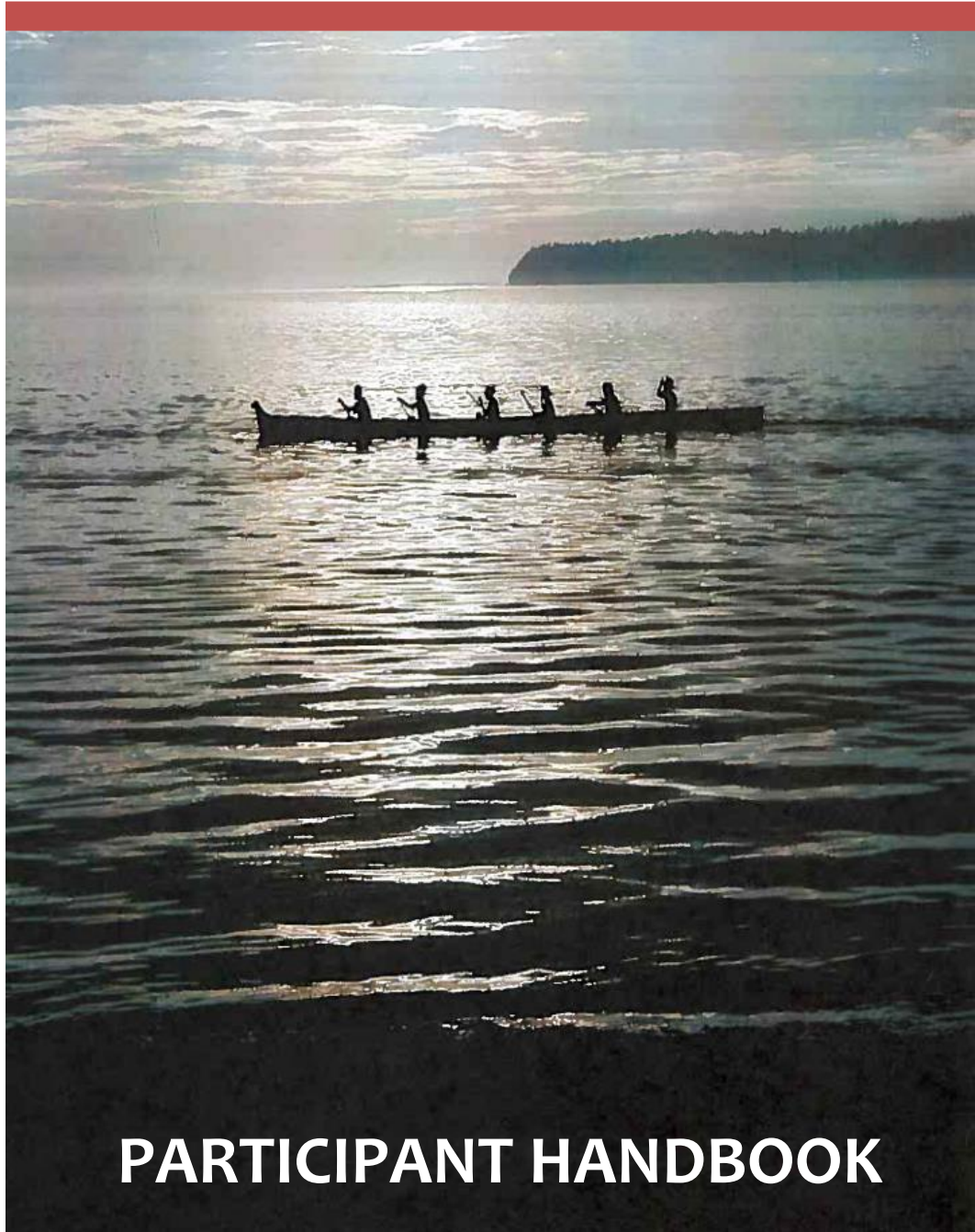




HEALING TO

WELLNESS DRUG

COURT



PARTICIPANT HANDBOOK

UPDATED – September 2021

Name of Participant: _____

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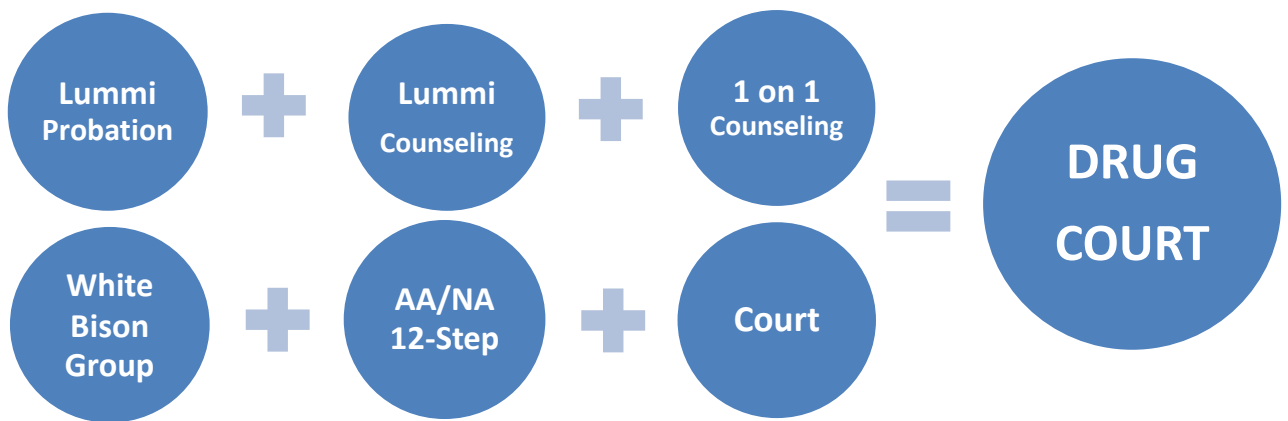
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I. PROGRAM INFORMATION

A. INTRODUCTION

The Lummi Healing to Wellness Adult Drug Court Program (Drug Court) helps participants overcome substance use disorders. Drug Court focuses on honesty, sobriety, and rehabilitation with intense accountability and encouragement by a multi-disciplinary team made up of a Judge, Coordinator, Case Manager, Tribal Prosecutor, Defense Attorney, Probation Officer, Mental Health Counselor, and Treatment Providers. The team works collaboratively to monitor, supervise, and guide each participant to successfully complete the program. Participants must work their way through five program stages with specific areas of addiction being addressed at each stage. The stages are designed to slowly increase coping skills and healthy choices by first focusing on sobriety, then life skills, emotional needs, and finally long-term goals.

Participant's weekly activities include obtaining substance use disorder treatment and counseling, attending drug court hearings with other program participants, and drug and alcohol testing. Participants will participate in other activities focused on their specific needs. Participant compliance is monitored by the Lummi Probation Department, Drug Court Coordinator and Lummi Counseling Services through regular appointments and required drug and alcohol testing. Successful completion of Drug Court results in dismissal of the criminal charges specified when the participant was admitted into Drug Court. Most importantly, graduating participants gain necessary tools to learn a better way to live without dependence on alcohol and illegal drugs.



B. VISION AND MISSION

Vision: It is the vision of the Lummi Healing to Wellness Drug Court to promote and encourage the people of the Lummi Community to live healthy and productive lives free of drugs and alcohol dependence, for the future of our children and in the ways of our ancestors.

Mission: To promote individual healing by providing a culture and treatment centered court program that integrates essential services, and community members to encourage substance-abusing offenders to live healthy, sober lives.

C. PROGRAM COMPONENTS

1. Coordinator/Case Manager Component

The Coordinator and/or Case Manager is the main point of contact for participants and the Team. The Coordinator and/or Case Manager meets with each participant weekly to provide Strength Based Perspective and Assertive Community Treatment based case management. Participants will work with the Coordinator/Case Manager on their Drug Court Case Plan and develop skills to meet the goals for each Drug Court stage. Any questions regarding Drug Court procedures shall be directed to the Coordinator/Case Manager including requests for leave outside Whatcom County, requests for court tardiness/absence, and/or other Drug Court requests.

The Coordinator and/or the Case Manager provides participant case plan progress reports to the Team at staffing prior to each Drug Court. The client progress report will include the following information:

- Participant current stage
- A case plan specific to the participant's stage in Drug Court outlining the stage goals that the participant is currently working to meet (set forth in this handbook in Part III – Stage Requirements)
- The number of Support Meetings completed for the Drug Court reporting period
- A summary of whether the participant is compliant with probation and treatment requirements
- A summary of possible non-compliance issues
- A summary of the participant's positive behavior, goals, or other pro-social events
- Concerns/Announcements/Questions/Requests that the participant or the Coordinator needs to share with the Team

2. Treatment Component

. Participants utilize Lummi Counseling Services (CARE) programs to participate in Intensive Outpatient, Relapse Prevention or Medically Assisted Treatment and attend one-on-one counseling sessions with their Drug Court Counselor. Participants are also required to attend 12-step meetings (AA/NA). The HTWDC Case Manager will facilitate the required White Bison Program from the Red Road to Wellbriety as well as Moral Reconciliation Therapy (MRT) Both the White Bison group and the MRT program may be offered at Lummi Counseling Services at a later date. Participants will complete a mental health evaluation and engage in recommended mental health counseling. In addition to the mandatory substance abuse treatment services that participants will engage in during Drug Court, the Team may recommend additional services based on individual participant needs.

