

Delaware County Court of Common Pleas

RECOVERY DOCKET PROGRAM DESCRIPTION



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Chapter 1 - Policies and Procedures

Mission Statement

To provide a therapeutically-oriented, court supervised program for participants with a substance use diagnosis that assists in improving the safety of the community and the quality of life for the participant through the utilization of intensive supervision, evidence based intervention, and linkage to appropriate substance use/mental health treatment and other community resources.

Advisory Committee

The General Division of the Delaware County Court of Common Pleas has joined with the court's other divisions and with the Delaware Municipal Court to create a forum that serves as the policymaking authority for all specialized dockets in Delaware County. That group is the Specialized Docket Advisory Committee.

Role of the Specialized Docket Advisory Committee

The committee is made up of key community stakeholders who provide input into the policies, procedures, and overall operation of specialized dockets in Delaware County. The committee meets quarterly and its members serve a minimum of one year. The Specialized Docket Judges attend and rotate chairing the meetings. Each judge who oversees a specialized docket chairs the portion of the advisory-committee meeting that pertains to that judge's docket.

Responsibilities of Committee Members

Advisory Committee members meet to discuss ongoing issues relating to the specialized dockets such as goals, objectives, target audience, policies, procedures, eligibility criteria, incentives, case flow, and each agency's role and responsibility in the process. Each program coordinator presents program data and statistical information to the Specialized Docket Advisory Committee members for review on a quarterly basis. Program effectiveness, sustainability, community outreach, and education efforts are also addressed.

A Memorandum of Understanding detailing the responsibilities of each party participating has been signed by agency heads of all providers.

Membership

Specialized Docket Advisory Committee membership may include but is not limited to the following: Regional Director and Clinical Supervisor at Maryhaven, Site Manager/Program Director and Clinical Supervisor at Access Ohio, LLC, Regional Clinical Director Southeast Healthcare, Chief Clinical Officer and Clinical Site Manager at Syntero, prosecutors, defense

counsel, representatives from the county Sheriff's office and Delaware Police Department, jail personnel, Executive Director and Associate Director of Delaware-Morrow County Mental Health and Recovery Services Board, representatives from the Delaware County Department of Job and Family Services, Program Director of NAMI Mid-Ohio, Director of Safe Harbor Peer Support Services, Director of Jacob's Way, the specialized docket judges, the specialized docket coordinators, and probation officers from Delaware County Adult Court Services. Advisory Committee members indicate their interest and ongoing participation by signing a roster at the beginning of each meeting.

Memoranda of Understanding

Memoranda of Understanding have been developed to enhance collaboration, create a mutual understanding of the procedures of the Recovery Docket and the responsibilities of each party, and establish a process for problem solving both clinically and administratively regarding clients participating in the Recovery Docket. Agreements are in place with both the Delaware-Morrow Mental Health & Recovery Services Board and local treatment providers.

Goals of the Recovery Docket

Goal 1: Obtain a 50% graduation rate of Recovery Docket participants each year.

Measure: The Recovery Docket coordinator will document the number of participants in a database and determine the percentage of participants who have graduated from the Recovery Docket.

Goal 2: Reduce the number of positive urine screens of each Recovery Docket participant by 50% each quarter.

Measure: The Recovery Docket coordinator will document the number of participants in a database and recidivism rates will be reviewed on a quarterly basis.

Goal 3: Decrease the rate of recidivism of Recovery Docket graduates to 25%.

Measure: The Recovery Docket coordinator will survey the list of Recovery Docket graduates within the last 24 months and determine whether those graduates have been charged with any new drug-related offenses since graduation.

Goal 4: Assist participants in learning how to obtain a substance-free lifestyle and develop a support system.

Measure: Participants will be required to demonstrate their knowledge of coping skills and resource options through assignments that they must complete during each docket phase.

Chapter 2 - Target Population

The Recovery Docket is targeted toward those who are convicted of or charged with a felony in the Delaware County Court of Common Pleas and who might benefit from court-monitored treatment and other services to enhance their ability to become productive and law-abiding citizens. All participants must meet the legal and clinical criteria for admission into the docket. The Recovery Docket Judge has the discretion to decide who participates in the Recovery Docket. The written and legal and clinical eligibility and termination criteria do not create the right to participation in the program.

Target Population

- Offenders with no acute health conditions
- Offenders with a score of 15 or higher on the Ohio Risk Assessment System (ORAS)
- Offenders who are receptive to receiving treatment and demonstrate a willingness to participate in an intensive treatment program that will last 12-24 months and may require residential placement for treatment
- Offenders who agree to actively participate and cooperate with the Recovery Docket coordinator and probation officer
- Offenders who demonstrate a willingness to make lifestyle changes

Legal Eligibility Criteria

- Be placed on intervention in lieu of conviction or community control;
- Be charged with a felony offense that is less serious than a felony of the second degree;
- Not be charged with F3 trafficking;
- Not be a “violent offender” as that term is defined by 42 U.S.C. 3797u-2;
- Not have a pending criminal case in another county that would hinder participation in the Recovery Docket; and
- Be sentenced to the Recovery Docket as a condition of intervention in lieu of conviction or community control.

Clinical Eligibility Criteria

- Be diagnosed with a moderate or severe substance use disorder (The participant must have completed a drug/alcohol assessment by a certified licensed provider);
- Not have a physical or mental illness that would hinder participation in the Recovery Docket; and
- Be able to understand and willing to comply with program requirements.

Disqualifying Factors

- The candidate has current sex offender status
- The candidate is charged with OVI
- The candidate is charged with domestic violence
- The candidate has one or more cases pending in another counties or jurisdictions that would hinder participation on the Recovery Docket
- The victim of the candidate's offense Offenses where the victim was a child or elderly person
- The candidate is currently on post-release control or parole
- The candidate's offense involves the use of a weapon
- The candidate's offense resulted in the victim suffering serious physical harm

Cases will be reviewed on a case-by-case basis to determine the extent and circumstances of the disqualifying factors as compared to the need to participate.

Capacity

Program capacity is limited to 25 at any one time.

Chapter 3 - Program Structure, Entry, and Case Flow

Referral Process

Identification of potential participants begins after a defendant has been charged with a qualifying offense, has a pending bond revocation, has entered a plea of guilty, has a pending motion to terminate intervention in lieu of conviction, has a pending motion to suspend community control, or is referred by the court or probation officer. Referrals to the Recovery Docket are made by law enforcement, jail personnel, defense counsel, the prosecutor, a community mental health treatment provider, a substance use treatment provider, a judge, a presentence investigator, or a probation officer. Referrals may be made at any time during the legal process. Referral forms are posted online.

Screening and Assessment

Within three days of receiving a referral (Appendix A), the Recovery Docket coordinator will schedule an appointment with the candidate to provide information about the docket program and requirements for participation. If the candidate is interested in participation, the candidate will be scheduled for screening. In the event the candidate is incarcerated, the Recovery Docket coordinator will meet with the candidate at the jail. During the screening, the Recovery Docket coordinator will evaluate the candidate's legal and clinical criteria for placement and collect information such as criminal history, residency, education, employment, family history, medical history, and mental health and substance abuse history. Potential candidates are promptly referred to appropriate services within the community. The specialized docket provides prompt access to a continuum of approved treatment and rehabilitation services.

A referral for a diagnostic assessment with a licensed clinical counselor or licensed independent social worker may be made when appropriate releases are voluntarily signed by the candidate in addition to a consent waiver to share information with the treatment team. All candidates will be required to sign a Disclosure of Confidential Information form (Appendix B) to allow the Recovery Docket coordinator to obtain a copy of the diagnostic assessment (or summary) to establish clinical eligibility.

