defense attorney will comply with the requirements of the attorney-client relationship and will only share with the Recovery Court Team that information which you agree to share. Otherwise, what you tell the defense attorney is private.

If you choose to have a defense attorney appear at treatment team and status review hearings on your behalf, you will be charged a small fee for his or her services. Costs will be waived if you are deemed indigent.

Probation Officer

You will form a close relationship with your probation officer (PO) during this program. Your PO will meet with you regularly to discuss your individualized program plan and goals, as well as your progress through Recovery Court. Your PO will attend treatment team meetings and status review hearings, conduct home, office, and field visits, and monitor your compliance in the program. The POs will recommend incentives and sanctions for you based upon your conduct. The PO will also monitor your medication compliance in tandem with your case manager and will conduct random drug and alcohol screens. Any time you are having an issue in Recovery Court, your PO is the person you need to reach out to.

Licensed Treatment Provider

Upon your acceptance into Recovery Court, you will be assigned a treatment provider. Recovery Court currently uses the following treatment providers:

- Talbert House
- Solutions
- Recovery Defined

Your treatment provider is responsible for screening and assessing you to determine the treatment plan and possible mental health plan that will most benefit you, and then provide you with that treatment. The provider is appropriately licensed and trained to deliver the type of treatment you need.

You will meet with your treatment provider regularly for group and individual meetings. They may also provide you with psychiatric care and medication assistance. A member of your treatment provider's staff will attend treatment team meetings and status review hearings to update Recovery Court about your progress in treatment.

Case Manager

Recovery Court employs a case manager to help assist you in setting and obtaining your goals for life after substance use. The case manager will complete your orientation with you and can help you with many issues that Recovery Court participants often face when first starting out in the program, including transportation, housing, education, employment, obtaining medical care, dealing with family issues, and applying for government assistance. The case manager will also monitor your medication compliance in tandem with your 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 your progress in the program and your current needs. He or she can also inform the Team what hurdles you are 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 rehabilitation counselor to assist you in obtaining work. They provide assistance with résumés, interviews, job applications, finding job opportunities that fit your life, and building a career. They also assist in verifying your employment once you have found a job and stick with you for assistance if things at work get tough. Working with them is a program requirement.

Children 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 you 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.

What are Status Review Hearings?

While in Recovery Court, you must comply with all required appearances at status review hearings. As you progress, you will attend status review hearings less often, but you are always welcome to attend to support other program participants.

Status review hearings are court hearings scheduled for 2:30 pm twice monthly on Wednesday in Courtroom 2 of the Warren County Common Pleas Courthouse.

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 you questions about your life, your treatment and your progress. This is your time to share your recent successes and failures. You will be expected to converse with the Judge, and it is extremely important to be open and honest during these discussions. NEVER LIE!

To help assist everyone in Recovery Court comply with the rules to be open and honest, you must agree to maintain confidentiality regarding the information shared during status review hearings and treatment sessions.

You must bring your calendar (provided by Recovery Court, your own personal calendar or your phone calendar) with you to status review hearings. If you miss an appointment with treatment, your probation officer, etc., the Judge or treatment team may review your calendar to make sure you are staying on top of your appointments.

Remember, always arrive on time, and do not leave the courtroom without permission. Be prepared to submit to a drug or alcohol test during the status review hearing.

Failure to attend a scheduled review hearing may result in the imposition of additional sanctions or the issuance of a warrant for your arrest.

Disqualifying Behavior

Certain behavior may result in your 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

If you see any of this type of behavior from your fellow participants, you must report it to a member of the Recovery Court Team as soon as possible. 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, you 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 skintight pants or skirts
- No see-through clothing
- No baggy pants
- No pajama pants

- No sexually suggestive clothing
- No clothing referring 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 you being asked to leave the courthouse.

Electronic Devices

There are to be no cell phone, tablets, or other electronic device use during status review hearings. These devices will be collected at the beginning of each status review hearing.

Other Attendees

Feel free to bring family, friends, and/or your sober support person to status review hearings with you. Emotional support is important to your recovery.

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

What Are the Requirements of Recovery Court Treatment?

During your time with Recovery Court, you will be required to attend a variety of programs and classes, including outpatient and inpatient treatment. These treatment sessions will include individual, family, and group counseling, as well as aftercare. You must report as scheduled for treatment sessions and participate in all activities of the treatment program in order to successfully complete Recovery Court.