Treatment Services Participants must participate in during Drug Court

- 12-Step Program, Support Meeting or other Self-Help Group approved by Team
- White Bison Program
- Intensive Outpatient, Relapse Prevention, Outpatient Aftercare or Medically Assisted Treatment at CARE
- Moral Reconciliation Therapy (MRT) – Stage II or after unless other arrangements are made to begin in Stage I.
- One-On-One Counseling Sessions with Drug Court Case Manager and/or Coordinator as well as assigned Lummi Counseling Services primary counselor.
- Mental Health Counseling

Examples of other Treatment Services Drug Court May Recommend for Participants

- Individual or Family Therapy
- Vocational Rehabilitation
- Domestic Violence Evaluation and follow treatment recommendations
- Seeking Safety for trauma issues

Lummi Counseling Services Treatment Providers provide client progress reports to the HTWDC Case Manager and/or Coordinator by the close of business the Friday prior to each Drug Court. The client progress report will include the following information:

- Dates of one-on-one appointments
- Any missed one-on-one appointments (and whether they were excused)
- Dates of group sessions
- Any missed group sessions (and whether they were excused)

- Drug and Alcohol testing results (positive test results should be reported within 24 hours) to the HTWDC Case Manager or Coordinator
- Concerns/Announcements/Questions/Requests that the participant or the Treatment Provider may have
- Whether the participant is compliant or non-compliant

3. Probation Component

The Lummi Probation Program will assist in the Healing to Wellness Drug Court by actively participating as a Drug Court Team member and attending Drug Court related activities.

The Probation Program will work closely with the Drug Court Coordinator(s) and/or Case Manager with sharing any relevant information regarding Drug Court participants compliance and program success. The probation program representative will:

- Attend Drug Court Team staffing's and actively participate, share information and ideas, and provide input on incentives and responses.
- Be available for participants to check in with the Probation Program as ordered by the court, to further monitor and guide clients participating in the Drug Court Program.
- Provide Drug and Alcohol Testing for clients ordered by the Court. Report drug and alcohol test results to the Drug Court Coordinator(s) (*service is dependent on testing availability*)

The Probation Program supervises the Lummi Jail Alternative Program(s) including Global Positioning Satellite Monitoring (GPS), Transdermal Alcohol Detection (TAD) and out of custody Work Crew. The Probation Program will provide short term jail alternative services as ordered by the court upon availability. If a Drug Court client does not follow the rules of the Jail Alternative Program(s), the Probation Program may remove the client from the program and provide notice to the Court outlining the violations and removal from the program(s). (*Jail alternative services are dependent on availability*)

4. Court Component

Participants attend Drug Court hearings with other participants. At the hearings, participants will report to the Judge on their progress and setbacks on completion of program tasks and assignments. The Drug Court Team attends hearings to offer support, encouragement, and accountability. The Judge addresses accomplishments and violations and enters orders for each participant for the next Drug Court period. Throughout the program, the Team will support participants with incentives for success and accomplishments.

When a participant is out of compliance with program requirements, the Judge may impose sanctions or responses. Drug Court tailors its expectations of participants by stages. At each stage, the Court and the team will explain to the participant what the expectations for compliance are and how compliance will be monitored. The Court issues responses for non-compliance and attempts to tailor responses to each participant's individual treatment plan. For example, if a participant does not attend treatment for one week, the responses might be an increase in treatment expectations during the next Drug Court period. While responses can include jail time, the Court and the Team intend to use non-jail sanctions for most violations. The participant will be provided a supplemental program showing responses they can expect in the Program.

5. Team Member Component

The success of Drug Court is dependent upon the strength of the Team. The Team will meet prior to each hearing to discuss each participant's compliance. When voting decisions are required, only the Essential Drug Court Team Members vote (the Drug Court Judge does not vote but makes the final decision after the Team vote).

Essential Drug Court Team Members

Judge: The Judge presides over Drug Court Hearings. The Judge provides input and direction during Drug Court Team meetings and issues incentives and sanctions as well as incentives for participants during Drug Court hearings. The Judge makes the final ruling on sanctions and incentives and findings of facts.

Drug Court Coordinator: The Coordinator assists prospective Drug Court participants with the application process, conducts LSI-R Risk and Need Assessments or the CAIS risk assessment, and coordinates with others to compile each aspect of Drug Court applications to determine eligibility. For staffing, the Coordinator develops and manages each participant's case plan, maintains records, coordinates court proceedings, and assists the Judge in drafting standard Drug Court orders, and provides copies of orders and reviews the orders with the participants. The coordinator assists in efforts with collateral service providers, scheduling trainings for the Team, collects data, and develops long-term funding plans. The Coordinator prepares and updates the Lummi Healing to Wellness Drug Court Policy and Procedure Manual and analyzes operational procedures proposing changes as necessary. The Coordinator also participates in the grant application process.

Drug Court Case Manager: The Case Manager meets with participants regularly to provide case management and create a drug court specific case plan (with utilization of the CAIS risk assessment, once onboard). The Case Manager collects support group meeting verification, appointment sign-in sheets (when provider sessions have resumed in-person meetings) and gathers data from Lummi Counseling Services on participant compliance. The Case Manager prepares the weekly participant compliance report for the weekly staffing prior to each hearing and assists the Coordinator in preparing participant orders.

Probation Officer: The Probation Officer assists in monitoring each participant's program requirements and provides relevant information for all Drug Court staffing meetings. The Probation Officer coordinates with treatment staff in the rehabilitation process. The Probation Officer attends all Drug Court staffing meetings and review hearings and provides court-ordered participant check-ins for support and guidance when available.

Public Defender: The Public Defender works with the Prosecutor to identify and refer potentially eligible Drug Court clients to the program. This person also provides legal counsel to participants and reviews all program documents and meets with the Drug Court team for staffing.

Tribal Prosecutor: The Prosecutor works with the Public Defender to identify eligible Drug Court clients, attends all Drug Court staffing meetings and review hearings, dismisses charges upon graduation and prosecutes upon participant's termination from Drug Court.

The Prosecutor brings motions to terminate participants from Drug Court and presents the case for termination.

Substance Abuse Counselors: When available, a Substance Use Disorder Professional from Lummi Counseling Services will coordinate treatment services of Drug Court clients, provides clinical drug and alcohol evaluations, and submits compliance/progress reports for all Drug Court staffing meetings. The Substance Use Disorder Professional attends all Drug Court staffing meetings and review hearings.

Mental Health Counselor: A licensed Therapist provides evaluations and individual counseling to participants. The Therapist attends all Drug Court staffing meetings and review hearings to provide input on participants' healing progress and needed support.

Police Officer: At the request of the Court, a police officer may contact Drug Court clients in the community and inform the Team about information pertaining to community safety and illegal drug trends. An officer may also assist in monitoring compliance with Drug Court orders or carrying out a Drug Court sanction.

Court Clerk: The Court Clerk attends court hearings, provides court support to the judge and schedules hearings, and prepares promises to appear.

D. CONFIDENTIALITY AND PROFESSIONALISM

Your rights to confidentiality are protected by Federal laws. Information will not be released by the team without your written consent. You will be required to sign a consent form allowing treatment providers, program staff, and the rest of the team to share and talk about your progress.

Drug Court is a unique model where traditional roles are blended to promote a unified interest in the participant's recovery and success. The typical courtroom environment is put aside, and team members collaborate openly with each other and the Drug Court Judge has more direct involvement with participants and the Drug Court Team. The Judge maintains the role of an impartial, independent decision-maker who is advised by professionals on participant compliance and options to strengthen each participant's capacity to succeed in Drug Court. To encourage this model and promote ethical and professional conduct, the Team will:

- Limit their discussions at case staffing meetings with the judge only to matters directly related to participants and will refrain from speaking about other cases, non-participants, and gossip in general.
- Hold information discussed during pretrial interviews, assessment, drug court team staffing meetings, drug court status hearings and treatment sessions in confidence (except as required for mandated reporting of abuse or other laws).
- Not file new criminal charges against a participant based on drug testing results or statements of drug use made by participants during drug court proceedings or during the drug court program.

- Be respectful to one another during case staffing meetings. The collaborative discipline approach to Drug Court often means team members will have differing and equally valuable opinions.
- Support the wraparound efforts of the Drug Court Team by encouraging participants to complete the case plan, Drug Court goals and treatment plan which the Coordinator, Treatment Provider or Probation Officer has established for them.

Confidentiality is also important in all group sessions. Anything that is discussed in group must remain in group. No information any participant shares should be talked about outside of the group. The same confidentiality applies to the courtroom. Outside group and court, do not talk to anyone about any information you here from or about any other participant.

