



**Clinton County Common Pleas Court
46 S. South St.
Wilmington, Ohio 45177**

**The "You Turn" Recovery Docket
Program Description**

Fresh Start Program

Community Cares Program

The Honorable John W. (Tim) Rudduck

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Chapter 1, Policies and Procedures

The Advisory/Steering Committee

The "You Turn" Advisory Committee is made up of key community stakeholders who are afforded the opportunity to provide input into the policies, procedures, and operations of the court. The committee shall meet a minimum of once per year or as necessary and serve a minimum of one year. The judge is the chair of the advisory committee and attends all meetings. **(See Attachment 1, Advisory/Steering Committee Roster)**

Role/Responsibilities of the Committee

Members help build program capacity, help evaluate program effectiveness, and may engage in short and long-term planning. Members may participate in community outreach and education efforts and seek ways to financially sustain the docket.

Membership

Committee members may include but will not be limited to representatives of licensed drug, alcohol and mental health services, area law enforcement departments, the prosecutor's office, area defense attorneys, probation officers and/or other court officials, consumer advocacy groups or other community-based stakeholders.

Mission Statement

The mission of the "You-Turn" Recovery Docket is to enhance public safety by preventing recidivism; assisting participants in taking responsibility for their behavioral health issues by turning them from a path of self-destruction to a path of recovery; creating community programs that meet the needs of participants; and using evidence-based practices in intervention and treatment.

Goals and Objectives

Goal 1

To increase successful completion rate of docket participants.

Objective 1

If there are 40 participants, 65 percent successfully complete.

Goal 2

To reduce the amount of participant positive urine screens from placement to graduation.

Objective 2

To reduce the amount of positive drug tests 50 percent.

Goal 3

To reduce drug-related offenses defined as criminal convictions in which drugs were a contributing factor.

Objective

To reduce recidivism 25 percent for docket graduates over a one-year period.

Goal 4

To increase the number of docket participants who complete substance abuse treatment within 18 months of program engagement.

Objective

If there are 40 participants, 65 percent will complete substance abuse treatment within 18 months of program engagement.

Goal 5

To reduce the Ohio Risk Assessment Scores (ORAS) of docket participants.

Objective

To reduce ORAS scores by 20 percent from program start to finish.

Chapter 2, Target Population

The purpose of the docket is to rehabilitate primarily Clinton County residents charged with low-level felonies who have been diagnosed with a substance use disorder that is a contributing or mitigating factor in their law enforcement involvement. Someone who is interested in participating must meet legal, clinical, and target criteria before admission.

After applying for admission to the docket, applicants must have an assessment conducted by a licensed treatment provider and meet with will the case manager to sign a release of information and complete other admission paperwork that will be used to assess his eligibility for the docket.

The judge makes the final decision as to who participates in the docket. Satisfying the legal and clinical and other criteria do not guarantee the right to enter into the docket.

Legal Eligibility Criteria

The You-Turn Recovery Docket is a specialized docket intended for Clinton County residents, eligible for community control supervision or diversion programs, who are typically charged or found guilty of a 4th or 5th degree felony offense. No one will be ordered to participate in the docket as a treatment option or community control sanction. Admission into the docket must be sought by the applicant in a Request or Application filed with the court. While admission into the docket will require the applicant to waive in writing a number of constitutional and statutory rights, the court will ensure due process is afforded participants admitted into the docket at all critical stages of the proceedings before the court.

Special consideration for admission into the docket may be given to out-of-county residents who are able to make the frequent trips to and from court appearances, substance abuse treatment, probation appointments and drug testing. Participants must be non-violent offenders with substance use and/or co-occurring disorders who have been arrested on new criminal charges and/or violation of community control sanctions.

The applicant who is convicted and will take part in the Community Cares program will complete a pre-sentence investigation and the ORAS. It shall be the Recovery Docket Case Manager's job, in conjunction with the court's Pre-Sentence Investigation Officer, to obtain as much back ground information from the applicant though the use of OHLEG, ODRC Portal etc. The Recovery Docket Case Manager will contact the pre-sentence investigator to obtain the ORAS score and criminal background to complete the screening process if not otherwise provided.

Absent unusual circumstances, the applicant needs an ORAS of 15 or higher to be eligible for the program. In the event that the applicant's legal competency is an issue, he/she shall be referred for a forensic assessment to determine if he/she is competent to participate.

Clinical Eligibility Criteria

The participant must be diagnosed with substance use disorder after an assessment by a treatment agency that is a licensed through the Ohio Department of Drug and Alcohol Addiction.

All chemical dependency, mental health, and other programming assessments include available collateral information to ensure the accuracy of the assessment. The Recovery Docket Case Manager will share all collateral information with the agency completing the assessment. The applicant shall receive the assessment within 15 business days of the referral and is encouraged to contact the Recovery Docket Case Manager if there are problems obtaining the assessment.

Capacity

The capacity of the program is 40 participants unless expanded by the judge to accommodate unusual circumstances.

Chapter 3, Program Entry and Case Flow

Referral Process

The procedure for identification of potential participants begins after the defendant has been charged with a qualifying offense, has a pending Motion to Revoke Community Control, has filed a Motion for Intervention in Lieu of Conviction, is preparing for a Judicial Release hearing, or upon referral from others associated with the docket.

Referrals can be made by the judge, attorneys, licensed treatment providers, supervision officers or law enforcement officers.

If accepted into the program, the defendant may be placed in either the Intervention in Lieu Track (the Fresh Start Program) or the Post-Conviction Track (the Community Cares Program.)

The judge may rule on the **Participation Agreement (See Attachment 2)** by completing an **Entry on Admission (See Attachment 3)** or incorporating admittance language into an entry at the arraignment, change of plea, intervention in lieu of conviction, judicial release, and/or the revocation of record hearing.

Screening and Assessment

The participant shall complete a release of information form to provide for communication about confidential information, participation progress in treatment, and compliance with the provisions of relevant law, including the "Health Insurance Portability and Accountability Act of 1996," 42 U.S.C. 300 gg-42 as amended, and R.C. 2151.421 and 2152.99.

Before being admitted to the docket, the applicant must have an assessment from a licensed treatment provider. He/she must also contact the Recovery Docket Case Manager to learn more details about the program, sign a **Consent for Release of Confidential Information (See Attachment 4)**, receive a **Participant's Handbook (See Attachment 5)**, and complete an **Intake Application (See Attachment 6)**, which will document some background on the applicant's criminal history, residency, education, employment, family, medical and mental health status, as well as substance abuse history.

The Recovery Docket Case Manager will answer any initial questions the applicant may have. Though not for public dissemination, the licensed treatment provider assessment and plan will be shared with the judge and the Recovery Docket Treatment Team, including the prosecutor and defense counsel. The defendant must be diagnosed as chemically dependent and competent to understand the docket program. The treatment team should consider, but is not obligated to follow, clinical assessments or treatment recommendations.

In the event that the participant does not meet the legal, clinical and other criteria, the participant's case will then proceed through the regular docket.

Program Admission

If admitted to the docket, the defendant will schedule another meeting during the two-week orientation phase to review and sign additional agreements related to terms of supervision, drug testing and reports. Participants shall be placed as soon as possible in appropriate treatment services and programs. All screenings and assessments shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession. Participants shall be placed as soon as possible under reporting supervision to monitor compliance with court orders.

For those admitted into the Community Cares Program, the judge will set the participant's sentencing hearing as soon as possible after the change of plea in order to allow time for assessments and the pre-sentence investigation.

For those admitted into the Fresh Start Program (Intervention in Lieu of Conviction), hearings likewise will be scheduled in order to have the screenings and substance abuse assessments completed. The time frame from referral to the docket to the defendant entering the program should not exceed six weeks.

As part of Community Control and Intervention in Lieu of Conviction, the participant must:

- have no new law violations,
- report all contact with law enforcement,
- must remain in Ohio,
- must not use any firearms or other weapons,
- must report as directed,
- must have random urine screens,
- must submit to searches,
- must not change residence without prior permission,
- must not possess, handle or use any controlled substances,
- must get permission from supervisor before filling prescriptions,
- must not drink alcohol or go to any bars,
- must seek counseling where appropriate, and
- may not associate with any individuals on parole, probation, PRC, Community Control or known to be drug users or sellers.

Participants may also be subject to GPS monitoring and required to perform community service.

In a follow-up meeting with the Recovery Docket Case Manager, the participant will be provided some additional information and agreements that must be signed as

part of the program. He will get copies of all signed agreements which will be maintained in his case file.

Information and agreements are:

- Treatment Team (Attachment 7)
- Supervision Terms (Attachment 8)
- Substance Abuse Monitoring Agreement (Attachment 9)
- Substance Abuse Monitoring Frequency, Sanctions (Attachment 10)
- Positive Drug Test Statement (Attachment 11)
- Prescription Medication Policy (Attachment 12)
- Treatment Report Sample (Attachment 13)
- Status Review Hearings Calendar (Attachment 14)

Non Discriminatory Practices

Defendants shall not be discriminated against if they meet the legal, clinical and other criteria. A participant shall not be denied admission for the following: race, color, religion, gender, sexual orientation, nation origin, ancestry, age, citizenship, marital status, veteran status, disability, being indigent or unable to pay fines and costs.

Revocation/Violation Referrals

An offender who is on Community Control within the regular docket of the court and has a violation and/or new offense may be referred to the "You-Turn" Recovery Docket for screening. The referral can come from the judge or any regular or potential member of the Treatment Team

If the offender is incarcerated, the Recovery Docket Case Manager may interview and screen the offender while he/she is incarcerated.

Cases accepted from revocation/violation hearings are referred to the docket as part of a condition of Community Control and participants are ordered to complete successfully the revised more intense program.

Upon scheduling a hearing on a motion for judicial release under R.C. §2929.20, the court may make a referral to determine eligibility for the Recovery Docket.

Case File Maintenance

The Recovery Docket Case Manager will maintain all files of the participants. Files and information maintained will include all signed agreements, court entries and other documentation related to the participant's activity in the drug docket.

Chapter 4, Treatment Team

Member Duties

The "You Turn" Recovery Docket Treatment Team includes the judge (who chairs the meetings), the case manager, court supervision officers, prosecutors, defense counsel and licensed treatment providers.

The program utilizes a non-adversarial approach which includes contributing to the individualized treatment case plans and developing sanctions to modify a participant's behavior while recognizing the prosecutor's distinct role in pursuing justice, protecting public safety and victim's rights, and the defense counsel's distinct role in preserving the constitutional rights of the participant.

The team will engage in ongoing communication, including frequent exchanges of timely and accurate information about participants' overall performance. The communication will take place by phone, in twice monthly docket meetings, through emails or one-on-one conversations.

Treatment team members will maintain professional integrity, confidentiality and accountability. No protected information is disclosed involving treatment unless there is a written release of confidential information endorsed 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, to understand their different roles, and to hold each other responsible for their participation and accountable for recommendations.

Team members shall make reasonable efforts to evaluate service provider programs in order to have confidence in the services and to better understand the treatment and programming process. Whenever possible the team engages in community outreach activities to build partnerships that will improve outcomes.

