

## **Will County Drug Court**

### **Track Three**



### **Participant Handbook**

Will County Drug Court Mission Statement:

The mission of the Will County Drug Court is to break the cycle of addiction, in order to promote public safety, reduce recidivism, and enhance the quality of life for the community and the individual.

## TABLE OF CONTENTS

<b>WELCOME</b>	<b>PAGE 3</b>
<b>PROGRAM OVERVIEW</b>	<b>PAGE 3</b>
<b>ELIGIBILITY</b>	<b>PAGE 5</b>
<b>DRUG COURT REFERRAL AND ASSESSMENT</b>	<b>PAGE 6</b>
<b>THE DRUG COURT TEAM</b>	<b>PAGE 8</b>
<b>CONFIDENTIALITY</b>	<b>PAGE 13</b>
<b>PHASES OF TREATMENT</b>	<b>PAGE 14</b>
<b>SUMMARY OF DRUG COURT PARTICIPANT RULES</b>	<b>PAGE 18</b>
<b>DRUG AND ALCOHOL TESTING PROCEDURES</b>	<b>PAGE 20</b>
<b>INCENTIVES, SANCTIONS, THERAPEUTIC ADJUSTMENTS</b>	<b>PAGE 20</b>
<b>POSSIBLE PROGRAM OUTCOMES</b>	<b>PAGE 21</b>
<b>TRANSPORTATION</b>	<b>PAGE 23</b>
<b>CONCLUSION</b>	<b>PAGE 23</b>
<b>PHONE NUMBERS FOR DRUG COURT STAFF</b>	<b>PAGE 24</b>
<b>WCDC PARTICIPANT HANDBOOK SIGNATURE PAGE</b>	<b>PAGE 25</b>

## **WELCOME**

Welcome to the Will County Adult Drug Court (WCDC) program.

Drug Courts are specialized courts that emphasize treating a Participant's addiction, so that he or she does not continue to commit criminal acts. Instead of jail time without treatment, the WCDC focuses on giving its Participants the tools to manage their addiction, become productive members of society, and to live a drug free life.

The WCDC requires each Participant to comply with a rigorous individualized treatment plan that will ensure they can leave Drug Court with the skills to manage their addictions.

The purpose of this handbook is to help Participants understand what they need to know and do, so that they can successfully participate in and complete WCDC. Included in this handbook is the WCDC general program information, eligibility for the WCDC, the screening, assessment and enrollment process, an outline of the WCDC team, Participant responsibilities, the program phases, details on consequences for not complying with WCDC treatment plans, drug testing procedures, and the possible program outcomes.

If there are questions about the WCDC, please contact the Court Coordinator or your attorney.

## **PROGRAM OVERVIEW**

The Will County Drug Court (WCDC) was the first of four problem-solving courts established in Will County, Illinois. WCDC has been in operation since 1999 and currently has the capacity to serve 165 active participants. WCDC is a post-adjudicatory problem-solving court which targets defendants in felony court who have a substance dependence diagnosis and who are willing to voluntarily execute the Consent to Participate and WCDC contract for the WCDC program and comply with the requirements of WCDC.

The goals of the Will County Drug Court Program are to:

- Decrease recidivism
- Reduce drug use
- Enhance public safety
- Provide high-quality, comprehensive services
- Save and improve lives

The WCDC has within it three separate treatment tracks. To be eligible for Track Three, individuals must have a substance use disorder diagnosis, be determined to be high to very high criminogenic risk to reoffend or violate the terms of supervision and have significant behavioral health treatment needs as determined by using evidence-based screening and assessment tools. All tracks will be separated during groups, reporting, and court appearances.

Post-adjudicatory means that the defendant has admitted guilt or has admitted the allegations contained in the Petition to Revoke and agrees to voluntarily enter into the WCDC program and comply with the WCDC program requirements.

Regardless of the track that an individual will be served through, an individual who successfully completes the WCDC will follow these steps from the point of referral through program completion:

- an eligibility screening for legal eligibility
- Adult Risk Assessment (ARA) to determine if they fit the target population for risk
- RANT risk assessments for behavioral health treatment needs
- a five phase intervention program
- graduation
- an aftercare plan

Once admitted into the WCDC program, the WCDC team collaboratively creates an individualized case management plan and treatment plan for each Participant with which he or she must comply. Decision making is cooperative in nature, with the Judge making the final decision.

A Participant's treatment plan may include (but is not limited to) some or all of the following:

- substance use treatment
- case management services
- mental health assessment and treatment services
- individual counseling
- trauma- specific treatment services
- medication- assisted treatment
- random drug testing
- primary health treatment services
- domestic violence counseling
- anger management
- employment and education programs

A Participant's case management plan may include (but is not limited to) some or all of the following:

- Drug testing as required
- Obtaining and maintaining employment
- Obtaining and maintaining housing
- Obtaining and maintaining reliable transportation

It is important that each Participant understands that it is his or her responsibility to follow all of the requirements of the WCDC program because these requirements are necessary to change the choices, attitudes and behaviors that have brought the Participant into the criminal justice system.

As participants progress through the phases of the WCDC program, each Participant will be required to appear before the WCDC Judge, Clinical Case Managers, Probation Officers, Treatment Providers and others as directed. Participants will also be required to submit to scheduled and random drug and alcohol testing.

The WCDC team meets on Wednesdays at 9:00 am to discuss Track Three participants. Track Three participants appear in court on Wednesdays at 9:30 am. When each Participant appears before the Drug Court Judge, the Judge will discuss the Participant's progress, ask how he or she is doing, and if necessary, the Judge may provide incentives, therapeutic adjustments, and/or sanctions to a Participant based on his or her compliance with their treatment plan and program rules and expectations.