All screenings and assessments for treatment determinations shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession. All mental health, chemical dependency, and other assessments will include available collateral information to ensure the accuracy of the assessment.

The candidate or the candidate's guardian must complete a release-of-information form to allow 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.

The Recovery Docket Judge has the discretion to determine who participates in the Recovery Docket. The legal and clinical eligibility criteria do not create a right to enter into the Recovery Docket. All candidates will be educated on program requirements, rewards, sanctions, and bases for termination through the use of the Participant Handbook and one-on-one consultation with the Recovery Docket coordinator.

Legal Eligibility Screening

The Recovery Docket probation officer will obtain background information about the candidate through the use of OHLEG and other available databases and sources. A candidate's criminal record for the preceding five years may be considered for eligibility purposes. In the event that the candidate's legal competency is at issue, the participant must be referred for a forensic assessment to determine if he or she is competent to participate.

Clinical Assessment

In the event that the candidate meets the eligibility requirements, he or she will be referred for a diagnostic assessment if one has not already been completed. The candidate must voluntarily sign the necessary releases of information to obtain collateral information as well as sign releases for appropriate treatment agencies. All screenings and assessments for treatment determinations are to be provided by programs or persons who are appropriately licensed and trained to deliver those services according to the standards of the profession.

The Recovery Docket coordinator will share collateral information with the agency completing the diagnostic assessment. The participant must contact the treatment provider within three days to schedule an appointment. Recognizing that time is of the essence, the provider will provide assessments and treatment plans to the docket coordinator as soon as reasonably possible. The participant must immediately contact the Recovery Docket coordinator if there are problems obtaining a diagnostic assessment. The assessment and treatment plan will be provided to the Recovery Docket coordinator and the Recovery Docket Judge. The assessment is not for public dissemination.

The treatment team should consider, but is not obligated to follow, clinical assessments or treatment recommendations. If the clinical assessment indicates the potential participant does not meet clinical eligibility criteria than the case will proceed through the regular docket.

Qualification

In the event that the candidate does not meet legal, clinical or other criteria, the Recovery Docket coordinator will notify the Recovery Docket Judge through written communication using the Screening Recommendation Form (Appendix C). The referral source will also be notified. The candidate's case will then proceed through the regular docket.

In the event the candidate meets all the legal, clinical, and other criteria, the Recovery Docket coordinator will notify the Recovery Docket Judge and referral source through written communication. If the Recovery Docket Judge agrees to grant the candidate admission into the Recovery Docket, the participant will schedule and attend an orientation session with the Docket Coordinator.

Program Admission

After the defendant is found eligible for participation with the Recovery Docket, the candidate must schedule an appointment with the Recovery Docket coordinator and probation officer to complete the following:

1. Review and sign the Recovery Docket Participant Handbook
2. Review of the Recovery Docket calendar
3. Schedule to observe the next Recovery Docket status review hearing
4. Review and/or amendment to probation Case Plan

The candidate must also be provided with:

1. Recovery Docket Participant Handbook
2. Recovery Docket calendar
3. Acknowledgement of Requirements of the Recovery Docket Entry
4. Random Substance Testing Form
5. Probation Case Plan

Non-Discriminatory Practices

A participant must not be discriminated against if he or she meets the legal, clinical, and other criteria. A participant will not be denied admission for the following: race, color, religion, gender, sexual orientation, nation of origin, ancestry, age, citizenship, marital status, veteran status, or disability. All treatment-team members should be trained in cultural-competency issues.

Participant Indigency

No prospective participant will be denied admission to the Recovery Docket based on an inability to meet any financial obligations to the Court. The Recovery Docket will consider a

participant's ability to pay any fees or other financial obligations and will make reasonable payment accommodations based on the participant's individual financial circumstances.

Case Flow

After a plea or finding of guilt is made, the Court will refer the case to the docket coordinator who will screen a candidate for eligibility. All referrals from a prosecutor or defense counsel should come in the form of a motion for admission or submit a referral form to the Recovery Docket Coordinator.

Candidates will also be required to complete a diagnostic assessment and pre-sentence investigation as part of this process. Candidates must voluntarily complete and sign releases of information to facilitate inter-agency communication on behalf of the candidate and treatment team.

Upon completion of the screening and consideration of all applicable criteria and circumstances, the Recovery Docket coordinator will provide a written recommendation to the Recovery Docket Judge. Based upon the recommendation of the Recovery Docket coordinator and review of the diagnostic assessment and pre-sentence investigation report and all applicable criteria and circumstances, the Docket Judge will determine whether the candidate will be admitted to the Recovery Docket.

In the event the candidate does not meet the criteria for admission to the Recovery Docket, his or her case will be returned to the Court's regular docket.

The Recovery Docket coordinator will schedule the program admission orientation session and the Recovery Docket probation officer will schedule the candidate's intake appointment.

The Recovery Docket coordinator will provide the participant with the Recovery Docket calendar and the Participant Handbook and ensure execution of the Disclosure of Confidential Information and all other necessary forms during the program admission orientation session. The participant will then be scheduled to observe the next Recovery Docket status review hearing at which time they with counsel, will execute an Acknowledgement of Requirements of the Recovery Docket. After the observation of a Recovery Docket status review hearing is attended and the Acknowledgement of Requirements of the Recovery Docket is signed by the participant, the participant will then be scheduled into the next Recovery Docket status review hearing for participation in the program.

Revocation/Violation Referrals

A defendant who is currently on intervention in lieu of conviction or community control and is charged with a new violation or new offense may be referred to the Recovery Docket for screening. The referral may come from the judge, probation officer, defense counsel, prosecutor, or jail staff.

The Recovery Docket coordinator will screen the candidate. Candidates meeting the criteria for acceptance may be ordered to complete the Recovery Docket as a term of his or her intervention in lieu of conviction or community control.

Case File Maintenance

Maintenance of the Recovery Docket's case files must comply with Title 42 of the Code of Federal Regulations and HIPAA.

The Recovery Docket coordinator and probation officer will maintain all files relating to participants and access to those files will be limited to the Court and probation staff.

The files will be maintained in locked file cabinets in the Probation Officer's office or by secure password protected electronic file.

Chapter 4 - Treatment Team Standards

The Recovery Docket treatment team will consist of the Recovery Docket Judge – who chairs the meeting – plus the Recovery Docket coordinator, Recovery Docket probation officer, treatment providers, and appropriate supportive community agencies.

Duties of Recovery Docket Treatment Team Members

1. The Recovery Docket treatment team is responsible for the operations of the Recovery Docket.
2. The Recovery Docket treatment team members will serve on the Advisory Committee and the treatment team for a minimum of one year or until the terms of the Memorandum of Understanding change or expire.
3. The Recovery Docket treatment team agrees to work with local community leaders to ensure the best interest of the community is considered; per the sustainability and community outreach plan.
4. The treatment team agrees to engage in community outreach activities to build partnerships that will improve outcomes and support the Recovery Docket to ensure its sustainability.
5. The treatment team will incorporate a non-adversarial approach that includes contributing to the individualized-treatment case plans and developing sanctions to modify a participant's behavior; recognizing the prosecutor's distinct role in pursuing justice and protecting public safety and victim's rights; and recognizing the defense counsel's distinct role in preserving the constitutional rights of the participant.
6. The function of the team is to facilitate the development of an appropriate Court Services Plan, access program services and resources, and insure that the participant fully participates in their treatment by evaluating clinical information, probation concerns and other sources of information.
7. Information is presented to the Recovery Docket Judge that will include, but is not limited to, rewards, sanctions, treatment recommendations, progress toward graduation requirements, and possible termination from the Recovery Docket.