Specific Roles and Responsibilities

Judge

The judge is the leader of the team and meets with participants in Status Review Hearings throughout the course of their participation in the drug docket. He is the ultimate decision maker concerning incentives, sanctions, phase advancement, admission, termination or successful completion of the program. The judge discusses the progress of participants at the Status Review Hearings.

Recovery Docket Case Manager

The Recovery Docket Case Manager enrolls participants and facilitates the operations of the drug docket. He/she is the data collector for the docket and participates in discussions about incentives, sanctions, phase advancement, successful completion and/or program termination. The case manager assists participants with case management services regarding additional needs.

Supervision Officers

Officers of Clinton County Adult Probation, Community Supervision and Intervention in Lieu monitor participants' compliance with supervision plans. They conduct random substance abuse tests; attend Treatment Team Meetings and Status Review Hearings; provide progress reports and make recommendations to the team; and participate in discussions about rewards, sanctions, phase advancement, successful completion, and termination. They also assist participants with case management services regarding additional needs.

Licensed Treatment Providers

Licensed treatment providers must be certified through the Ohio Department of Drug and Alcohol Addiction and be trained to deliver appropriate services to the participants. The licensed treatment provider is the participant's counselor/therapist; conducts diagnostic assessments; provides clinical diagnosis; develops the treatment plan; provides written documentation to the court prior to the team meetings regarding

the participant's progress in treatment and compliance with the treatment plans; monitors attendance and urine test results; attends team meetings and Status Review Hearings to give treatment updates and make recommendations regarding treatment needs; and participates in the discussions regarding incentives, sanctions, phase advancement, successful completion and termination from the docket. The treatment team should consider, but is not obligated to follow, clinical assessments or treatment recommendations.

Prosecutor

The prosecutor's distinct role is in pursuing justice and protecting public safety and victims' rights. The prosecutor may or may not play an active role in the docket. However, the prosecutor can provide input into the acceptance of a participant into the docket. As the docket is primarily handling post-conviction and Intervention in Lieu of Conviction cases, the prosecutor may or may not participate in Treatment Team meetings. They are a referral source for the programs and will be trained on docket matters.

Defense Counsel

Defense counsel's primary role is to preserve the constitutional rights of the participant. The participant's defense counsel may or may not play an active role in the docket. The attorney will explain what rights are waived by the potential participant entering the program, possible sanctions they may receive, the circumstances that may lead to termination and the effects of termination. The attorney will assist with the decision-making regarding the participant's entry into the docket. The attorney will also be a referral source for the program, may participate in Treatment Team meetings at the request of the participant at their expense, and will be trained on docket matters.

Chapter 5, Participant Monitoring Treatment Team Meetings

In order to monitor the participant's performance and progress, the treatment team will meet twice a month prior to the Status Review Hearings to discuss the participant's performance and progress. The judge leads the meetings and will hear updates on participants from licensed treatment providers, supervision officers, and the case manager. At times prosecutors and defense counsel may also attend. Other occasional visitors are required to sign a Treatment Team Visitor Confidentiality Form **(See Attachment 16)**.

Status Review Hearings

Status Review Hearings are held following Treatment Team Meetings on the first and third Fridays at 1:30 p.m. in the Clinton County Common Pleas Courtroom. Dates are changed when they conflict with holidays or the judge's schedule. Participants attend the hearing as a group and appear individually before the judge to encourage ongoing judicial interaction. The benefits of meeting all defendants in a single hearing give the defendants opportunities to educate themselves to the benefits of compliance with the docket and the consequences of noncompliance.

The defendant's attendance at the review hearings 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, the participant will appear once per month and during Phase III, the participant will appear once every six weeks.

Summary of Treatment

The specialized docket maintains a current treatment plan and record of activities. All required treatment and programming shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of their profession.

Memorandums of Understanding are signed by the court and licensed treatment providers to establish a mutual understanding of the docket procedures, the responsibilities of each party, and a process for problem solving, both clinically and administratively. **(See Attachment 16)**

Participants will be provided a treatment plan based on their individual needs. The services provided will incorporate evidence-based strategies and the participant will have access to a continuum of approved treatment and rehabilitation services. Information will be provided to the counselor/therapist to assist with treatment planning. Some participants may need to be referred to an outside treatment agency to address any co-occurring disorders. All specialized docket treatment plans take into consideration services that are gender responsive, culturally appropriate, and effectively address multiple disorders. All treatment plans shall be appropriate and clinically necessary to the degree that the available resources allow. The treatment plans will change as the participant does.

Services provided by treatment agencies include alcohol and drug testing, assessment, group therapies, individual sessions, relapse prevention plans, aftercare plans, gender-specific programming, family therapies, programming to address those diagnosed with multiple disorders, and medication and medication monitoring.

Furthermore, case management services are available to assist participants in engaging other ancillary services to meet their basic needs or support their recovery process. Examples of such ancillary services include housing, transportation, and medical, vocational/employment and mental health needs. Some treatment agencies also do drug screening analysis as part of their programming.

Treatment reports are submitted by the end of the day Thursday, the day before Status Review Hearings.

Phases

There are three phases to the program, including a brief orientation phase during Phase 1 when the participant is to may meet with the case manager who will make sure all documentation has been completed and to answer any questions about policies, procedures and expectations. Participant progress is based on compliance with the docket guidelines. Each participant will progress at his/her own pace and is not based on preset time frames. The program lasts for a minimum of 18 months and participants must be sober for at least one year in order to graduate.

Phase I (includes orientation and lasts a minimum of 2 months)

Participants will attend their first status review hearing before the judge and be introduced to other members of the docket. They will be given the opportunity to give the other participants a bit of biographical information. This phase is the most intensive phase for the participant, who may or may not be in a residential setting and/or intensive outpatient setting. The goal is to stabilize the participant to assure compliance with the program. This phase requires weekly meetings with the assigned supervision officer and twice a month attendance at status review hearings in front of the judge.

During this phase, participants are required to:

- attend two hearings per month before the judge with the treatment team in attendance;
- follow the guidelines, plans and counsel of supervision officers in weekly face-to-face meetings as well as licensed treatment providers in individual one-on-one or group settings;
- commit no new criminal offenses,
- comply with substance abuse monitoring procedures;
- attend all mental health and substance abuse treatment sessions and activities;
- attend all appointments with doctors, psychiatrists and psychologists;
- comply with all prescription medication requirements;
- attend approved support groups; and
- seek employment if it does not interfere with any requirements of the docket.

In order to move on to Phase 2, the participant will have:

- followed all the aforementioned conditions; and
- had no sanctions for two weeks.

Phase 2 (lasts 4-8 months)

By this phase the participant should be stabilized enough to address other issues and needs such as family issues, housing, employment, and health. The participant will still be required to come to status review hearings twice a month but may be rewarded with less appearances during the latter part of this phase with exceptional compliance results or other positive changes in his/her life.

During this phase, participants are required to:

- attend two hearings per month before the judge with the treatment team in attendance;
- follow the guidelines, plans and counsel of supervision officers in bi-weekly meetings as well as licensed treatment providers in individual one-on-one or group settings;
- commit no new criminal offenses,
- comply with substance abuse monitoring procedures;
- attend all mental health and substance abuse treatment sessions and activities;
- attend all appointments with doctors, psychiatrists and psychologists;
- comply with all prescription medication requirements;
- attend approved support groups; and

- seek employment if it does not interfere with any requirements of the docket.

In order to move on to Phase 3, the participant will have:

- followed all the aforementioned conditions; and
- had no sanctions for two months.

Phase 3 (lasts 12-18 months)

In this phase, the participant works on becoming self-supporting and applying what they have learned during their time in the program. The length of this phase may be longer depending on the participant's needs. In this phase, the team monitors the participant's stability that was attained in earlier phases.

During this phase, participants are required to:

- attend one hearing per month before the judge with the treatment team in attendance;
- follow the guidelines, plans and counsel of supervision officers in bi-weekly meetings as well as licensed treatment providers in individual one-on-one or group settings;
- commit no new criminal offenses,
- comply with substance abuse monitoring procedures;
- attend all mental health and substance abuse treatment sessions and activities;
- attend all appointments with doctors, psychiatrists and psychologists;
- comply with all prescription medication requirements;
- attend approved support groups; and
- seek employment if it does not interfere with any requirements of the docket.

In order to graduate from the program, the participant will have:

- followed all the aforementioned conditions;
- had no sanctions for three months;
- had negative substance abuse screens for at least one year; and
- completed an exit survey.

Rewards and Sanctions

Immediate, graduated and individualized rewards and sanctions govern the responses of a specialized docket to a specialized docket participant's compliance or noncompliance. The judge determines all rewards and sanctions with input from the treatment team. Responses should be delivered for every targeted behavior. Undesirable behaviors should be reliably detected and concrete. Responses should be predictable and controllable. Method of delivery is as important as the response itself. Sanctions and rewards should be applied as soon as possible.

Incentives (rewards) or sanctions should be:

- immediate and certain,
- developmentally appropriate,
- consistent and fair,
- individualized,
- goal-oriented,

- competency based,
- culturally responsive,
- therapeutically appropriate,
- sufficiently intense, and
- not painful, humiliating or injurious.

Rewards and Sanctions

The treatment team determines the rewards and sanctions and the judge will enforce and reinforce them. Responses should be delivered for every targeted behavior. Undesirable behaviors should be reliably detected and concrete. Responses should be predictable and controllable. Method of delivery is as important as the response itself.

Rewards or sanctions should be:

- immediate and certain,
- developmentally appropriate,
- consistent and fair,
- individualized,
- goal-oriented,
- competency-based,
- culturally-responsive,
- therapeutically appropriate,
- sufficiently intense, and
- not painful, humiliating or injurious.

Rewards

From time to time, participants in the docket may receive a reward (incentive) from the court to acknowledge and formally recognize hard work, determination and for meeting certain milestones. Rewards are individualized according to the specific treatment plan and directly related to the participant's achievements as certain milestones of the specialized docket treatment plan are attained. Rewards are tracked to ensure that the participant is rewarded on a progressive basis. Participants might earn rewards when/by:

- attending required court appearances;
- attending required treatment appointments;
- maintaining close and productive contact with case manager;
- reaching individual treatment objectives;
- abstaining from alcohol and drugs;
- securing stable housing;
- advancing in specialized docket phases;
- consistently complying with required reporting and/or phone contact and drug testing;
- proactively participating in treatment plan and by demonstrating other positive behaviors such as getting GED or attaining other vocational or educational milestones;
- demonstrating improved behavior;
- attending all status review hearings; and/or
- accomplishing any other milestone identified by the team.

Reward examples include:

- encouragement and praise from the judge or other members of the treatment team;
- ceremonies and tokens of progress, including advancement in specialized docket phases;
- reducing supervision contacts;
- decreasing frequency of court appearances;
- reducing fines and fees;
- increasing or expanding privileges;
- encouragement to increase participation in positive activities the participant finds pleasurable, such as writing, art work, or other positive hobbies;
- gifts of inspirational items, including books, pictures, and framed quotes;
- assistance with purchasing clothing for job interviews;
- gift cards for restaurants, movie theaters, recreational activities, or personal care services;
- gifts of small personal care items, hobby or pet supplies, plants or small household items;
- transportation vouchers;
- dismissing criminal charges or reducing the term of probation;
- reducing or suspending jail, prison, or detention days; and/or
- graduation from the specialized docket.