The typical program length is (18-21) months; however, program length varies depending on Participant's needs and compliance with program requirements.

WCDC treatment services range from detox to long - term inpatient treatment and extended care. Recovery focused housing resources, medication assisted treatment, cognitive behavioral therapy, and psychoeducational groups are also available to WCDC Participants. Employment classes may be required.

In some cases, upon successful completion of the program, the State's Attorney agrees to dismiss the Participant's charges. When the charges are dismissed, Participants do not end up with a conviction on their record, which benefits future employment and career opportunities. If the charges are not dismissed, the Participant's sentence may be deemed complete upon graduation of the Drug Court program.

## **ELIGIBILITY**

It is the policy and practice of WCDC to conduct all aspects of the program without discrimination on the basis of gender, race, nationality, ethnicity, limited English proficiency, disability, socio-economic status or sexual orientation. For individuals for whom English is not their primary language, Interpreters are available through the Will County 12th Judicial Circuit. In accordance with applicable legal requirements, the treatment providers ensure that language services are readily available to assist in service delivery for those Participants needing language services assistance. To aid individuals with low literacy levels all members of the WCDC team provide Participants with oral instructions in addition to written materials at every stage of program development. The WCDC adheres to the 12<sup>th</sup> Judicial Circuit's Language

Access policy. It is the responsibility of the participant to inform the Court of any disabilities that need accommodation.

Will County Drug Court Eligibility Requirements:

- 18 years or older
- All Participants must be a resident of Will County
- Have a diagnosed substance use disorder Voluntarily sign the *Consent to Participate* in Drug Court
- All Participants must agree to stop all drug and alcohol use
- Be willing to comply with all treatment requirements of the WCDC program
- All Participants must admit guilt, be found guilty, or admit to the Petition to Revoke in order to enter WCDC

The WCDC Judge makes the final decision regarding acceptance into the program. If a Participant's charge is a drug-related Class 2 or greater felony offense, the consent of the State's Attorney is also required.

If an individual is currently charged or has been convicted with any of the following crimes in the past 10 years, excluding times of incarceration, he or she is not eligible for participation in the WCDC:

- first-degree murder;
- second-degree murder;
- predatory criminal sexual assault of a child;
- aggravated criminal sexual assault;
- criminal sexual assault;
- armed robbery;
- aggravated arson;
- arson;
- aggravated kidnapping;
- kidnapping;
- aggravated battery resulting in great bodily harm or permanent disability;
- stalking;
- aggravated stalking;
- any offense involving the discharge of a firearm

**DRUG COURT REFERRAL AND ASSESMENT**

If an individual is interested in entering the WCDC program, he or she must fill out a referral form available in all courtrooms. A referral to WCDC can be made by anyone, including the individual, a defense attorney, a probation officer, and a family member. Assistance is available for the illiterate. The application form, and the Consent For Disclosure and confidentiality form, must be submitted to the Court. The WCDC team

will review the application, and the State's Attorney's Office will ensure the applicant's criminal history permits him or her statutorily to enter the program.

Per statute, if an individual's charge is a drug-related class 2 felony or greater offense, the consent of the State's Attorney is also required prior to the completion of the assessment process.

Before any evaluations are administered, applicants are required to sign a confidentiality form. A probation officer administers the Adult Risk Assessment (ARA) evidence-based assessment tool to determine the individual's risk level and appropriateness for services through the WCDC based upon risk for recidivism

Following determination of risk, the individual is assessed by an individual licensed by the State of Illinois to determine if the applicant has a substance use disorder and level of indicated treatment. A comprehensive mental health assessment, including a RANT(Risk and Needs Triage), an evidenced based screening tool, bio/psychosocial evaluation, cognitive capacity screening, PTSD and suicide screening and other tools is performed by a clinical case manager to assess mental health diagnoses and behavioral treatment needs. **All participants must agree to stop all drug and alcohol use.**

The findings from the legal screening, screening and risk assessment tools and clinical assessments are compiled and then discussed at the weekly WCDC meeting. An individualized treatment plan is developed by clinical staff and presented to the team with recommendations for treatment. An individualized treatment plan is developed by clinical staff collaboratively with participant and presented to the team with recommendations for treatment.

The WCDC Judge makes the final decision regarding acceptance into the program. The Participant is notified of his/her acceptance or denial during the regular weekly court call, and, if accepted, a date will be set for the Participant to sign his or her contract and *Consent to Participate* Upon signing the Consent to Participate, each participant will be assigned to one of the Problem Solving Court probation officers for development of a Probation Case Plan to address assessed risks for recidivism as well as a clinical case manager for their behavioral treatment needs.

If the participant is denied entrance into the program, he or she is sent back to their original court call for traditional case processing. The Prosecutor shall delete or destroy the participant's confidential information that was disseminated in conjunction with person's referral to or participation in the WCDC.

## **THE DRUG COURT TEAM**

The WCDC team is made up of individuals who all have a different specialty in the criminal justice field. The team uses a non-adversarial approach, meaning that each member of the team works collaboratively to develop a treatment plan that is tailored to the individual needs of each Participant.