All treatment sessions are confidential. However, treatment counselors must comply with the laws for mandated reporting of child abuse or neglect, elder abuse or neglect, and situations involving homicide or suicide.

Outpatient Treatment

You must attend at least 80% of all required outpatient treatment sessions in order to advance through the Recovery Court program. If you fail to attend your treatment sessions, you may be sanctioned by the Recovery Court Judge. Arriving late for treatment may be considered an unexcused absence for which you may be sanctioned, so arrive on time.

Outpatient treatment will likely include the following stages:

- Preliminary Assessment
 - Prior to your official acceptance into Recovery Court, you must undergo a risk assessment and investigation with the Warren County Court Services Division and

a substance use disorder assessment by your assigned Recovery Court Treatment Provider.

- You 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,” 42U.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)
 - This is a program where you will go to group and individual treatment 3 days per week.
- Outpatient Program (OP)
- Seeking Safety if referred by treatment provider
- Relapse Prevention
- Medication Assisted Treatment and Mental Health
 - In appropriate cases, the Recovery Court Team will work with your treatment provider to provide medically assisted treatment (MAT) (i.e., Suboxone, Subutex, Vivitrol, Methadone, Naltrexone, Sublocade, etc.).
 - In appropriate cases, the Recovery Court Team will work with your treatment provider to provide mental health treatment, including psychiatry, individual therapy, case management services and supported employment.

Residential Treatment

- You may be recommended for residential treatment during your time in Recovery Court. This recommendation will be made by the Recovery Court Team after a review of your current needs with your treatment provider.
- Residential treatment is designed to last from 3 to 6 months and will be followed by outpatient treatment, based upon the needs determined by your treatment provider.
- The residential treatment facilities used by Recovery Court are:
 - Women’s Recovery
 - River City Correctional Center*
 - The MonDay Program*
 - The Community Correctional Center*
 - Turtlecreek Halfway House
 - Other facilities may be recommended by the Recovery Court Team.
- If you are ordered to attend residential treatment, the refusal to do so will result in your unsuccessful termination from Recovery Court.

Educational Classes

- Thinking for a Change (T4C) and/or Moral Recognition Therapy (MRT)
 - During Phase III, you shall begin attending a T4C and/or MRT class if referred. These classes are taught by your case manager or a member of the Warren County Court Services Department that have their own rules and guidelines. If you are ordered to attend one or more of these classes, you must attend and comply with the rules, or you may be subject to sanction.

- 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.
- Life Skills
 - During Phase II, you will begin attending Life Skills twice per month if referred.
 - The Life Skills program shall aid you 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, problems with health and wellness, and financial management issues.
 - Every session includes a physical aspect, so please dress comfortably.

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 you see how others with similar problems are recovering from their addiction. You 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 your attendance at sober support meetings will result in you being sanctioned.

How Will I Be Monitored for Substance Use?

Recovery Court will monitor your substance use by random, frequent, and observed drug and alcohol testing. Drug and alcohol testing will be part of your individualized Recovery Court plan, and you will be required to submit to these tests.

Testing Hotline

You will be required to call the OCSS Substance Test Check in System at 937-870-3422 daily between 6:00 AM and 2:00 PM to find out if you are required to submit to a drug or alcohol test.

If you have been selected to test that day, you will be 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.

Failing to call the voicemail line and/or failing to appear during the drug testing hours is not an excuse for missing a drug test, and you will be subject to sanctions for that miss as if you tested positive.

Types of Testing

Testing may include instant urinalysis screens, portable breathalyzers, retinal scan, or the use of other scientifically validated technology for ethyl alcohol or other substances that are deemed reliable by the Recovery Court Team. Instant urinalysis screens will test for many substances, including your “drug of choice.”

All testing results shall be recorded and maintained for as long as you are in the Recovery Court program.

What is a Positive Test?

If you fail to attend a required drug or alcohol test, your failure to test will be treated as a “positive test” and you will be sanctioned.

If you submit a test that is positive for an unauthorized substance and you admit to use, or a laboratory confirms the test is positive, the test will be treated as a “positive test” and you will be sanctioned.

If you tamper with a test, submit an adulterated sample, submit the sample of another person, fail to submit a sufficient sample or to testing, dilute your sample, or in any other manner fail to provide a valid drug or alcohol test, your test will be treated as a “positive test” and you will be immediately sanctioned.