II. PROGRAM POLICIES AND PROCEDURES

A. ELIGIBILITY CRITERIA (THE SEVEN REQUIRMENTS)

Not all applicants are accepted into Drug Court. To be eligible for the Drug Court program; the applicant must meet all the following requirements:

- (1) Applicant must be **18 years of age or older**;
- (2) Applicant is charged with an **eligible drug or alcohol related crime(s)**.
- (3) Lummi Counseling Services evaluates the Applicant pursuant to ASAM criteria (American Society of Addiction Medicine) and recommends a **treatment level of 2.0 or higher**;
- (4) The Coordinator evaluates the Applicant using the LS-CMI or LSI-R Risk and Need Assessment Tool and the result is: **(1) High Risk / High Need; (2) Moderate Risk / High Need; or (3) High Risk / Moderate Need**;
- (5) At least **one year has elapsed** since the Applicant graduated from the Lummi Healing to Wellness Drug Court program and meets all other eligibility requirements;
- (6) At least **one year has elapsed** since the Applicant who has been terminated from the program has completed their sentence, including any jail alternatives, resulting from their termination from the program. The Applicant would have to show the Drug Court team a change in circumstance as part of their application back into the program;
- (7) Applicant has **fully completed all aspects of the Drug Court application process** (the application, substance abuse evaluation, mental health screening within the first 30 days following acceptance, drug court viewing, and risk and need assessment); and
- (8) Applicant **voluntarily agrees to participate** in Drug Court.

Failure to honestly answer any question during the application process may result in the applicant being denied entry into the Drug Court Program.

WHAT IS AN ELIGIBLE DRUG OR ALCOHOL RELATED CRIME?

- a. Any combination of pending felonies or misdemeanor crimes so long as the maximum jail exposure is at least 360 days
 - (1) In calculating the 360-day maximum exposure range, no juvenile delinquency charges, post-adjudication crimes, cases on probation, deferred prosecutions and deferred sentences, or cases in another jurisdiction shall be used in calculation. All pending cases must be charged as an adult in the Lummi Tribal Court.
- b. None of the pending crimes are violent felonies, including felony domestic violence charges or sex offenses;
- c. The Applicant does not have any pending violent felonies in any jurisdiction and if the Applicant has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm, s/he is not eligible for drug court;
- d. The Applicant is not under restriction of an active protection order against a current HTWDC participant.
- e. The Applicant is not a Level II or Level III registered sex offender in any jurisdiction;
- f. Property crimes may only be accepted into drug court if there is no issue of restitution or restitution is ordered as part of the drug court entrance process;
- g. Drug Court may accept anyone into Drug Court on any pending delivery of illegal substance, delivery of illegal substance for value, or possession with intent to distribute illegal substance charges. Entry of Applicants with pending delivery of illegal substances or possession with intent to distribute of illegal substances will be dependent on consensus from the Drug Court team;
- h. Drug Court cannot accept anyone into Drug Court with pending manufacture of illegal substance charges. Drug Court cannot accept anyone who is currently on active probation monitoring for manufacture of illegal substance charges or a state or federal equivalent.
- i. In determining eligibility, criminal history in all jurisdictions applies; and
- j. No applicant may apply for Drug Court if more than 60 days has elapsed since the date of arraignment unless the Court finds good cause to extend the time period. In circumstances where an applicant accumulates several pending cases over a period of time before applying for Drug Court, no more than 60 days may elapse from arraignment on the most recent case.

B. INTAKE PROCESS

The assigned prosecutor will make a preliminary decision on whether offenders have pending *eligible drug or alcohol related crimes* and will include a Notice of Eligibility to Apply for Drug Court in the initial arraignment discovery packet or shortly thereafter. If those qualified offenders are interested in applying for Drug Court, their defense attorney will complete a Drug Court Application and submit a complete application to the Coordinator. A Notice of Eligibility to Apply is not a guarantee that an offender will meet all the eligibility requirements. A final determination of all aspects of eligibility for Drug Court will be reviewed by the Drug Court Team after the assessments have been completed. Should a defense attorney not receive an Eligibility Notice from the prosecutor but believes his client may be eligible for Drug Court, nothing in this handbook prevents a defense attorney from inquiring with the Prosecutor about Drug Court as an option.

60-Days to Complete Application Requirements. Applicants must complete their Drug Court application, evaluations, assessments, and Drug Court viewing within **60 days** from the date of Arraignment. Applicants that do not complete these requirements within the time period may not continue to screen for Drug Court unless the Court finds good cause to extend the time period.

Complete Evaluations. Within the 60-day window, the Applicant must complete a substance abuse evaluation (ASAM) with Lummi Counseling Services and a mental health screening (DSM V) with the Drug Court Mental Health Counselor or her delegate. The mental health evaluation must be done within the first 30 days of participation if unable to complete during the screening process. The Drug Court Team may also require the Applicant to complete other evaluations as part of the applications (such as domestic violence or anger management). ***Applicants must appear at scheduled appointments.***

Risk and Need Assessment Interview. Once the Applicant has completed the substance abuse evaluation and mental health screening, (s)he will schedule an appointment with the Coordinator who will conduct a risk and need assessment interview (LSCM-I or CAIS) and will provide explanation of the program.

Criminal Background Check. A Criminal History will be run by Lummi Nation Police Department, Tribal Prosecutor, Lummi Court, Lummi Probation, or another appropriate agency. This background check shall include, at a minimum, the Lummi Tribal Court and the State of Washington, but may include a check of any jurisdiction where the applicant has criminal history.

View Drug Court. Finally, the Applicant must observe a regularly scheduled Drug Court hearing. At this time, the Applicant will be introduced to the Team and current participants and may ask any questions about the program. This will occur if it is logistically possible through direct observation or viewing via video.

Team Review. The Coordinator will compile an affidavit of eligibility summarizing how the applicant meets each of the seven criteria of Drug Court eligibility. If at any point during the compilation of this affidavit, the Coordinator determines that the applicant does not meet some or all the eligibility criteria, the Coordinator will summarize which criteria is not met and how the applicant does not meet that criteria; the Coordinator will notify the parties and the team of the ineligibility and cease compiling remaining portions of the report. The Coordinator presents completed eligibility reports to the Drug Court Team.

Proposed or Agreed upon Offer to Enter into Drug Court: The Prosecutor shall work with the Defense Attorney to create an agreed upon offer of plea of guilty that shall serve as the Applicant's sentence in the event the Applicant terminates from the Program. In the event that the Prosecutor and the Defense Attorney cannot agree upon an offer of plea of guilty, but the Applicant still wishes to enter the program, the Court shall set a contested hearing to establish the terms of the sentence in the event of termination of the Applicant from the Program. The Prosecutor and Defense Attorney shall submit their proposed terms of sentence before the contested hearing.

Proposed or Agreed Upon Offer of Probation Revocation to Enter into Drug Court: The Probation Officer shall work with the Defense Attorney to come upon an agreed order of revocation if an Applicant is on probation and terminates from the program. In the event that the Probation Officer and the Defense Attorney cannot agree upon an offer of plea of guilty, but the Applicant still wishes to enter the program, the Court shall set a contested hearing to establish the terms of the sentence in the event of termination of the Applicant from the Program. The Probation Officer and Defense Attorney shall submit their proposed terms of sentence before the contested hearing.

Acceptance. The Court will issue an order accepting or declining an applicant into Drug Court and outline any preliminary requirements of entrance.

It is the desire of the Drug Court Team that applicants are ultimately successful in meeting the demands of Drug Court and graduate. To that end, the Drug Court Team recognizes that the strict requirements of Drug Court may be an environment not suited for everyone, and the Drug Court Team does not want to set up anyone for failure. Therefore, if a Team Member has objective reasons that show a high degree of likelihood that a Drug Court applicant would not be successful in the program, they may object to the applicant being admitted into Drug Court. The Drug Court team, excluding the judge, will vote on whether to grant or deny admission into Drug Court. The majority vote shall prevail. If there is a tie vote, the Drug Court applicant shall be admitted.

If an applicant is denied admission based on the vote of the Drug Court Team, then Notice will be provided of the denial of the application and the reasons. The applicant has ten (10) working days from the date of the Notice to request a hearing before the Drug Court Team for reconsideration. At the hearing the applicant will be allowed to respond to the denied application and provide additional information to support their admission into Drug Court. After the applicant's presentation, the Drug Court team will vote, with the majority vote deciding whether the applicant

will be admitted or denied admission into Drug Court. If there is a tie vote, the Judge shall decide whether the applicant will be admitted or denied.

Conditional Plea and Deferred Sentence. All criminal charges pending in the Lummi Court at the time of entrance into Drug Court are disposed of in a Conditional Plea of Guilty or No Contest. The Applicant pleads guilty or no contest to the pending charges and sentencing on the charges are continued while the Applicant is participating in Drug Court. If the Applicant successfully graduates from Drug Court, the Court will permit the Applicant to withdraw his or her guilty or no contest plea and the Prosecutor will dismiss the charges with prejudice. (Alternatively, if the Applicant is terminated from Drug Court, the guilty/no contest plea will not be withdrawn, and the Applicant will be sentenced on the criminal charges).