Each member of the WCDC Team is listed below:

***Judge:***

The WCDC Judge serves as the leader of the WCDC Team and presides at all Drug Court Team staffings and sessions. The WCDC Judge is responsible for setting the tone and environment for WCDC, and must provide leadership, authority, and management skills to enable WCDC to operate effectively. It is the WCDC Judge's responsibility to ensure that the participant understands the requirements of WCDC, including those set forth in the Consent to Participate prior to executing the Consent to Participate and that the participant is competent and entering the program voluntarily. To carry out his/her duties, the WCDC Judge must participate in all team staffings and shall consider input from the other team members in evaluating a response to a participant's compliance or non-compliance with supervision and treatment requirements. This participation is permissible pursuant to Supreme Court Rule 63. While the WCDC Judge must consider the input from all of the members of the team, it is his/her final responsibility to determine what response is appropriate for an individual participant. In court, it is the WCDC Judge who presents the participant with the team's staffing decisions and allows the participant to address the response with the court. Examples of the responses a participant may receive in court are an incentive given because of progress the participant has made, a sanction imposed because of non-compliance with treatment, and/or supervision requirements or a treatment plan adjustment as recommended by the treatment provider. These responses are designed to encourage or reinforce the participants' progress or to discourage and deter participants' non-compliance. The WCDC Judge shall ensure that WCDC responses to a participant's behavior are predictable, fair, consistent and unbiased and that the participant is treated with respect and is given an opportunity to be heard. The PSC judge, before being assigned to preside in such a court, should have experience and/or training in a broad range of topics including, but not limited to: (1) criminal law; (2) behavioral health; (3) confidentiality; (4) ethics; (5) evidence-based practices; (6) substance use and abuse; (7) mental illness and (8) co-occurring disorders. The judge must be assigned to preside over the PSC for a minimum of two years.

***Court Coordinator:***

The problem-solving courts coordinator is responsible for overseeing the WCDC Program. The problem-solving courts coordinator oversees the day-to-day operations of WCDC and problem-solving courts. Administration responsibilities for WCDC and problem solving courts include monitoring the referral and intake processes to ensure the early identification and enrollment of WCDC candidates, supervision of the



collection and reporting of WCDC data, community education and public relations, coordinating continuing education opportunities for the WCDC team, and grants administration. He/she shall regularly participate in trainings, webinars, events, and other educational opportunities on topics that are essential to the effective planning, implementation and operation of the PSC and to ensuring that the PSC maintains fidelity to the PSC model. Topics include, but are not limited to, evidence-based screening, assessment and treatment practices, target population, substance use disorder, mental illness, disability, co-occurring disorders, trauma, confidentiality, criminogenic risks and needs, incentives and sanctions, court processes, limited English proficiency and team dynamics. He/she shall stay abreast of current law and research on best practices and participate in ongoing interdisciplinary education and training. He/she will advocate for incentives, sanctions, and therapeutic adjustments. He/she shall commit to serving on the team a minimum of one year and will participate in all court staffings and hearings.

***Prosecutor:***

The role of the prosecutor in WCDC is non-adversarial and collaborative by design, which is different from the traditional adversarial model in criminal court. The prosecutor represents the interests of the People of the State of Illinois and ensures that public safety interests and concerns are provided in team staffing discussions. The prosecutor also participates in the collaborative WCDC process in evaluating each participant's engagement in and compliance with WCDC in team staffings and at court sessions. As part of the collaborative team, the prosecutor monitors participant progress and makes recommendations regarding appropriate interventions to impact a participant's behavior and compliance with WCDC requirements. Information the prosecutor receives through the WCDC Program shall only be used for WCDC purposes and shall not be redisclosed. The prosecutor retains the responsibility to assure a participant's compliance with WCDC requirements and may initiate adverse proceedings if a participant is not adhering to the terms of his/her WCDC probation and Consent to Participate. He/she shall regularly participate in trainings, webinars, events, and other educational opportunities on topics that are essential to the effective planning, implementation and operation of the PSC and to ensuring that the PSC maintains fidelity to the PSC model. Topics include, but are not limited to, evidence-based screening, assessment and treatment practices, target population, substance use disorder, mental illness, disability, co-occurring disorders, trauma, confidentiality, criminogenic risks and needs, incentives and sanctions, court processes, limited English proficiency and team dynamics. He/she shall stay abreast of current law and research on best practices and participate in ongoing interdisciplinary education and training. He/she will advocate for incentives, sanctions, and therapeutic adjustments. He/she shall commit to serving on the team a minimum of one year and will participate in all court staffings and hearings.

***Public Defender/Defense Counsel:***

The role of defense counsel in WCDC is also very different from the traditional adversarial model in criminal court. In WCDC, the Public Defender represents all WCDC clients unless a participant has private counsel. Before entry into WCDC, it is defense counsel's responsibility to meet with each potential participant to explain WCDC's rules and expectations, the potential participant's legal rights and how those rights are affected by participation in WCDC. Defense counsel must also explain the provisions of the WCDC Consent to Participate and the WCDC Handbook to the participant, and assist in the participant's execution of all court related documents and ensure that the participant understands all of the provisions of such documents. Upon signing of Consent to Participate and Drug Court Contract in WCDC, private counsel must elect whether to continue as counsel for the participant. If not, the WCDC Judge appoints the public defender to represent the participant in WCDC. Whether a participant is represented by private counsel or the public defender, the responsibilities of the participant's attorney is to represent the participant at team staffings, attend WCDC staffings and court status hearings, provide input and recommendations to the WCDC Team, ensure that the participant's due process rights are protected, and represent the participant in any adverse proceedings. The Public Defender, will monitor all cases heard during court calls and staffing to assure that each participant's right to counsel is preserved. If a participant is represented by a private attorney, and their case is called, in either staffing or hearing, the Public Defender will request that the case be passed until such time as the private attorney may appear or when alternate arrangements are made for representation. Private attorneys acknowledge and understand they are required to attend all court hearings in which their client is present. They can choose to remain on file as the attorney of record until graduation or in the event that the State files a Petition to Remove; or Private Counsel will seek leave to withdraw upon the entry of the contract; and upon entry of the contract, the Public Defender's Office is appointed to handle all matters relating to the status of the defendant. He/she shall regularly participate in trainings, webinars, events, and other educational opportunities on topics that are essential to the effective planning, implementation and operation of the PSC and to ensuring that the PSC maintains fidelity to the PSC model. Topics include, but are not limited to, evidence-based screening, assessment and treatment practices, target population, substance use disorder, mental illness, disability, co-occurring disorders, trauma, confidentiality, criminogenic risks and needs, incentives and sanctions, court processes, limited English proficiency and team dynamics. He/she shall stay abreast of current law and research on best practices and participate in ongoing interdisciplinary education and training. He/she will advocate for incentives, sanctions, and therapeutic adjustments. He/she shall commit to serving on the team a minimum of one year and will participate in all court staffings and hearings.