Sanctions

Immediate, graduated, and individualized sanctions are utilized. Graduated sanctions are used to help the participant conform behavior to program requirements. Sanctions are crafted in an individualized and creative manner, as well as in a progressive manner based on the infraction. Sanctions are issued when there is non-compliance with both program protocol and treatment plans. Sanctions are a deterrent to negative behavior, as well as encouragement for future compliance. Lesser infractions will be met with lesser, more commensurate sanctions. Infractions are tracked, along with resulting sanctions, so that additional sanctions can be applied in a graduated manner.

Participants might earn sanctions by:

- failing to attend court appearances or program appointments;
- failure to follow specialized docket rules;
- failure to keep scheduled appointments with the probation officer, case manager, or any other team member;
- not being compliant with other requirements of the treatment plan;
- not being compliant with random alcohol and drug screens or testing positive for alcohol and drugs;
- failing to improve troublesome behaviors;
- failing to meet employment or vocational goals;
- failure to keep other appointment, such as those for public benefit aid, health care benefits, housing assistance, social security applications, etc.
- not being honest with judge or other court personnel;

- not following court orders;
- not appearing at status review hearing;
- exhibiting inappropriate behavior such as swearing;
- unsuccessful termination from court-ordered treatment or educational program; and/or
- receiving new charges or convictions,

Sanction examples include:

- warnings and admonishment from the judge;
- being delayed in graduating to the next phase of the docket;
- increasing frequency of alcohol and drug testing;
- increasing frequency of court appearances;
- refusing specific requests, such as permission to travel;
- denying additional or expanded privileges or rescinding privileges previously granted;
- increasing supervision contacts and monitoring;
- individualized sanctions, such as writing essays, reading books, or performing other activities to reflect upon unacceptable behavior;
- imposition of suspended fines and costs;
- requiring community service or work programs;
- escalating periods of jail or out-of-home placement;
- filing of community control or probation violation;
- filing of a supervision violation;
- homework assignments;
- additional counseling/education requirements;
- jail or prison; and/or
- unsuccessful termination from the docket.

Chapter 6, Program Completion

Criteria for Successful Completion

In order for a participant to graduate from the You-Turn Recovery Docket, the participant must have completed all phases. If in the Intervention in Lieu Track, the participant's case will be disposed of through motion and entry of dismissal. For the Post-Conviction Track participants, cases will be terminated successfully from Community Control/Probation with a motion and entry.

Termination Classifications

Unsuccessful Termination

Participants may be unsuccessfully terminated from the program for:

- on-going noncompliance with treatment;
- new criminal conviction(s);
- serious docket violation or series of violations; or
- serious Community Control and/or Intervention in Lieu violation or a series of Community Control and/or Intervention in Lieu violations.

The consequences for the participant in the event of an unsuccessful termination may be:

- loss of future eligibility for the docket;

- further legal action, including revocation of Intervention In lieu of Conviction and finding of guilt and sentencing;
- notice/motion to Revoke Community Control; or
- prison, jail or other penalties.

The judge will make the final decision regarding unsuccessful terminations in accordance with written eligibility criteria.

Termination from the docket will result in the reactivation of criminal proceedings on the court's regular trial docket relating to sentence disposition for Intervention in Lieu track, Motion to Revoke for Post-Conviction Track or transfer back to Intensive Supervision.

Neutral Discharge

Neutral terminations are for those instances when the participant does not successfully or unsuccessfully leave the program. Neutral terminations follow the same process as other terminations. The judge will make the final determination. A neutral termination may be required when a participant acquires a serious medical or mental health condition or other circumstances arise that impede the participant's ability to complete the program.

Chapter 7, Substance Use Monitoring (SAM) Program

All drug and alcohol testing plans are individualized. All drug tests will be random, frequent and urine collections are directly observed by a same sex collector. If participants are late for a test or miss a test, it will be considered a positive test and the participant will be immediately sanctioned, including at intake. Testing shall include the participant's primary substance of dependence as well as a sufficient range of other common substances.

Refusing to submit a urine sample will be reported as a refusal to test and considered positive and the participant will be sanctioned. Participants must provide a urine sample which is negative for all drugs or they will be immediately sanctioned. Urine samples will also be analyzed for temperature, specific gravity, Creatinine and other chemical markers to ensure a valid specimen.

Failing to produce a urine specimen or if the sample provided is not of sufficient quantity, it will be considered as a positive test for drugs/alcohol. Participants must not drink excessive amounts of fluids such as water as it can result in a diluted urine sample and the sample will be tested to ensure that it is not diluted.

Participants will be allowed to provide only one urine sample for analysis. If unable to provide a test sample within two hours of signing in, it will also be considered a positive test. A diluted urine sample will be considered as a positive test.

Substituting the sample of another, or adulterating a specimen, will be considered a positive test for drugs/alcohol and will result in sanctioning and may be grounds for revocation from the program. Immediate notification to the Court shall occur when the participant tests positive, fails to submit to testing, submits an adulterated sample, submits the sample test of another individual, or diluted the sample. The judge and treatment team members will be immediately aware of all test results. Participants may not take some over the counter medications as well.

Participants may contest a positive urine screen and request that it be sent to the lab at their expense.

It is the responsibility of the participant to inform all of their physicians that they are recovering from addiction to drugs/alcohol and should not be given or prescribed any addictive medication. If a doctor believes that it is necessary to prescribe the medication such as narcotic pain medication or any other medication that will yield a positive urine screen, the physician must submit a letter to the court stating that he/she is aware of the participant's status as a recovering addict/alcoholic and the need for this 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 does not have a letter from a doctor, the participant will be sanctioned immediately. If the participant requires emergency care, the participant understands that all orders and discharge information will be made available to the court no more than seven days upon release from the hospital or outpatient facility. All prescriptions will have to be cleared by a primary care physician in order for the participant to continue taking the medications without sanctions. A pattern of these visits for ailments that require opiate treatment may result in the participant being brought back to court.

Relapses will be addressed through the licensed treatment provider to verify if the use is a continued use, or a relapse. Participants will be reassessed and placed in the appropriate level of care to address the positive screen and to reengage or re-stabilize the participant. The licensed treatment provider as well as the treatment team will be notified of the positive urine screen.

The You-Turn Recovery Docket uses American Court Services Substance Abuse Monitoring (SAM) Program. Participants use their social security number as an identifier and must call an automated telephone system seven days a week, 365 days a year, to determine if they have been randomly selected to be tested that day.

The call, to a local, toll-free number, takes about 15 seconds and may be placed from any touch-tone telephone, including a cell phone. Court staff will assist client in choosing a "Call Window" and a "Test Window." A "Call Window" is the period of time each day that the client must place his or her call into the automated telephone system and a "Test Window" is a period of time during which the client must report for the drug or alcohol test when selected.

The frequency of selection for testing and period of enrollment in the SAM Program will be determined by the client's supervising officer, caseworker or program manager and is based upon a number of factors, including overall compliance with the requirements of this program.

Missed Calls and Missed Tests will be monitored by the client's supervising officer, caseworker or program manager through daily compliance reports. Missed Calls and Missed Tests are considered a violation of the terms of supervision and may result in sanctions.

Chapter 8, Professional Education

The interdisciplinary education of the treatment team encourages effective docket planning, implementation, and operations. There are multiple ways that they can educate themselves such as participating in the Supreme Court's Annual Drug Court

Training as well as reading and/or subscribing to e-newsletters and resources provided by organizations such as the National Drug Court Resource Center and the National Association of Drug Court Professionals.

The You-Turn Recovery Docket Treatment Team will meet at least once a year with the Advisory/Steering Committee to assess the functionality of the docket. They will analyze what is and is not working and help determine if goals of the docket are being achieved. All will share new and upcoming information in drug courts, discuss any training opportunities and evaluate the best practices that are being used by area agencies. Information from sub-network meetings at the Supreme Court may be shared as well.

All members will be encouraged to attend and participate in Supreme Court sub-network meetings, trainings and annual conferences to increase their understanding of drug courts and in order to develop beneficial relationships with other state drug courts. New members added to the treatment team will be educated on the policies, procedures and best practices utilized by the team.

Chapter 9, Effectiveness Evaluation

Supreme Court Reporting Data/Ongoing Data

The "You Turn" Recovery Docket collects and analyzes data in order to determine whether goals and objectives are met. The docket will comply with reporting data as required by the Ohio Supreme Court. All docket participants will be encouraged to complete an anonymous **Exit Interview (See Attachment 17)** upon successful completion or termination from the program. The information collected will be used to understand if the program is effective and to receive suggestions to improve the program.

Information and data collected the docket can include:

- Number of participants referred.
- Number of participants accepted.
- Number of participants denied.
- Number of graduates.
- Number of unsuccessful terminations.
- Number of participants neutrally discharged.
- New offenses committed by participants while in program.
- Convictions for new offenses while in the program.
- Number of negative drug screens.
- Number of positive drug screens.
- Number of unsuccessful discharges.
- Number of successful completions.
- Number of participants referred to residential treatment.
- Number completing residential treatment.
- Number of unsuccessful discharges from residential treatment
- Ages of participants.
- Number of participants by gender, race and ethnicity.
- Employment status of participants at the beginning and end of the program.
- Marital status of participants.
- Number of children of participants.

- Participants' level of educational attainment.
- Number of failure to report for tests occurrences.
- Number of reduced of ORAS from entry to termination.
- Criminal history of participants (misdemeanors and felony convictions).
- Number of prior prison sentences.
- ORAS score average/range from lowest to highest among participants.
- Length of time for participants in each phase
- Length of time in program for participants.
- Types of referrals made to ancillary services/programming (mental health, employment, vocational training, cognitive thinking etc.)
- Number of new convictions by graduates.
- Number of new convictions by active participants.
- Number of new convictions by terminations.

ATTACHMENTS FOLLOW

ATTACHMENTS

1. Advisory/Steering Committee Members
2. Evaluation/Admission Form
3. Entry on Admission
4. Confidential Information Release
5. Participant Handbook
6. Intake Application
7. Treatment Team
8. Supervision Terms
9. Substance Abuse Monitoring Procedure, Agreement
10. Substance Abuse Monitoring Frequency, Sanctions
11. Positive Drug Test Statement
12. Prescription Medication Policy
13. Treatment Report Sample
14. Calendar
15. Service Provider Memorandums of Understanding Template
16. Treatment Team Visitor Confidentiality Form
17. Exit Survey

Attachment 1 (Advisory/Steering Committee)

"You Turn" Recovery Docket Advisory/Steering Committee

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Wilmington, Ohio 45177

Dana Dunn
Case Manager
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Wilmington, Ohio 45177

Kenneth W. Houghtaling
Intervention in Lieu of Conviction Specialist
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180 E. Main St.
Wilmington, Ohio 45177

Attachment 2 (Participation Agreement)

**IN THE COURT OF COMMON PLEAS
Clinton County, Ohio**

State of Ohio

Case No: CRI _____

vs.

