

# ***CLINTON COUNTY TREATMENT COURT***

## ***Policy and Procedure Manual***



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## INTRODUCTION AND OVERVIEW

Clinton County Treatment Court was created as an alternative to incarceration to address the specific treatment needs of the substance abusing individuals involved in the Clinton County criminal justice system.

A Treatment Court is “a specially designed court calendar or docket, the purposes of which are to achieve a reduction in recidivism and substance abuse among nonviolent substance abusing offenders and to increase the offender’s likelihood of successful habilitation through early, continuous, and intense judicially supervised treatment, mandatory periodic drug testing, community supervision, and use of appropriate sanctions and other habilitation services” (Bureau of Justice Assistance, 2005, p. 3).

The Clinton County Treatment Court closely supervises a participant for a minimum of three (3) years to increase the likelihood of success. Typically a participant has a minimum of one (1) year of active participation in Treatment Court followed by one (1) year of aftercare programming.

Clinton County Treatment Court adheres to the ten (10) Key Components as defined by NADCP. Although the language specifies only drug courts, those ten (10) 10 Key components are equally applicable and applied to all Clinton County Treatment Court Programs.

The components are:

**Key Component #1:** Drug courts integrate alcohol and other drug treatment services with justice system case processing.

**Key Component #2:** Using a nonadversarial approach, prosecution and defense counsel promote public safety while protecting participants’ due process rights.

**Key Component #3:** Eligible participants are identified early and promptly placed in the drug court program.

**Key Component #4:** Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.

**Key Component #5:** Abstinence is monitored by frequent alcohol and other drug testing.

**Key Component #6:** A coordinated strategy governs drug court responses to participants’ compliance.

**Key Component #7:** Ongoing judicial interaction with each drug court participant is essential.

**Key Component #8:** Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.

**Key Component #9:** Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.

**Key Component #10:** Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

## **MISSION STATEMENT**

The mission of the Clinton County Treatment Court of the 25th Judicial District of Pennsylvania is to reduce recidivism by facilitating treatment and rehabilitation, and to provide increased supervision to the criminal substance abuser, as opposed to simply warehousing them. Our goal is to return individuals to the community who are clean and sober, with an improved quality of life, and who are better equipped to maintain their sobriety, thereby improving the lives of all of us.

## **PROGRAM GOALS AND OBJECTIVES**

The Clinton County Treatment Court is a highly structured program that combines drug and alcohol rehabilitation and supportive services through court supervision. Non-violent offenders with substance abuse issues can receive the help they need to overcome their addiction while under the strict supervision of the Treatment Court Judge. Treatment Court is unique because it represents a much closer working union between treatment and the criminal justice system than what is traditionally seen in the criminal courts. The end result is a greater likelihood that offenders will remain drug-free and become productive members of society, while avoiding further contacts with the criminal justice system. It is the goal of the program to graduate individuals who are clean and sober, have more job and education opportunities, have better relationships with their families and friends, and have a positive outlook on life.

## ELIGIBILITY

The Clinton County Treatment Court is a post plea program. The Treatment Court screens and assesses misdemeanor and felony offenders, provided the crimes are drug-related and/or addiction driven. The offenders must agree to placement in Treatment Court and be residents of Clinton County.

Additionally, any individual with a past pattern of violent behavior are excluded. An individual is also deemed ineligible, if the current offense involves serious injury to another person and/or if a minor was present in the vehicle at the time of the current offense.

Only eligible offenders under the County Intermediate Punishment Act are eligible for the Treatment Court program (See 42 Pa.C.S.A. 9801 et. seg.). An individual is ineligible if they have been convicted or adjudicated delinquent of a crime requiring registration under Subchapter H of Chapter 97 (relating to registration of sexual offenders). Currently, offenders are statutorily ineligible if they have a current or prior conviction within the past ten (10) years for any of the following offenses:

### \* INELIGIBLE OFFENSES

- 18 Pa.C.S. § 2502 (relating to murder)
- 18 Pa.C.S. § 2503 (relating to voluntary manslaughter)
- 18 Pa.C.S. § 2702 (relating to aggravated assault)
- 18 Pa.C.S. § 2703 (relating to assault by prisoner)
- 18 Pa.C.S. § 2704 (relating to assault by life prisoner)
- 18 Pa.C.S. § 2901(a) (relating to kidnapping)
- 18 Pa.C.S. § 3122.1(a)(1) (relating to statutory sexual assault)
- 18 Pa.C.S. § 3301 (relating to arson and related offenses)
- 18 Pa.C.S. § 3502 (relating to burglary when graded as a felony of the first degree)
- 18 Pa.C.S. § 3701 (relating to robbery)
- 18 Pa.C.S. § 3923 (relating to theft by extortion)
- 18 Pa.C.S. § 4302(a) (relating to incest)
- 18 Pa.C.S. § 5121 (relating to escape)

