

**HENDRY COUNTY**  
**ADULT FELONY**  
**DRUG COURT**  
*(POST-ADJUDICATION)*

**PARTICIPANTS**  
**Guide**

***“Changing and Saving Lives through Honesty, Personal  
Responsibility and Recovery”***



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## **INTRODUCTION TO DRUG COURT**

You have been arrested for a drug-related crime and have been identified as a person who may have a drug problem. You are being offered an opportunity to participate in Hendry County's Drug Court Program. This program is designed to help you get off drugs and stay off drugs. Final disposition of your case will be determined by the terms of your Drug Court Contract.

This handbook is designed to answer questions, address concerns and provide over-all information about the Drug Court Program. As a participant, you will be expected to follow the instructions given in Drug Court by the Judge and comply with the treatment plan developed for you by your team. This handbook will detail what is expected of you as Drug court participant and review general program information. All participants are encouraged to share this handbook with family and friends.

## **PROGRAM DESCRIPTION**

The Hendry County Drug Court Program is designed as a court supervised, comprehensive treatment program for non-violent adults. This is a voluntary program, which includes regular court appearances before a designated Drug Court Judge, treatment, which includes drug testing, individual/group counseling, family counseling, and regular attendance at support meetings (for example: 12 step meetings Narcotics Anonymous, Cocaine Anonymous or Alcoholics Anonymous). Participants are assisted with obtaining education and skill assessments and will be provided referrals for vocational training, education and/or job placement services. The program length is determined by each participant's progress, but is no less than one year.

Following Arrest and/or formal charges being filed by the Office of State Attorney a defendant is screened by the treatment provider to determine if they are appropriate for the Drug Court Program. Once a defendant is deemed appropriate by the treatment provider, a review is conducted by the Office of State Attorney of the defendant's criminal history and eligibility is determined on a case by case basis. The defendant's counsel shall explain the program and determine if the sentence being offered in exchange for their plea to the charges is in the best interest of the defendant.

While in Drug Court Treatment, the defendant will be placed on two years drug offender probation, requiring compliance with specific terms and/or conditions. The defendant will be assigned a probation officer upon sentencing to provide supervision and enforcement of those terms and conditions. Probation supervision will include unannounced home visits during which the defendant's person and residence will be subject to search, and random drug screenings. Defense counsel will continue to

represent the defendant throughout his/her participation in Drug Court. If the defendant has entered the program with private counsel and can no longer afford this expense he/she may request court appointed counsel to represent them. Successful completion of the program will result the disposition of your case in keeping with your drug court contract (see "Possible Dispositions") below. Failure or discharge from the program will result in the sentence disposition as defined by your Drug Court Contract.

The Drug Court Team will make the final determination of your entry into the Drug Court Program. The Drug Court Program consists of the Judge, the State Attorney's Office, the Public Defender's Office, the Department of Corrections and a treatment provider.

### **DRUG COURT COORDINATOR**

The Drug Court Coordinator maintains the overall coordination of activities of the Drug Court. They assist the Drug Court Administrator in the overall planning and evaluation of the Drug Court Program to include data collection, and evaluation to identify areas of concern to be addressed with the Team. This role also assists the State Attorney's Office in identifying participants to be screened for the program. The Coordinator also provides resources for participants that may assist or enhance their recovery process. These resources and referrals from the Coordinator include, but are not limited to:

- Budgeting and Financial skills
- Education (including GED)
- Vocation Skills
- Life Skills (including transportation, housing, medical and hygiene)

### **DRUG COURT SUPERVISION**

As a Drug Court participant, you will be required to appear in Drug Court on regular scheduled dates. Missing a court date will result in a warrant being issued for your arrest. At each appearance, the Judge will be given a progress report prepared by the treatment provider or the probation officer regarding your test results, attendance and participation. The Judge will ask you questions about your progress, and discuss any specific problems you have been experiencing. If you are doing well, you will be encouraged to continue with the program and work with your treatment team (probation and court staff) toward success. If you are not doing well, the Judge will discuss this with you, and the treatment team to determine further action. If you commit program violations; i.e. positive or missed tests, failure to attend individual or group counseling or support meetings, failure to report to your probation officer, etc., the Court will impose sanctions (See SANCTIONS below). With repeated violation of the program requirements, and a failure to progress satisfactorily, the Court may

impose the ultimate sanction of discharge from the program and imposition of the suspended sentence.