***Probation Officers:***

The probation officer is responsible for meeting with participants on a regular basis to determine participant's progress in the program, as well as provide referrals for substance use treatment, employment, education, transportation, mental health services, and entitlements. They will ensure that participants understand the

requirements of WCDC and supervise their compliance with all WCDC treatment and probation supervision requirements. They will perform home visits. They will complete the Adult Risk Assessment (ARA) as indicated in the Illinois probation casework standards. They will facilitate and perform drug testing. They will participate in all court staffings and court hearings, reporting compliance/non-compliance and advocate for incentives, sanctions, and therapeutic adjustments. They will assist in the promotion of team integrity and assist in the development of community resources. He/she will collect and share data with the WCDC team. He/she shall regularly participate in trainings, webinars, events, and other educational opportunities on topics that are essential to the effective planning, implementation and operation of the PSC and to ensuring that the PSC maintains fidelity to the PSC model. Topics include, but are not limited to, evidence-based screening, assessment and treatment practices, target population, substance use disorder, mental illness, disability, co-occurring disorders, trauma, confidentiality, criminogenic risks and needs, incentives and sanctions, court processes, limited English proficiency and team dynamics. He/she shall stay abreast of current law and research on best practices and participate in ongoing interdisciplinary education and training. He/she shall commit to serving on the team a minimum of one year and in the event that a probation officer cannot participate in a staffing or hearing, a representative from probation will be updated and provided notes on participants. There will be at least one representative from probation present in all staffings and court hearings. He/she will develop a case management plan and share a copy of said case management plan with participants and WCDC team. Participants will regularly be reassessed and the plan updated accordingly. The case management plan will be a collaborative effort with participants.

***Mental Health Professionals/ Clinical Case Manager:***

The WCDC Mental Health Professionals (MHP's) are responsible for conducting mental health assessments on an as needed basis for the drug court population. The Mental Health Professional prepares a written summary of the findings from the assessment and forwards the written report to the WCDC Team for staffing discussions. The mental health professional uses the following assessment tools: mental health assessment, Cognitive Capacity Screening, RANT, TCU, LSI-R with all clients. And the Becks Depression Index (BDI), Becks Anxiety Index(BAI), Primary Care Posttraumatic Stress Disorder (PC-PTSD), Generalized Anxiety Disorder (GAD-7), Suicide Risk Assessment-Revised (SBQ-R) with participants. He/she shall regularly participate in trainings, webinars, events, and other educational opportunities on topics that are essential to the effective planning, implementation and operation of the PSC and to ensuring that the PSC maintains fidelity to the PSC model. Mental Health Professionals/Clinical Case Managers will meet with participants regularly to ensure they are seen by a member of the PSC staff according to their phase (once weekly for phase one and two, every other week for phase three, every three weeks for phase four, and every four weeks for phase five. ) They will facilitate groups, conduct relapse evaluations, provide therapy, and make treatment referrals.

Topics include, but are not limited to, evidence-based screening, assessment and treatment practices, target population, substance use disorder, mental illness, disability, co-occurring disorders, trauma, confidentiality, criminogenic risks and needs, incentives and sanctions, court processes, limited English proficiency and team dynamics. He/she shall stay abreast of current law and research on best practices and participate in ongoing interdisciplinary education and training. He/she will facilitate and perform drug testing. They will participate in all court staffings and court hearings, reporting progress in regards to treatment plan and advocate for incentives, sanctions, and therapeutic adjustments. They will assist in the promotion of team integrity and assist in the development of community resources. He/she will collect and share data with the WCDC team. He/she shall commit to serving on the team a minimum of one year. In the event that a Mental Health Professional/Clinical Case Manager cannot participate in a staffing or hearing, a representative from the clinical team will be updated and provided notes on participants. There will be at least one representative from the clinical team present in all staffings and court hearings. He/she will develop a clinical treatment plan and share a copy of said clinical treatment plan with participants and WCDC team. He/she will explain the clinical treatment plan to participants and answer any questions. Participants will regularly be reassessed and the plan updated accordingly.

#### **G. Peer Support Specialists**

Peer Support Specialists are professionals who have a unique role in the WCDC. Peer support specialists have the life experiences that allow them to provide support to participants who are going through a similar situation. Peer support specialists have the tools that participants need to be successful and can pass those on to participants to increase the chances of long-term success. Peer support specialists will act as recovery home managers, run recovery support meetings, and engage with families of program participants and alumni of the WCDC. He/she will advocate for incentives, sanctions, and therapeutic adjustments. He/she shall commit to serving on the team a minimum of one year and will participate in all court staffings and hearings.