**\* Exceptions will be made for cases where the offender has a significant history of substance abuse, is in need of treatment as recommended by West Branch Drug & Alcohol Abuse Commission and otherwise qualifies for the Treatment Court Program.**

**\* The Treatment Court Team may also find other circumstances concerning the case or the offender which disqualify the offender from participation in the Treatment Court Program. Eligibility is not an entitlement to this Program. The Court may exercise its discretion to disapprove any offender who otherwise is eligible.**

## APPLICATION AND APPROVAL PROCESS

Eligible offenders must submit a Treatment Court Application to the Treatment Court Judge who will document the date received on the top right hand corner of the application. The application will then be sent to the District Attorney's Office who will complete a cursory review of qualifying/disqualifying factors and will recommend or not recommend the application for review. The Victim/Witness Coordinator shall also make a recommendation on the application. The application will then be forwarded to the Adult Probation Office for further processing even if the application was not recommended. Thereafter, the applicant will be contacted and scheduled for an appointment to meet with a Treatment Court Probation Officer of the Adult Probation Department. Application information and Treatment Court Program eligibility criteria will be reviewed. If the applicant meets the criteria for Treatment Court, they will be referred for evaluation by West Branch Drug and Alcohol Abuse Commission which is the single county authority for Clinton County.

Any Treatment Court Application submitted as a result of a Revocation of Intermediate Punishment / Probation / Parole shall go directly to the Adult Probation Department for review. Each department that receives the applications has fifteen (15) days to complete recommendation, screening, or evaluation from the time application is received. Failure to meet this timeline, will result in the application moving forward without appropriate agency's recommendation.

Once the evaluation is complete, the application will be returned to the Judge's Office and scheduled for staffing by the Treatment Court Committee. The Committee will vote on acceptance. In case of a tie, the Treatment Court Judge will decide admission. If the application is denied, the Judge's Office will notify the applicant. Counsel for the offender may request reconsideration and may request to be present to speak with the Committee. If approved, the applicant will receive notice of the hearing date and be advised to contact the Adult Probation Office to review conditions of the program. Once the applicant accepts the conditions, he or she will report to the next scheduled Treatment Court session for guilty plea and placement on the Treatment Court Program.

DUI Offenders will be sentenced to a five (5) year maximum Intermediate Punishment (IP) sentence. The DUI Participant will be eligible for electronic monitoring for all or part of the mandatory minimum incarceration portion of the sentence. Other offenders in Treatment Court will be sentenced to at least three (3) years Intermediate Punishment supervision.

At a minimum, the first year will require active participation in the Treatment Court Program followed by one (1) year of aftercare and another year of intensive probation supervision. Upon sentencing and/or completion of incarceration time, the participant enters Phase I of the Treatment Court Program and will be placed on GPS or electronic monitoring, a drug patch and/or a SCRAM unit. The Adult Probation Office will advise the participant of treatment requirements.

## **ETHICS AND CONFIDENTIALITY STATEMENT**

Treatment Court proceedings shall be kept confidential. The Treatment Court Team agrees that a positive drug test or open court admission of drug possession or use will not result in the filing of additional drug charges based on that admission. As with meetings, participants are encouraged not to break anonymity nor disclose any information obtained during treatment court proceedings.

Treatment providers are bound by ethical and confidentiality standards set by HIPAA, and state and federal confidentiality rules (42 CFR, part 2; 71 P.S. Section 1690.108; and 42 U.S.C. Section 290dd-2). Participants sign informed consent forms permitting disclosure of treatment information concerning attendance at, general participation in treatment and relapse information. Specific matters discussed during treatment sessions shall not be disclosed.

## **SUSTAINABILITY/DATA COLLECTION**

The Clinton County Treatment Court through the Adult Probation Office track the following performance measures:

- Active Offender population
- Number of incarceration days saved
- Number of offenders admitted for drug abuse
- Number of offenders admitted for alcohol abuse
- Number of successful completions- Drugs
- Number of successful completions- Alcohol
- Sentenced offenders
- Successful completions
- Terminations- New Arrest- Drugs
- Terminations- New Arrest- DUI
- Terminations- New Arrest- Other
- Terminations- Other
- Terminations- Technical Violation

## **PROGRESS HEARINGS**

During Phases I and II, participants will be required to attend progress hearings bi-weekly or as instructed. The Judge will inquire of the participant his or her progress. Treatment professionals are also encouraged to attend the sessions. The Treatment Court Judge is responsible for encouraging, sanctioning, and changing any conditions of the program. The participant will be given notice of the next court appearance by the Judicial Secretary of the Treatment Court Judge.