A list of specific roles and responsibilities of the treatment team members are as follows:

A. Recovery Docket Judge

- Presides over court sessions and maintains a positive relationship with participants through discussion of progress with the participant at docket hearings
- Presides over the treatment team, attends treatment team meetings and discusses the progress of participants
- Has the discretion to decide on who participates in the Recovery Docket
- Has the ultimate decision concerning incentives, sanctions, phase advancement as well as admission, termination or successful completion of the program
- Gains knowledge and insight of Specialized Courts through attending other Specialized Dockets and specialized trainings about Mental Health Courts issued through the Supreme Court Specialized Docket Section

B. Recovery Docket Coordinator

- Conducts legal, clinical, and eligibility screening
- Assists in identifying potential participants
- Facilitates the specialized docket in accordance with the written program
- Maintains Recovery Docket policies and procedures and daily operations
- Facilitates public education and outreach efforts on behalf of the program
- Meets with docket participants as needed to discuss individualized goals and progress
- Follows progress of participants through the docket, including monitoring the Court Services Plan and making recommendations to the Court on participant's transition through the docket phases
- Attends Recovery Docket status review hearing
- Facilitates regular meetings of the treatment team and other relevant meetings as appropriate
- Collects and maintains statistical information and other confidential records concerning participants, collects data and creates reports for review and submission to funding sources and advisory committees
- Links participants to treatment providers and community resources
- Participates in utilization review, quality improvement, cross-disciplinary training and conflict resolution activities, as appropriate
- Plans and facilitates advisory board meetings
- Drives discussions regarding incentives, sanctions, program effectiveness and outcomes

C. Recovery Docket Probation Officer

- Updates a probation Case Plan for each participant for review and approval of the Judge and Recovery Docket coordinator
- Monitors compliance of participants to terms of probation and Court Services Plan
- Carries out orders of the Court with regard to each participant
- Conducts random alcohol and drug tests, and reports test results to the treatment team
- Monitors sanctions
- Attends Docket Treatment team meetings and status review hearings
- Provides the treatment team with progress reports and makes recommendations to the Docket Treatment Team
- Advises the treatment team of any violations
- Participates in discussions about incentives, sanctions, phase advancement, successful completion and termination

D. Recovery Docket Licensed Treatment Providers

- Conducts diagnostic assessments, provides the clinical diagnosis, and develops the treatment plan
- Provides documentation on a participant's progress in treatment and compliance with treatment plans, including treatment attendance and results of alcohol and drug tests.
- Attends treatment team meetings and status review hearings
- Gives treatment updates and makes recommendations regarding treatment needs
- Participates in discussion regarding incentives, sanctions, phase advancement, successful completion and termination.

E. Peer Recovery/Support Specialist

- Assesses a participant's internal and external strengths, supports and resources, and identifies areas to address.
- Connects participants to recovery support resources, acts as a liaison for informal and formal community supports, resources, and recovery-related activities.
- Attends and actively participates in treatment and staffing team meetings contributing to discussions concerning program entry, program progress, incentives, sanctions, graduation, and termination decisions.
- Acts as a liaison between the recovery support community and the program and is an ambassador for the program within the recovery support community.
- Attends and provides input at regularly-scheduled policy meetings that include the review of program operations, structure, team building and functioning.
- Provides formal and informal training and information to team members about sober support and the recovery support community.
- Attends multidisciplinary team training that addresses responsivity issues.

- Has life experience as a person in recovery and has the ability to build a relationship with the participant based on mutual understanding.
- Familiar with the local recovery community and recovery supports that are available in the community.

F. Defense Counsel

Defense counsel's primary role is to preserve the constitutional rights of the participants. The attorney will explain what rights are waived by entering the program, all necessary consents, possible sanctions, the circumstances that may lead to termination, and the effects of termination. The attorney will assist with the decision making regarding the participants entry into the Recovery Docket. The attorney will also be a referral source for the program. The participant has the right to request attendance of counsel during the portion of the treatment team meeting that applies to them. The Recovery Docket Coordinator will provide an orientation to the defense counsel on the Recovery Docket process.

The treatment team shall engage in on-going communication, including frequent exchanges of timely and accurate information about participants' overall performance. The communication shall take place over the phone, through biweekly treatment team meetings, or via emails or meetings with counselors.

In the event there is a conflict or disagreement regarding the obligations of the participant in the Recovery Docket, the parties hereby commit to attempting resolution at the lowest administrative level appropriate to the issue. In the event that dialogue does not resolve the conflict, then the parties will put problems and/or concerns in writing to the signatories of the Memorandum. Within two weeks following receipt of the notice, the involved parties will meet in an attempt to satisfactorily resolve the issues. If the parties are unable to achieve satisfactory resolution, the Recovery Docket Judge will make the final determination as to the resolution of the conflict. The parties acknowledge that in the event of conflict over the services provided to a participant pursuant to a service provider's treatment plan, the service provider shall make the final determination as to the course of appropriate treatment. In the event of a conflict in the application of the separately agreed contractual and statutory provisions with those contained in the Memorandum, the contractual or statutory provisions shall prevail.

The Recovery Docket members shall maintain professional integrity, confidentiality, and accountability. Information involving a participant's treatment may not be disclosed unless there is a written release of confidential information signed by the participant. Treatment team meetings/discussions are also deemed confidential and only shared when necessary for the benefit of the participant. All members are expected to treat each other with respect, understanding their different roles while at the same time holding each other responsible for their participation and basis for recommendations.

The treatment team members shall make reasonable efforts to observe required Specialized Docket service provider programs in order have confidence in the services provided and to better understand the treatment and programming process.

The treatment team will work with the Advisory Committee to assess the overall operation of the Recovery Docket.

The Recovery Docket treatment team meetings occur biweekly on the first and third Wednesdays of each month 60 minutes prior to the status review hearings.

Chapter 5 - Participant Monitoring

Treatment Team Meetings

The Recovery Docket Treatment Team is responsible to monitor each participant's performance and completion of their Court Services Plan (Appendix D). The Treatment team will meet at 11:00am on the first and the third Wednesdays of each month to discuss each participant's performance and progress.

The team will provide the Recovery Docket Judge collaborative recommendations for the appropriate use of sanctions and rewards.

It is the Recovery Docket coordinator's responsibility to collect reports from each participant's treatment provider and monitor the participant's compliance with their Court Services Plan, then provide that information to the Recovery Docket Judge and treatment team. In addition, the Recovery Docket probation officer must inform the Recovery Docket Judge and treatment team of the participant's compliance with the conditions of community control or intervention in lieu of conviction and Case Plan.

Status Review Hearings

The status review hearings will be held twice a month on the first and third Wednesdays of the month beginning at 12:00 noon.

The hearings will take place in a group setting before the Recovery Docket Judge to encourage ongoing judicial interaction. All participants are expected to appear for each hearing to which he or she is assigned. The benefit of meeting in a group setting is that it gives the participants the opportunity to educate each other on the benefits of compliance with the docket and the consequences of non-compliance.

The participants' attendance at the status review hearing will diminish over time as they progress through the phases. During the Orientation Phase and Phase I, participants will appear twice a month. During Phase II, participants will appear once per month. During Phase III, participants will appear once every six weeks.

All participants will be required to sign a Disclosure of Confidential Information. This document explains that the participant's performance and progress will be discussed in open court during status review hearings.

Treatment and Services

The participants will be provided resources and recommendations for local agencies that are available to assist with their needs. Referral and intake is the first step. Once the intake is

complete, the candidate will be scheduled for a comprehensive assessment to determine diagnosis. Some candidates may need additional time to complete the assessment process.