Deferred Probation Revocation. With the consent of Lummi Probation, Lummi Prosecutor, Defense Attorney, and the Applicant, the Court may defer a pending probation violation. This order shall defer the remaining suspended jail days and court fines while the Applicant participates in Drug Court. Upon Drug graduation, the Court will close the case without imposition of the suspended jail days and payment of remaining court fines. If there is an agreed upon order in place, that will be imposed. However, if the Applicant is terminated from Drug Court without an agreed upon order in place, all the suspended jail days and court fines may be imposed. An Applicant may only request that a probation violation or revocation be deferred into Drug Court if the Applicant also has pending Lummi criminal matters that are being deferred into Drug Court.

C. DRUG COURT SCHEDULE

Drug Court Hearings take place in front of the Judge at the Lummi Tribal Court, unless video or telephonic hearings are required by LIBC, or approved by the Court. At each court hearing, the Judge will give participants an order that outlines what they need to do before their next Drug Court hearing. Typically, between Drug Court hearing participants meet with the Case Manager or Coordinator, their probation officer, one-on-one counselor, attend group and SUPPORT MEETINGS, and complete other tasks and goals. Participants will also complete any responses between Drug Court hearings.

D. CASE STAFFING MEETINGS

Case staffing meetings take place prior to each Drug Court hearing. Team members are required to attend these meetings. The Judge also attends these meetings but does not vote. Recommended Team actions are determined by a majority vote by the Team. The Drug Court Judge will consider these recommendations and balance the Participant's position on matters. After the Team vote, the Judge makes a final determination for all Drug Court orders and terminations and is

not bound by the recommendations of the Team. Due to the nature and sensitivity of the information discussed by participants, Drug Court Staffing Meetings are closed to the public.

E. COURT REVIEW HEARINGS

Friends, family, and guests of the participants are encouraged to attend and are permitted in the courtroom. Additionally, applicants considering joining Drug Court or other visitors approved by the Judge are permitted in the courtroom. Visitors may not participate or comment on any of the proceedings during Drug Court hearings unless invited to by the Judge or a participant.

At the discretion of the Judge, a participant may meet with the Team in an individual meeting. Generally, Stage 4 and Stage 5 participants attend Drug Court once a month. However, if the Team becomes concerned about a Stage 4 or 5 participant's progress, the Judge can order a participant to return to more frequent court reviews.

STAGE	ATTENDANCE AT COURT <i>(unless modified by the judge for individual clients)</i>
1	Every week
2	Every other week
3	Every other week.
4	Every fourth week.
5	Every fourth week.

During Drug Court hearings, the Team will ask participants to respond to a particular question or set of questions. The Team will also have the opportunity to respond to issues or questions from participants.

F. RESPONSES FROM THE COURT

Court responses will be used throughout the program to respond to Participant's behavior and compliance with program rules and court orders. Responses are incentives and sanctions. The Court will consider the below points when determining responses:

- In what ways does the response live out the HTWDC vision?
- How does the response align with the values and culture of the Lummi Community?
- Does the response promote recovery and take into account where the participant is in the recovery journey, and their stage in HTWDC?
- How does the response promote connectedness with self, community and/or environment?
- What meaningful activity could be helpful for this participant?
- What might the Participant learn by the response from the Court?

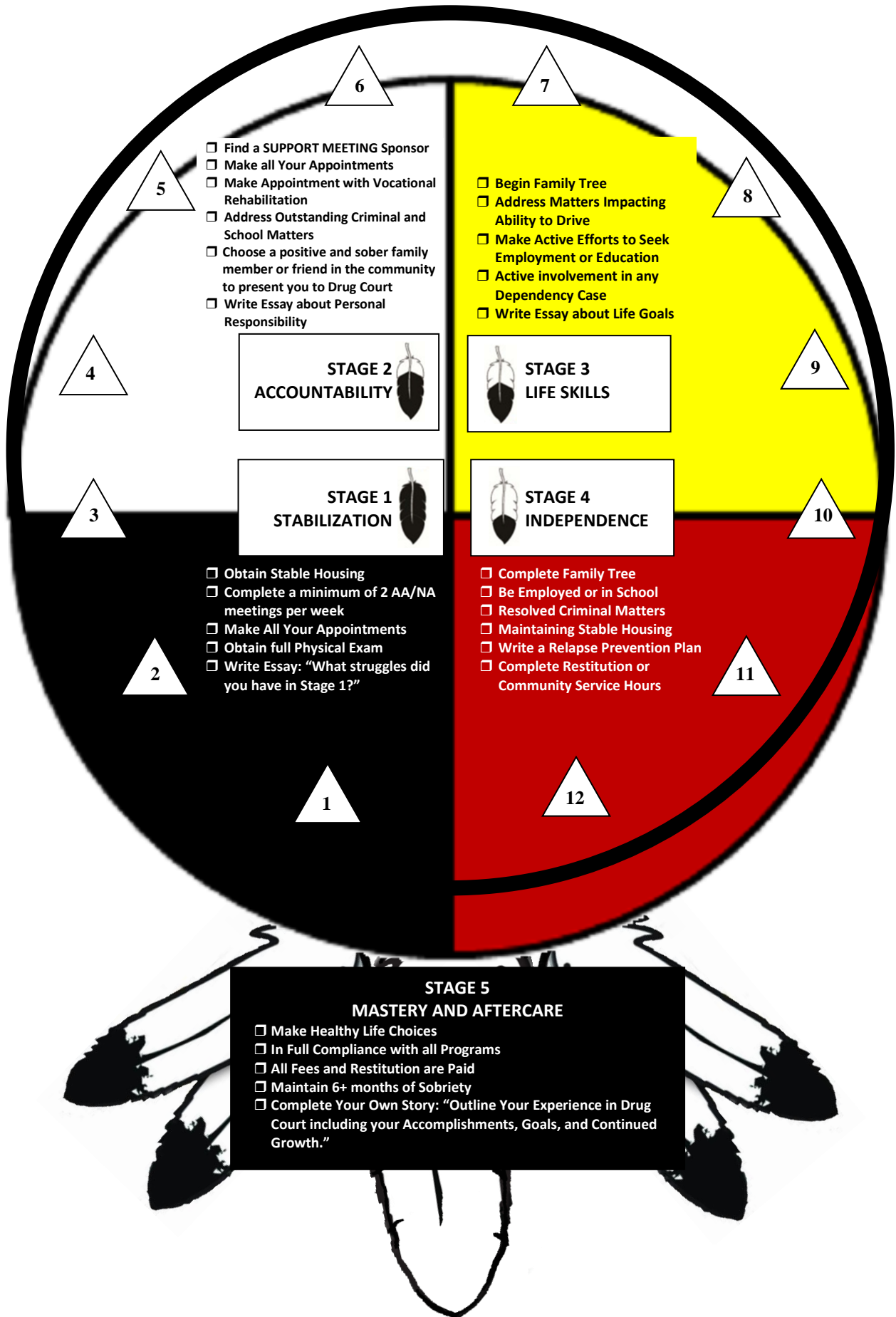
Incentives will be used liberally throughout participation in the program to support and encourage all participants. Participant incentives may include: Encouragement and praise from the Wellness Court Judge; Applause and praise by the Wellness Court Team at hearing; Ceremonies and progress tokens; Certificates of progress; Decreased frequency for court appearances; Encouragement Cards; Extended Curfew Passes; Restoration of a lost privilege; Prizes from the Court; “Star of the Week” leave-early from Court privilege; and other incentives as determined by the Team.

Sanctions will be utilized to respond to failure to comply with program rules, requirements and/or court orders. Participants are subject to immediate sanctions and any sanction imposed must be completed by the deadline set by the Court and no later than the next scheduled Wellness Court hearing. Participant sanctions may include: Warnings and admonishments by the Wellness Court Judge in open court; Increased frequency in court appearances; Increased frequency in Support meetings; Increased frequency of drug and alcohol testing; A Written Essay; Lummi Work Crew days, Community service or Project; GPS or TAD unit programs; Escalating periods of Jail Confinement; Area Restrictions that assist in rehabilitation needs; Association Restrictions that assist in rehabilitation needs; Other sanctions as determined by the Team. NOTE: GPS/TAD units will remain on participant for at least 30 days when installed.

Procedure for Sanctions.

1. At Drug Court Case Staffing meetings, the Team and the Judge will discuss whether there are violations of the Drug Court Program.
2. The participant will be notified of the violation as soon as practicable but at a minimum, immediately prior to the Drug Court Hearing on the same day.
3. The participant will be notified of the violation by the following Team Member:
 - a. For Treatment Plan Violations – notification by the Treatment Provider
 - b. For All Other Violations – notification by the Coordinator or Case Manager
4. During the Drug Court Hearing, compliant participants will address the Drug Court Judge first. Those being sanctioned will address the Judge after compliant participants.
5. The Judge will inform the participant on the record of the violation and ask the participant whether he or she wishes to admit or deny the violation.
6. If the participant admits the violation, the judge will provide the participant recognition for honesty and impose the sanction immediately.
7. If the participant denies the violation, the following steps will be followed:
 - a. A contested violation will occur at the end of the same Drug Court hearing unless the Judge finds good cause to continue it.
 - i. For participants who request a re-test of a drug or alcohol sample, the Judge may only continue the contested violation for as long as reasonably necessary to obtain the re-test laboratory results; and

- ii. For any other continued violation hearing, the Judge shall not continue a hearing beyond 48 hours.
 - b. At the contested violation, the Judge shall conduct the hearing without jury or representation of counsel and witnesses will not be summoned except upon permission by the Judge.
8. The Drug Court Team must provide evidence to support the violation in the form of sworn testimony, affidavits or declarations, lab testing results, or exhibits. The Team can also present any other evidence that the Judge believes will assist in determining the factual basis for the violation.
9. The Participant may also provide sworn testimony or other evidence that the Judge believes will assist in determining the factual basis for the violation. If the Participant is challenging the results of a lab re-tested UA result, the burden is on the Participant to prove the lab re-tested UA result was a false positive or is inaccurate.
10. If by a preponderance of the evidence, the Judge finds that the violation occurred, the Judge will proceed to imposing the sanction immediately.
11. If the Judge also determines that the participant has been dishonest during the hearing, the Judge may also impose a sanction for dishonesty, but it will not be handled as a new criminal charge.
12. The decision of the Drug Court Judge is final and not subject to review or appeal.