Upon successful completion of Phase I, the participant will be presented a certificate and be moved to Phase II. During Phase II, the participant will continue to report to court bi-weekly. After successfully completing Phase II, the participant will enter Phase III and report to court monthly. When the client completes Phase III, he or she will be eligible to graduate the Treatment Court Program.

Court sessions are held bi-weekly at the Clinton County Courthouse or as determined by the Treatment Court Judge. These meetings are currently held on Mondays at 2:30 p.m. Please contact the Office of the current treatment court judge for the yearly schedule. It is strongly discouraged to have children attend progress hearings.



## **PHASES OF TREATMENT COURT**

### **Phase I**

- Duration: Minimum of four months (length of time differs upon individual progress)
- Monitoring through GPS, SCRAM, and/ or Drug Patch
- Curfew as instructed by Probation
- Appear in court bi-weekly or as instructed
- Participation in the appropriate level of drug and alcohol treatment
- Meet with Probation Officer as directed and comply with Treatment Court Conditions
- Mandatory recovery meeting attendance;
  - 1) Completion of five (5) meetings per week
  - 2) Hand in completed meeting sheets at court appearances
  - 3) Obtain a sponsor
- Mandatory attendance at weekly Mock Meeting

### **Phase II**

- Duration: Minimum of four months (length of time differs upon individual progress)
- Curfew as instructed by Probation
- Appear in court bi-weekly or as instructed
- Meet with Probation Officer as directed and comply with Treatment Court Conditions
- Participation in the appropriate level of drug and alcohol treatment
- Mandatory recovery meeting attendance;
  - 1) Minimum of four (4) meetings weekly
  - 2) Hand in completed meeting sheets at court appearances
  - 3) Utilize sponsor
- Mandatory attendance at weekly Mock Meeting

### **Phase III**

- Duration: Minimum of four months (length of time differs upon individual progress)
- Curfew as instructed by Probation
- Appear in court monthly or as instructed
- Meet with Probation Officer as directed and comply with Treatment Court Conditions
- Participation in the appropriate level of drug and alcohol treatment
- Continued recovery meeting attendance:
  - 1) Minimum of four (4) meetings weekly
  - 2) Hand in completed meeting sheets at court appearances
  - 3) Utilize sponsor
- Mandatory attendance at weekly Mock Meeting

### **Aftercare Phase**

- Duration: minimum of 1 year (length of time differs upon individual progress)
- Appear in court every other month or as instructed
- Attend a minimum of four (4) recovery meetings per week and submit sheets at court appearance
- Continue with treatment as recommended
- Meet with Probation Officer as directed and comply with Treatment Court Conditions

**To move phases, including graduation and aftercare, participants must successfully complete all requirements of the appropriate phase advancement criteria checklist. (See attached)**

## TREATMENT COURT CASE MANAGEMENT

The West Branch Drug & Alcohol Abuse Commission (“WBDA”) has designated a staff member to Treatment Court.

WBDA is responsible for case management. Case management services may include, but are not limited to:

- Assessment
- Referral to the appropriate level of care
- Resource coordination
- Intensive case management

Funding for services will be determined by the WBDA staff, which will be from private insurance, self-pay, single county authority (SCA) funds, or any available grant funding.

### CASE MANAGEMENT

Case management will coincide with the three (3) phases of supervision conducted by the Clinton County Adult Probation Office.

- PHASE I  
This phase will include assessment and referral to the appropriate level of care. WBDA staff will meet with the participant as necessary and maintain weekly contact with the treatment provider.
- PHASE II  
The participant will continue with the appropriate level of care. WBDA staff will meet with the participant as necessary and maintain weekly contact with the treatment provider.
- PHASE III  
The participant will continue with the appropriate level of care with focus on transitioning and reintegrating the participant back into the community. WBDA staff will meet with the participant as necessary and maintain weekly contact with the treatment provider.

### ASSESSMENT

The WBDA staff will assess and evaluate candidates for Treatment Court Programs. The assessment will address the following: medical, employment, education, legal, family, social, drug and alcohol, psychiatric and military issues. WBDA utilizes an approved Department of Drug & Alcohol assessment tool to evaluate clients in the above core areas. Clients will also be assessed as to whether or not they could benefit from resource coordination and intensive case management services.