All screenings and assessments for treatment determinations should be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession. This means that all treatment providers must be licensed by the Counselor, Social Worker and Marriage, and Family Therapist Board and/or Ohio Chemical Dependency Professionals Board.

Based on the assessment, the candidate's treatment plan will be created with input from the candidate. The candidate will be placed into appropriate treatment services and programs as soon as possible. All treatment plans must be appropriate and clinically necessary to the degree that the available resources allow.

The participant will be provided a treatment plan based on their individual needs, and the services provided will incorporate evidence-based strategies. The evidence-based strategies will incorporate the Ohio Risk Assessment Tool utilized by the Adult Court Services Department. Information will be provided to the counselor to assist with treatment planning. The treatment agencies will utilize evidence-based practices, such as Motivational Interviewing, Cognitive Behavioral Therapies, Stages of Change, and EPICS II. The participant will have access to a continuum of approved treatment and rehabilitation services. All specialized-docket treatment plans take into consideration services that are gender responsive and culturally appropriate and that effectively address co-occurring disorders.

All treatment service providers must be certified through the Counselor, Social Worker and Marriage and Family Therapist Board, and/or Ohio Chemical Dependency Professionals Board and be able to deliver treatment according to their profession. They must meet the standards for provision for all intensive outpatient services including assessments, group and individual counseling as well as crisis intervention services.

The services provided by treatment agencies included registration/intake, alcohol and drug testing, assessment, developing of a treatment plan, group therapies, individual sessions, relapse prevention plans, aftercare plans, gender specific programming, family therapies, programming to address those individuals diagnosed with co-occurring disorders, medication and medication monitoring. Furthermore, case management services are available to assist the participant with engaging with other ancillary services to meet their basic needs or support their recovery process. Examples of such ancillary services include housing, transportation, medical, vocational/employment, and mental health needs. Finally, treatment agencies do drug screening analysis as part of their programming. This service observes chain of custody and follows policies and procedures for the delivery of these services.

The Recovery Docket coordinator will maintain a current treatment plan designed for each docket participant which will change as the treatment provider deems appropriate. The Coordinator also maintains a record of activities (I.e., status sheet).

The treatment providers are strongly encouraged to provide a report to the Recovery Docket coordinator prior to treatment team meetings on the progress and participation of the participant in their recovery. The Court would prefer to receive all updates from treatment providers 48 hours prior to treatment team meetings. Treatment providers are provided an annual calendar of docket hearings to assist in managing this task. In the event a provider is unable to attend a treatment team meeting the Recovery Docket coordinator will follow up with a phone call and/or e-mail.

The Recovery Docket has a partnership through Memoranda of Understanding with Maryhaven, Southeast Healthcare, and Access Ohio, LLC, and Safe Harbor Peer Support Services.

Phases of Recovery Docket

The length of the program is a minimum of 12 months. The program is divided into an orientation phase and three treatment phases. The phases are a way to monitor the participant's progress, motivation, and performance. The participant's progress through the phases is based on his or her compliance with the terms of supervision and the treatment plan. Each participant will progress differently. Phases are not based solely on preset timelines. They are designed to build upon the skills acquired in the previous stage, allowing participants to effectively manage their substance addiction and fostering stable, independent living. Each participant will have a Court Services Plan (Appendix D) that the probation officer, docket coordinator, and the participant will sign after they have completed specific requirements for each phase.

Orientation Phase (minimum four weeks)

During this phase, a participant will meet with the Recovery Docket probation officer and docket coordinator, discuss the program and its requirements, review his or her Court Services Plan, and sign all necessary releases. The participant will be given the dates for the status review hearings. During the first status-review hearing, the participant will be introduced to the members of the treatment team. This phase will last a minimum of four weeks.

Tasks to be completed during the orientation phase include the following:

- Attend at least one status-review hearing
- Comply with all treatment recommendations
- Comply with all supervision conditions
- Develop or amend an already existing case plan with probation
- Sign all necessary releases
- Appear for all random alcohol and drug testing – at least twice per week

To move on to the next phase, a participant must have completed the following:

Attend all treatment and office visits
Complete orientation assignment
Fulfill Court Services Plan
Submit application to move to next phase

Phase I (Approximately 18 weeks) (first and third Wednesdays of the month)

During this phase, the participant will continue engaging in treatment. Treatment involves an individualized treatment program designed to address your substance abuse treatment needs, as well as any psychological, social, medical, employment, and family issues. Treatment typically involves individual counseling and/or group counseling, medication assisted treatment and/or psychiatric services, along with community sober support engagement. The specific requirements of counseling will vary from individual to individual, and will be determined by the participant's counselor.

Tasks to be completed during Phase I include the following:

Attend all status-review hearings (every two weeks)
Comply with all treatment recommendations
Comply with all supervision conditions
Appear for all office visits
Appear for all random alcohol and drug testing – at least twice per week

To move on to the next phase, a participant must have completed the following:

Written recommendation from treatment provider
Written recommendation from probation officer
Completion of all assignments
Negative alcohol and drug screens for a minimum of 60 days
No new convictions in the past 60 days
Satisfactory home visit from probation officer
Attend quarterly specialized docket event
Fulfill Court Services Plan
Submit application to move to next phase

Phase II (approximately 18 weeks) (first Wednesday of the month)

Relapse prevention and aftercare counseling services are provided in outpatient treatment or individual counseling during Phase II. The specific requirements of aftercare and counseling will vary from individual to individual and will be determined by the participant's counselor, probation officer, and/or docket coordinator. The participant will seek out sober supports.

Tasks to be completed during Phase II include the following:

Attend all status-review hearings (every four weeks)
Comply with all treatment recommendations
Comply with all supervision conditions
Appear for all office visits

Appear for all random alcohol and drug testing – at least twice per week

To move on to the next phase, a participant must have completed the following:

Written recommendation from treatment provider

Written recommendation from probation officer

Completion of all assignments

Negative alcohol and drug screens for a minimum of 90 days

No new convictions for 90 days

Satisfactory home visit from probation officer

Attend quarterly specialized docket event

Fulfill Court Services Plan

Submit application to move to next phase

Phase III (approximately 18 weeks)

This is the last phase of the program. At this point, a participant may be finishing treatment, have maintained sobriety for a significant period of time, completed community service, obtained a sponsor, and active with sober-support activities. A participant should have also satisfied all or most of his or her fines, costs, and fees. The participant will be required to submit a graduation application and relapse prevention plan in order to graduate.

Tasks to be completed during Phase III include the following:

Attend all status-review hearings (every six weeks)

Comply with all treatment recommendations

Comply with all supervision conditions

Appear for all office visits

Appear for all random alcohol and drug testing – at least twice per week

To graduate, a participant must have completed the following:

Written recommendation from treatment provider

Written recommendation from probation officer

Completion of all assignments

Attend sober-support activities

Negative alcohol and drug screens for a minimum of 120 days

No new convictions for 120 days

Satisfactory home visit from participant's probation officer

Attend quarterly specialized docket event

Fulfill Court Services Plan

Satisfy all costs and fees

Complete and turn in relapse prevention plan

Complete and turn in graduation application at least one week prior to graduation

Complete exit survey

Incentives

From time to time, participants of the Recovery Docket may receive a reward or incentive provided by the Court as a way for the Court to support the participant and acknowledge that his or her hard work and determination is recognized. The incentives are immediate, graduated, individualized, and directly related to the achievements as certain milestones are met.