#### ***Will County Drug Court Team Partners***

##### ***Licensed Treatment Provider(s)***

WCDC utilizes a full continuum of treatment services, including outpatient, intensive outpatient, inpatient, long-term inpatient substance abuse and co-occurring treatment, and recovery housing from numerous treatment providers. WCDC's most prevailing treatment providers are Stepping Stones, Woodridge Interventions and Family Guidance. All treatment services are trauma-informed and culturally sensitive. WCDC also supports the utilization of medication-assisted treatment (MAT) for participants with opioid or other substance dependence disorder diagnoses. MAT is a medical protocol that is entirely voluntary on the part of the participant and is a

decision entered into between a participant and his/her medical provider. A participant's mental health needs and medical issues are also monitored by WCDC and referrals may be made by the WCDC team for these services. He/she shall regularly participate in trainings, webinars, events, and other educational opportunities on topics that are essential to the effective planning, implementation and operation of the PSC and to ensuring that the PSC maintains fidelity to the PSC model. Topics include, but are not limited to, evidence-based screening, assessment and treatment practices, target population, substance use disorder, mental illness, disability, co-occurring disorders, trauma, confidentiality, criminogenic risks and needs, incentives and sanctions, court processes, limited English proficiency and team dynamics. He/she shall stay abreast of current law and research on best practices and participate in ongoing interdisciplinary education and training. He/she will advocate for incentives, sanctions, and therapeutic adjustments. He/she shall commit to serving on the team a minimum of one year and will participate in all court staffings and hearings.

### **CONFIDENTIALITY**

Each participant is required to sign an authorization for release of information to allow the WCDC team to communicate as a team about each Participant's participation and compliance. Once a participant is in the program, the WCDC team may also require that he or she sign additional releases of information to third parties, such as family members, sponsors, mentors, or medical/treatment providers on an as needed basis. A Participant's health and treatment records are protected under federal regulations. 42 C.F.R. Part 2 (Confidentiality of Alcohol and Drug Abuse Patient Records) and 45 C.F.R. Parts 160 & 164 (HIPPA). Almost all of the statements made during eligibility screening, assessments and treatment cannot be used against them. 45 C.F.R. §164.512 (j)(2)(i) and (ii). However, if a Participant admits to either of the following two things, statements **may** be used against me: 1) child abuse or neglect (45 C.F.R. §164.512(b)(1)(ii); and 2) domestic violence, abuse or neglect which causes the Team Member to believe disclosure is necessary to prevent serious harm to a potential victim (45 C.F.R. §164.512(b)(1)(ii). If a Participant admits to these offenses, the State's Attorney may bring new charges against them. Statements made during the eligibility, assessment(s) and treatment, other than those mandatorily required to be disclosed as outlined in the above paragraph, cannot be the basis for new criminal charges or a criminal investigation except as authorized by a court order. 42 C.F.R. §2.1 (b)(2)(C); 42 C.F.R. §2.2 (b)(2)(C). Prior to a Court Order being issued, a hearing shall be conducted by the Problem-Solving Court Judge. Notice shall be given to Defense Counsel with a Bill of Particulars with the following information: a.) The statement that the State is seeking to disclose; b.) A list of all individuals who witnessed the statement that the State is seeking to disclose, including their names, addresses, telephone and email addresses; and c.) Any and all reports, notes, audio or video material memorializing the statement of the Participant and the circumstances under which it was made. WCDC complies with confidentiality requirements to prevent the unauthorized disclosure or redisclosure of information regarding participants. Documents relating to treatment, drug testing, evaluations, and other sensitive

information is not placed in a court file open to public examination. These materials are kept in a confidential file. Participants' confidential information will not be used in any other legal proceeding, except with consent from the participant.

## **PHASES OF TREATMENT**

The WCDC incorporates five program phases followed by graduation. The phases are designed to monitor the participant's compliance with all WCDC requirements and to objectively measure a participant's progress in treatment. These phases are structured to maximize the likelihood that the participant can successfully achieve and maintain recovery through meaningful participation in his/her treatment plan requirements while under the intensive supervision by the court to discourage the participant from engaging in further criminal activity.

Treatment plan requirements include all recommended and/or prescribed treatment services, including substance abuse treatment, primary medical treatment, and mental health treatment services and each participant's compliance with treatment plan requirements will be monitored by the WCDC Team through all WCDC phases. To date, WCDC has assisted hundreds of participants to successfully complete the program and become contributing, productive members of our community. The participant requirements for each program phase are as follows:

### **PHASE I**

This phase includes acute stabilization, orientation and assessment. An individualized treatment plan was developed and reviewed with participant prior to contract. Phase I will focus on educational learning resources and maintaining a sober/drug free lifestyle.

Phase I Requirements:

- Engage in 1<sup>st</sup> phase of treatment (Inpatient, IOP, OP)
- Comply with all treatment plan requirements
- Attend court weekly
- Urine and drug/alcohol screens are negative
- Medical/Medication issues addressed
- Follow Dr.'s recommendations for medication
- Start Changing people, places and things
- Meet with PSC staff as directed
- Attend 3 self-help meetings weekly
- Sign releases of information to collateral contacts upon request, including treatment centers, medical facilities, etc.
- Minimum time in Phase I is 90 days

A participant can advance to Phase II if substantially compliant with all Phase I requirements for a sustained period of time, has been clean and sober for at

least 30 days and the Judge, with input from the Drug Court Team approves moving to Phase II.

## **PHASE II**

During this phase, participants will focus on clinical stabilization, identifying community resources, more intensive therapy, and concentrating on recovery education.