Request for Admission
to the "You-Turn"
Recovery Docket

Defendant

**ACNOWLEDGMENT OF PROGRAM TERMS AND POLICIES
FOR ADMITTANCE TO
THE YOU-TURN RECOVERY DOCKET AND
REQUEST FOR EVALUATION FOR PROGRAM ADMISSION**

I request to be placed in the Community Cares Program or the Intervention in Lieu of Conviction Fresh Start Program of the You-Turn Recovery Docket. I am willing to participate and comply with all the program terms and expectations set forth in the participant handbook. I understand that I will not be discriminated against if I meet the legal, clinical and other criteria. I will not be denied admission for the following: race, color, religion, gender, sexual orientation, nation origin, ancestry, age, citizenship, marital status, veteran status, disability, being indigent or unable to pay fines and costs.

1. I understand that by entering into the docket I will be waiving some of my rights, (A) such as the Right to Due Process, (B) Right to an Attorney except during treatment team meetings where I can be represented by counsel at my own expense, (C) Right To Remain Silent and Right Against Self-incrimination, (D) Right To Freely Associate, and (E) Right Against Unlawful Search and Seizure. I also understand that I have the ability to rescind these rights' waivers at any time and the consequence for rescinding the waivers may include unsuccessful termination from the docket.
2. I understand that I will be given a Court Services Plan and a Treatment Plan and I will have to comply with those plans. I further understand that the Court Services Plan and Treatment Plan will be amended as I progress through the Recovery Docket phases. The minimum length of the program is 18 months and will have three phases. Each phase will last up to six months and the first phase will include a two week orientation. I will be responsible for paying Court Costs, Restitution and Supervision fees. I may also have to complete community service.
3. I am expected to and willing to immediately attend all individual and group counseling sessions, educational sessions, and activities or assessments as required by my counselor.

4. I will also sign all necessary releases of information. I understand I will be placed in appropriate treatment programs as soon as possible and am required to attend. I understand that I will keep confidential all the participants' information and other information I hear in the review hearings or group sessions. I will cooperate with all treatment services outlined in my treatment plan and in any later or amended treatment plans from my licensed treatment provider including any additional assessments. I further understand that I may also have to attend community support meetings.
5. I understand that I am being placed on Community Control/Supervision in order to monitor compliance. I will be expected to report to the docket case manager, provide urine samples, and pay court costs, supervision fees and restitution. I understand that my probation officer will discuss my case and overall performance with the treatment team in bi-weekly meetings and in ongoing communication with my licensed treatment provider. I understand that I have a right to request the attendance of defense counsel at treatment team meetings concerning my progress at my own expense.

A. I understand that progress through the phases of the docket is based on how well I am doing with my treatment plan and complying with the requirements of the docket. There are no pre-set timelines for completing each phase. I will appear before the judge regularly throughout the program (twice monthly during orientation) and he will ultimately decide if I progress in the program.

B. I understand that repeated non-compliance with the requirements of my plans may result in my dismissal from the 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 docket I will be rewarded.

C. I agree to attend all Status Review Hearings as a part of the important judicial interaction between the judge and myself. I understand at a minimum I will attend two review hearings monthly during the initial phase.

D. I understand that I am subject to random drug tests that are random, frequent and directly observed by a same sex collector.

E. 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. Documentation of prescribed medications shall be provided to my supervision officer, the treatment facility and/or my counselor. I understand that if I continue to use that sanctions will be given and treatment plans may be amended to include a more appropriate level of care.

F. The You-Turn Recovery Docket uses the American Court Services Substance Abuse Monitoring (SAM) Program. Participants use their social security number

as an identifier and must call an automated telephone system seven days a week, 365 days a year, to determine if they have been randomly selected to be tested that day by providing a urine sample. I understand that if I am late for a test or miss a test, it will be considered a positive test for drugs/alcohol and that I will be sanctioned. If I refuse to submit a urine sample, it will be reported as a refusal to test. I understand I must provide a urine sample which is negative for all drugs or I will be immediately sanctioned. Urine samples will also be analyzed for temperature, specific gravity, Creatinine and other chemical markers to ensure a valid specimen. I understand that if I fail to produce a urine specimen or if the sample provided is not of sufficient quantity, it will be considered as a positive test for drugs/alcohol and I will be sanctioned. I have been informed that drinking excessive amounts of fluids can result in a diluted urine sample and I understand that my urine sample will be tested to ensure the urine sample is not diluted. I will be allowed to provide only one urine sample for analysis. I understand that if I produce a diluted urine sample it will be considered as a positive test for drugs/alcohol and I will be sanctioned. I understand that substituting, submitting the sample of another, or adulterating my specimen, will be considered as a positive test for drugs/alcohol and will result in immediate sanctioning and may be grounds for revocation from the docket.

G. My entire test results will be reviewed at the Status Review Hearings. Furthermore, I understand that the judge will be notified immediately of any violations.

H. I understand that any non-compliance on my part will be governed by immediate and graduated sanctions.

6. I understand that in order to successfully complete and graduate from the docket I must complete all the phases, remain abstinent for 12 months, have complied with Community Control and/or Intervention In Lieu, and pay all costs, supervision fees, and restitution if ordered.
7. I understand that I will be terminated from the docket for continued non-compliance with treatment, including treatment resistance, new serious criminal conviction(s), a serious docket violation or continued series of violations, a serious Community Control Violation or series of violations. I further understand the consequences of termination from the docket could be loss of future eligibility for the docket, further legal action including revocation of Intervention In Lieu of Conviction, Notice/Motion to Revoke Community Control, and, depending on the circumstances, I may be subject to prison, jailor other penalties.
8. I understand that it is my responsibility to inform all treating physicians of my recovery from drugs/alcohol before I am given an addictive medication and that I am subject to drug testing. If a doctor believes that it is necessary to prescribe the medication such as narcotic pain medication or any other medication that will yield a positive urine screen, the physician must submit a letter stating that he/she is aware of my

status as a recovering addict/alcoholic and the need for this medication outweighs the risks. I must have a letter prior to taking any medication that will cause a positive screen. If I test positive and do not have a letter from my doctor, I will be sanctioned immediately. I further understand there may be over the counter medications that I may not take as well. In cases of emergency room care, I understand that all emergency room orders and discharge information will be made available no more than seven days upon release from the hospital and all prescription will have to be cleared by a primary care physician to continue taking the medications without sanctions. A pattern of visits to the emergency room for ailments that require opiate treatment may be brought back before the Court at the discretion of the treatment team. Furthermore, I understand that I must bring all of my prescriptions in the original bottle to my probation appointment as directed.

9. I understand that all Status Review Hearings will be recorded.

I have read this acknowledgement and understand this agreement, and I freely and voluntarily relinquish the rights discussed and agree to abide by all rules and conditions of the docket. After consultation with my attorney, I hereby sign the Agreement to participate in the docket.

Defendant (Printed)	Signature	DOB	Gender (M, F)	Date
---------------------	-----------	-----	---------------	------

Street Number/POB	City	State	Zip Code
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Social Security Number	Phone number(s)	Email
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Counsel for Defendant (if applicable)	Date
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Attachment 3 (Entry on Admission)

**IN THE COURT OF COMMON PLEAS
Clinton County, Ohio**

**Entry on Admission
"You-Turn Recovery Docket"**

State of Ohio

Case No. _____

vs.

Defendant

This case is before the Court upon the Request of Defendant to be admitted into the "You Turn" Recovery Docket for substance abuse treatment. The Court has reviewed the admissions assessment and eligibility requirements and finds Defendant meets all eligibility criteria.

The Court hereby accepts this case and the defendant into the docket. It is so ordered.

John W. Rudduck, Judge

Date

Attachment 4 (Confidential Information Release)

**IN THE COURT OF COMMON PLEAS
Clinton County, Ohio**

**"YOU -TURN" RECOVERY DOCKET
CONSENT FOR RELEASE OF
CONFIDENTIAL INFORMATION**

I, _____, hereby consent to unrestricted communication between the "You-Turn" Recovery Docket Treatment Team, including the judge, supervision officers, licensed treatment providers, law enforcement, prosecuting attorney, defense counsel and any other individual authorized by the judge.

The purpose and need for the disclosure is to inform the court and/or correctional agency of my attendance at, progress in, and attitude toward evaluation and treatment. The extent of necessary information to be disclosed includes assessments, attendance at treatment programs, prognosis, diagnosis, probable cause affidavit, progress notes, treatment plans, discharge plans, and results of drug/alcohol screens.

I understand that by signing this consent I am knowingly and voluntarily waiving the law provision that states that this consent would normally expire. I acknowledge that it is my specific intention this consent is to remain in effect until current criminal proceedings are ended.

This consent is subject to revocation at any time except to the extent that action has been taken in reliance on it. In any case, it will expire at the end of corrections, revocation proceedings or upon successful completion of the program, whichever occurs last.

I also understand that any disclosure made between the above name agencies or individuals is bound by Part 2 of Title 42 of the Code of Federal Regulations governing confidentiality of alcohol and drug abuse patient records and the recipients of this information may disclose it only in connection with their official duties.

Defendant's Signature _____ Date _____

Guardian (if applicable) _____ Date _____

Attachment 5 (Participant Handbook)

Clinton County Common Pleas Court You-Turn Recovery Docket Participant Handbook

Program Overview

The You-Turn Recovery Docket is a specialized docket within the framework of Clinton County Common Pleas Court. It is intended to serve a target population and to accomplish specific criminal justice objectives. The program is for those charged in the court who suffer from alcohol and other drug addictions. The goals of the program are to divert these defendants into court-monitored treatment and other community programs that may reduce the need for them to be incarcerated.

The docket provides defendants with an opportunity to address their substance dependency/addiction issues with support from the judge, probation officers, substance abuse counselor and others. The docket is a highly structured program that requires responsibility and demands accountability from participants.

Participants will be expected to follow specific rules established by the court in an effort to achieve recovery from addiction. They will waive the following rights: (A) such as the Right to Due Process, (B) Right to an Attorney except during treatment team meetings where they can be represented by counsel at their own expense, (C) Right To Remain Silent and Right Against Self-incrimination, (D) Right To Freely Associate, and (E) Right Against Unlawful Search and Seizure. They also have the ability to rescind these rights' waivers at any time and the consequence for rescinding the waivers may include unsuccessful termination from the docket. Their progress through the phases of the docket is based on how well they do with the treatment plan and compliance with the requirements of the docket.

Purpose

The purpose of the docket is to empower participants through treatment, accountability and responsibility. Participants are referred to the docket because they have demonstrated symptoms of addiction and are willing to change. This supervised substance dependence intervention program involves at least an 18 month supervision period during which participants will progress through three phases.

It is the court's philosophy that a comprehensive and court-supervised approach to substance abuse treatment will assist participants in becoming responsible and law-abiding members of the community. The program will help them lead a healthier, clean and sober lifestyle, improve family and social relationships, and potentially assist them in educational and vocational training that may lead to gainful employment. This is an individualized program that focuses on individual counseling and treatment needs.

The treatment services provided are based on abstinence from all illicit drugs, including "street drugs" and unlawfully obtained prescription drugs and alcohol. The treatment team will assist participants in successfully completing this program. Completion is based on the participant's dedication to maintaining a crime and substance abuse-free lifestyle. They will be offered access to a range of alcohol and drug treatment services, referrals to area local agencies to assist with job skills, housing,

education and employment. Participants will build a relationship with their teams and receive rewards for complying with program rules and expectations.