H. RULES AND DEFINITIONS OF THE DRUG COURT PROGRAM

1. Be respectful to all participants and Team members at all times.
2. Be honest to yourself and the Team at all times.
3. Maintain confidentiality of all other Drug Court participants.
4. Court room decorum: (both in person and via video conferencing)
 - Men in the courtroom shall remove their hats.
 - All persons shall be dressed in a clean, neat manner. No clothing displaying alcoholic beverages, drugs, nudity, obscenities, gang affiliation or other words or images that may be offensive to staff or other participants will be allowed.
 - No person shall smoke or chew gum in the courtroom.
 - **All cell phones must be completely silenced or turned off.**
 - No one shall be allowed in the courtroom who appears to be under the influence of intoxicating liquor or drugs.
 - Respect and courtesy shall be shown to the judge, parties, and court officers at all times.
5. Comply with curfew restrictions if ordered as a response for non-compliance
6. Shall not violate any tribal, city, county, state, or federal laws – a finding of probable cause may be sufficient for Drug Court sanctions. Any arrest or contact with the police must be reported to the Drug Court Probation Officer within 24 hours of contact. All information that clients share with the drug court team is considered therapeutic and will not result in further criminal charges. *Exceptions to this include any information about the abuse of a child, domestic violence, disabled adult, or elder and any information about a major crime as defined by the Federal Major Crimes Act.* If a participant is arrested within the Lummi jurisdiction while in Drug Court, the Prosecutor may decide whether to charge it as a new case, defer the case into Drug Court, or handle it with a Drug Court sanction.
7. Shall not commit any acts of violence or threats of violence or engage in belligerent behavior.
8. Do not possess, use, sell, distribute, or have under your control, alcoholic beverages, paraphernalia, or drugs except as prescribed by a licensed physician. **It is the responsibility of participants to report use of prescription medications to the Drug Court Team by providing prescription copies to the Coordinator, their Drug Court Counselors and Probation Officer. Any positive test for prescription medication that is not authorized is considered a positive drug test, subjects the participants to sanctions, and changes the participant's sobriety date (effecting stage advancement eligibility).** All participants must inform all health care providers that they are participants in Drug Court.
9. Do not enter, hang out, patronize, or frequent any tavern, liquor store, bar area, or any other place where consuming alcohol is a primary activity occurring. not go to any place where drugs are illegally used or sold.
10. Report use of drugs or alcohol to the Drug Court Coordinator or Case Manager within 24-hours.
11. **DRUG TESTING:** Observed Drug Testing is an important tool for ensuring sobriety and program compliance.

Participants must submit to random alcohol and drug tests (including urine, saliva, breath, or blood) when requested by a Drug Court team member, treatment provider or a police officer, including on weekends and evenings.

- If a participant *refuses* to take an alcohol and drug test, the refusal will be considered a positive drug test which will zero the participant's sobriety date and may also result in additional sanctions.
- Any positive drug test result has been tested twice by the lab to confirm that the results are positive. UA samples with temperature readings below 90 degrees and above 100 degrees, or that have a creatinine level below 20 ng/ml may be considered dilute or fraudulent.
- Diluted samples are presumed to be a positive drug test result and will zero the participant's sobriety date and may also result in additional sanctions. The presumption of a positive drug test result is rebuttable.
- Missed alcohol and drug tests are presumed to be a positive drug test result and will zero the participant's sobriety date and may also result in additional sanctions. The presumption of a positive drug test result is rebuttable.
 - i. Exception: A participant may be excused from a random drug and alcohol test if excused by the Drug Court Coordinator for good cause. The participant must make up the alcohol and drug as soon as possible, but no later than 24 hours after the original missed alcohol and drug test. Failure to make up the alcohol and drug test within 24 hours will result in the missed drug test being counted as a positive result.
- Participants must advise any professional conducting their drug test that their test must be *observed and sent for laboratory confirmation*.

You should avoid products and foods that can conflict with drug testing results. You are responsible to check all labels.

These products or foods may include, but are not limited to:

- Products containing alcohol (hand sanitizer, mouthwash, medications, etc.)**
- Foods cooked or prepared with alcohol**
- Poppy seeds (sometimes hidden in breads, muffins, bagels, and pastries) Poppy seeds may result in a positive opiate drug screen.**

12. Attendance

- Be *on time* for all scheduled appointments required in your Drug Court order. If you are more than 15 minutes late to your appointment, you may be sanctioned for missing a scheduled Drug Court appointment.

- Do not miss any scheduled One-on-One Counseling sessions with your assigned Drug Court Case Manager without *prior* approval by the Case Manager. This includes your scheduled individual sessions with your primary counselor at Lummi Counseling Services.
 - White Bison groups are **mandatory**. Do not miss weekly White Bison group without *prior* approval by the White Bison facilitator and the HTWDC Coordinator. White Bison will be held virtually or in-person. If you have to miss White Bison, with good excuse, you will be required to make-it up with an additional 12-step meeting for that week.
 - Do not miss any scheduled Substance Use Disorder Group classes without *prior* approval by your Group Counselor and the HTWDC coordinator or Case Manager.
 - Do not miss any scheduled Drug Court Probation appointment without *prior* approval by your probation officer.
 - Do not miss any scheduled appointment with the Drug Court Coordinator without *prior* approval by the Coordinator.
 - Do not miss any other scheduled Drug Court program or counseling appointments (such as medical, mental health, LVR, etc.).
 - Be on time and do not miss any Drug Court hearings without *prior* approval by the Judge. If a Participant fails to appear for a Drug Court hearing (and has not been excused) a **Hold for Court bench warrant** will be issued immediately and, upon arrest, participants will be held in jail until they appear before the Judge to explain why they missed Court.
 - Excused Absences
 - i. **Excused Counseling, Coordinator and Probation Appointments.** All counseling, coordinator, case manager and probation appointments are mandatory. It is at the discretion of the counselor, coordinator, case manager or probation officer to determine whether to excuse the absence and reschedule the appointment. Any rescheduled appointments must be made-up prior to the next hearing.
 - ii. **Excused Absence from Drug Court Hearing.** All Drug Court hearings are mandatory. Calls on the day of court will not be considered excusal from Court. Unless otherwise permitted by the Judge, any request to miss a Drug Court hearing must be submitted in writing to the Court at least two (2) days prior to the date requesting to be excused. **You will need to have your defense attorney request a continuance and the Judge will determine whether to approve or deny the request.**
13. Do not carry or possess any weapon of any form, including firearms or knives, at any Drug Court program activity.
 14. Be respectful to each other, the Team, and the Judge.
 15. Comply with any reasonable program requirement.
 16. Comply with the requirements, deadlines, or sanctions issued by the Drug Court Judge.

17. Turn in Support Meeting sign-in sheets and appointment sign-in sheets to the Case Manager by 10:00 a.m. the week of Drug Court. Failure to comply with this rule will make participants ineligible to advance until their next hearing.
18. Provide the Drug Court with an updated and correct phone number and address. Any changes must be immediately reported to the Coordinator who will forward the information to the Team.
19. Cooperate with all Drug Court Team members at each level and strive to move forward through each level to the best of the participant's ability.
20. **Mobile Trek App:** once onboarded, all participants will be required to have the Mobile Trek App on their phone. This program is part of the Recovery Trek drug court case management software system. The Mobile Trek App will allow for daily-check-ins for random drug testing selections, tracking attendance at support group meetings, and communicating with your HTWDC Coordinator or Case Manager.

21. Definitions

Date of Entry into Drug Court will be the date where the Judge officially signs court orders entering the participant into Drug Court. Time in the Program shall be tolled while the Participant is in in-patient treatment. Stage I of the Program begins when the Applicant returns from their first-time in-patient treatment since being entered into the Program.