To determine the appropriate level of care, the PCPC (Pennsylvania Client Placement Criteria) will be used. The PCPC is a set of guidelines designed to provide drug and alcohol professional with a foundation for determining the most appropriate treatment setting for a client.

These guidelines encompass admission, continue stay, discharge and referral criteria. The PCPC was intended to promote a broad continuum of care, which places the client in the least intrusive and medically safest setting, while providing the best opportunity to efficiently use health care resources.

The PCPC includes four levels of care and nine types of service:

**LEVEL 1**

- 1A-Outpatient
- 1B-Intensive Outpatient

**LEVEL 2**

- 2A-Parital Hospitalization
- 2B-Halfway House

**LEVEL 3**

- 3A-Medically Monitored Detox
- 3B-Medically Monitored Short Term Residential
- 3C-Medically Monitored Long Term Residential

**LEVEL 4**

- 4A-Medically Managed Inpatient Detox
- 4B-Medically Managed Inpatient Residential

**RESOURCE COORDINATION/INTENSIVE CASE MANAGEMENT**

The participant will have input into the development of the service plan. The service plan will address the issues that were identified during the evaluation and assessment process. Service plans will address the following:

- |                        |                   |
|------------------------|-------------------|
| • Housing              | • Transportation  |
| • Child Care           | • Mental Health   |
| • Education/Vocational | • Physical Health |
| • Employment           | • Family/Social   |
| • Basic Needs          | • Life Skills     |

**TREATMENT COURT MOCK MEETINGS**

Treatment Court mock meetings are closed to treatment court participants. These meetings count towards the self-help meeting requirements. These meetings are intended to be self-help group meeting for participants of Treatment Court.

**Schedule:**

- Meetings are held on Thursdays from 3:30 to 4:30 at Crossroads Counseling (Lock Haven)

**SANCTIONS FOR NON-COMPLIANCE (SANCTION CHART)**

<b>RELAPSE</b>	<b>MISSED MEETINGS</b>	<b>MISSED COUNSELING, PROBATION, WEST BRANCH APPOINTMENT</b>	<b>LATE TO COURT, FAILURE TO APPEAR</b>
<b>1st Offense:</b>	<b>1st Offense:</b>	<b>1st Offense:</b>	<b>1st Offense:</b>
Reassess treatment needs, essay, apology, incarceration up to 14 days	Make up meeting up to 90/90	10 hours community service and/or daily reporting	Attend 4 consecutive court sessions; apology
<b>2nd Offense:</b>	<b>2nd Offense:</b>	<b>2nd Offense:</b>	<b>2nd Offense:</b>
Reassess treatment needs, essay, apology, restart current phase, incarceration up to 30 days	90/90; essay	48 hours incarceration; essay; apology	Attend 4 consecutive court sessions and daily reporting; apology; essay
<b>3rd Offense:</b>	<b>3rd Offense:</b>	<b>3rd Offense:</b>	<b>3rd Offense:</b>
Reassess treatment needs, essay, apology, restart current phase, incarceration up to 60 days	Daily meetings with end date TBD; essay; 48 hours incarceration	Up to 14 days incarceration; essay; apology	Attend 4 consecutive court sessions to incarceration; essay; apology
<b>4th Offense:</b>	<b>4th Offense:</b>	<b>4th Offense:</b>	<b>4th Offense:</b>
<b>Possible incarceration, phase extension, removal from program</b>	<b>Possible incarceration, phase extension, removal from program</b>	<b>Possible incarceration, phase extension, removal from program</b>	<b>Possible incarceration, phase extension, removal from program</b>
<b>FORGING MEETING SHEETS</b>	<b>MISSED MOCK MEETING</b>	<b>SCRAM/PATCH TAMPERING</b>	<b>ELECTRONIC MONITORING/GPS VIOLATION</b>
<b>1st Offense:</b>	<b>1st Offense:</b>	<b>1st Offense:</b>	<b>1st Offense:</b>
90/90; essay; apology	10 hours community service; 90/90; apology	Up to 30 days incarceration; essay; apology	10 hours community service and/or 48 hours incarceration
<b>2nd Offense:</b>	<b>2nd Offense:</b>	<b>2nd Offense:</b>	<b>2nd Offense:</b>
48 hours incarceration; essay; 90/90; apology	25 hours community service and/or 48 hours incarceration	45 days incarceration; essay; apology; restart current phase	25 hours community service and/or to incarceration
<b>3rd Offense:</b>	<b>3rd Offense:</b>	<b>3rd Offense:</b>	<b>3rd Offense:</b>
Up to 30 days incarceration; restart current phase	Up to 30 days incarceration; restart current phase	60 days incarceration or possible termination from program	Up to 30 days incarceration; restart current phase
<b>4th Offense:</b>	<b>4th Offense:</b>	<b>4th Offense:</b>	<b>4th Offense:</b>
<b>Review for continued program participation</b>	<b>Review for continued program participation</b>	<b>Review for continued program participation</b>	<b>Review for continued program participation</b>
<b>CURFEW OR TRAVEL OUT-OF-COUNTY VIOLATION</b>	<b>FAILURE TO FOLLOW MEDICAL PROTOCOL</b>	<b>FAILURE TO FOLLOW PROTOCOL WITH MEDICATIONS</b>	<b>FAILURE TO SHOW FOR ASSIGNED COMMUNITY SERVICE</b>
<b>1st Offense:</b>	<b>1st Offense:</b>	<b>1st Offense:</b>	<b>1st Offense:</b>
10 hours community service and/or daily reporting	48 hours incarceration; restart current phase	48 hrs. incarceration; restart current phase	10 hours community service and/or daily reporting
<b>2nd Offense:</b>	<b>2nd Offense:</b>	<b>2nd Offense:</b>	<b>2nd Offense:</b>
25 hours community service and/or 48 hours incarceration	7-30 days incarceration; 90/90; daily reporting	7-30 days incarceration; 90/90; daily reporting	25 hours community service and/or 48 hours incarceration
<b>3rd Offense:</b>	<b>3rd Offense:</b>	<b>3rd Offense:</b>	<b>3rd Offense:</b>
50 hours community service and/or up to 7 days incarceration	60 days incarceration	60 days incarceration	50 hours community service and/or up to 7 days incarceration
<b>4th Offense:</b>	<b>4th Offense:</b>	<b>4th Offense:</b>	<b>4th Offense:</b>
<b>Review for continued program participation</b>	<b>Review for continued program participation</b>	<b>Review for continued program participation</b>	<b>Review for continued program participation</b>

