



# LUMMI TRIBAL COURT

## HEALING TO WELLNESS DRUG COURT

2665 KWINA ROAD, BELLINGHAM, WA 98226

(360) 312-2239 / (360) 380-6994 (FAX)

### Drug Court Applicant:

The Lummi Tribal Court has a program called the Healing to Wellness Drug Court (“HTWDC”). This program is designed to assist a person in leading a healthy life free of drug and alcohol dependence. The HTWDC team will help and support its participants in reaching this goal.

Your Attorney and the Tribal Prosecutor have determined that, due to your recent citation for a drug or alcohol related criminal offense, you may be a candidate for HTWDC. This is a *voluntary* program. There are a number of steps that must be completed before the HTWDUIC team can review your application and make a decision about your acceptance.

1. **Your first step is to have you defense attorney submit a completed HTWDC application to the HTWDC coordinator Bobby Lind.** Once submitted, you will need to contact the coordinator at 360-380-8666 or 360-296-0316 (business cell).
2. **Next you need to obtain a substance abuse evaluation** from Lummi Counseling Services by calling **360-312-2420**, or by another Court approved SUD Treatment agency. Be sure to let the counselor know that you will need to complete an evaluation for the purpose of participation in HTW Drug Court.
3. **Complete a risk and needs assessment by calling the HTWDC coordinator, Bobby Lind.**
4. **Next, attend an appointment for a mental health screening** with Behavioral Health by calling **360-312-2019**. Please request an evaluation/intake.
5. **Finally, come to a Drug Court hearing and observe.** Call Bobby Lind at **360-380-8666** to find out when the next DUI court hearing is scheduled.

**These five tasks must be completed within 60 days of your arraignment so you must make sure you stay on top of your appointments.** Your application will be forwarded for consideration to the Drug Court Team (consisting of the Judge, Probation Officer, Public Defender, Tribal Prosecutor, SUD Counselors, Mental Health Counselor and Drug Court Coordinator). If you have questions about the program or need assistance with the application, please contact the drug court coordinator at 360-380-8666. Our main goal is to see you healthy and helping the Lummi Community be a safe home for you and future generations.

<p style="text-align: center;">LUMMI NATION</p> <p style="text-align: center;">Plaintiff.</p> <p style="text-align: center;">VS</p> <hr style="width: 30%; margin: 10px auto;"/> <p style="text-align: center;">Defendant.</p>	<p>File Stamp:</p>   <p style="color: red; font-size: small;">Before You File:</p> <p style="color: red; font-size: small;">1. Defendant and Prosecutor must sign application</p> <p style="color: red; font-size: small;">2. Give a completed copy to the Prosecutor and Coordinator.</p> <p>Case No.:</p>
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## HEALING TO WELLNESS DRUG COURT CONFIDENTIAL APPLICATION

### 1. PERSONAL INFORMATION

Name:		
Alias/Maiden Name:		
Date of Birth:		
Driver's License or ID No.:		State Issued:
Address:		
Lives With/Relationship:		
Emergency Contact/Relationship:		
Home Phone:	Cell Phone:	Msg. Phone:
Tribal Enrollment/Affiliation:		

### 2. WORK/EDUCATION INFORMATION

Are you currently employed? <input type="checkbox"/> Yes <input type="checkbox"/> No		Are you currently enrolled in school? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Employer/School:			
Hours/Schedule:			

### 3. ATTORNEY INFORMATION

Attorney Name:	Phone:
Email Address:	

#### 4. COURT INFORMATION

Date of Arraignment:	
Current Charge(s):	Case No.:
Are there other criminal charges (or sentences) pending against you, including those in other Jurisdictions? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes," please explain:	
Are there any outstanding court orders pending against you? (Includes protection orders; warrants; support orders, other judgments.) <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes," please explain:	
Have you ever participated in a drug or DUI court before? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes," list which court, when, and if you graduated successfully:	

#### 5. SUBSTANCE ABUSE/MENTAL HEALTH INFORMATION

Are you receiving substance abuse treatment now? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, agency:
Have you received prior substance abuse treatment? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, agency:
Are you receiving mental health treatment now? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, agency:
Have you received prior mental health treatment? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, agency:
Please list any known mental health diagnoses here:
Please list any currently prescribed medications here:

## 6. SIGNATURES REQUIRED

The facts set forth in the application are true and correct to the best of my knowledge, information and belief. I understand that knowingly making a false statement herein is subject to criminal penalties & exclusion from this program.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

My attorney has reviewed this application, releases of information and policies and procedures of Drug Court, and I understand this is a voluntary program which, if accepted into the program, requires me to waive certain constitutional rights associated with trial.

Signature of Attorney for Defendant: \_\_\_\_\_ Date: \_\_\_\_\_

I understand this application for the Lummi Healing to Wellness Drug Court Program will not be further considered without the consent and signature of the Tribal Prosecutor.

Consent and Signature of Prosecutor: \_\_\_\_\_ Date: \_\_\_\_\_

- The prosecutor consents to the Applicant's entry into Drug Court.
- The prosecutor objects to the Applicant's entry into drug court for the following reason or reasons:
  - The applicant has been charged with delivery or intent to deliver illegal substances, and the applicant's entry into drug court will be against the interests of community justice.
  - The applicant has been charged with a DV related crime and the applicant's entry into Drug Court would be against the interests of Justice for the victim.
  - The applicant's pending charges, or previous convictions, disqualify the Applicant from applying to Drug Court.
  - The Applicant is facing additional charges that will disqualify them from the Drug Court program.
- The Applicant has been charged with delivery of an illegal substance and the prosecutor reserves consent or objection based on the outcome of the risk & needs assessment conducted by the drug court coordinator.