Some of the basic rules and expectations are to abstain from alcohol and drugs, to attend court sessions and appointments with licensed treatment providers and probation officers, to submit to drug and alcohol testing, to comply with any sanctions for not complying with program rules, to engage in a sober support community and to refrain from new law violations.

Mission Statement

The mission of the "You-Turn" Recovery Docket is to enhance public safety by preventing recidivism; assisting participants in taking responsibility for their behavioral health issues by turning them from a path of self-destruction to a path of recovery; creating community programs that meet the needs of participants; and using evidence-based practices in intervention and treatment.

Target Population

The purpose of the docket is to rehabilitate primarily Clinton County residents charged with felonies who have been diagnosed with a substance use disorder that is a contributing or mitigating factor in their law enforcement involvement. Someone who is interested in participating must meet legal, clinical, and target criteria before admission.

After applying for admission to the docket, applicants must have an assessment conducted by a licensed treatment provider and meet with will the case manager to sign a release of information and complete other admission paperwork that will be used to assess his eligibility for the docket.

The judge makes the final decision as to who participates in the docket. Satisfying the legal and clinical and other criteria do not guarantee the right to enter into the docket.

Legal Eligibility Criteria

The applicant who is convicted and will take part in the Community Cares program will complete a pre-sentence investigation and the ORAS. It shall be the Recovery Docket Case Manager's job, in conjunction with the court's Pre-Sentence Investigation Officer, to obtain as much back ground information from the applicant though the use of OHLEG, ODRC Portal etc. The Recovery Docket Case Manager will contact the pre-sentence investigator to obtain the ORAS score and criminal background to complete the screening process if not otherwise provided. The applicant needs an ORAS of 15 or higher to be eligible for the program. In the event that the applicant's legal competency is an issue, he/she shall be referred for a forensic assessment to determine if he/she is competent to participate.

Clinical Eligibility Criteria

If the applicant meets the qualifications, he/she will undergo a substance abuse assessment. The participant will be referred to a treatment agency that is a licensed certified licensed treatment provider through the Ohio Department of Drug and Alcohol Addiction.

All chemical dependency, mental health, and other programming assessments include available collateral information to ensure the accuracy of the assessment. The

Recovery Docket Case Manager will share all collateral information with the agency completing the assessment. The applicant shall receive the assessment within 15 business days of the referral and is encouraged to contact the Recovery Docket Case Manager if there are problems obtaining the assessment.

Referral Process

The procedure for identification of potential participants begins after the defendant has been charged with a qualifying offense, has a pending Motion to Revoke Community Control, has filed a Motion for Intervention in Lieu of Conviction, is preparing for a Judicial Release hearing, or upon referral from others associated with the docket.

Referrals can be made by the judge, attorneys, licensed treatment providers, supervision officers or law enforcement officers.

If accepted into the program, the defendant may be placed in either the Intervention in Lieu Track (the Fresh Start Program) or the Post-Conviction Track (the Community Cares Program.)

The judge may rule on the Participation Agreement by completing an Entry on Admission at the arraignment, change of plea, the intervention in lieu of conviction, the judicial release, and/or the revocation of record hearing.

Screening and Assessment

Before being admitted to the docket, the applicant must have an assessment from a licensed treatment provider. He/she must also contact the Recovery Docket Case Manager to learn more details about the program, sign a Consent for Release of Confidential Information, receive a Participant's Handbook, and complete an Intake Application, which will document some background on the applicant's criminal history, residency, education, employment, family, medical and mental health status, as well as substance abuse history.

The Recovery Docket Case Manager will answer any initial questions the applicant may have. Though not for public dissemination, the licensed treatment provider assessment and plan will be shared with the judge and the Recovery Docket Treatment Team, including the prosecutor and defense counsel. The defendant must be diagnosed as chemically dependent and competent to understand the docket program. The treatment team should consider, but is not obligated to follow, clinical assessments or treatment recommendations.

In the event that the participant does not meet the legal, clinical and other criteria, the participant's case will then proceed through the regular docket. Satisfying the legal and clinical and other criteria do not guarantee the right to enter into the docket.

Program Admission

If admitted to the docket, the defendant will schedule another meeting during the two-week orientation phase to review and sign additional agreements related to terms of supervision, drug testing and reports. Participants shall be placed as soon as possible in appropriate treatment services and supervision programs. All screenings and assessments shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession.

Participants shall be placed as soon as possible under reporting supervision to monitor compliance with court orders.

For those admitted into the Community Cares Program, the judge will set the participant's sentencing hearing as soon as possible after the change of plea in order to allow time for assessments and the pre-sentence investigation.

For those admitted into the Fresh Start Program (Intervention in Lieu of Conviction), hearings likewise will be scheduled in order to have the screenings and substance abuse assessments completed. The time frame from referral to the docket to the defendant entering the program should not exceed six weeks.

As part of Community Control and Intervention in Lieu of Conviction, the participant must:

- have no new law violations,
- report all contact with law enforcement,
- must remain in Ohio,
- must not use any firearms or other weapons,
- must report as directed,
- must have random urine screens,
- must submit to searches,
- must not change residence without prior permission,
- must not possess, handle or use any controlled substances,
- must get permission from supervisor before filling prescriptions,
- must not drink alcohol or go to any bars,
- must seek counseling where appropriate, and
- may not associate with any individuals on parole, probation, PRC, Community Control or known to be drug users or sellers.

Participants may also be subject to GPS monitoring and required to perform community service.

In a follow-up meeting with the Recovery Docket Case Manager, the participant will be provided some additional information and agreements that must be signed as part of the program. He will get copies of all signed agreements which will be maintained in his case file.

Information and agreements are:

- Treatment Team
- Supervision Terms
- Substance Abuse Monitoring Agreement
- Substance Abuse Monitoring Frequency, Sanctions
- Positive Drug Test Statement
- Prescription Medication Policy
- Treatment Report Sample
- Status Review Hearings Calendar

Non Discriminatory Practices

Defendants shall not be discriminated against if they meet the legal, clinical and other criteria. A participant shall not be denied admission for the following: race, color, religion, gender, sexual orientation, nation origin, ancestry, age, citizenship, marital status, veteran status or disability.

Revocation/Violation Referrals

An offender who is on Community Control within the regular docket of the court and has a violation and/or new offense may be referred to the You-Turn Recovery Docket for screening. The referral can come from the judge or any regular or potential member of the Treatment Team

If the offender is incarcerated, the Recovery Docket Case Manager may interview and screen the offender while he/she is incarcerated.

Cases accepted from revocation/violation hearings are referred to the docket as part of a condition of Community Control and participants are ordered to complete successfully the revised more intense program.

Upon scheduling a hearing on a motion for judicial release under R.C. §2929.20, the court may make a referral to determine eligibility for the Recovery Docket.

Treatment Team

Member Duties

The You-Turn Recovery Docket Treatment Team includes the judge (who chairs the meetings), the case manager, court supervision officers, prosecutors, defense counsel and licensed treatment providers.

The treatment team utilizes a non-adversarial approach which includes contributing to the individualized treatment case plans and developing sanctions to modify a participant's behavior while recognizing the prosecutor's distinct role in pursuing justice, protecting public safety and victim's rights, and the defense counsel's distinct role in preserving the constitutional rights of the participant.

The team will engage in ongoing communication, including frequent exchanges of timely and accurate information about participants' overall performance. The communication will take place by phone, in twice monthly docket meetings, through emails or one-on-one conversations.

Treatment team members will maintain professional integrity, confidentiality and accountability. No protected information is disclosed involving treatment unless there is a written release of confidential information endorsed 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, to understand their different roles, and to hold each other responsible for their participation and accountable for recommendations.

Team members shall make reasonable efforts to evaluate service provider programs in order to have confidence in the services and to better understand the treatment and programming process. Whenever possible the team engages in community outreach activities to build partnerships that will improve outcomes.

Specific Roles and Responsibilities

Judge

The judge is the leader of the team and meets with participants in Status Review Hearings throughout the course of their participation in the drug docket. He is the ultimate decision maker concerning incentives, sanctions, phase advancement,

admission, termination or successful completion of the program. The judge discusses the progress of participants at the Status Review Hearings.

Recovery Docket Case Manager

The Recovery Docket Case Manager enrolls participants and facilitates the operations of the drug docket. He/she is the data collector for the docket and participates in discussions about incentives, sanctions, phase advancement, successful completion and/or program termination. The case manager assists participants with case management services regarding additional needs.

Supervision Officers

Officers of Clinton County Adult Probation, Community Supervision and Intervention in Lieu monitor participants' compliance with supervision plans. They conduct random substance abuse tests; attend Treatment Team Meetings and Status Review Hearings; provide progress reports and make recommendations to the team; and participate in discussions about rewards, sanctions, phase advancement, successful completion, and termination. They also assist participants with case management services regarding additional needs.

Licensed Treatment Providers

Licensed treatment providers must be certified through the Ohio Department of Drug and Alcohol Addiction and be trained to deliver appropriate services to the participants. The licensed treatment provider is the participant's counselor/therapist; conducts diagnostic assessments; provides clinical diagnosis; develops the treatment plan; provides written documentation to the court prior to the team meetings regarding the participant's progress in treatment and compliance with the treatment plans; monitors attendance and urine test results; attends team meetings and Status Review Hearings to give treatment updates and make recommendations regarding treatment needs; and participates in the discussions regarding incentives, sanctions, phase advancement, successful completion and termination from the docket. The treatment team should consider, but is not obligated to follow, clinical assessments or treatment recommendations.

Prosecutor

The prosecutor's distinct role is in pursuing justice and protecting public safety and victims' rights. The prosecutor may or may not play an active role in the docket. However, the prosecutor can provide input into the acceptance of a participant into the docket. As the docket is primarily handling post-conviction and Intervention in Lieu of Conviction cases, the prosecutor may or may not participate in Treatment Team meetings. They are a referral source for the programs and will be trained on docket matters.

Defense Counsel

Defense counsel's primary role is to preserve the constitutional rights of the participant. The participant's defense counsel may or may not play an active role in the docket. The attorney will explain what rights are waived by the potential participant

entering the program, possible sanctions they may receive, the circumstances that may lead to termination and the effects of termination. The attorney will assist with the decision-making regarding the participant's entry into the docket. The attorney will also be a referral source for the program, may participate in Treatment Team meetings at the request of the participant at their expense, and will be trained on docket matters.

Treatment Team Meetings

In order to monitor the participant's performance and progress, the treatment team will meet twice a month prior to the Status Review Hearings to discuss the participant's performance and progress. The judge leads the meetings and will hear updates on participants from licensed treatment providers, supervision officers, and case manager. At times prosecutors and defense counsel may also attend. Other occasional visitors are required to sign a Treatment Team Visitor Confidentiality Form.

Status Review Hearings

Status Review Hearings for participants are held following Treatment Team Meetings on the first and third Fridays at 1:30 p.m. in the Clinton County Common Pleas Courtroom. Dates are changed when they conflict with holidays or the judge's schedule. Participants attend the hearing as a group and appear individually before the judge to encourage ongoing judicial interaction. The benefits of meeting all defendants in a single hearing give the defendants opportunities to educate themselves to the benefits of compliance with the docket and the consequences of noncompliance.