What Happens If I Test Positive?

Recovery Court uses drug and alcohol testing that allows for laboratory confirmation. Upon a positive test result, you will be notified of the result and given the opportunity to either sign an admission form or contest the positive test.

If you contest a positive test, the test shall be sent to a certified laboratory for confirmation. While waiting for confirmation, you will not be sanctioned. However, if the laboratory confirms that your test was positive for an illicit substance, then you will be sanctioned for a positive test, and your sanction may be more severe for failing to be honest and open with the Recovery Court Team.

If you test positive at intake, or admit to a positive test or a confirmed positive test is returned from the laboratory, the Recovery Court Team will be notified of the relapse and you will be ordered to appear at the next status review hearing. The Recovery Court Team will discuss the positive test result and address treatment guidelines and sanctions, when appropriate, that are enforced and reinforced by the Recovery Court Judge.

You may be charged the laboratory fee for a confirmed positive test. Certain costs are waived if you are deemed indigent.

Taking Prescribed Medication

Recovery Court requires that you report all your prescribed medication to your probation officer, case manager, and treatment provider when you enter the program and at any time when you are prescribed a new medication.

You must agree to provide verification of any prescriptions from your doctor, including signing a release for the Recovery Court Team to contact your doctor(s) and anyone who prescribes you a medication.

You must agree to take all approved medications strictly as prescribed.

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

Medications that are generally **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 you medications that will yield a positive drug or alcohol screen, you must submit a letter to the Recovery Court Team from the doctor stating that he or she is aware of your status as a recovering person, that you are participating in Recovery Court, and that you are subject to random, frequent, and observed drug and alcohol tests. The letter must also state why the need for you to take this medication outweighs the possible risks to your status as a recovering person. If you test positive and do not have a letter from your doctor, you will be subject to sanctions, including termination from Recovery Court.

Other Requirements

Prohibited Everyday Items: Based upon the types of tests Recovery Court uses, you 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, you will be required to notify your probation officer and case manager about this substance to determine if it could cause issues with your treatment and/or drug tests.

Bars, Liquor Stores, Casinos Prohibited: You may not enter 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 you during your duration in Recovery Court.

What Are the Different Phases of Recovery Court?

Phases are the steps in which your performance and progress through Recovery Court are monitored. Each advancement between the phases brings a new level of independence for yourself, so that you are prepared for life after Recovery Court and community control. Each phase has certain guidelines that must be followed, but these guidelines can be modified to meet your specific needs. The Recovery Court Team and the Recovery Court Judge have the ultimate say over what requirements you must meet during each phase of Recovery Court. Factors that will go into each phase advancement include your sobriety, mental health, progress in treatment, attendance at appointments, compliance with court orders, payment of court costs, and team recommendations. Your progress through each phase will be monitored by the Recovery Court Team, including your probation officer, case manager, and the Recovery Court Coordinator.

Phase I

Phase I is the orientation phase of Recovery Court. During this phase, you will be expected to do the following:

- Attend orientation 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 or as otherwise required.
- 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 3 times a week.
- Comply with your court-ordered GPS monitoring.
- Submit to random drug and alcohol testing at least twice a week.
- Cooperate with random home visits.

- Abide by all the rules of your community control, Recovery Court and all the laws of the State of Ohio.
- Remain otherwise law abiding.
- Write phase up letter.

You will be in Phase I of Recovery Court for approximately 30 days. To advance to Phase II, you must have a minimum of 14 consecutive days sober and 14 days with no major infractions/sanctions. Movement through this phase is based upon your compliance and progress.

Phase II

In order to meet the requirements for Phase II, you will be required to do the following:

- Attend status review hearings every other week 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 and verify a sober support person.
- Attend Life Skills group if referred.
- Comply with your court-ordered GPS monitoring.
- Submit to random drug and alcohol testing at least twice a month.
- Develop and follow through with housing, educational, vocational and employment referrals and goals.
- Cooperate with random home visits.
- Keep the Recovery Court Team informed of any significant changes in your life that may have any impact on your progress in the program.
- Remain otherwise law abiding.
- Write phase up letter.

You will be in Phase II of Recovery Court for approximately 90 days. To advance to Phase III, you must have a minimum of 30 consecutive days sober and 30 days with no major infractions/sanctions. Movement through this phase is based upon your compliance and progress.