Failure to appear in Court on the date and time you are scheduled would result in a warrant for your arrest and remand you to custody. If you cannot appear in Court as scheduled, you must notify your probation officer as soon as possible to explain why you cannot appear. If you have any questions regarding your court appearances, you are required to contact your probation officer at (863)-674-4017.

Warrants and/or new arrests could result in your being terminated from the Drug Court Program and the imposition of the suspended sentence. Other violations, which could result in termination, include missing drug tests, demonstrating lack of program participation by failing to cooperate with treatment and failure to follow instructions of the probation officer. Violence or threats of violence directed at the treatment team or other clients will result in program termination. All final decisions regarding termination from the program will be made by the Drug Court Judge.

## **DRUG COURT PROGRAM RULES**

As a Drug Court participant, you will be required to abide by the following rules:

- 1. Do not use or possess any drugs or alcohol:**  
Sobriety is the primary focus of this program. Maintaining a drug-free lifestyle is essential in your recovery process. This includes mood-altering prescription drugs, i.e., benzodiazepines (Valium, Xanax, etc.) and opiates (Tylenol 3, Percocet, Darvocets, etc.)
- 2. Report to Probation Officer as directed:**  
You must be prepared to provide a urine test at each visit. If you have any problem making an appointment, you are to call your probation officer.
- 3. Attend all ordered treatment sessions:** This includes individual and group counseling, family counseling, educational sessions and support meetings. IF you are unable to attend a scheduled session, you must contact your counselor.  
**YOU MUST COMPLY WITH ALL CONDITIONS OF YOUR DRUG OFFENDER PROBATION ORDERS.**
- 4. Be on time.**  
If you are late, you may not be allowed to attend your counseling session and will be considered non-compliant. Contact your assigned counselor if there is a possibility you may be late.

**5. Do not make threats toward other participants or staff or behave in a violent manner.**

Violent or inappropriate behavior will not be tolerated and will be reported to the Court. This will result in termination from the Drug Court Program

**6. Dress appropriately for Court and treatment sessions.**

As a participant, you will be expected to wear appropriate courtroom attire. A shirt or blouse, pants, dress, skirt and shoes shall be worn at all times. Clothing bearing drug or alcohol related themes; or promotion or advertising alcohol or drug use is considered inappropriate. Sunglasses and hats are not to be worn inside court or treatment center unless medically approved. Speak with our treatment team if you need assistance with clothing.

**7. While in Court, remain seated and quiet at all times.**

It is very important to observe appropriate behavior in the court for the benefit of yourself and others present.

## **FINANCIAL OBLIGATIONS**

As a participant of the Drug Court Program, you will be required to pay the following program fees:

- Court Costs - Actual costs will be determined by the Judge at the time of sentencing.
- Probation Supervision - As a participant on formal Drug Offender Probation, you may be required to pay the cost of probation supervision. Your probation officer will explain to you how to make your payments to the Department of Corrections.
- Treatment Costs- You will be required to pay a monthly fee towards your drug abuse treatment. The amount will be determined by the treatment provider. The cost shall stay within the range of the Drug Court treatment costs, on a state-wide basis. Treatment fees will be paid directly to your treatment provider.

## **TREATMENT PROCEDURES**

Your treatment will be provided through a team approach with the combined resources of the probation office and the assigned drug treatment staff. The treatment team will assess what level of treatment will best meet your needs and recommend to the Drug Court Judge that you receive outpatient or residential treatment. If you are admitted to a residential treatment program, your treatment plan will include the requirements of

that program. If you are not admitted into a residential treatment program, a multi component, outpatient program has been developed which includes:

### **Treatment Plans**

An “initial” treatment plan will be developed by you and your treatment team following an overall assessment of your problems and needs. The plan will act as a guide for your initial treatment phase and within it, you will set goals, select methods for meeting those goals, and develop target dates for achieving those goals. The plan will be maintained by your treatment team and will be updated as you progress through the program.