Examples of the times when the participant may be eligible to receive one of these rewards are as follows:

- Court ordered tasks, including mental health treatment and/or drug/alcohol treatment are completed
- Participant remains compliant with court orders for a significant period of time and demonstrates his/her commitment to treatment
- Participant moves to the next phase in the Recovery Docket
- Participant keeps all scheduled appointments for a period of time
- Sobriety maintained
- Improved behavior
- Regular attendance at status review hearings.

There are many different rewards/incentives that the court may have available for the participants. Some of these include but are not limited to:

- Increased or expanded privileges
- Less frequent urine testing
- Judicial praise and encouragement at status-review hearings
- Credit toward court costs and supervision fees
- A decrease in attendance at status-review hearings
- Certificates of completion of phases and graduation
- Graduation

Sanctions

Sanctions will be immediate, graduated, and individualized. They will be used at times when a participant is not complying with court orders, treatment, and case management. Sanctions are used to help the participants conform their behavior to program requirements. It should be noted that treatment will not be used as a sanction. Sanctions may include but are not limited to:

- Failure to appear for a Recovery Docket status-review hearing without being excused
- Not following court orders
- Not following treatment recommendations

- Missing or being late for scheduled treatment or docket/probation appointments
- Failure to complete docket assignments
- Failure to provide drug test or providing dilute urine screens
- Testing positive for illicit drugs or alcohol
- New charges or convictions

Sanctions for noncompliance are immediate and graduated and may include the following:

- Verbal warning
- Essay assignment
- Increased alcohol and drug testing
- Increased attendance at status review hearings
- Increased probation appointments
- Additional community service
- Assignment to attend support meetings or activities
- Increased level of treatment
- Courtroom observation sessions
- Daily reporting/“day jail” sessions
- House arrest
- Curfew imposition or modification
- Incarceration
- Dismissal from the Recovery Docket.

Positive urine screens at intake will be considered a baseline drug test and will be documented. The treatment team will be immediately notified of positive tests.

It should be noted that for some participants, incarceration will result in a deteriorated mental state. While jail is an option, it should be used as a graduated sanction. Because stabilization of the individual is the key to success, incarceration for long periods of time or too frequently may disrupt medication regimens, treatment, housing and the ability to parent children.

A participant will not be subjected to a jail, CBCF, or prison sanction for non-compliance without providing that participant with notice, a hearing, and the opportunity for legal representation. A participant may waive the right to a hearing (Appendix E) as long as that person has been given an opportunity to consult with an attorney and as long as any waiver is made knowingly, intelligently, and voluntary. A participant does not have the right to contest sanctions that do not impact liberty

The Recovery Docket treatment team participates in determining the incentives and sanctions and the Recovery Docket Judge will enforce and reinforce them. All sanctions and rewards will be documented in the participant’s file and reviewed at status review hearings. An adjustment in treatment services, as well as participating in community based mutual support

meetings, are based upon only the clinically informed interests of the participant. All incentives and sanctions are to be individualized.

Chapter 6 - Program Completion

Successful Completion

In order for a participant to graduate from the Recovery Docket program, the participant must have completed all phases of the Recovery Docket. The criteria for completion are listed on the Court Services Plan. The process for a participant to graduate is as follows:

- The Recovery Docket Coordinator will review the completion of all phases utilizing the Court Services Plan and bring the potential graduate's name up at the treatment team meetings.
- Each potential graduate will prepare an application and relapse prevention plan for review by the treatment team.
- The Treatment team will review the participant's docket record, behavior, and accomplishments throughout the program and whether the goals of the court service plan and treatment plan have been met. The treatment team will make a recommendation to the Docket Judge, who will make the final decision.
- The Recovery Docket coordinator will announce a graduation date and inform local agencies of the time and location of the graduation ceremony. All active participants on the docket may attend the graduation. The graduation of each participant will be journalized by the Court.

Intervention in Lieu of Conviction

The case will be disposed of through a judgment entry successfully terminating the participant from the Recovery Docket and dismissing his or her case(s). A copy of the judgment entry will be presented to the participant at the graduation ceremony, along with a certificate evidencing successful completion of the Recovery Docket. At the judge's discretion, the participant may continue on a period of community control if court costs, fines, or restitution are still owed.

Post-Conviction

A judgment entry successfully terminating the participant from community control will be presented to the participant at the graduation ceremony, along with a certificate evidencing successful completion of the Recovery Docket. The participant may continue on a period of community control if court costs, fines, or restitution are still owed.

Unsuccessful Terminations

All conduct by participants that falls short of meeting docket standards will be discussed by the treatment team, who may recommend an unsuccessful termination from the docket based upon the following criteria:

- Ongoing noncompliance with treatment
- Resistance to treatment
- New criminal convictions
- Failure to attend status review hearings
- Failure to attend appointments with members of the treatment team
- A serious violation or series of violations of Recovery Docket requirements
- A serious violation or series of violations of community control or intervention in lieu conviction

The consequences of an unsuccessful termination may be as follows:

- Revocation of community control or intervention in lieu of conviction
- Loss of future eligibility to participate in the Recovery Docket
- Further legal action
- Lengthening of the period of supervision
- Depending on the circumstances, imposition of a prison sentence, jail sentence, or CBCF sentence

The participant will be informed of possible termination of his or her participation in the Recovery Docket and will be informed of his or her right to consult with an attorney before any termination. The participant may then waive any pre-termination hearing or may choose instead to proceed with a hearing to be conducted in the same manner as a community-control-violation hearing.

The Recovery Docket Judge will make the final decision regarding the unsuccessful termination of the participant in accordance with the Recovery Docket written criteria.

Neutral Terminations

Neutral terminations of a participant will follow the same process as other terminations. The case will be brought before the treatment team for discussion and the Recovery Docket Judge will make the final determination. The information about the participant will be thoroughly reviewed and verified by the probation officer. Some cases in which neutral terminations may apply will be as follows:

- A serious medical condition arises
- A serious mental health condition arises

- Death of the participant; or
- Other external factors that will impede the participant's ability to meet the requirements for successful completion

The probation officer must file the appropriate paperwork with the Prosecutor's Office, which will file the appropriate documents with the Court pertaining to the neutral termination from the Recovery Docket. The written legal and clinical eligibility and termination criteria do not create a right to participation in the Recovery Docket.

Exit Survey

All participants will be asked to complete an Exit Survey upon discharge.

Inactive Cases

Inactive cases will still be considered a part of the docket. The same process of discussing cases with the Treatment team will occur and the Recovery Docket Judge will provide the final approval. Some instances in which an Inactive Status will be applied are as follows:

- When a participant is in a CBCF or residential treatment center and is unable to attend the docket hearings. In this instance, the Recovery Docket coordinator and probation officer will continue to monitor the participant's compliance through reports.
- When the participant has a warrant issued for his or her arrest for absconding supervision. The participant's case will still be monitored by the probation officer. In the event the participant is arrested, the probation officer will discuss the case with the treatment team. Depending on the nature of the warrant and length of time the warrant is outstanding, the Court may unsuccessfully terminate the participant from the Recovery Docket prior to the participant appearing again before the Court.

Administrative Program Suspension

Administrative suspension is a status reserved for those Recovery Docket participants who have not responded to other graduated sanctions. The participant will be temporarily suspended from the program by the Recovery Docket Judge. These participants may be suspended from participation in status review hearings, yet remain engaged in their treatment and court services plans. Participants may be eligible to return to status review hearings once a determination has been reached regarding the participant's ability to participate in and successfully meet the requirements of the Recovery Docket. The following examples may reflect reasons for an administrative suspension:

- Placement in a residential facility as a result of continued use
- Being charged with new crimes pending adjudication and/or a final disposition for sentencing

- The need for further assessments or evaluations to determine if the Recovery Docket is beneficial to the participant and the program
- Inability or unwillingness to comply with program requirements in a timely manner as directed; i.e. falling behind on scheduled restitution payments or, medical hardship

Chapter 7 - Substance Use Monitoring

Each participant must be required to submit to substance-use monitoring as a component of his or her court services plan.