Phase III

In Phase III, you will begin to focus on self-sufficiency and utilize the skills you have learned in the first two phases of Recovery Court. In order to meet the requirements for Phase III, you will be required to do the following:

- Attend status review hearings every month or as otherwise required. Attend treatment sessions as required.
- Attend sober support meetings 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. Complete one Family Session if referred by treatment provider.
- Develop long-term housing, educational, vocational, and employment goals.
- Submit to random drug and alcohol testing at least twice a month.
- 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 you are deemed indigent.
- Keep the Recovery Court Team informed of any significant changes in your life that may have any impact on your progress in the program.
- Remain otherwise law abiding.
- Write phase up letter.

You will be in Phase III of Recovery Court for approximately 150 days. To advance to Phase IV, you must have a minimum of 60 consecutive days sober and 30 days with no major infractions/sanctions. Movement through this phase is based upon your compliance and progress.

Phase IV

In Phase IV, you will be required to attend fewer Recovery Court-related appointments and begin truly being self-sufficient, while still having the support of Recovery Court where needed. In order to meet the requirements for Phase IV, you will be required to do the following:

- Attend status review hearings once a month or as otherwise required.
- Attend treatment sessions as required.
- Complete a discharge plan.
- Attend sober support meetings 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.
- Implement long-term housing, educational, vocational, and employment goals.
- Submit to random drug and alcohol testing at least twice a week.
- Cooperate with random home visits.
- Keep the Recovery Court Team informed of 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 you are deemed indigent.
- Remain otherwise law abiding.

You will be in Phase IV of Recovery Court for approximately 180 days. To successfully complete Recovery Court, you must have a minimum of 90 consecutive days sober 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 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 you are 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.

What Are the Incentives Used in Recovery Court?

The goal of Recovery Court is to encourage success and discourage failure. With that objective, Recovery Court uses incentives as an important component in making lasting changes in behavior. Incentives demonstrate acknowledgment of the difficult changes you are making in your life. Positive changes and compliance with Recovery Court requirements will be rewarded.

Some of the positive changes and behaviors that may be rewarded include:

- 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

Incentives are used by the Recovery Court Team on a case-by-case basis and are distributed by the Recovery Court Judge or Recovery Court Coordinator.

There are many types of incentives available that may include, but are not limited to:

- 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

What Are the Sanctions Used in Recovery Court?

Just as it is important to recognize progress, it is also important to respond swiftly to problems and noncompliant behavior. By imposing sanctions, a participant who is not compliant with the

requirements of the phases will learn that there are consequences for that behavior. The objective is not only to reprimand noncompliance, but to re-engage and encourage you to continue to work through the recovery and treatment process.

Sanctions are issued according to the seriousness of the violation. Serious violations could result in termination from the program. Sanctions are used on a case-by-case basis by the Recovery Court Judge.

Some of the behaviors that may result in sanctions include:

- 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

Graduated sanctions are used to address noncompliant behaviors. Sanctions may include, but are not limited to, the following:

- 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

Sanctions are not only used as a form of consequences for inappropriate choices, but also a way to reevaluate your commitment to sobriety and to complete Recovery Court.

Increased treatment requirements shall never be used as a sanction but may accompany a sanction when the Recovery Court Team determines that a change in your treatment plan may assist in adjusting your behavior and re-engaging you in appropriate behavior.

If you are in jeopardy of receiving a jail sanction, you will be provided with notice, a hearing, and the right to be represented by an attorney. You may waive your right to a hearing after consulting with or being given the opportunity to consult with an attorney, and only if the court finds your waiver is made knowingly, intelligently, and voluntarily.

What Happens if the Courthouse Closes?

You will be expected to comply with all Recovery Court requirements listed in this Handbook and the Participation Agreement. If you are required to report to the Courthouse (500 Justice Drive, Lebanon, Ohio 45036) for a drug screen, you must do so during regular drug testing hours . If you are required to report to the Courthouse for any other reason, you must do so during regular business hours or at a time specified by your probation officer, case manager, or Recovery Court Judge.

In the event the courthouse closes or restricts public access due to fire, flood, tornado, pandemic, or other catastrophic event, you will be given instructions on how to continue satisfying your 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. You will receive 48 hours' notice of any modifications to your Recovery Court requirements due to courthouse closure before those modifications go into effect. After 48 hours, the failure to comply with any of your modified Recovery Court requirements shall result in sanctions.

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