***Please return this application to the Court Clerk at the Lummi Tribal Court and provide a copy to the Tribal Prosecutor and HTWDC Coordinator.***

## THINGS TO REMEMBER

The program takes approximately 13-18 months to complete but can take up to 24 months or longer if there are multiple non-compliance issues.

This is a voluntary program. The client must want to enter the program.

Defense Attorneys- The team cannot determine if someone is accepted into DUI Court until your client completes all the application requirements (including application form, substance abuse evaluation, appointment for mental health screening, risk and need assessment and Drug Court viewing).

All the Drug Court application requirements must be completed within 60 days of Arraignment (including application form, substance abuse evaluation, mental health screening, risk and need assessment and Drug Court viewing).

# LUMMI HEALING TO WELLNESS DRUG COURT AUTHORIZATION FOR CRIMINAL BACKGROUND CHECK

As part of the Healing to Wellness Drug Court ("HTWDC") application process, you must consent to a criminal background investigation. The Lummi Prosecutor's Office, Lummi Clerk's Office, Lummi Nation Police Department, or other responsible agency will complete the criminal history investigation. A criminal conviction record does not *necessarily* disqualify you from the HTWDC Program. This conviction information must be disclosed before a candidate will be further considered for the HTWDC Program.

**AUTHORIZATION:** I, \_\_\_\_\_ (PRINT NAME), authorize the HTWDC team members to obtain any criminal conviction information from any jurisdiction. I understand that this information is being used for qualification in the HTWDC Program. I hereby release you, your organization and others from any liability or damage which may result from furnishing the information requested. I understand that this authorization cannot be used to obtain any information about me that is not pertinent to my eligibility into the HTWDC Program.

A copy of this authorization shall have the same force and affect as the original. This form is valid for a period of 60 days from the date notarized. You may retain this form in your files.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

## INFORMATION REQUIRED FOR CRIMINAL HISTORY BACKGROUND CHECK

**INSTRUCTIONS:** Complete all sections below. (Please include all names by which you are known or have ever used.) The information you provide will be used only as it relates to consideration for the HTWDC Program. PLEASE PRINT CLEARLY. If the information is not available, please indicate by placing an N/A (not available) in the space provided.

Name: \_\_\_\_\_ Alias/Maiden Name: \_\_\_\_\_

Present Address: \_\_\_\_\_ (city): \_\_\_\_\_ (state): \_\_\_\_\_ (zip): \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Sex: M / F Tribal Enrollment/Affiliation: \_\_\_\_\_ (enrollment no.): \_\_\_\_\_

Eye Color: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Height \_\_\_\_\_ Social Security No.: \_\_\_\_\_

**\*\*\*\*TO BE SIGNED IN FRONT OF A NOTARY\*\*\*\***

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

State of Washington  
County of Whatcom

I certify that I know or have satisfactory evidence that:

\_\_\_\_\_  
Signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Signature of Notary Public)  
My appointment expires on \_\_\_\_\_

# LUMMI HEALING TO WELLNESS DRUG COURT CONSENT FOR MUTUAL EXCHANGE OF INFORMATION

This information has been disclosed to you from records whose confidentiality is protected by the Federal Confidentiality Regulations (42 CFR, part 2) that prohibits disclosure of records without the specific written consent of the person to whom it pertains, or otherwise permitted by such regulations. A general authorization of release of medical or other information is not sufficient for this purpose.

**NAME:** \_\_\_\_\_ **DOB:** \_\_\_\_\_

I hereby authorize the mutual exchange of information (verbal and written) between the following Lummi Healing to Wellness Drug Court Team Members to freely discuss my Drug Court case:

Lummi Tribal Court	Initial	Tribal Prosecutor's Office	Initial
Public Defender's Office	Initial	Lummi Probation Office	Initial
Lummi Behavioral Health	Initial	Lummi Counseling Services	Initial
Lummi Tribal Health Clinic	Initial	Other:	
Other:		Other:	

I understand Team Members will freely discuss the facts of my case and my compliance or noncompliance in any treatment program. \_\_\_\_\_ (INITIAL)

I understand any information obtained by this release will be used solely for my participation in the program and will remain confidential between Drug Court Team Members. \_\_\_\_\_ (INITIAL)

I understand that this release is required for my participation in Drug Court. \_\_\_\_\_ (INITIAL)

I further understand that my drug and/or alcohol treatment records are protected under federal regulations governing Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2, and the Insurance Portability and Accountability Act of 1996 ("HIPPA"), 45 CFR Pts. 160 & 164, and cannot be disclosed without any written consent unless otherwise provided for in the regulations. This Disclosure Authorization is specifically intended to include any diagnosis, testing, and/or treatments for communicable diseases, including sexually transmitted diseases (e.g. Tuberculosis, HIV/AIDS/AIDS related illness), mental health services, drug and/or alcohol services. I also understand that I may revoke this consent in writing at any time except to the extent that this action has been taken in reliance on it, including provisions of health care services requiring subsequent disclosure to affect payment. Unauthorized re-disclosure by recipient is prohibited, but may be a potential risk. I understand that I do not have to sign this authorization in order to receive health care benefits (treatment, payment, enrollment, or eligibility for benefits) except for health care services necessary to create any assessment or report for disclosure to the recipient identified in this authorization. In any event, this authorization expires automatically as follows:

**This release authorization automatically expires 60 days from date of termination and/or graduation from the Healing to Wellness Drug Court program.**

\_\_\_\_\_  
Client Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Witness Signature (e.g. Attorney, PO, Counselor, etc.)

\_\_\_\_\_  
Date