Phase II Requirements:

- Complete all required treatment
- Explore employment or educational options, if appropriate
- Maintain housing
- Obtain a sponsor/mentor
- Letter from sponsor/mentor detailing program work
- Explanation of what step participant is working on
- Attend 3 self-help meetings weekly
- Urine and alcohol screens are negative
- Demonstrate changing people, places and things
- Complete Financial Management Group
- Develop a budget
- Attend court weekly
- Report to PSC staff as directed
- Sign releases of information to collateral contacts upon request
- Minimum time in Phase II is 90 days

A participant can advance to Phase III if substantially compliant with all Phase II requirements for a sustained period of time, has been clean and sober for at least 60 days and the Judge, with input from the WCDC team approves moving to Phase III.

## **PHASE III**

This is a phase of pro-social habilitation, less structured treatment and more responsibility upon the WCDC participant. During this phase, a continuing care program will be implemented and tailored to the specific needs of the participant.

Phase III Requirements:

- Continue engagement with treatment
- Attend court bi-weekly
- Report to PSC staff as directed
- Attempt to obtain employment or full time educational status, if appropriate
- Letter from sponsor/mentor detailing program work
- Explanation of what step participants are working on

- Attend 3 self-help meetings weekly
- Address life skills
- Establish recovery network
- Establish prosocial activities
- Demonstrate changing people, places and things
- Urine and drug/alcohol screens negative
- Complete five (5) hours of community service
- Address financial issues
- Follow budget and update budget as necessary
- Make substantial effort to pay restitution
- Sign release of information to collateral contacts upon request
- Minimum time in Phase III is 120 days

A participant can advance to Phase IV if substantially compliant with all Phase III requirements for a sustained period of time, has been clean and sober for at least 90 days and the Judge, with input from the WCDC team approves moving to Phase IV.

#### **Phase IV**

This is a phase of adaptive habilitation, less structured treatment and more responsibility upon the WCDC participant. During this phase, a continuing care program will be continued, tailored to the specific needs of the participant.

- Continue engagement with treatment
- Continue to meet all Phase III requirements
- Attend court every three weeks
- Report to PSC staff as directed
- Employment or full time educational status, if appropriate
- Letter from sponsor/mentor detailing program work
- Explanation of what step participants are working on
- Attend 3 self-help meetings weekly
- Address life skills
- Maintain recovery network
- Maintain prosocial activities
- Maintain housing
- Demonstrate changing people, places and things
- Address ancillary services (i.e. parenting, family support)
- Urine and drug/alcohol screens negative
- Complete additional ten (10) hours of community service
- Complete either T4C or MRT (if applicable)
- Explanation of insights and skills acquired through T4C or MRT and how to apply skills to everyday life
- Address financial issues
- Follow budget and update budget as necessary
- Make substantial effort to pay restitution



- Sign release of information to collateral contacts upon request
- Minimum time in Phase IV is 120 days

Participants can only advance to Phase V if substantially compliant with Phase IV requirements for a sustained period of time, have no drug tests which violate the alcohol and drug testing protocol and procedures for 120 days, and the Judge with input from the team WCDC team approves their written application explaining why he or she would like to move to Phase V.

### **Phase V**

This is a phase of continuing care, maintaining recovery network and more responsibility upon the WCDC participant. During this phase, a discharge plan will be developed, tailored to the specific needs of the participant.

Participants can only advance to Graduation if substantially compliant with Phase V requirements for a sustained period of time, have no drug tests which violate the alcohol and drug testing protocol and procedures for 180 days, and the Judge with input from the team WCDC team approves their written application explaining why he or she would like to Graduate.

- Continue engagement with treatment
- Continue to meet all Phase IV requirements
- Attend court monthly
- Report to PSC staff as directed
- Maintain employment or full time educational status, if appropriate
- Letter from sponsor/mentor detailing program work
- Explanation of what step participants are working on
- Attend 3 self-help meetings weekly
- Maintain recovery network
- Maintain prosocial activities
- Maintain housing
- Demonstrate changing people, places and things
- Urine and drug/alcohol screens negative
- Complete additional ten (10) hours of community service
- Complete either T4C or MRT (if applicable)
- Explanation of insights and skills acquired through T4C or MRT and how to apply skills to everyday life
- Pay full restitution
- Follow budget and update budget as necessary
- Attend one alumni group
- Develop and be able to articulate discharge plan
- Sign release of information to collateral contacts upon request
- Minimum time in Phase V is 120 days

## **Graduation**

To be eligible for graduation, participants must continue to meet all of the requirements for moving from Phase IV to Phase V, must be compliant with Phase V requirements, have negative urine screens for six months, and have completed the Graduation questionnaire. The WCDC team will staff a participant to determine if he/she has met the requirements to advance from phase V to graduation. It is at this point that any legal agreements that have been previously made pending completion shall be reviewed and acted upon accordingly. A Discharge Plan is developed collaboratively with the participant. Completed discharge plan is presented at staffing by probation or case manager.

### **SUMMARY OF DRUG COURT PARTICIPANT RULES**

1. Participants will abstain from the use of illegal drugs, Cannabis or cannabis products and alcohol. Participants will submit to urinalysis as requested by any WCDC personnel. Failure to do so will be considered a positive test.
2. Participant is not to consume or to be in possession of any substance used to adulterate a drug test; these are commonly referred to as detox kits/drinks.
3. Participants will not associate with people who use or possess drugs, nor will Participants be present when drugs or alcohol are being used by others.
4. Participants must follow their treatment plan and actively participate in all services as required.
5. Participants will attend all scheduled court and treatment sessions on time, submit to random alcohol and drug testing, remain clean and sober and refrain from any further criminal conduct. If Participants do not appear on his or her regularly scheduled court date and have not been previously excused, the Judge may issue a warrant for the Participant's arrest.
6. Participants will cooperate with all home visits, treatment visits, or employment visits. The WCDC team members will conduct home, treatment facility, or place of employment visits on a regular basis to monitor the program.
7. Participants must notify the WCDC team immediately following any law enforcement contact or hospitalization.
8. Participants will dress appropriately for court and treatment sessions. Clothing bearing violent, racist, sexist, drug or alcohol-related themes or promoting or

advertising alcohol or drug use is considered inappropriate. Hats may not be worn. Gang attire is also inappropriate.