The defendant's attendance at the review hearings 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, the participant will appear once per month and during Phase III, the participant will appear once every six weeks.

Summary of Treatment

The specialized docket maintains a current treatment plan and record of activities. All required treatment and programming shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of their profession.

Memorandums of Understanding are signed by the court and licensed treatment providers to establish a mutual understanding of the docket procedures, the responsibilities of each party, and a process for problem solving, both clinically and administratively.

Participants will follow case management and treatment plans based on their individual needs. The services provided will incorporate evidence-based strategies and the participant will have access to a continuum of approved treatment and rehabilitation services. Information will be provided to the counselor/therapist to assist with treatment planning. Some participants may need to be referred to an outside treatment agency to address any co-occurring disorders. All specialized docket treatment plans take into consideration services that are gender responsive, culturally appropriate, and effectively address multiple disorders. All treatment plans shall be appropriate and clinically necessary to the degree that the available resources allow. The treatment plans will change as the participant does.

Services provided by treatment agencies include alcohol and drug testing, assessment, group therapies, individual sessions, relapse prevention plans, aftercare plans, gender-specific programming, family therapies, programming to address those diagnosed with multiple disorders, and medication and medication monitoring.

Furthermore, case management services are available to assist participants in engaging other ancillary services to meet their basic needs or support their recovery process. Examples of such ancillary services include housing, transportation, and medical, vocational/employment and mental health needs. Some treatment agencies also do drug screening analysis as part of their programming.

Treatment reports are submitted by the end of the day Thursday, the day before Status Review Hearings.

Phases

There are three phases to the program, including a brief orientation phase during Phase 1 when the participant is to may meet with the case manager who will make sure all documentation has been completed and to answer any questions about policies, procedures and expectations. Participant progress is based on compliance with the docket guidelines. Each participant will progress at his/her own pace and is not based on preset time frames. The program lasts for a minimum of 18 months and participants must be sober for at least one year in order to graduate.

Phase I (includes orientation and lasts a minimum of 2 months)

Participants will attend their first status review hearing before the judge and be introduced to other members of the docket. They will be given the opportunity to give the other participants a bit of biographical information. This phase is the most intensive phase for the participant, who may or may not be in a residential setting and/or intensive outpatient setting. The goal is to stabilize the participant to assure compliance with the program. This phase requires weekly meetings with the assigned supervision officer and twice a month attendance at status review hearings in front of the judge.

During this phase, participants are required to:

- attend two hearings per month before the judge with the treatment team in attendance;
- follow the guidelines, plans and counsel of supervision officers in weekly face-to-face meetings as well as licensed treatment providers in individual one-on-one or group settings;
- commit no new criminal offenses,
- comply with substance abuse monitoring procedures;
- attend all mental health and substance abuse treatment sessions and activities;
- attend all appointments with doctors, psychiatrists and psychologists;
- comply with all prescription medication requirements;
- attend approved support groups; and
- seek employment if it does not interfere with any requirements of the docket.

In order to move on to Phase 2, the participant will have:

- followed all the aforementioned conditions; and

- had no sanctions for two weeks.

Phase 2 (lasts 4-8 months)

By this phase the participant should be stabilized enough to address other issues and needs such as family issues, housing, employment, and health. The participant will still be required to come to status review hearings twice a month but may be rewarded with less appearances during the latter part of this phase with exceptional compliance results or other positive changes in his/her life.

During this phase, participants are required to:

- attend two hearings per month before the judge with the treatment team in attendance;
- follow the guidelines, plans and counsel of supervision officers in bi-weekly meetings as well as licensed treatment providers in individual one-on-one or group settings;
- commit no new criminal offenses,
- comply with substance abuse monitoring procedures;
- attend all mental health and substance abuse treatment sessions and activities;
- attend all appointments with doctors, psychiatrists and psychologists;
- comply with all prescription medication requirements;
- attend approved support groups; and
- seek employment if it does not interfere with any requirements of the docket.

In order to move on to Phase 3, the participant will have:

- followed all the aforementioned conditions; and
- had no sanctions for two months.

Phase 3 (lasts 12-18 months)

In this phase, the participant works on becoming self-supporting and applying what they have learned during their time in the program. The length of this phase may be longer depending on the participant's needs. In this phase, the team monitors the participant's stability that was attained in earlier phases.

During this phase, participants are required to:

- attend one hearing per month before the judge with the treatment team in attendance;
- follow the guidelines, plans and counsel of supervision officers in bi-weekly meetings as well as licensed treatment providers in individual one-on-one or group settings;
- commit no new criminal offenses,
- comply with substance abuse monitoring procedures;
- attend all mental health and substance abuse treatment sessions and activities;
- attend all appointments with doctors, psychiatrists and psychologists;
- comply with all prescription medication requirements;
- attend approved support groups; and

- seek employment if it does not interfere with any requirements of the docket.

In order to graduate from the program, the participant will have:

- followed all the aforementioned conditions;
- had no sanctions for three months;
- had negative substance abuse screens for at least one year; and
- completed an exit survey.

Rewards and Sanctions

Immediate, graduated and individualized rewards and sanctions govern the responses of a specialized docket to a specialized docket participant's compliance or noncompliance. The judge determines all rewards and sanctions with input from the treatment team. Responses should be delivered for every targeted behavior. Undesirable behaviors should be reliably detected and concrete. Responses should be predictable and controllable. Method of delivery is as important as the response itself.

Rewards

From time to time, participants in the docket may receive a reward (incentive) from the court to acknowledge and formally recognize hard work, determination and for meeting certain milestones. Rewards are individualized according to the specific treatment plan and directly related to the participant's achievements as certain milestones of the specialized docket treatment plan are attained. Rewards are tracked to ensure that the participant is rewarded on a progressive basis.

Sanctions

Immediate, graduated, and individualized sanctions are utilized. Graduated sanctions are used to help the participant conform behavior to program requirements. Sanctions are crafted in an individualized and creative manner, as well as in a progressive manner based on the infraction. Sanctions are issued when there is non-compliance with both program protocol and treatment plans. Sanctions are a deterrent to negative behavior, as well as encouragement for future compliance. Lesser infractions will be met with lesser, more commensurate sanctions. Infractions are tracked, along with resulting sanctions, so that additional sanctions can be applied in a graduated manner.

Criteria for Successful Completion

In order for a participant to graduate from the You-Turn Recovery Docket, the participant must have completed all phases. If in the Intervention in Lieu Track, the participant's case will be disposed of through motion and entry of dismissal. For the Post-Conviction Track participants, cases will be terminated successfully from Community Control/Probation with a motion and entry.

Termination Classifications

Unsuccessful Termination

Participants may be unsuccessfully terminated from the program for:

- on-going noncompliance with treatment;

- new criminal conviction(s);
- serious docket violation or series of violations; or
- serious Community Control and/or Intervention in Lieu violation or a series of Community Control and/or Intervention in Lieu violations.

The consequences for the participant in the event of an unsuccessful termination may be:

- loss of future eligibility for the docket;
- further legal action, including revocation of Intervention In lieu of Conviction and finding of guilt and sentencing;
- notice/motion to Revoke Community Control; or
- prison, jail or other penalties.

The judge will make the final decision regarding unsuccessful terminations in accordance with written eligibility criteria.

Termination from the docket will result in the reactivation of criminal proceedings on the court's regular trial docket relating to sentence disposition for Intervention in Lieu track, Motion to Revoke for Post-Conviction Track or transfer back to Intensive Supervision.

Neutral Discharge

Neutral terminations are for those instances when the participant does not successfully or unsuccessfully leave the program. Neutral terminations follow the same process as other terminations. The judge will make the final determination. A neutral termination may be required when a participant acquires a serious medical or mental health condition or other circumstances arise that impede the participant's ability to complete the program.

Substance Use Monitoring (SAM) Program

All drug tests will be individualized, random and frequent and urine collections will be directly observed by a same sex collector. If participants are late for a test or miss a test, it will be considered a positive test and the participant will be immediately sanctioned, including at intake. Testing shall include the participant's primary substance of dependence as well as a sufficient range of other common substances.

Refusing to submit a urine sample will be reported as a refusal to test and considered positive and the participant will be sanctioned. Participants must provide a urine sample which is negative for all drugs or they will be immediately sanctioned. Urine samples will also be analyzed for temperature, specific gravity, Creatinine and other chemical markers to ensure a valid specimen.

Failing to produce a urine specimen or if the sample provided is not of sufficient quantity, it will be considered as a positive test for drugs/alcohol. Participants must not drink excessive amounts of fluids such as water as it can result in a diluted urine sample and the sample will be tested to ensure that it is not diluted.

Participants will be allowed to provide only one urine sample for analysis. If unable to provide a test sample within two hours of signing in, it will also be considered a positive test. A diluted urine sample will be considered as a positive test.

Substituting the sample of another, or adulterating a specimen, will be considered a positive test for drugs/alcohol will result in sanctioning and may be grounds for

revocation from the program. Immediate notification to the Court shall occur when the participant tests positive, fails to submit to testing, submits an adulterated sample, submits the sample test of another individual, or diluted the sample. The judge and treatment team members will be aware of all test results. Participants may not take some over the counter medications as well.

Participants may contest a positive urine screen and request that it be sent to the lab at their expense.

It is the responsibility of the participant to inform all of their physicians that they are recovering from addiction to drugs/alcohol and should not be given or prescribed any addictive medication. If a doctor believes that it is necessary to prescribe the medication such as narcotic pain medication or any other medication that will yield a positive urine screen, the physician must submit a letter to the court stating that he/she is aware of the participant's status as a recovering addict/alcoholic and the need for this 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 does not have a letter from a doctor, the participant will be sanctioned immediately. If the participant requires emergency care, the participant understands that all orders and discharge information will be made available to the court no more than seven days upon release from the hospital or outpatient facility. All prescriptions will have to be cleared by a primary care physician in order for the participant to continue taking the medications without sanctions. A pattern of these visits for ailments that require opiate treatment may result in the participant being brought back to court.

Relapses will be addressed through the licensed treatment provider to verify if the use is a continued use, or a relapse. Participants will be reassessed and placed in the appropriate level of care to address the positive screen and to reengage or re-stabilize the participant. The licensed treatment provider as well as the treatment team will be notified of the positive urine screen.

The You-Turn Recovery Docket uses American Court Services Substance Abuse Monitoring (SAM) Program. Participants use their social security number as an identifier and must call an automated telephone system seven days a week, 365 days a year, to determine if they have been randomly selected to be tested that day by providing a urine sample.

The call, to a local, toll-free number, takes about 15 seconds and may be placed from any touch-tone telephone, including a cell phone. Court staff will assist client in choosing a "Call Window" and a "Test Window." A "Call Window" is the period of time each day that the client must place his or her call into the automated telephone system and a "Test Window" is a period of time during which the client must report for the drug or alcohol test when selected.

The frequency of selection for testing and period of enrollment in the SAM Program will be determined by the client's supervising officer, caseworker or program manager and is based upon a number of factors, including overall compliance with the requirements of this program.