Substance testing is required at least twice each week. Drug and alcohol testing will occur throughout those participants' time on the Recovery Docket.

All drug and alcohol testing plans are individualized. Tests will be random, frequent, and always observed. Urine samples will be analyzed for temperature, specific gravity, creatinine and other chemical markers to ensure a valid urine specimen. Drug screens may be conducted during your court appearance, during your home visits, or at any other time. Failing to submit to testing, refusing to submit to testing, submitting an adulterated sample, submitting the sample of another individual, or diluting a sample will be treated as positive tests that can result in an immediate sanction. A positive test or admission of alcohol or other drug use will not automatically disqualify you from the docket but will result in an immediate sanction or an increase or change in your current level of treatment.

Adult Court Services Substance-Testing Program

The Recovery Docket probation officer must have the participant complete the Random Substance Test Form.

The officer must enter into the Substance Testing tab in OCSS in the drug-testing profile the frequency of the test, the default test type (13 panel 80 hour alcohol), and the start date. This will generate a random test. The tests occur Monday through Friday and the dates are computer generated.

The participants are responsible for calling in nightly after 6 p.m. and before 7 a.m. to find out if they are to report for testing.

The participant is required to report between 8 a.m. and 9 a.m. or between 3 p.m. and 4 p.m. on the day of the test. The participant is required to provide a sample in the above time frames. If a participant is unable to report at those times, he or she must make prior arrangements with his or her probation officer.

OBTAINING URINE SPECIMEN:

1. The urine specimen will be obtained from the participant as follows:
 - a. The participant shall be escorted to the restroom;
 - b. The participant shall be monitored to ensure a genuine sample is collected;
 - c. The officer shall verify the validity of the sample by checking the temperature strip on the cup after the collection of the sample;

- d. The officer shall collect the sample from the offender and must not lose sight until determining the results of the sample.

FAILURE TO SUBMIT SAMPLE

1. If a participant refuses (this includes leaving or failing to appear at a designated time) or fails after a reasonable period of time (two hours) to submit with specimen, he/she shall be informed that this refusal may constitute a violation of the conditions of supervision. The officer has the authority to determine whether a failure to submit constitutes an intentional refusal in the following situations:
 - a. The participant fails to appear for a scheduled drug test;
 - b. The participant is unable to provide a specimen after an allotted amount of time (usually two hours);
 - c. The participant has failed to provide proof of any special circumstances (medical conditions, etc.) to the officer;
 - d. The participant displays a poor attitude or is causing difficulties to the officer in the collection of a urinalysis sample.

2. The probation officer has the authority to decide whether:
 - a. To require the participant to provide a urine sample on that date;
 - b. To reschedule the drug testing to another date, or;
 - c. To require the urine sample to be sent to the lab for confirmation.

The probation officer may confer with the Chief Probation Officer or Deputy Chief Probation Officer for guidance in determining what action should be taken should the necessity exist.

PROCESSING DRUG TESTS

Drug testing must be sufficient enough to include the participant's primary substance of dependence as well as others.

Vista cups test the following:

Amphetamines (AMP) cutoff 500 ng/ml
Buprenorphine (BUP) cutoff 10 ng/ml
Benzodiazepines (BZO) cutoff 300 ng/ml
Methamphetamine (MET) 500 ng/ml
Methadone (MTD) 300 ng/ml
Marijuana (THC) 50 ng/ml

Ethyl Glucuronide (EtG) 500ng/ml
Norfentanyl (FEN) 50 ng/ml
Ecstasy (MDMA) 500 ng/ml
Morphine (MOR) 300 ng/ml
Oxycodone (OXY) 100ng/ml
Tramadol (TRA) 100ng/ml

1. CONFIRMATION

- a. When a participant adamantly denies the results of a drug screen, the officer may send the drug screen to a laboratory for confirmation. The participant shall be notified that the cost of the laboratory test will be at the participant's expense if it is determined that the drug screen is positive for drugs. No charge will be applied when the lab results are returned and the test is negative.
- b. Samples may be sent to a laboratory to confirm levels of a substance at the participant's expense

2. REPORTING RESULTS OF DRUG SCREEN

- a. The results (whether positive or negative) of the urinalysis test shall be noted in the appropriate screen in the Ohio Community Supervision System under "Scheduled Drug Test." Prior substance test results are listed in chronological order.
- b. The participant shall be informed with the results of the drug screen. The officer may ask for an explanation or admission of use for any positive drug screen. If the participant admits to using, the officer will have the offender sign an "Admission of Positive Test" and place this form in OCSS and in the participant's

BREATHALYZER:

Recommended Practice

Probation Officers must use the equipment of Adult Court Services for breath testing.

Supervisors must ensure that the device is calibrated in accordance with the manufacturer's recommendations. Malfunctions or operational problems should be reported to the Chief Probation Officer immediately.

In the State of Ohio, breath readings over .08 are considered to be illegal intoxication for driving purposes only. A decision to arrest, refer to a detox center, or send home a participant with a reading over .08 must be made in consultation with a supervisor and with reference to the subject's current behavior, whether the subject will operate motor vehicle, and other normal arrest criteria.

Under normal circumstances, all participants who produce a reading over .08 will be arrested and transported to the Delaware County jail for their safety.

Testing by Outside Treatment Agency

Testing on participants will occur through the treatment agency in which they are being treated. The member from that agency will notify the Recovery Docket Probation Officer of the outcome of any test results, as they are conducted.

Notification/Documentation

The results of all drug tests are shared with the treatment team. In addition, the treatment team will be notified if a participant fails to report, fails to provide a sample, adulterates a sample, provides a sample of another individual, and/or tampers with a sample.

Sanctions

If a participant is late for a test or misses a test, it will be considered a presumptive positive test for drugs/alcohol. If a participant refuses to submit a urine sample, it will be reported as a refusal to test and considered a presumptive positive for drugs/alcohol. The participant must provide a urine sample that is negative for all drugs/alcohol. If the participant fails to produce a urine specimen within two hours of arriving or if the sample provided is not of sufficient quantity, it will be considered as a presumptive positive test for drugs/alcohol. If the participant produces a diluted urine sample, it will be considered as a presumptive positive test for drugs/alcohol. If the participant substitutes or adulterates his or her specimen for the purposes of changing the drug testing results, it will be considered as a presumptive positive test for drugs/alcohol and may result in sanctions, including removal from the Recovery Docket.

Relapses

Relapses will be addressed through the treatment team to determine if the use is a continued use or a relapse. The participant will be reassessed and be placed in the appropriate level of care to address the positive screen and to reengage or re-stabilize. The treatment team will be notified of the positive urine screen. Sanctions for the relapse may as set forth herein.

Medication Usage

It will be the participant's responsibility to inform all treating physicians of his or her recovery from drugs/alcohol before he or she is given an addictive medication. If a doctor believes that it is necessary to prescribe the medication that will yield a positive urine screen, the physician must submit a letter to the Recovery Docket probation officer stating that the physician is aware of the participant's status as a recovering addict/alcoholic and the need for the medication outweighs the risks. The participant must have a letter prior to taking any medication that will cause a positive screen. If the participant tests positive and he or she does not have a letter from his or her physician, sanctions may be imposed.

In cases of emergency room care, the participant will provide verification of all emergency room orders and discharge information to the Recovery Docket probation officer no more than seven days after release from the hospital. All prescriptions must be cleared by a primary care physician to continue taking the medications. A pattern of visits to the emergency room for ailments that require opiate treatment may be brought before the Court.