Treatment Court participants are expected to comply with all recommended aspects of treatment and supervision. Failure to comply could result in any of the sanctions listed on the Sanction Chart. **Any violation resulting in incarceration may extend current phase by 60 days.**

*In an effort to maintain consistency, these general guidelines have been developed by the Clinton County Treatment Court Team. Every attempt will be made to review policy violations on a case by case basis. Please be advised these guidelines are subject to change at the Judge's discretion.*

### INCENTIVES

The Treatment Court Program is designed to provide a positive lifestyle change without the use of alcohol and/or drugs. With this in mind, it is the belief that participants should be rewarded for their positive participation in the program. The committee is responsible for developing these incentives and rewards and determining how these rewards and incentives should be distributed.

Following completion of each phase, the participant shall receive a certificate of completion along with a token of appreciation. As the participant progresses positively through the Treatment Court Program, the committee may choose to reward the participant with additional incentives. These reward and incentives shall be presented during the courtroom session for all participants to experience these benefits of positive treatment and participation.

In order to encourage positive changes and compliance with treatment and supervision the treatment court may use the following incentives:

- Praise/Judicial acknowledgment
- Applause
- Curfew extensions
- Community Service reductions
- Supervision fee reductions
- Early release from progress hearing
- Allowance of day and/or overnight trips
- Phase movement prior to completion of EM
- Certificates of acknowledgement
- Mugs/Pens/Books
- Gift cards

Weekly program compliance will result in a participant's name being entered into the fishbowl for monthly random drawing.

Acknowledgements will be made for sobriety time, phase changes, progress in treatment, supervision compliance, active participation with alumni functions and any other noteworthy positive behavioral changes.

## TERMINATION

You can be dismissed from Treatment Court for violation of program rules, including but not limited to:

- Repeated/continuing use of alcohol or other drugs
- Repeated/continuing failure to comply with treatment
- Repeated/continuing failure to comply with supervision
- Absconding
- Conviction of new offense

Every effort will be made to meet your treatment/program needs thereby limiting the potential for dismissal from Treatment Court.