Missed Calls and Missed Tests will be monitored by the client's supervising officer, caseworker or program manager through daily compliance reports. Missed Calls

and Missed Tests are considered a violation of the terms of supervision and will result in sanctions.

***Any questions about the program can be directed to
Dana Dunn, Recovery Docket Case Manager
Phone 937.382.4276, ext. 1141
Dana@clintoncountycourts.org***

Attachment 6 (Intake Application)

You-Turn Recovery Docket

Intake Application

Date:

Name (First, Middle, Last):

Address (City, State, Zip Code):

Date of birth:

Gender (M, F):

Race:

Aliases:

Phone numbers (land line, cell, work):

Email:

Social security number:

Education level:

Driver's license (Yes, No, Reinstatement Date):

Employer if applicable (Name, Supervisor, Address, Phone Number, Email):

Other income (unemployment, disability, social security)

Drugs used:

Date of most recent use:

Alcohol and Drug Licensed treatment provider (Solutions, Talbert House, Other):

Counselor (Name, Phone Number, Email):

Supervision officer(s) (Name, Address, Phone Number, Email):

Domestic relationship (married, single, divorced, co-habiting):

Name of domestic partner or roommate if applicable:

Children (Names, Ages)

Medical (Family physician, type of insurance if applicable):

Date of last physical exam:

Dental (Dentist, type of insurance if applicable):

Date of last dental exam:

Attorney:

Are you attending any support groups (Y, N)?

If yes, what type (s)?

What do you hope to gain by participating in the You-Turn Recovery Docket?

What are your short-term goals?

What are your long-term goals?

Any other concerns or plans you wish to share?

Attachment 7 (Treatment Team)

**You-Turn Recovery Docket
Treatment Team**

Stephanie Blust
Director
Clinton County Supervision Program
46 S. South St.
Wilmington, Ohio 45177

Kirk Neuenschwander
Chief Probation Officer
46 S. South St.
Wilmington, Ohio 45177

Dana Dunn
Case Manager
46 S. South St.
Wilmington, Ohio 45177

Brian Noah
Probation Officer
46 S. South St.
Wilmington, Ohio 45177

Kenneth W. Houghtaling
Intervention in Lieu of Conviction
Specialist
46 S. South St.
Wilmington, Ohio 45177

Jeff Rhein, MRC, PCC-s
Director, Alcohol and Drug Addiction
Services
Mental Health Recovery Services
Warren and Clinton Counties
180 E. Main St.
Wilmington, Ohio 45177

Ka'Shira Myburgh
Case Manager
Clinton County Supervision Program
46 S. South St.
Wilmington, Ohio 45177

Judge John W. Rudduck
Clinton County Common Pleas Court
46 S. South St.
Wilmington, Ohio 45177

Representatives of Solutions Community Counseling and Recovery Centers, Talbert House, Transformative Wellness when those licensed treatment providers have clients in the drug docket; other licensed treatment providers with clients in the drug docket; and counsel for participants.

Attachment 8 (Supervision Terms)

**IN THE COURT OF COMMON PLEAS
Clinton County, Ohio**

**Conditions of Supervision
You-Turn Recovery Docket**

State of Ohio

Case No. _____

vs.

Defendant

You have been placed on Community Control Supervision in the Community Cares Program or Intervention in Lieu of Conviction Supervision in the Fresh Start Program within the "You-Turn" Recovery Docket for a period of a minimum of 18 months beginning _____ for the offense(s) of _____ in violation of the Ohio Revised Code, Section(s) _____

GENERAL TERMS OF SUPERVISION

1. You are to abide by all federal, state, and local laws; and you are to personally contact your Supervision Officer as soon as possible if you are arrested, cited, or questioned by any law enforcement officer.
2. You are not to leave the State of Ohio without the written permission of the Clinton County Court Judge or supervision officer.
3. You are to reside at your current address, and you are not to change residence without the prior written approval of your supervision officer.
4. You are to report to the Clinton County Common Pleas Court offices as instructed by your supervision officer, and while you are on supervision, you are to conduct yourself appropriately at all times and answer truthfully all questions asked by court personnel.
5. You are to pay your court costs, fine and/or restitution as ordered.
6. You are not to own, carry, purchase, possess, use, or have ready at your hand any weapon, firearm or firearm ammunition.
7. You are not to possess, sell, distribute, use, or have in your residence or automobile any controlled substance, as defined in Section 3719.01 of the Ohio Revised Code, or instruments for administering them (except by the prescription of a licensed physician).
8. You will obtain permission from your supervision officer before filling/consuming any prescription medication. You will submit to urinalysis and/or breathalyzer testing at the request of the supervision officer to determine if you have violated this or any other term of your supervision.

9. You are to follow your supervision officer's instructions at all times, which may include enrolling in and attending various programs. .
10. You will submit to a search of your person or property, conducted in a reasonable manner, at a reasonable time, by a supervision officer, when the officer has reasonable grounds to believe that a violation of supervision has occurred or is about to occur. .

SPECIAL CONDITIONS OF SUPERVISION

1. You are not to consume, have in your possession or in your residence or automobile any type of alcoholic beverage.
2. You are not to enter into any establishment where serving alcohol is the primary business.
3. You are to attend for an evaluation and/or counseling, and you are to follow all of their recommendations until successfully released by them in writing.
4. You are to attend support group meetings as directed and provide written verification to your supervision officer as directed.
5. You are to have all associations approved by your supervision officer. You are not to associate with known drug users. You are not to associate with individuals on probation or parole, unless otherwise approved.
6. You are to enter into and complete all programs deemed necessary for a successful completion of your treatment plan which includes any aftercare plan.

I have read and/or someone has read to me the above General Terms of Community Control and Special Conditions of Supervision. I fully understand them, accept them and agree to abide by all of them. I further understand that any non-compliance with any one of these terms and/or conditions of supervision will be considered sufficient cause to impose disciplinary action and/or revocation.

Defendant (Printed)	Signature	Date
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Case Manager or Supervision Officer	Date
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Attachment 9 (Substance Abuse Monitoring Procedure, Agreement)

**Substance Abuse Monitoring (SAM) Program
Procedure, Agreement**

You have been referred to the Substance Abuse Monitoring Program utilized by the Clinton County Common Pleas Court to effectively manage random drug testing for participants in the "You-Turn" Recovery Docket.

Beginning _____, you must call (937) 486.4160 each day to learn whether you have been randomly selected for a drug test. The call takes about 20 seconds to complete and may be placed from any touch-tone telephone, including your cell phone.

You will be asked for your nine-digit identification number. Use your social security number (SSN). If you do not have a social security number, staff will provide an alternate identification number. If you have a social security number, you must provide it.

You are agreeing a Call Window and a Test Window.

A Call Window is a period of time during which you must call the automated telephone system each day. You must call the automated telephone system seven days per week during your assigned Call Window as weekend and holiday testing WILL be conducted.

You must listen to the entire message. If you hang up before the complete message plays, your call may not be registered and may be reported as a missed call.

___ Your call window is between 7 and 9 a.m. and your test window is between 8 and 10 a.m.

___ Your call window is between 11 a.m. and 1 p.m. and your test window is between 1 and 3 p.m.

On the days that you are selected to test, you must report to this agency during your assigned Test Window. A Test Window is a period of time during which you must report for the drug test.

The number of times you will test each month while you are in the program will be determined by the court, your probation officer and your licensed treatment provider.

Do not lose this information!

Missed calls and missed tests will be monitored by the court through daily compliance reports. Missed calls and/or missed tests will be considered violations of program requirements and the court will impose graduated sanctions.

By signing and completing the information below, you agree to these conditions:

Printed Name of Client: _____

Signature of Client: _____

Date: _____ / _____ / _____

Social Security number ____-____-____

Phone number: _____

Email: _____

Attachment 10 (Substance Abuse Monitoring Frequency, Sanctions)

“You-Turn” Recovery Docket Drug Testing Frequency, Sanctions

Frequency

Phase 1

- 1-3 times weekly

Phase 2

- 2 times monthly

Phase 3

- 1 time monthly

Sanctions

Immediate sanctions may be imposed for “You-Turn” Recovery Docket participants as a result of non-compliance with random drug testing. Non-compliance is defined as failure to call in, failure to report for a drug screen, failure to render a screen, rendering a positive urine screen for substances which are not prescribed to the offender. Any urine specimen that is determined to be diluted by the lab will be counted as a POSITIVE screen and a sanction will follow accordingly. Any intentional alteration of a urine sample will result in an immediate arrest.

The court shall be notified of every non-compliance through a notice of non-compliance filed through the Clerk of Courts. The judge reserves the right to schedule a hearing to review and adjust sanctions. Participants may also file a request for a hearing.

First Non-Compliance	Internal sanction (e.g. homework)
Second Non-Compliance	Increased testing, reporting
Third Non-Compliance	Forty-eight hours in jail.
Fourth Non-Compliance	Five days in jail.
Fifth Non-Compliance	Other sanctions as determined by judge.
Sixth Non-Compliance	Possible unsuccessful termination.

Attachment 11 (Positive Drug Test Statement)

**Clinton County Common Pleas Court
46 S. South St.
Wilmington, Ohio**

Positive Drug Test Statement

I, _____, understand that I have received a positive urinalysis for drug and /or alcohol. Drugs tested positive for are:

I further understand that I may request a re-test. If I request a re-test, I understand that I will pay all costs associated with the confirmation test, provided the confirmation test is also positive. If the confirmation test is negative, the court will pay the costs for the re-test

____ I do hereby waive my option for a confirmation test and accept the positive result of the initial screen. I recognize that this acceptance constitutes a full confession of drug/alcohol use during the period covered by the specimen.

____ I do hereby request a re-test (confirmation test) of the specimen which yielded the positive result. I will pay the cost for the re-test if the initial positive test is confirmed.

Comments:

Probationer Signature Date

Supervision Officer Signature Date

Attachment 12 (Prescription Medication Policy)

**CLINTON COUNTY COMMON PLEAS COURT
You-Turn Recovery Docket**

Prescription Medication Policy

If a doctor intends to prescribe any type of medication for a participant, it is the responsibility of the participant to tell his/her doctor that they are in recovery and receive random drug tests as part of their participation in the drug docket. A sample letter notifying your doctor of your recovery program and the doctor's acknowledgment you have complied is attached.

If a doctor believes that it is necessary to prescribe medication such as narcotic pain medication or any other medication that will yield a positive urine screen, the physician must submit a letter to your supervision officer stating that he/she is aware of your status as a recovering addict and the need for this medication outweighs the risks. You **MUST** have a letter **PRIOR** to taking any medication that will cause a positive screen. If you test positive and do not have a letter from your doctor, you will be sanctioned immediately.

In the event you need emergency care, all emergency room orders and discharge information will be made available to your supervising officer for the docket, no more than seven days upon release from the hospital and all prescriptions will have to be cleared by a primary care physician to continue taking the medications without sanctions. A pattern of visits to the emergency room for ailments that require opiate treatment may be brought back before the court at the discretion of the supervision officer.

You must bring all of your prescriptions in the original bottle to your appointment with your supervision officer as directed.

I have read or had this read to me and I understand the Prescription Medication Policy:

Signature _____ Date _____

(Sample letter for physician follows.)