- a. **Date of Stage Advancement** will be the date where the Judge officially signs court orders advancing the participant.
- b. **Calculation of Days:**
 - i. To calculate how many total days a participant has been in Drug Court, days are calculated from the Date of Entry into Drug Court and include every calendar day from that date, except those days in in-patient treatment.
 - ii. To calculate how many days a participant has been in a Stage, days are calculated from the Date of Stage Advancement and include every calendar day from that date (except days at in-patient treatment). If a participant is ordered to return to a lower stage or returns to the beginning of the same stage, the number of days required to complete that stage is reset to zero beginning on the date that the participant is ordered to return or restart a stage. (This reset to zero only effects the number of days required to successfully complete a stage; it does not affect the continual calculation of total elapsed days in the Drug Court program).
 - iii. The calculation of days excludes time at in-patient treatment.
- c. **Date of Sobriety (Clean and Sober date)** will begin with the first negative UA/Oral test following last use. This includes a positive or dilute drug test. A drug test for marijuana will be considered positive if THC levels remain the same or increase after an initial positive marijuana drug test.
- d. **Inactive** in the Drug Court program means:

- i. The participant has missed all counseling sessions, groups, probation appointments and Drug Court hearings; or
- ii. The participant is incarcerated for any jurisdiction for 60 days or longer; or
- iii. The participant has an active outstanding Drug Court warrant for 60 days or longer.

I. TERMINATION CRITERIA

The Team will endeavor to keep participants in the Drug Court program. However, there are some situations that will result in termination.

Voluntary Termination

A participant may voluntarily terminate from Drug Court at any time by written motion filed with the Court. Upon receipt of the motion, the Court will set the matter for a sentencing hearing.

Involuntary Court Termination

A participant may be involuntarily terminated from Drug Court through a Discretionary Termination process or a Mandatory Termination process.

Discretionary Termination

For a Discretionary Termination the Drug Court Team will consider the facts and circumstances and make a recommendation (by majority vote of the Team) to the Court as to whether a participant should be terminated from Drug Court. The Drug Court Judge does not have to follow the recommendation of the Drug Court Team.

The following situations shall serve as grounds for Discretionary Termination:

- a. **A New Criminal Law Violation.** A finding of probable cause resulting in a criminal charge by any court for a new crime may be grounds for termination from Drug Court. The Team will make a recommendation regarding continuing participation in Drug Court. The Court will make a final decision after consideration of the Team's recommendation and considering the point of view of the participant. The participant may incur sanctions for the violation. If the Court determines termination is appropriate, the matter will be addressed under the procedures below for termination hearings.
- b. **Inactive for 30 Days.** If a participant has been inactive for at least 30 days but less than 60 days, during the period of non-engagement, a discretionary termination hearing shall be held at which the Team will make a recommendation regarding continuing participation in Drug Court. The Court will consider the request and may grant a Participant's request to remain in Drug Court. If the Court determines termination is appropriate, the matter will be addressed under the procedures below for termination hearings. The inactive participant shall be subject to a 'Hold for Court' bench warrant.

- c. **Administratively Terminated in Stage 1.** Any participant who has been inactive (as defined in Section F above) for 60 days or longer in Drug Court in Stage 1, shall be administratively terminated by the Court and the Court will issue an order directing that the participant be taken off the active list of Drug Court participants (no Team vote is required). The participant's placed on Drug Court may be given to another applicant if there is a waiting list. The Court shall issue a 'Hold for Court' warrant and when arrested, the Court will set the matter for a discretionary termination hearing. If the Drug Court Team votes to allow a participant to remain in the program and then the participant is administratively terminated again in Stage 1, the termination shall be treated as a Mandatory Termination. When a participant has been administratively suspended from the program, their time in the program shall be tolled until they are no longer suspended.
- d. **Mandatory Progression Hearing Per Stage (First Hearing in the Stage).** If a participant is not able to advance within the maximum time for a stage the Participant will be required to meet with the HTWDC team. The participant will provide a written request to Drug Court asking to be allowed to continue and explaining how he or she is going to come into compliance.
 - i. The Participant's request will answer:
 1. What is your plan to remedy the issue(s) for exceeding time in stage?
 2. What stage requirements are you currently meeting and what is not being met?
 3. What changes will you make?

The Team will make a recommendation regarding continuing participation in Drug Court. The Court will consider the request and may grant a Participant more time to complete a stage. The number of days for the extension will be clearly stated on the Participant's court order and may also require that the participant return to a prior level of treatment; or impose other sanctions and remedies that may be appropriate. If extended, the Participant will sign an agreement about the plan. If the Court determines termination is appropriate, the matter will be addressed under the procedures below for termination hearings.

Procedure for a Discretionary Termination Hearing.

Whenever a participant is subject to discretionary termination for any of the reasons set forth above, the following procedures apply:

1. The Coordinator, or any Team member, will inform the Drug Court Team during a staffing meeting when discretionary grounds for termination have occurred for a participant. After hearing the facts, the Team will vote whether to hold a discretionary termination hearing (the Judge will not vote), or take some other action provided for in this Handbook. If a majority of the Team votes to hold a discretionary termination hearing, the Drug Court Coordinator (or other team member selected by the Team) shall prepare a Motion for Discretionary Termination, and an affidavit in support of the motion containing a short, concise statement of facts constituting the grounds for discretionary termination that will be delivered to the participant.

2. The Drug Court Judge shall set a time for the termination hearing at least 14 days after the motion to terminate is filed.
3. At least 7 days prior to the termination hearing, the Prosecutor shall serve the participant's defense counsel with a copy of the Motion for Discretionary Termination, and affidavit in support of the motion.
4. The Participant may inform the Court that (s)he does not wish to contest the factual grounds for termination and the Court will set the matter for a sentencing hearing.
5. The Drug Court Judge shall conduct a termination hearing, without jury, and witnesses will not be summoned except upon permission by the Court. The hearing will be conducted pursuant to Rule 1101(d) of the Federal Rules of Evidence. Upon the request of the participant, the hearing may be held in closed court.
6. At the Discretionary Termination Hearing, the Prosecutor must provide evidence to support the termination in the form of sworn testimony, affidavits or declarations, lab testing results, or exhibits. The Prosecutor can also present any other evidence that will assist in determining the factual basis for the motion to terminate. The Prosecutor shall provide the Defense Attorney at least 7 days advance notice, with copies, of the evidence that they intend on using in the termination hearing.
7. At the Discretionary Termination Hearing, the Participant has the burden of showing good cause why he or she should not be terminated. A mere desire or promises to do better is not good cause.
8. At the Hearing, the Drug Court Team members may ask questions, and make recommendations. The Team may vote whether to terminate the participant from Drug Court, with the judge not voting, out of the presence of the participant and their attorney. The Drug Court judge does not have to follow the recommendations of the Drug Court Team in determining whether a participant shall remain in the Program.
9. If by a preponderance of the evidence, the Court finds that the participant meets any of the discretionary grounds for termination, then the Court shall consider the evidence and whether the participant has shown good cause to continue in Drug Court. The Court will determine whether to terminate the participant from Drug Court.
10. The decision of the Drug Court Judge is not subject to review or appeal.
11. Upon an order to terminate, the Judge may immediately proceed to sentencing or schedule sentencing no more than 14 calendar days after an order for termination. The Court may impose bail and/or release conditions prior to final sentencing. Sentencing after termination shall be before the regularly assigned Drug Court Judge (not a pro tem) and the sentence is at the discretion of that judge after hearing sentencing recommendations from the defendant and prosecutor.

Mandatory Termination

For a Mandatory Termination when mandatory grounds for termination have occurred a termination hearing is mandatory.

Grounds for Mandatory Termination. A participant shall be set for a Mandatory Termination Hearing if any of the following situations occur:

- a. **Administrative Termination in Stages 2-5.** Any participant who has been inactive (as defined in Section F above) for 60 days or longer in Drug Court in Stages 2 through 5, shall be administratively terminated by the Court and the Court will issue an order directing that the participant be taken off the active list of Drug Court participants (no Team vote is required). The participant's place on Drug Court may be given to another applicant if there is a waiting list. The Court shall issue a 'Hold for Court' warrant and when arrested, the Court will set the matter for a termination hearing. When a participant has been administratively suspended from the program, their time in the program shall be tolled until they are no longer suspended.
- b. **A New Sex Offense/Violent Criminal Conviction.** There is mandatory grounds for termination if:
 - i. a Participant is convicted of an offense that is punishable by a term of imprisonment exceeding one year, during the course of which offense; or
 - ii. their conduct included (A) carrying, possessed, or used a firearm or dangerous weapon; (B) a death of or serious bodily injury to any person; or (C) there was use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (A) or (B) is an element of the offense; or
 - iii. The participant is charged or convicted with an offense that involves a sex offense.
- c. **Mandatory Progression Hearing Per Stage (*Second or Subsequent Hearing in the Stage*).** If a participant is not able to advance within the maximum time for a stage the Participant will be required to meet with the HTWDC team. The participant will provide a written request to Drug Court asking to be allowed to continue and explaining how he or she is going to come into compliance.
 - i. The Participant's request will answer:
 1. What is your plan to remedy the issue(s) for exceeding time in stage?
 2. What stage requirements are you currently meeting and what are not being met?
 3. What changes will you make?

The Team will make a recommendation regarding continuing participation in Drug Court. The Court will consider the request and may grant a Participant more time to complete a stage. The number of days for the extension will be clearly stated on the Participant's court order and may also require that the participant return to a prior level of treatment; or impose other sanctions and remedies that may be appropriate. If

extended, the Participant will sign an agreement about the plan. If the Court determines termination is appropriate, the matter will be addressed under the procedures below for termination hearings.