### **Drug Testing**

You will be tested through the entire treatment process. You will submit to a random and observed urine test at a minimum of one time per week. The Drug Court Judge will have access to all drug test results including any failures to test, and may order a drug test at any time. Tampering with the drug/urine test will be deemed a positive test and may result in your expulsion from the program (this includes flushes, diluting, using someone else’s urine, etc.) A positive or “dirty” test will not automatically disqualify you from the Drug Court Program. Participant must accept testing confirmation from Labs used by DOC or the treatment provider. The Judge will be reviewing your overall performance in the program.

### **Counseling**

Substance abuse counseling is comprised of two separate formats: individual and group. As a part of your treatment plan, you will be required to participate in both types of counseling. Together they are designed to develop self-awareness, realize self-worth, and develop the strength to practice self-discipline. The individual and group counseling sessions will include problem identification and alternative solutions. Your attendance at counseling sessions will be reported to the Judge as part of your progress report. You must have prior permission from your counselor to be excused from a counseling session (acceptable reason for absence- hospitalization; documentation from the hospital will be required).

### **Support Group Meetings**

Attendance will be required at support meetings such as Narcotics, Cocaine and/or Alcoholics Anonymous. The frequency of attendance requirement is determined by

your progress in the program and your phase level. Attendance is important part of your recovery process to help familiarize you with the support group's philosophy, and help you develop levels of trust, to earn and create social bonds with other recovering addicts. Your treatment team will provide you with information regarding the time and location of support meetings and will direct you to special interest and recovery events in the community. You must write and turn in meeting sheets as proof of attendance to the court probation officer at each court appearance. Your counselor may also require you to provide proof of attendance on a weekly basis.

## **TREATMENT PHASES**

The Drug Court Treatment Program is a three phased, highly structured, treatment program lasting for a minimum of one year, depending upon your individual progress. In Phase I you will be assigned to a probation officer and a drug treatment counselor. They will comprise your treatment team and will provide you with an orientation/overview of the Drug Court Program. Your problems and needs will be assessed and a treatment plan will be developed. The Treatment Team can vary your schedule for individual needs such as adjustments for work schedule, family obligations, case management classes, etc. The Treatment Team will also be required to determine and recommend to the Court the severity of sanctions for a positive urinalysis, or any other deviations from Drug Court Program requirements during any Phase of the Program. Each phase consists of specified treatment objectives, therapeutic and rehabilitative activities, and specified criteria for advancement into the next phase to include approval by the Drug Court Judge, and Drug Court Treatment Team. The components and requirements for advancement from each phase are described below.

### **Phase I - Intake, Assessment and Treatment**

LENGTH: Six months

In Phase I and Phase II you will be assigned to a probation officer and a drug treatment counselor. They will comprise your treatment team and will provide you with an orientation/overview of the Drug Court Program. Your problems and needs will be assessed and a treatment plan will be developed. Phase I and Phase II requirements include:

1. Orientation/Overview of Program
2. Initial Assessment and Individual Treatment Plan Development
3. Random Laboratory Drug Testing (minimum of one urinalysis per week)
4. Recreation/fellowship
5. Three Group Therapy Sessions, weekly
6. Documented required attendance at support meetings



- ▶ 90 MEETINGS IN 90 DAYS
- ▶ 6 meetings A WEEK in the 4<sup>th</sup> month
- ▶ 5 meetings A WEEK in the 5<sup>th</sup> and 6<sup>th</sup> month.
- 7. Report to the Probation Officer (monthly or as instructed by probation officer).
- 8. Case Management Services weekly
- 9. Formulate Personal Program Goals in Conjunction with the Treatment Team.
- 10. Weekly Court Appearance as Determined by the Drug Court Judge.
- 11. Obtain a sponsor through support meetings
- 12. Obtain employment and or education/training

**Advancement Criteria:**

- No positive drug test results for six consecutive months.
- No unexcused absences.
- Employed or positive response to vocational/educational goals.
- Documented required attendance at support meetings
  - ▶ 90 meetings in 90 days.
  - ▶ 6 meetings A WEEK in the 4<sup>th</sup> month
  - ▶ 5 meetings A WEEK in the 5<sup>th</sup> and 6<sup>th</sup> month.
- Acknowledging the extent of your substance abuse problem and a commitment to become drug-free.
- Participant must be current on treatment payments.