9. Participants will use appropriate language when addressing the court. (“yes” instead of “yea”, “excuse me” instead of “huh”, “no” instead of “nope”) Nodding or shaking of the head is NOT an appropriate response!
10. There is to be no talking in the courtroom during WCDC proceedings. Prior approval of WCDC staff should be received if Participants must bring children to court. **TURN OFF CELL PHONES!**
11. Participants will remain in the courtroom until dismissed by the Judge or a member of the Drug Court Team.
12. Participants will inform all treating physicians that Participants are a recovering addict and may not take narcotic or addictive medications or drugs without notice to the Court. Participant will return medication receipt to their case manager.
13. Participants cannot take prescription medications not prescribed to Participants by his or her doctor.
14. Participants cannot ingest any substances that are labeled “not for human consumption”, including, but not exclusively, K2, spice, or other synthetic cannabinoids.
15. The Participant’s case manager must be notified if he or she is taking any over the counter medications.
16. Participants will submit to random drug and/or alcohol screens when requested by any WCDC team member and/or treatment provider, and comply with the random drug protocol.
17. Participants will keep the WCDC team informed of their current address and phone number at all time. Participants must get approval for any changes and report any changes within 24 hours. If contacted, Participants have 24 hours to present themselves to probation for drug and alcohol testing.
18. Participants must inform their case managers of any changes in employment within 24 hours
19. Participants cannot leave the state without approval of the WCDC. Permission to leave must be in writing and given to their probation officer or a member of the WCDC team. Participants will be notified of approval or denial by the Judge.
20. Participants cannot be in possession of a firearm or dangerous weapon.

21. The WCDC also requires each Participant to complete a minimum of 25 hours of community service work while in the program.

### **DRUG AND ALCOHOL TESTING PROCEDURES**

Participants will be randomly drug tested throughout the program to make sure that they avoid harmful substances. Using drugs, including THC and alcohol, will interfere with treatment and will lead to sanctions or therapeutic adjustments.

A 24-hour call-in system is in place to ensure compliance. Participants will receive a color and phone number for nightly call. In addition, each time a Participant comes to court, they will complete a drug test at the courthouse. They may also have to do drug testing at the Health Department, with a case manager, or another treatment provider.

The Judge can request a random drug test as well. If a Participant is called in for a random drug test, they have 24 hours to take the test at the courthouse or with a case manager. Participants will be observed by a member of the same sex to ensure freedom from errors. Failure to provide a sample will be considered a positive test.

If a Participant has a positive test in any WCDC phase, the Judge, based on recommendations from the WCDC staff, will apply an immediate relapse plan. This plan will include sanctions, as well as adjustments to the Participant's treatment plan based on his or her individual needs.

### **INCENTIVES, SANCTIONS, AND THERAPEUTIC ADJUSTMENTS**

Each WCDC Participant has an individualized treatment plan. The team uses a combination of incentives, sanctions and/or therapeutic adjustments to reinforce a recovering lifestyle. The treatment plan is updated regularly.

#### ***Incentives:***

Incentives include verbal affirmation, leaving court early, less frequent court appearances and/or mandatory probation meetings, and attendance at fewer recovery support meetings resulting in a reduction in Participant's expenses. They are also allowed more flexibility to travel. Incentives may be received for a variety of behaviors and achievements such as attending all probation and treatment and groups, attending

all court status hearings, making progress in treatment, providing clean drug screens, gaining or maintaining employment, and education achievement.

***Sanctions:***

Sanctions may vary for each WCDC Participant. Sanctions are imposed for each violation. Violations that will result in sanctions include but are not limited to: involvement in criminal conduct, dishonesty with the WCDC team and treatment providers, poor attendance, lack of participation in treatment or tasks identified in the treatment plan, The sanctions that will be imposed for these violations may include but are not limited to: curfews, community service hours, incarceration, increased reporting to court and probation, “random” drug tests, extensions of contract and/or termination from program. If it is determined at staffing that there should be a sanction, the participant must be given an opportunity to address the Court before the sanction is imposed. The WCDC Judge must consider this input and decide whether to impose the sanction. The final decision as to whether to impose a sanction and what sanction is appropriate rests within the sole discretion of the WCDC Judge and may only be imposed in accordance with the procedural fairness principles of fairness and neutrality after the participant is given an opportunity to be heard.

***Therapeutic Adjustments:***

Therapeutic adjustments to a Participant’s treatment plan may be made for a variety of reasons that include but are not limited to: results of assessments and evaluations, recommendation by treatment providers, missing recovery support group meetings or meetings with case manager, and positive drug screens. Adjustments to one’s treatment plan may include but are not limited to: individual counseling, parenting classes, and anger management. Participants will be required to comply with any new or additional requirements.

**POSSIBLE PROGRAM OUTCOMES**

There are four possible outcomes for a Participant in the program which includes successful discharge, neutral discharge, unsuccessful discharge, or voluntary withdrawal.