Dear Physician:

I am a participant in the You-Turn Recovery Docket of Clinton County Common Pleas Court. As a result, I am subject to frequent and random drug testing.

As I am in recovery, I would respectfully request that you take this into consideration and offer non-narcotic medications, if possible, if drugs are necessary for my medical treatment.

If the need for this type of medication outweighs the risk, please sign below and list the names of the medications you prescribed so that I can share this information with my supervision officer.

Thank you.

Physician Name (Printed) _____

Physician Signature _____

Date _____

Medication prescribed today: _____

Attachment 13 (Treatment Report Sample)

**Clinton County Common Pleas Court
46 S. South St.
Wilmington, Ohio**

Recovery Docket Treatment Report

Client Name: _____ Report Date: _____ Court Date: _____

Level of Care

- Individual Counseling
- Non-intensive Outpatient
- Intensive Outpatient
- SAMI Group
- Medication Management
- Case Management

Financial Obligations

Balance _____ Last Payment Amount _____ Date _____

Drug Screens:

Psychiatrist Appointment (s) attended: Yes No N/A

Comments:

Client Attendance/Participation

- Attending treatment regularly and exceeding expectations.
- Attending treatment regularly and meeting expectations.
- Attending treatment regularly but not meeting expectations.
- Attending treatment sporadically but meeting expectations.
- Attending treatment sporadically and not meeting expectations.
- Not attending treatment.
- Other

Comments:

Recommendations:

Counselor/Therapist Name	Credentials	Agency	Email	Phone Number
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This information has been disclosed to you from records whose confidentiality is protected by Federal Laws. Federal Regulations (42 CFR Part 2) prohibit you from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42 CFR Part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The Federal Rules restrict any use of this information to criminally investigate or prosecute any alcohol or drug abuse patient.

Attachment 14 (Docket Calendar)

CLINTON COUNTY COMMON PLEAS COURT

You-Turn Recovery Court Docket Calendar

Status Review Hearings for participants in the You-Turn Recovery Docket are held the first and third Fridays at 1:30 p.m. in the Clinton County Common Pleas Courtroom. The schedule may be modified at times because of holidays and other scheduling conflicts.

Unless otherwise excused by the judge or a supervision officer, all participants are required to attend status review hearings from beginning until the end. Participants in later phases of the docket do not have to attend both hearings each month.

Failure of a defendant to appear unless otherwise excused may result in the issuance of a *capias* for the apprehension of the defendant and/or other disciplinary actions.

Attachment 16 (Service Provider Memorandum of Understanding Template)

IN THE COURT OF COMMON PLEAS
Clinton County, Ohio

Memorandum of Understanding for the Establishment and Continuation of
the You-Turn Recovery Docket between
the Clinton County Court of Common Pleas and

(licensed treatment provider)

Scope and Nature

The Clinton County Court of Commons Pleas ("the Court",) has developed a specialized drug recovery docket, the "You-Turn" Recovery Docket, which has been certified by the Ohio Supreme Court. The docket is specifically designed for alcohol and drug dependent offenders charged with certain offenses in Clinton County who also meet enrollment criteria and are willing to participate in the respective docket. The Clinton County Adult Probation Department ("Court Services"), while an office of the Clinton County Court of Common Pleas, is a party to this Memorandum because it supplies one or more supervision officers to the docket.

Individually and collectively, the parties have come to understand the importance of developing a framework for diverting adult individuals with chemical dependency issues from the criminal justice system, if possible, and where not, developing systems and structures to manage these individuals more effectively in the respective systems.

The Court and the treatment agency have agreed to the need to integrate these efforts through a shared services model. The shared services approach would allow both court systems and the drug/alcohol treatment community to better leverage existing resources.

This Memorandum of Understanding seeks to state the scope and nature of efforts to better integrate these collective efforts and to assign roles and responsibilities for each organization in the planning and implementation of this effort.

The parties' goals include the following:

1. integrating information regarding treatment and services, to the extent legally permitted, to enable the Court and service providers to identify and treat individuals as early as possible and as effectively as possible;
2. coordinating and sharing services among the various parties to ensure clients receive the best possible service at the appropriate time.
3. creating a system of shared outcome metrics to ensure the effective application of services across systems. This would mean an individual would work toward the same outcomes regardless of the court system;
4. developing operational efficiencies that enable all systems to make the best use of available resources;
5. identifying and clarifying the reporting responsibilities of each party to the Memorandum; and
6. assisting individuals in taking personal responsibility for their own lives and choices.

-more-

The efforts to develop a shared services model would have a number of important outcomes for Clinton County. These include:

1. reducing the recidivism of the chemically-dependent in the Clinton County adult criminal justice system;
2. increasing the availability of drug/alcohol services to chemically-dependent adult offenders;
3. building a cohesive process within the Clinton County community to support the docket; and
4. enabling docket participants to take personal responsibility for their own lives and choices.

Treatment agency will:

1. provide a staff member to attend twice-monthly status review hearings;
2. complete all reporting obligations for status review hearings 24 hours in advance;
3. maintain appropriate certifications to deliver treatment services; and
4. complete a professional clinical assessment within two weeks of the first appointment after learning a client is involved with the docket program.

Clinton County Adult Probation and/or Community Supervision will:

1. provide one or more supervision officers to the docket;
2. agrees to provide timely reports to the court and treatment agency; and
3. attends docket treatment team meetings and others pertaining to the docket.

Case manager will:

1. prepare a status review hearing roster with appropriate individual statistical updates before each status review hearing;
2. coordinates and documents docket in accordance with best practices as determined by the Ohio Supreme Court and the National Association of Drug Court Professionals;
3. schedules twice annual meetings of the Advisory/Steering Committee, which includes members of licensed treatment providers, to monitor practices and performance of the docket;
4. gives full assistance and good faith efforts to meet all reporting requirements expected by the Ohio Supreme Court and other grant reporting bodies, as appropriate;.
5. attends any training specifically geared towards specialty docket courts; and
6. educates any new personnel to the docket standards.

Conflict Resolution

In the event there is a conflict or disagreement regarding the obligations under this Memorandum, 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 this Memorandum.

Within two weeks following receipt of said notice, the involved parties will meet in an attempt to satisfactorily resolve the issues. If the parties are unable to achieve satisfactory resolution, the appropriate Court 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 this Memorandum, the contractual or statutory provisions shall prevail.

Confidentiality

The parties to this agreement will each abide by applicable confidentiality regulations, including, but not limited to, Federal Regulations governing the confidentiality of alcohol and drug abuse patient records, 42 CFR Part 2, 45 CFR Parts 160 and 164, and any applicable State Laws which relate to the confidentiality of medical records of a client.

Memorandum Term

This Memorandum of Understanding has an initial term extending to December 31, 2017. Thereafter, the Memorandum shall renew for additional one year terms commencing each January 1 thereafter, provided the parties execute an extension. This agreement is subject to modification upon mutual agreement of the affected parties. At a minimum, the parties will review this agreement annually. The parties will meet not less often than annually to review the operations of the Memorandum and at any time, may modify or amend the Memorandum with the written consent of the parties.

Within 30 days of the occurrence of any of the following events the remaining parties to the Memorandum shall meet and review the Memorandum to determine whether modifications are appropriate:

1. When a Judge who is a party retires, resigns, or is otherwise is replaced in office.
2. The agencies who are parties to the Memorandum cease to operate within Clinton County or are no longer authorized to deliver the services contemplated to be delivered by them.
3. Changes occur in the federal or state law that impact this agreement.
4. A Court elects to withdraw from the Memorandum, or gives notice of intent to terminate the docket.

We the undersigned agree to the goals, terms, and guidelines outlined in this Memorandum of Understanding for the “You-Turn” Recovery Docket in Clinton County.

The Honorable John W. (Tim) Rudduck
Clinton County Common Pleas Court

Authorized Representative Date
Licensed treatment provider

Attachment 16 (Visitor/Volunteer Form)

**Clinton County Common Pleas Court
You-Turn Recovery Docket**

**Treatment Team Meeting
Visitor/Volunteer Form**

Statement of Confidentiality

The You-Turn Recovery Docket adheres to Federal 42CRF Confidentiality Guidelines as they pertain to the confidentiality of participants in this program in respect to their treatment and progress.

By signing below you are acknowledging that you will hold in the strictest confidence information learned while visiting and/or observing Treatment Team Meetings which take place prior to Status Review Hearings.

Visitor/Volunteer Name (Printed)	Signature	Date
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Attachment 17 (Exit Interview)

**Clinton County Common Pleas Court
You-Turn Recovery Docket
Exit Interview**

Please complete all of the following questions to the best of your ability. All responses will be kept anonymous. Date: _____

Circle the answer that best describes how you feel about the judge.

a. The judge treated me with respect.	Strongly Agree	Agree	Disagree	Neutral	Strongly Disagree
b. The judge was fair.	Strongly Agree	Agree	Disagree	Neutral	Strongly Disagree
c. The judge was concerned about me.	Strongly Agree	Agree	Disagree	Neutral	Strongly Disagree
d. The judge expected too much of me.	Strongly Agree	Agree	Disagree	Neutral	Strongly Disagree
e. The judge was a very important influence on how well I did in my program.	Strongly Agree	Agree	Disagree	Neutral	Strongly Disagree

Circle the answer that best describes how you felt about the treatment staff.

a. They treated me with respect.	Strongly Agree	Agree	Disagree	Neutral	Strongly Disagree
b. They were fair.	Strongly Agree	Agree	Disagree	Neutral	Strongly Disagree
c. They were concerned about me.	Strongly Agree	Agree	Disagree	Neutral	Strongly Disagree
d. They expected too much of me.	Strongly Agree	Agree	Disagree	Neutral	Strongly Disagree
e. They were a very important influence on how well I did in the program.	Strongly Agree	Agree	Disagree	Neutral	Strongly Disagree

Circle the answer that best describes how you feel about the overall experience in the docket.

a. The length of the program was just right for me.	Strongly Agree	Agree	Disagree	Neutral	Strongly Disagree
b. I was able to use drugs while in the docket.	Strongly Agree	Agree	Disagree	Neutral	Strongly Disagree

1. Drug testing was helpful to keep me from using? Yes No

2. Was AA/NA helpful to you? Yes No

3. I plan to continue in AA/NA Yes No

4. I have a sponsor? Yes No

5. I will continue to work with my sponsor? Yes No

6. I was employed before the program? Yes No

7. I was employed after the program? Yes No

8. Did you have a stable living place when you entered the program? Yes No

9. Do you have a stable living place today? Yes No

10. Do you feel you are able to remain alcohol/drug free? Yes No

11. Do you feel you are able to remain crime free? Yes No

5. On a scale of 1-5, circle your quality of life when you entered the program.
 1=Poor 2=Below Average 3=Average 4=Above Average 5=Excellent

6. On a scale of 1-5, rate the quality of your life when you completed the program.
 1=Poor 2=Below Average 3=Average 4=Above Average 5=Excellent

7. What parts of the program should be removed?

8. What parts of the program need strengthening?

9. What did you like least about the docket?

10. If you used while in the program, how did you avoid getting caught?

11. The most effective part of the program for me was:

12. Would you recommend others to the program? Yes No