**Phase II-Ongoing Treatment/Relapse Prevention**

LENGTH: 3-4 months

In Phase II your treatment plan will be updated by you and your counselor to identify your treatment goals and objectives. Counseling and meetings will focus on relapse prevention issues and help you identify ways of coping with stressful situations. Phase II requirements include:

1. Two weekly therapy sessions, group or individual - to be decided on a case-by- case basis.
2. Report to the probation officer biweekly, or as instructed.
3. Ongoing review and updating of treatment plan.
4. Random Laboratory Drug Testing (minimum of one urinalysis per week)
5. Regular attendance at support meetings (minimum of 4 per week)
6. Recreation/fellowship.
7. Case management services, weekly.
8. Eligible for bi-weekly court appearances after the 7<sup>th</sup> month in Drug Court, as determined by the Drug Court Judge

9. Stable employment and/or education status.
10. Continue to work with your sponsor. It is suggested that you complete at least 50% of your support group requirements.

**Advancement Criteria:**

- No positive drug test results for 9 consecutive months.
- No unexcused absences.
- Stable employment and or educational status.
- Documented required attendance at support meetings
  - ▶ 90 meetings in 90 days
  - ▶ 6 meetings a week in the 4<sup>th</sup> month
  - ▶ 5 meetings a week in the 5<sup>th</sup> and 6<sup>th</sup> month.
- Acknowledging the extent of your substance abuse problem and a commitment to become drug-free.
- Verbal expression of understanding of support meetings concepts. Continue to work with sponsor.
- Demonstrated adjustment to treatment.
- Participant must be current on treatment payments

**Phase III- Achievement/Graduation /Mentoring/Alumni Association**

MINIMUM COMPLETION PERIOD: 3-4 months

Phase III will address your ongoing recovery needs including maintaining total abstinence from all drugs. The focus will be on daily living skills. This phase designed to support you in your return to the community as a productive and a responsible member. Phase III requirements include:

1. One to two individual and/or group therapy sessions weekly.
2. Report to the probation officer monthly, or as instructed.
3. Ongoing review and update of treatment plan.
4. Random Laboratory Drug Testing (minimum of one urinalysis per week)
5. Regular attendance at support meetings (a minimum of four per week).
6. Recreation/fellowship including belonging to a home group.
7. Continue to work on remainder of steps
8. Biweekly Case management services
9. Biweekly court appearance as determined by the Drug Court Judge.
10. Prepare for and participate in an exit interview with the Drug Court team - as a condition precedent to your completion of the Drug Court program.
11. Continued focus on full-time employment and/or educational goal setting.

## **Phase IV - Step Down /Total Abstinence/Mentoring**

MINIMUM COMPLETION PERIOD: 3 to 6 months

Phase IV is considered a step-down phase wherein your focus is on preventing relapse and learning coping and living skills to maintain total abstinence from all drugs. This phase is designed to support the participant to return to the community as a productive and responsible member of the community. Being a mentor is recommended. Phase IV requirements include:

1. Three to Six months of monitored probation with special conditions. You must report to your probation officer monthly, or as instructed.
2. You must either be employed, seeking employment or perform 20 hours of community service weekly, all of which are to be verified.
3. One monthly court appearance as determined by the Drug Court Judge.
4. Random Laboratory Drug Testing.
5. You must attend 12 step meetings (AA, NA or CA) at least once a week.
6. Your sponsor must be verified.

### **Graduation Criteria:**

- Attain an acceptable level of sobriety (to include negative drug test results for 12 consecutive months) as determined by the Drug Court Team.
- Obtain gainful, consistent employment or sufficiently involved in a vocational/academic training program as determined by the treatment team.
- Maintain consistent attendance at all court appearance and treatment team appointments.
- Complete an exit interview with the Drug Court Team with a confirmed aftercare and relapse prevent plan, including an understanding of personal problems, addiction and avoidance of criminal behavior
- Verbally share their story of “experience, strength, and hope” at time of graduation.
- Maintain a stable living arrangement and healthy interpersonal relationships as determined by the treatment team.
- A definitive *written* aftercare plan, which may include active participation in a Drug Court Alumni Association, support meetings, mental health outpatient counseling, or group attendance at an aftercare program.
- Fulfillment of goals as stated in the individual treatment plan.
- Complete at least 75% of your support program requirements.