Chapter 8 - Professional Education

The interdisciplinary education of the treatment team promotes effective docket planning, implementation, and operations. All new and current members of the treatment team will be educated about the Recovery Docket “process.”

Meetings

Meetings will be scheduled at least quarterly with the Advisory Board to assess the functionality of the Recovery Docket. The team will be looking at what’s working, what’s not working, and the achievement toward meeting program goals and objectives. Furthermore, policies and procedures will be updated based on these meetings. At these meetings the members will share new and upcoming information about the Recovery Dockets, discuss any area trainings and evaluate the best practices that are being used by the area agencies. Information that is obtained by attending the sub-network meeting at the Supreme Court will be shared as well. All treatment team members will be encouraged to attend the Ohio Specialized Dockets Practitioner Network Meetings.

New Team Members

All new members to the Recovery Docket treatment team will be advised of the policies, procedures, and best practices utilized by the treatment team. New members will be encouraged to read the policy and procedure manual for the Recovery Docket.

The treatment team will identify similar area specialized drug courts and build a relationship with those courts, as well as attend any sessions and/or meetings to increase collaboration and leverage resources and information. The Recovery Docket coordinator and probation officer will foster and regularly review those relationships.

Prosecutors/Defense Attorneys

Prosecutors and defense attorneys are encouraged if possible, to attend the treatment team meetings so that they will understand the importance of their roles within the Recovery Docket process. In addition, if possible, they will be encouraged to attend Supreme Court trainings and Advisory Committee Meetings and to access information about Recovery Dockets online.

Supreme Court Meetings

All treatment team members will be encouraged to attend and participate in Supreme Court meetings, trainings, and the annual conference to increase their understanding of drug courts and develop beneficial relationships with other state courts.

Chapter 9 - Effectiveness Evaluation

The Recovery Docket has a plan for evaluating its effectiveness. It includes a statement of goals and objectives set forth in this manual. The Recovery Docket has a system for collecting data and a process for analyzing that data in order to determine whether goals and objectives have been met.

The Recovery Docket coordinator and probation officer will use databases and other tools to collect statistical data and compile reports. The information will be compiled and presented to the Advisory Committee on a quarterly basis. That information will be provided to the Recovery Docket Judge to evaluate the effectiveness and functionality of the Recovery Docket, treatment team, Court Services Plan, and policies and procedures.

Supreme Court Reporting Data

The Recovery Docket coordinator and probation officer will comply with reporting data as required by the Supreme Court. The data collected corresponds to the goals and objectives established during the planning process and contained in the policies and procedures chapter. The treatment team will engage in ongoing data collection in order to evaluate whether or not the Docket is meeting its goals and objectives. Data collected will be utilized by the Advisory Committee as part of the functionality review of the treatment team.

All Recovery Docket participants will be encouraged to complete an anonymous Exit Survey upon successful completion or termination from the program. The information collected will be used to provide perspective on a participant's experience, effectiveness of programs and services, and suggestions to improve outcomes.

Ongoing Data Collection

The Recovery Docket coordinator and probation will periodically exam success rate and may consider the following information:

- Number of Participants referred
- Number of Participants accepted
- Number of Participants denied
- Reasons for denial
- Number of graduates
- Number of unsuccessful terminations
- Number of neutral terminations
- Number of prison days that could have been imposed
- Number of jail days served for sanctions
- Number of jail days served on alternative sanctions, such as prison diversion and community service diversions
- Number of negative drug/alcohol screens

- Number of positive drug/alcohol screens
- Graduated sanctions
- Treatment attendance
- Unsuccessful discharge from treatment
- Successful completion of treatment
- Participants referred to residential treatment
- Completion of residential treatment
- Unsuccessful discharge from residential treatment
- Age of participants
- Gender of participants
- Race of participants
- Employment status of participants
- Marital status of participants
- Number of Children
- Level of educational attainment
- Failure to report for tests
- ORAS score upon entry of program
- ORAS score upon exiting program
- Criminal history (Misdemeanor/Felony convictions)
- Length of time in each phase
- Length of time in program
- Types 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

Appendix A

Specialized Docket Referral Form Delaware County Court of Common Pleas

Please complete the information below and send to Specialized Docket Coordinator
Fax: 740.833.2526 or Email: Hgraham@co.delaware.oh.us

Referred by: _____ **Phone Number:** _____

Docket Recommendation (circle one): Mental Health Docket Recovery Docket Unknown

Offender's Personal Information (please print):

Name (Last, First, and Middle Initial):	DOB:	Age:
Street Address:	City:	Zip Code:
Home Phone:	Work Phone:	Race:
Social Security No:	Aliases:	Gender:
Incarcerated: Where: Y <input type="checkbox"/> N <input type="checkbox"/>		

QUALIFYING FACTORS:

1. Clinical Criteria

- The candidate's mental health disorder and/or substance use disorder was a factor in the behavior that resulted in the pending charges(s) and, unless treated, the defendant's disorder is likely to contribute to future criminal behavior.
- Are receptive to behavioral health treatment and agree to actively participate and cooperate with the specialized docket coordinator and community providers.
- Agree to maintain any medication assisted treatment, psychiatric medication, psychotherapy, and/or other counseling.
- Have a primary DSM-5 diagnosis for mental illness and/or moderate or severe substance use disorder.

2. Legal Criteria

- The candidate must be charged with:
 - Mental Health Docket: a non-violent fourth- or fifth-degree felony.
 - Recovery Docket: a felony offense that is less serious than a felony of the second degree and not be charged with F3 trafficking.
- Be placed on intervention in lieu of conviction, community control, and/or through judicial release.
- The candidate must be competent and understand and appreciate the consequences of the legal proceedings.
- Must agree to actively cooperate with the specialized docket coordinator and probation officer.
- The candidate cannot pose a significant risk of harm to the community, the staff of the Court, the providers, or agencies working with the docket.
- Judge has the sole discretion in the admissibility to the
- Some additional criteria to consider for eligibility are:
 - If the Domestic Violence case occurred more than five years ago and the candidate completed community control.
 - The candidate has a low risk of committing a similar offense.
 - Score 15 or higher on the Ohio Risk Assessment System.

DISQUALIFYING FACTORS:

- A) The candidate has a predominant personality disorder and/or mental retardation/intellectual disability as indicated in the DSM-5.
- B) The candidate has outstanding warrant or holds from any other jurisdiction or pending felony case.
- C) The candidate has current sexual offender status.
- D) The candidate is charged with OVI.
- E) The candidate is highly resistant to changing behavior after numerous interventions.
- F) The candidate has charges and history of domestic violence; depending on the facts of the case or a significant history of violent behavior to be determined on a case-by-case basis.
- G) The candidate is currently on post release control or federal parole.
- H) The candidate has demonstrated failure to exhibit a willingness to take medication as prescribed and/or to follow a treatment plan.
- I) The victim of the candidate's offenses was a child or elderly person.

Appendix B

Authorization to Use and Disclose Protected Health Information Form

I, _____, hereby voluntarily authorize the use and disclosure of protected health information (“PHI”) deemed relevant to Delaware County Common Pleas Court (“CPC”) about me by signing this Authorization to Use and Disclose Protected Health Information Form (“Authorization”).

This Authorization applies to the following individual, identified below by name, date of birth (“DOB”), and social security number, and authorizes the use and disclosure as specified herein:

Individual Name: _____ DOB: _____ Social Security # _____

II. The following agency(s) have my permission to exchange/give/receive/share/re-disclose information about me. (Please Check and/or Specify).