- d. Failure to Comply with any condition set out in an order issued after a Discretionary Termination hearing.

Procedure for Mandatory Termination Hearing.

Whenever a participant is subject to termination for any of the reasons set forth above, the following termination procedures apply:

1. The Coordinator, or any Team member, will inform the Drug Court Team during a staffing meeting when mandatory grounds for termination have occurred for a participant. When mandatory grounds for termination have occurred, the Team does not vote whether to terminate; a termination hearing is mandatory. The Drug Court Coordinator (or other team member selected by the Team) shall prepare a Motion for Mandatory Termination, and an affidavit in support of the motion containing a short, concise statement of facts constituting the grounds for mandatory termination that will be delivered to the participant.
2. The Drug Court Judge shall set a time for the termination hearing at least 14 days after the motion to terminate is filed.
3. At least 7 days prior to the termination hearing, the Prosecutor shall serve the participant's defense counsel with a copy of the Motion for Mandatory Termination, and affidavit in support of the motion.
4. The Participant may inform the Court that (s)he does not wish to contest the factual grounds for termination and the Court will set the matter for a sentencing hearing.
5. The Drug Court Judge shall conduct a termination hearing, without jury, and witnesses will not be summoned except upon permission by the Court. The hearing will be conducted pursuant to Rule 1101(d) of the Federal Rules of Evidence. Upon the request of the participant, the hearing may be held in closed court.
6. At the Mandatory Termination Hearing, the Prosecutor must provide evidence to support the termination in the form of sworn testimony, affidavits or declarations, lab testing results, or exhibits. The Prosecutor can also present any other evidence that will assist in determining the factual basis for the motion to terminate. The Prosecutor shall provide the Defense Attorney at least 7 days advance notice, with copies, of the evidence that they intend on using in the termination hearing.
7. At the Mandatory Termination Hearing, the Participant has the burden of showing compelling good cause why he or she should not be terminated. A mere desire or promises to do better is not good cause.

8. There shall be a rebuttable presumption that termination is necessary if the Prosecutor submits evidence that the participant is faced with *mandatory* grounds for termination described above in this section.
9. If by a preponderance of the evidence, the Court finds that the participant meets any of the mandatory grounds for termination, the Court shall terminate the participant from Drug Court.
10. The decision of the Drug Court Judge is not subject to review or appeal.
11. Upon an order to terminate, the Judge may immediately proceed to sentencing or schedule sentencing no more than 14 calendar days after an order for termination. The Court may impose bail and/or release conditions prior to final sentencing. Sentencing after termination shall be before the regularly assigned Drug Court Judge (not a pro tem) and is the sentence is at the discretion of that judge after hearing sentencing recommendations from the defendant and prosecutor.

III. STAGE REQUIREMENTS

Drug Court is comprised of five stages; each is designed to support participants in achieving and maintaining a life of sobriety.

1. STAGE 1 – Stabilization (60 Days – 90 Days) 45 days of sobriety is required to advance from Stage 1
2. STAGE 2 – Accountability & Responsibility (90 – 120 Days) 60 days of sobriety is required to advance from Stage 2
3. STAGE 3 – Life Skills (90 Days – 120 Days) 90 days of sobriety is required to advance from Stage 3
4. STAGE 4 – Independence (90 Days – 120 Days) 120 days of sobriety is required to advance from Stage 4
5. STAGE 5 –Mastery & Support (120 Days minimum) 120 days of sobriety is required to graduate from Drug Court Program

After requirements are met for each stage, the participant will be presented with a Certificate of Completion for that stage and then be advanced to the next stage. The full program takes a minimum of approximately 15 months (455 days) to complete, and participation may not exceed 20 months (600 days) unless the judge extends this time for good cause. Days spent at an intensive in-patient treatment program are subtracted from the days required in each stage.

The *minimum* phase requirements are:

	STAGE 1	STAGE 2	STAGE 3	STAGE 4	STAGE 5
Drug/Alcohol Testing	3 per week	2 per week	2 per week	1-2 per week	1 per week
Treatment Sessions*	All Required	All Required	All Required	All Required	All Required
SUPPORT MEETINGS	2 per week	2 per week	2 per week	2 per week	2 per week
White Bison Group**	1 per week	1 per week	1 per week	1 per week	1 per week
Probation Appointment (when available)	1 per week	1 per week	1 per week	1 per week	1 per month (random)
Court Appearance	Every week	Every other week	Every other week	Every 4 weeks	Every 4 weeks

* Required treatment sessions are determined by the treatment provider's recommendations

STAGE 1 – STABILIZATION

Treatment plans in Stage 1 focus on stabilization.

Treatment plans in Stage 1 focus on stabilization.

TIME IN STAGE: 60 Days Minimum – 90 Days Maximum

TIME IN STAGE: 60 Days Minimum – 90 Days Maximum

STAGE 1
STABILIZATION



- Obtain Stable Housing
- Complete minimum of 2 SUPPORT MEETINGS each week
- Make All Your Appointments
- Obtain full Physical Exam
- Write Essay: "What struggles did you have in Stage 1?"

Expectations for Stage 1:

During the first 60 days you must:

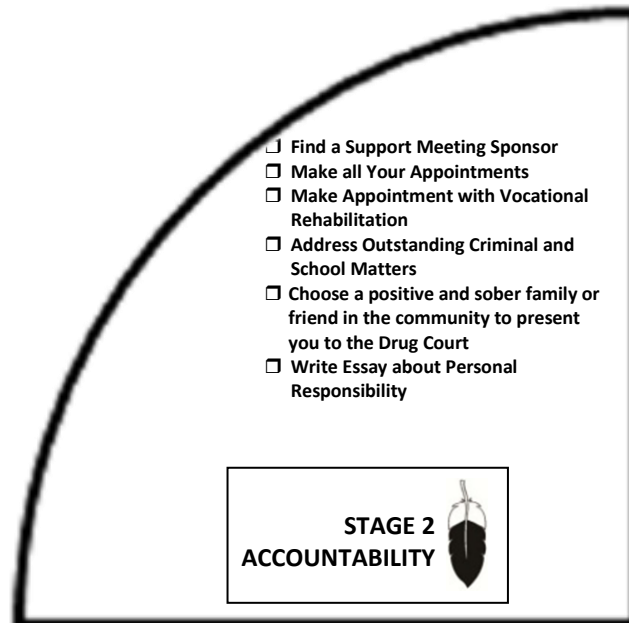
1. Complete a comprehensive mental health evaluation with Lummi Behavioral Health within the first 30 days of your program. Attend Mental Health Counseling as scheduled and follow all recommendations
2. Address housing barriers and obtain stable housing
3. Attend a minimum of two (2) Support Meetings per week (AA or NA)
4. Attend all Lummi Counseling Services Treatment Groups, as recommended. You are also responsible for scheduling individual sessions with your primary counselor at LCS.
5. Attend One-On-One Counseling with the HTWDC Case Manager or Coordinator as scheduled.

6. Attend Drug Court hearings every week as scheduled.
7. Provide drug tests each **Monday, Wednesday and Friday** at Lummi Counseling Services or as directed by HTWDC Coordinator or Case Manager. Once Recovery Trek is onboarded, you will be required to check in on your app daily to determine if it is your test date or not. This will be randomized and may fall on different days other than those listed above.
8. Attend Probation appointments as scheduled
9. Meet with HTWDC Case Manager or Coordinator one time per week
10. Attend the White Bison group each week as scheduled.
11. Turn in Support Meeting Verification and Appointment Sign-In sheets (yellow) no later than the Monday before Drug Court at 10:00 a.m. or they will not be accepted
12. Obtain a Full Physical Exam (including eye, dental, and blood panels)

Requirements to Advance to Stage 2

- Complete a minimum of 60 days in Stage 1 (**excluding in-patient treatment time**)
- Must be **sanction free for 2 weeks** prior to advancement.
- Have obtained stable housing or have a plan to do so.
- Complete a minimum of two (2) support group meetings per week (AA or NA)
- Must be Clean and Sober for at least 45 consecutive days prior to advancement
- Mental Health 60-Day Review of Evaluation Completed
- Physical Examination Completed
- In Full Compliance with all Programs or Agencies (Lummi Counseling Services, mental health, physical, probation, etc.)
- Support Meeting Verifications and Appointment Sign-in sheets are submitted no later than the Monday before advancement
- Write a 1-Page Essay: What struggles did you have in Stage 1? How did you overcome those struggles? What did you learn about yourself? What commitment did you make and how did you accomplish it?
- Present a personal letter to the Drug Court Team requesting advancement at your Drug Court Hearing. Address what accomplishments and goals you achieved? What actions do you need to continue to work on to move through the stages of change and how will you do so?

STAGE 2 – PERSONAL ACCOUNTABILITY AND RESPONSIBILITY



In Stage 2, participants will continue many of the activities from Stage 1. Personal accountability is a practice that requires both effort and patience. Being accountable for your choices is crucial in personal growth and development. Acceptance of personal responsibility includes acknowledging those choices you make in life, developing awareness of individual thoughts and feelings and how those drive behavior, avoiding blaming others for your mistakes, and not being defensive when targets or goals aren't met.