- Participant must be current on treatment payments, probation payments and fines, fees and court costs, if applicable.

## **SANCTIONS**

If you fail to comply with the treatment program or your conditions of Drug Offender Probation, the Drug Court Judge may at his/her discretion, order one or more of the following:

1. Increased frequency of drug testing
2. Writing of an essay on Drug Court related topic
3. Increased participation in outpatient and/or group counseling sessions (Client will be responsible for additional fee for individual therapy)
4. Increased court appearances
5. Increased attendance at support meetings
6. Re-phased to an earlier phase of treatment
7. Community service
8. Incarceration in the Hendry County Jail (weekends or longer)
9. Residential treatment.
10. Extended term of program.
11. Sentence of probation can be modified to add special conditions
  - Non-secure or Secure treatment program.
  - Incarceration (Impose suspended sentence)
  - Probation may be extended to accommodate additional sanctions.
12. Commitment to community residential treatment for a specified period of time.

## **EDUCATION, VOCATION AND EMPLOYMENT PROGRAMS**

Recovery from substance addition means developing self-sufficiency and becoming a productive and responsible member of the community. During the treatment program, you are expected to become employed or be involved in an educational or vocational training program. Your case manager and your probation officer will work to assist you in obtaining an assessment of your needs and skills and will refer you to the proper agency for education, training, and job replacement. (*See Drug Court Coordinator reference, above*)

## **SOCIAL SERVICES**

Upon your entry into the Drug Court Program, your treatment team will assess your housing, transportation, family, and general living needs and when appropriate, refer you to a local, state and/or county agency for assistance.

## **GRADUATION**

Once you have successfully completed the criteria for each phase (as described in the treatment phases sections), you will advance to the next phase and eventually be a candidate to graduate from the Drug Court Program. It will be necessary to discuss your progress toward the goals you initially set and why you believe you have met the graduation criteria. Advancement for each phase and successful completion of the program shall be determined by the Drug Court Judge and Drug Court Team. Your family will be invited to join you in Court as the Judge congratulates you on successfully completing the Drug Court Program and achieving your goal to continue a drug-free life.

## **POSSIBLE DISPOSITIONS**

**(Upon successful completion of drug court)**

<b>TYPE OF ENTRY</b>	<b>DISPOSITION OF CASE AT TIME OF COMPLETION OF DRUG COURT PROGRAM</b>
Plea of No Contest to Felony offense, with a WITHHOLD OF ADJUDICATION	Judgment and Sentence set aside, Defendant may withdraw plea, State Announces a "nolle pros"
Plea of No Contest to Felony Offense with ADJUDICATION OF GUILT	Probation Terminated
ADMISSION TO VIOLATION OF PROBATION, UNDERLYING WITHHOLD OF ADJUDICATION ON SUBSTANTIVE CRIMINAL FELONY OFFENSE	<b>THIS APPLIES ONLY IF PREAPPROVED BY STATE ATTORNEY'S OFFICE</b> Probation Violation Dismissed Underlying Offense nolle prossed.
ADMISSION TO VIOLATION OF PROBATION, ADJUDICATION ON UNDERLYING OFFENSE	Probation Terminated

## **DISCLOSURE**

Your identity and privacy will be protected consistent with the Florida law. In response to these regulations, policies and procedures have been developed which guard your confidentiality. You will be asked to sign a waiver authorizing the transfer of information among all participating agencies. An identification number will be assigned to you that will be used in all research and evaluation activities to safeguard your identity. A copy of the waiver is attached to this handbook

## **CONCLUSION**

The Drug Court Program has been developed to help you achieve total abstinence from illicit and illegal drugs and all criminal activity. The program is designed to promote self-sufficiency and to return you to community as productive and responsible member. The program is voluntary and is your personal choice. The Judge, the court staff and the treatment team are present to guide and assist you, but the final responsibility is yours. You must be motivated to make this change and commit to a drug-free life. We hope this Handbook has been helpful to you and answered most of your questions. If you have additional questions or concerns about the Drug Court Program, please feel free to ask your treatment team. Important Drug Court telephone numbers have been listed below for an easy access.