If it is recommended that you be dismissed from Treatment Court, you will be informed of this decision by the Treatment Court Judge during a regularly scheduled Status Hearing. If not already in custody, you may be detained in the county jail with the filing of a detainer against you by your supervising probation officer. A petition to revoke your Intermediate Punishment sentence will then be filed with the Court. Appropriate Revocation Hearings will be scheduled. Upon program violations being confirmed at a Revocation Hearing, a new sentence will be imposed. The original sentencing guideline form will be reviewed prior to sentencing for use as a guide in the imposition of a new sentence.

## COMMUNITY SERVICE REQUIREMENTS

Treatment Court participants will be required to complete community service as a component of Treatment Court. The following sets forth community service requirements.

1. Participants will be assigned a specific amount of community service upon entry into Treatment Court. Assigned hours must be completed within the first 60 days of entry into PHASE I.
2. After completion of community service, participants who are working less than 20 hours per week will be required to complete 60 hours of community service on a monthly basis.
3. Participants working 20-34 hours per week in part-time employment will be required to complete 10 hours of monthly community service.
4. Participants working full time hours, a minimum of 35 hours per week, will not be required to complete a monthly community service assignment.
5. Community service hours can also be assigned as a sanction for noncompliance with Treatment Court rules.
6. Community service hours will be tracked on time sheets provided by the supervising probation officer.
7. Treatment Court participants will be required to participate in any special/annual community service projects as deemed appropriate by the Treatment Court Judge.

## **TREATMENT COURT COMMITTEE RESPONSIBILITIES**

### **JUDGE**

The Treatment Court Judge provides supervision for the program and heads the Treatment Court Committee. The Judge works closely with the treatment team and probation officers.

### **PROBATION OFFICER**

The Probation Officer screens applicants for eligibility and is a member of the Treatment Court Committee. He/she is responsible for the day-to-day activities and actively oversees the intensive supervision of all participants. They shall consult with the Judge if any problems arise between court sessions.

### **WEST BRANCH DRUG/ALCOHOL ABUSE COMMISSION**

The Commission is a member of the Treatment Court Committee and works closely with the Adult Probation Department and treatment providers. The Commission staff will meet with clients and treatment providers as necessary and be responsible for coordinating assessments, referrals, and service plans.

### **DISTRICT ATTORNEY**

The District Attorney provides a recommendation for applicants, serves on the committee, attends court sessions, and is actively involved in ongoing development of the Treatment Court Program.

### **PUBLIC DEFENDER**

The Public Defender attends Treatment Court sessions, serves on the committee, advises participants regarding legal ramifications of proceedings and is actively involved in ongoing program development.

# APPLICATION FOR TREATMENT COURT

Criminal Docket #: \_\_\_\_\_ OTN: \_\_\_\_\_

Criminal Charge(s): \_\_\_\_\_

Probation/Parole/Intermediate Punishment Revocation: YES or NO (Please Circle)

This form will be reviewed by the Treatment Court Committee to determine your eligibility for admission into the Treatment Court Program.

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## ANSWER ALL QUESTIONS

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_

Phone (home): \_\_\_\_\_ Phone (cell): \_\_\_\_\_ S.S. #: \_\_\_\_\_

Place of Employment: \_\_\_\_\_ Medical Insurance: Yes or No

Are you currently on Probation/Parole? \_\_\_\_\_ State or County: \_\_\_\_\_ In Jail? \_\_\_\_\_

Attorney name: \_\_\_\_\_ Phone: \_\_\_\_\_

Drug User: Yes or No      Drug Choice: \_\_\_\_\_      Length of Use: \_\_\_\_\_

Alcohol User: Yes or No      Frequency: \_\_\_\_\_      Length of Use: \_\_\_\_\_

Mental Health Issues/Diagnosis: \_\_\_\_\_

Physician: \_\_\_\_\_ Medications: \_\_\_\_\_

Caseworker: \_\_\_\_\_ Who referred you to this program? \_\_\_\_\_

Are you currently attending counseling or involved in any programs? Yes or No

If Yes, list agency: \_\_\_\_\_

**\*Date of Formal Arraignment:** \_\_\_\_\_

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## VERIFICATION

I hereby verify that all answers contained herein are true and correct to the best of my information, knowledge and belief, and that false statements contained herein are made subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date



**\*For Official Use Only. Do not write in the space below\***

\_\_\_\_\_  
Application Sent to DA/VW

\_\_\_\_\_  
Application Sent to APO

\_\_\_\_\_  
Sent for Assessment

\_\_\_\_\_  
Assessment Completed

\_\_\_\_\_  
Application Sent to Judge

\_\_\_\_\_  
Application to Committee

---

**DISTRICT ATTORNEY RECOMMENDATION**

Recommended: Yes or No

Not Recommended (Why?):