<input type="checkbox"/> CPC 117 N. Union Street Suite 317 Delaware, Ohio 43015	<input type="checkbox"/> Other(s) (Specify and Address)
<input type="checkbox"/> Other(s) (Specify and Address)	<input type="checkbox"/> Other(s) (Specify and Address)

III. **The purpose or need for this disclosure is:** (Please Check, Insert Case Number, and/or Specify)

<input type="checkbox"/> Legal Matter –Delaware County Case No.	<input type="checkbox"/> Other(s) (Specify)
<input type="checkbox"/> Other(s) (Specify)	<input type="checkbox"/> Other(s) (Specify)

IV. **The PHI to be disclosed from my health record includes the following:** (Please Check and/or Specify)

<input type="checkbox"/> Discharge Summary(ies)	<input type="checkbox"/> Psychiatric Evaluations	<input type="checkbox"/> Progress Reports
<input type="checkbox"/> Names of Agencies Providing Services	<input type="checkbox"/> Vocational assessments	<input type="checkbox"/> Psychological Assessment
<input type="checkbox"/> Treatment Plan	<input type="checkbox"/> Disability Records	<input type="checkbox"/> Physician Orders
<input type="checkbox"/> Laboratory Reports	<input type="checkbox"/> Type of Services Received	<input type="checkbox"/> Medications Prescribed
<input type="checkbox"/> Appointment Date/Time	<input type="checkbox"/> Attendance Record	<input type="checkbox"/> Other (specify):

HIV/AIDS, Mental Health/Psychological, and Substance Use Information: (Please Check and Signature Required)

Information to Disclose	Signature
<input type="checkbox"/> HIV Test/AIDS-Related Health Information/Status	
<input type="checkbox"/> All Mental And Behavioral Health Information	
<input type="checkbox"/> Alcohol/Substance Use/Addiction Treatment Records	

Time Frame for PHI to be disclosed: (Please Insert Individual's DOB)

<input type="checkbox"/> Entire Time From Individual's DOB: Until Present Date
--

- V. I understand that I may revoke this Authorization in writing submitted, at any time to the contact information listed below in this section, except to the extent that action has been taken in reliance on this Authorization. If this Authorization has not been revoked, I knowingly and voluntarily agree that this Authorization is to remain in effect until all criminal proceedings, including any incarceration term or probationary term, in Delaware County Case No. _____ are completed or 365 days, whichever occurs last.

Written revocation must be submitted to the following person at the CPC:

Name: Holly Graham **Address:** 117 N. Union Street Suite 531 **City/State/Zip Code:** Delaware, Ohio 43015

- VI. I understand that my alcohol and/or drug treatment records receive special protection under federal law (42 C.F.R. Part 2) and can only be re-disclosed as permitted by the federal regulations. I understand that my physical and mental health treatment records are protected by HIPAA but may be subject to re-disclosure if the recipient of my information is not subject to HIPAA.

This is a free and voluntary act by me. I understand that refusing to sign this form does not prohibit disclosure of my PHI that is otherwise permitted by law without my specific authorization or permission. Additionally, I have the right to receive a copy of this Authorization.

Individual Printed Name: _____
(Or Person Authorized to Give Consent)

Individual Signature: _____
(Or Person Authorized to Give Consent)

Relationship of Person if not the Individual: _____

Date: _____ / _____ / _____

CPC Representative Printed Name: _____

CPC Representative Signature: _____

Date: ____ / ____ / ____

Appendix C

IN THE COURT OF COMMON PLEAS, DELAWARE, OHIO

Recovery Docket
Holly Graham, Specialized Docket Coordinator
117 N. Union Street, Delaware, Ohio 43015
Phone – 740.833.2526
Fax – 740.833.2529

Defendant's Name:

Case Number(s):

Recovery Docket Screening Recommendation

Date:

Individual was found eligible to enter the Recovery Docket Program.

Individual was found ineligible to enter the Recovery Docket Program for the following reasons:

- Refused program
- Significant risk to staff
- Lacks capacity to understand program requirements
- Does not meet Recovery Docket program criteria
- Does not meet provider criteria
- Did not complete assessment

Comments:

Holly Graham, Specialized Docket Coordinator

Date

cc: Assistant Prosecuting Attorney
Defendant/Attorney for Defendant
Holly Graham, Specialized Docket Coordinator
Probation Officer – Adult Court Services

Appendix D
DELAWARE COUNTY COMMON PLEAS COURT
RECOVERY DOCKET COURT SERVICES PLAN

Name: _____ **Date:** _____

Phase I (Approximately 18 weeks)

You will continue engaging in treatment. Treatment involves an individualized treatment program designed to address your substance abuse treatment needs, as well as any psychological, social, medical, employment, and family issues. Treatment typically involves individual counseling and/or group counseling, medication assisted treatment and/or psychiatric services, along with community sober support groups. The specific requirements of counseling will vary from individual to individual, and will be determined by your counselor. You are entering Phase I and will be expected to complete the below requirements of the program.

Participant requirements for Phase I:

___ Attend required docket status review hearings – 2 times per month; **first and third Wednesday of the month.**

___ Attend all office visits with PO/Docket Coordinator and comply with supervision conditions.

___ Appear for all random alcohol and drug testing.

___ Attend mental health &/or substance abuse treatment sessions/appointments and comply with treatment recommendations.

Graduation to the next phase includes the following items:

___ Active participation in the RD for a minimum of 18 weeks.

Start Date: _____ Eligible for Next Phase Date: _____

___ Recommendation by docket team.

___ Negative drug screens for 60 consecutive days.

___ No new convictions.

___ Participate in quarterly specialized docket events.

___ Complete all homework and docket assignments.

___ Submit application to move to next phase.

I have received my copy of the **Phase I** requirements of the Recovery Docket program. The Docket Coordinator has explained my requirements to me. I am aware that I am ordered to comply with these areas in order to successfully complete the Program. I understand that it is my responsibility to comply with the Program's requirements. I acknowledge that I am entering the Recovery Docket Program. I also acknowledge that failure, on my part, to comply with the above-mentioned, checked terms may result in my removal from the Program. If removed from the Program due to non-compliance, I will have not completed the Program successfully.

Defendant Signature Date

Date Completed: _____ P.O. or Docket Coordinator's Initials: _____

Appendix E

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, OHIO

THE STATE OF OHIO, :
 :
 Plaintiff, :
 : Case No.
 v. :
 : JUDGE JAMES P. SCHUCK
 :
 :
 Defendant. :

**JOURNAL ENTRY ADDRESSING THE DEFENDANT’S ACCEPTANCE
OF A RECOVERY-DOCKET JAIL SANCTION**

I, _____, voluntarily waive my right to a hearing on the following violation, and I admit that I have violated the requirements of the Recovery Docket program by failing to comply with the following provision(s) of the form entitled “Acknowledgement of Requirements of Recovery Docket” that I earlier signed in this case –

Agreement #3. I am expected to willingly attend all individual and group-counseling sessions, educational sessions, and activities or assessments as required by my counselor.

Agreement #8. I understand that repeated non-compliance with the requirements of my Court Services Plan or Treatment Plan may result in my dismissal from the Recovery Docket and could result in further community control sanctions. Sanctions may be graduated and may include jail time before a hearing is required. Furthermore, I understand that by complying with my treatment plan and the Recovery Docket, I will be rewarded for my compliance.

Agreement #11. I am expected to remain free from alcohol and all other illegal mood-altering substances up to and including designer drugs unless otherwise prescribed by a physician and approved by my probation officer.

Agreement #14. I understand that any noncompliance on my part will be governed by immediate and graduated sanctions.