**Successful Discharge**

A Participant will be eligible for successful discharge if they complete every WCDC program requirement. The Participant will also be required to complete a graduation questionnaire two weeks prior to graduating. At graduation, they will receive a certificate of achievement and will be discharged from WCDC.

Upon successful completion of the program, in most cases the state's attorney agrees to dismiss the Participant's charges. In this case, Participants do not end up with a conviction on their record, which benefits future employment and career opportunities. If the charges are not dismissed, the Participant's sentence may be deemed complete upon graduation of the Drug Court program. In this case, the Participant avoids incarceration and gains helpful tools to live a productive life.

### Neutral Discharge

A participant may encounter difficulties after entering the program that makes it difficult or impossible for him/her to comply with the requirements of WCDC. Upon collaboration from the WCDC Team the WCDC Judge can enter an order permitting a neutral discharge from the WCDC Program.

### Unsuccessful Discharge

A Participant's contract in WCDC can be terminated for reasons such as: warrants, new arrest, or a violation of any aspect of the WCDC contract. Other violations, which could result in termination, include but are not limited to: missing drug tests, positive drug tests, altered drug test, lack of program response demonstrated by failing to cooperate with WCDC team, and violence or threat of violence directed at staff or other Participants of the program.

Prior to unsuccessful discharge from WCDC, a Participant will be served with a petition that seeks to revoke his or her WCDC contract and sets out his or her alleged violations. Once a petition is filed, Participants have the right to be represented by an attorney, the right to a hearing on the petition, the right to confront the state's witnesses and evidence, the right to present evidence and testimony on his or her own behalf if Participants choose to, the right to require that the state prove that it is more probably true than not true that Participants violated his or her contract, the right to be advised of the sentencing range, and the right to substitution of judge. The WCDC Judge cannot consider anything learned through WCDC staffings, status review hearings, or otherwise when determining whether or not a participant should be removed from the program in a hearing. The WCDC Judge should disqualify himself or herself in a proceeding on a petition to terminate a participant from WCDC or to revoke probation under the circumstances listed in Supreme Court Rule 63C

Once a petition is filed, in order for the Judge to continue to participate in team staffings of their case, Participants must agree to let the Judge discuss their case. Participants' agreement will be requested when a petition is filed and addressed in open court. An unsuccessful discharge can occur as part of a plea agreement or as a sentencing outcome after a hearing on the petition. If the court grants the petition to remove, the Participant will proceed to sentencing.

### Voluntary Withdrawal

WCDC is a voluntary program; therefore, Participants do have the right to withdraw from the program. However, there may be consequences to withdrawing from WCDC, so it is important that Participants understand what those consequences may be, and the Judge and each Participant's attorney will explain those to the Participant. A Participant that chooses to withdraw from the program will proceed to sentencing. Any consequence has to be consistent with the terms of his or her contract order. Serving jail time that has previously been stayed is one example of a possible consequence of voluntary withdrawal from WCDC.

### **TRANSPORTATION**

In most cases, the Will County Sheriff's Department is responsible for transporting incarcerated Participants to the chosen treatment facility. Family members can obtain a list of clothing and other items from the treatment facility and drop them off according to the rules of the facility. Participants may also be able to send clothing and other items through the postal system.

### **PRIVATE DEFENSE COUNSEL**

Private attorneys acknowledge and understand they are required to attend all court hearings in which their client is present. They can choose to remain on file as the attorney of record until graduation or in the event that the State files a Petition to Remove; or Private Counsel will seek leave to withdraw upon the entry of the contract; and upon entry of the contract, the Public Defender's Office is appointed to handle all matters relating to the status of the defendant.

### **CONCLUSION**

WCDC helps Participants achieve a life free of dependence on mind-altering substances and further involvement in the criminal justice system. The WCDC team is here to guide and assist participants, but the final responsibility is on the individual. To succeed, one must be motivated to make a commitment to a mentally healthy, law abiding and drug-free life.

### **DRUG COURT STAFF NUMBERS**

Judge Fred Harvey.....815-727-8592  
STATE'S ATTORNEY'S OFFICE.....815-727-8453  
Assistant State's Attorney  
Jaclyn Sopczic.....815-727-8617

**PUBLIC DEFENDER**

Jaya Varghese.....815-727-8666  
Shenonda Tisdale.....815-727-8666

**PROBLEM SOLVING COURT COORDINATOR**

Dr. Scott DuBois Psy.D.....815-774-7852

**DRUG COURT CLINICAL CASE MANAGER  
MENTAL HEALTH PROFESSIONAL**

Diana Murillo MSW.....815-724-1348  
Don Martin, LPC, CADC.....815-724-1538  
Erica Quensen MA, LCPC.....815-774-4347  
Danielle O’Connell MA, LCPC.....815-727-8878

**EMPLOYMENT OUTREACH SPECIALIST**

Rachel Doyle.....815-724-1538

**ARI Coordinator**

Mitch Crandall.....815-727-8875

**PROBATION DEPARTMENT**

Sue O’Halloran.....815-774-4534  
Danielle Delgado.....815-774-6272

**PEER SUPPORT SPECIALISTS**

Scott Miller.....779-875-6942  
Owen Famulari.....815-405-0578

**FAMILY GUIDANCE CENTERS**

Gilbert Perez.....773-551-2831

**WILL COUNTY DRUG COURT PARTICIPANT HANDBOOK SIGNATURE PAGE**

I read and understand the contents of the WCDC Participant handbook. I have been given a copy of the Participant handbook, and I will bring it to court and to all my appointments. I understand that in order to be successful in the WCDC program, I must comply with the treatment recommendations and decisions made by the WCDC team.



---

**Client Signature**

**Date**

---

**Defense Counsel**

**Date**