Comments:

\_\_\_\_\_  
District Attorney

\_\_\_\_\_  
Date

---

**VICTIM RECOMMENDATION**

Recommended: Yes or No

Not Recommended (Why?):

Comments:

\_\_\_\_\_  
Victim/Witness Coordinator

\_\_\_\_\_  
Date

---

**TREATMENT COURT COMMITTEE**

**Approved or Denied**

COMMENTS:

\_\_\_\_\_  
Treatment Court Judge

\_\_\_\_\_  
Date

# Clinton County Adult Treatment Court Phase I Advancement Criteria Checklist

Client Name: \_\_\_\_\_ Date: \_\_\_\_\_

- \_\_\_\_\_ Minimum 60 days clean
- \_\_\_\_\_ No unexcused absences at services for 60 days
- \_\_\_\_\_ No violations for 60 days
- \_\_\_\_\_ Maintained school, volunteer work and/or employment if applicable
- \_\_\_\_\_ Attended all court proceedings
- \_\_\_\_\_ Attended all APO appointments
- \_\_\_\_\_ Complied with all drug testing
- \_\_\_\_\_ Completed five (5) meetings per week
- \_\_\_\_\_ Obtained a sponsor
- \_\_\_\_\_ Attended mock meeting or provided documentation for absence
- \_\_\_\_\_ Complied with GPS, SCRAM, and/or Drug Patch
- \_\_\_\_\_ No curfew violations for 60 days
- \_\_\_\_\_ Complied with Community Service requirements if applicable
- \_\_\_\_\_ Treatment Team Recommendation

# Clinton County Adult Treatment Court Phase II Advancement Criteria Checklist

Client Name: \_\_\_\_\_ Date: \_\_\_\_\_

- \_\_\_\_\_ Minimum 90 days clean
- \_\_\_\_\_ No unexcused absences at services for 60 days
- \_\_\_\_\_ No violations for 60 days
- \_\_\_\_\_ Maintained school, volunteer work and/or employment if applicable
- \_\_\_\_\_ Attended all court proceedings
- \_\_\_\_\_ Attended all APO appointments
- \_\_\_\_\_ Complied with all drug testing
- \_\_\_\_\_ Attended a minimum of four (4) meetings per week
- \_\_\_\_\_ Working with sponsor
- \_\_\_\_\_ Attended mock meeting or provided documentation for absence
- \_\_\_\_\_ Complied with GPS, SCRAM, and/or Drug Patch
- \_\_\_\_\_ No curfew violations for 60 days
- \_\_\_\_\_ Current on costs/fines
- \_\_\_\_\_ Complied with Community Service requirements if applicable
- \_\_\_\_\_ Treatment Team Recommendation

# Clinton County Adult Treatment Court Phase III / Graduation Criteria Checklist

Client Name: \_\_\_\_\_ Date: \_\_\_\_\_

- \_\_\_\_\_ Minimum 180 days clean
- \_\_\_\_\_ No unexcused absences at services for 60 days
- \_\_\_\_\_ No violations for 60 days
- \_\_\_\_\_ Working toward GED if applicable
- \_\_\_\_\_ Maintained school, volunteer work and/or employment for 90 days
- \_\_\_\_\_ Attended all court proceedings
- \_\_\_\_\_ Attended all APO appointments
- \_\_\_\_\_ Complied with all drug testing
- \_\_\_\_\_ Attended a minimum of four (4) meetings a week
- \_\_\_\_\_ Continued to work with sponsor
- \_\_\_\_\_ Attended mock meeting or provided documentation for absence
- \_\_\_\_\_ Complied with GPS, SCRAM, and/or Drug Patch
- \_\_\_\_\_ Completed Community Service requirements if applicable
- \_\_\_\_\_ Current on costs/fines
- \_\_\_\_\_ Completed Clinton County Treatment Court evaluation
- \_\_\_\_\_ Treatment Team Recommendation

# Clinton County Adult Treatment Court Aftercare Criteria Checklist

Client Name: \_\_\_\_\_ Date: \_\_\_\_\_

- \_\_\_\_\_ Minimum 180 days clean
- \_\_\_\_\_ No unexcused absences at services for 90 days
- \_\_\_\_\_ No violations for 90 days
- \_\_\_\_\_ Working toward GED if applicable
- \_\_\_\_\_ Maintained school, volunteer work and/or employment for 90 days
- \_\_\_\_\_ Attended all court proceedings
- \_\_\_\_\_ Attended all APO appointments
- \_\_\_\_\_ Complied with all drug testing
- \_\_\_\_\_ Attended a minimum of four (4) meetings a week
- \_\_\_\_\_ Continued to work with sponsor
- \_\_\_\_\_ Complied with Community Service requirements if applicable
- \_\_\_\_\_ Current on costs/fines
- \_\_\_\_\_ Treatment Team Recommendation