TIME IN STAGE: 90 days minimum – 120 days maximum

TIME IN STAGE: 90 days minimum – 120 days maximum

Expectations for Stage 2:

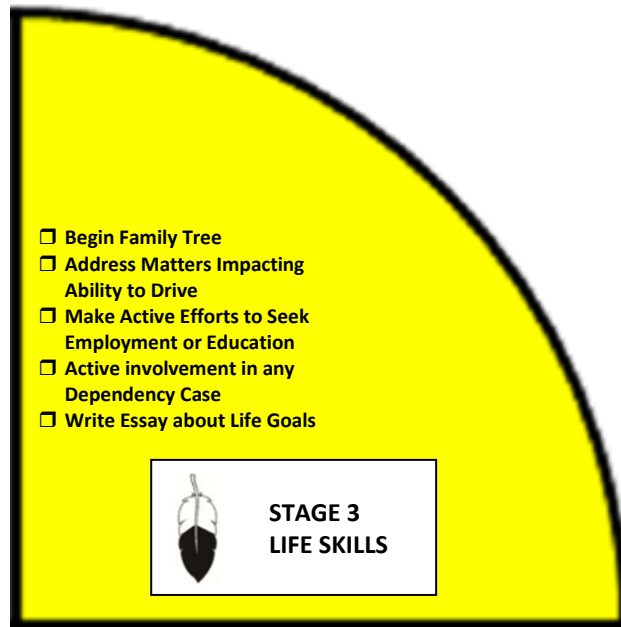
1. Obtain a Support Meeting sponsor and sign a consent for ROI to confirm.
2. Attend regular mental health counseling if recommended
3. Continue to check in daily with the Recovery Trek Mobile app for group and 12-step meeting check-ins as well as random drug testing.
4. Begin engagement in Moral Recognition Therapy (MRT) if eligible. This is a once weekly group that confronts beliefs, attitudes and behaviors that were underlying issues leading to drug court involvement. Completion of MRT is mandatory for graduation from the drug court program.
5. If not working, make an appointment at Lummi Vocational Rehabilitation (LVR) for screening for services and start a job search
6. Address outstanding criminal matters
7. Address outstanding school issues (GED, Vocational training, college enrollment)
8. Choose a positive and sober family member or friend in the community to present you to Drug Court at the end of stage 2.
9. Be involved in any dependency case involving your child(ren)

Requirements to Advance to Stage 3

- Complete a minimum of 90 days in Stage 2 (excluding in-patient treatment time)
- Must be **sanction free** for 2 weeks prior to advancement
- Complete all required Support Meetings
- Must be Clean and Sober for at least 60 days prior to Advancement
- In Full Compliance with all Programs or Agencies (CARE, mental health, physical, probation, LVR, etc.)
- Addressed outstanding criminal matters including warrants
- Develop a written plan to address employment and/or education goals
- Support Meeting Sign-in sheets are submitted at least the Monday before advancement
- Complete an application for Stage 3 advancement for review by the Coordinator and Case Manager
- Write a 1-Page Essay: Stage 2 is about personal responsibility. What did you complete in this stage? Find three (3) people to tell you the changes they see in you; have them write it down and attach it to your essay
- Invite and bring your identified positive and sober family or friend and have that person present and introduce you to the Drug Court

- Present a written letter to the Drug Court Team requesting advancement at your Drug Court Hearing

STAGE 3 – LIFE SKILLS



Stage 3 reinforces sober living and begins to focus on rebuilding the participant's life. This may include education, job skill training, and long-term goal setting. Development of health life skills will help you deal effectively with the demands and challenges of life. Participants will continue with many of the same requirements in prior stages and build on them.

TIME IN STAGE: 90 Days Minimum – 120 Days Maximum
TIME IN STAGE: 90 Days Minimum – 120 Days Maximum

Expectations for Stage 3:

1. Begin work on your family tree, including identifying family and other individuals who can support the participant in sobriety
2. Address any matters impacting ability to drive, including licensing and insurance
3. Make efforts to seek employment or education
4. Continue to check in daily with the Recovery Trek Mobile app for group and 12-step meeting check-ins as well as random drug testing.
5. Address financial literacy and development of a budget for expenses. NWIC or Voc-Rehab may offer classes for this topic.
6. Complete a community give back project. This should be well thought out and approved by the drug court team. It cannot be for a family member or friend, but something that will contribute to the community.

Requirements to Advance to Stage 4

- Complete a minimum of 90 days in Stage 3 (excluding in-patient treatment time)
- Must be **sanction free** for 30 days prior to advancement
- Complete all required Support Meetings
- Must be Clean and Sober for a least 90 days prior to Advancement
- In Full Compliance with all Programs or Agencies (CARE, mental health, physical, probation, LVR, etc.)
- Submit proof that you have taken action on employment and/or education goals
- Support Meeting Sign-in sheets are submitted at least the Monday before advancement
- Write a one-page essay: Stage 3 is about rebuilding your life. What life goals has sobriety helped you accomplish during Drug Court? How did you do it?
- Present a written letter to the Drug Court Team requesting advancement at your Drug Court Hearing

STAGE 4 – INDEPENDENCE

Stage 4 is about Independence. Independence means being able to take care of your own needs and assume responsibility for your decisions while considering both the people around you and your environment. This stage helps participants gain the ability to make healthy, long term, unsupervised, life choices about things such as educational and employment progress, sobriety and trust and relationship skills. Participants will continue with many of the same requirements in prior stages

TIME IN STAGE: 90 Days Minimum – 120 Days Maximum



 **STAGE 4
INDEPENDENCE**

- Complete Family Tree
- Be Employed or in School
- Resolved Criminal Matters
- Maintaining Stable Housing
- Write a Relapse Prevention Plan
- Complete Restitution or Community Service Hours

Expectations for Stage 4:

1. Complete Family Tree and research at least one family member you feel a connection with to share their story
2. Be employed or in school
3. Continue to check in daily with the Recovery Trek Mobile app for group and 12-step meeting check-ins as well as random drug testing.
4. Resolved outstanding criminal matters
5. Maintaining stable housing
6. Develop a written relapse prevention plan

Requirements to Advance to Stage 5

- Completed a minimum of 120 days in Stage 4 (excluding in-patient treatment time)
- Must be **30 days sanction free** prior to advancement.
- Complete all required Support Meetings
- Must be Clean and Sober for a least 120 days prior to Advancement
- In Full Compliance with all Programs or Agencies (CARE, mental health, physical, probation, LVR, etc.)
- Submit proof that you are actively employed or a student or have a plan for self-sufficiency.
- Submit proof of maintaining stable housing
- Submit a relapse prevention plan
- Show proof of community service completed, if required.
- Support Meeting Sign-in sheets are submitted at least the Monday before advancement
- Complete Family Tree and Present to the Court on the day of advancement. Discuss your selected family member and what you learned of their story. What does their story tell you about yourself and your history?
- Present a written letter to the Drug Court Team requesting advancement at your Drug Court Hearing

STAGE 5 – MASTERY & SUPPORT

In Stage 5, the participant demonstrates the ability to master making healthy life choices and to independently stay clean of drugs and alcohol. Self-mastery is the ability to take control of your life without being blown off course by feelings, urges, circumstances, etc. The participant should have completed any Intensive Outpatient or Relapse Prevention substance groups and should be in Aftercare and/or MRT.

TIME IN STAGE: 120 DAYS in STAGE: 120 Days of sobriety



STAGE 5 MASTERY AND SUPPORT

- Make Healthy Life Choices
- In Full Compliance with all Programs
- All Fees and Restitution are Paid
- Maintain 5+ months of Sobriety
- Complete Your Own Story: "Outline Your Experience in Drug Court including your Accomplishments, Goals, and Continued Growth."



Expectations for Stage 5:

1. Maintain One-On-One Counseling with Drug Court Counselor
2. Follow mental health counseling recommendations
3. Attend Random Probation Appointments (minimum 1 per month)
4. Continue to check in daily with the Recovery Trek Mobile app for group and 12-step meeting check-ins as well as random drug testing.
5. Attend aftercare outpatient treatment requirements at CARE, if recommended

Requirements for Graduation

- Completed a minimum of 540 days in the Drug Court Program (excluding in-patient treatment time)
- Completed a minimum of 120 days in Stage 5
- Must have 150 or more consecutive days of sobriety
- Attended once monthly court hearings.
- Must have successfully completed Moral Reconciliation Therapy (MRT)
- In Full Compliance with all Programs or Agencies (CARE, mental health, physical, probation, LVR, etc.)
- Complete an application for Stage 4 advancement for review by the Coordinator and Case Manager
- Complete your own story outlining your experience in Drug Court, including your accomplishments, goals for continued growth
- Complete an exit survey at graduation
- Attend final Drug Court graduation for acknowledgment of accomplishments and graduation
- Criminal cases are dismissed!

We welcome your participation in Drug Court and look forward to supporting you as you develop new skills toward living a clean and sober life!