# CLINTON COUNTY TREATMENT COURT MEMORANDUM OF UNDERSTANDING

The Court of Common Pleas of Clinton County, the Clinton County District Attorney's Office, the Clinton County Public Defender's Office, the Clinton County Adult Probation Office, and West Branch Drug and Alcohol Abuse Commission agree to collaborate in an effort to address substance abuse and drug related activity in Clinton County, Pennsylvania. For this program to be successful, cooperation must occur within a network of systems in order to facilitate and achieve the mission of the Clinton County Treatment Court. The mission of the Clinton County Treatment Court is to interact in a non-adversarial manner to increase public safety and reduce the costs of drug/alcohol abuse and drug/alcohol related crime on society by identifying and treating non-violent offenders through an innovative, multi-disciplinary approach thus enabling these offenders to make positive lifestyle changes in order to save lives, preserve families and promote community.

In an effort to support a comprehensive program of services to meet the needs of qualified participants, we, the team members commit to the following:

**TREATMENT COURT JUDGE:** The Court of Common Pleas agrees to provide a Judge who will preside over the Treatment Court. The Treatment Court Judge is responsible for adhering to any and all local and statewide Court rules and revisions to the rules with special consideration being given to the promulgation of any community-based rules deemed necessary for the success of the Treatment Court. As a member of the Clinton County Treatment Court Team, the assigned Judge will preside over the court proceedings and monitor appropriate application of disciplines, sanctions and incentives while maintaining the integrity of the court.

**DISTRICT ATTORNEY:** The District Attorney provides a recommendation for applicants, serves on the Treatment Court Team, attends court sessions, and is actively involved in ongoing development of the Treatment Court Program.

**PUBLIC DEFENDER:** The Public Defender will explain the rights that the Defendant will temporarily or permanently relinquish when placed on the Clinton County Treatment Court Program. The Public Defender will explain that because criminal prosecution for admitting to alcohol or other drug use in open court will not be invoked, the participant is encouraged to be truthful with the Judge and treatment staff. The participant will also be informed that they will be expected to speak directly to the Judge, not through an attorney. The Public Defender will review the client's progress in treatment and advocate appropriately when the client is facing sanctions for violations and/or non-compliance, or at the time of disposition should the participant be terminated from the program.

**WEST BRANCH DRUG AND ALCOHOL ABUSE COMMISSION:** West Branch Drug and Alcohol Abuse Commission will serve on the treatment team including but not limited to conducting drug and alcohol assessments, participate in weekly treatment team meetings, make treatment recommendations, provide a weekly group for involved participants and provide drug testing as deemed appropriate. In addition, West Branch will identify and provide a continuum of care for participants, monitor quality and efficacy of assessment and treatment services provided while advocating on behalf of the client and the integrity of the Court. West Branch will seek funding sources, respond to grant applications, provide fiscal, narrative and statistical information required by the funding source to ensure the ongoing operation of the treatment court and may monitor and implement grant funds.

**ADULT PROBATION OFFICE:** The Clinton County Adult Probation Office will assign probation officers to provide community supervision of treatment court clients. The assigned Probation Officers will participate as an active member of the treatment team including but not limited to attending treatment team meetings and activities. The Probation Officer will conduct field and office visits and observed drug testing as set forth in the policy and procedure manual. The Probation Officer will also enforce standard conditions of probation along with the protocol for phases in the program. The Probation Officer will provide weekly written reports on each client to the treatment at treatment team meetings. The Probation Officer will be responsible for implementing sanctions as directed by the treatment team and/or Judge as well as monitoring the daily compliance of participants.

**AGREEMENT MODIFICATIONS:** Any individual Agency wishing to amend/modify this Agreement will notify the Clinton County Treatment Court of the issue. The Treatment Team will address the issue(s) for the purpose of modifying/amending the issue(s). The issue(s) will be decided by consensus if possible or by simple majority.

**TERMINATION AGREEMENT:** Individual Agencies contemplating termination of their participation in this Agreement shall first notify the Clinton County Treatment Court of their concern. The Treatment Team will meet in an attempt to resolve the problem to ensure continuation in the drug court program. In the event that the issue is unable to be resolved, the individual Agency or Department can exercise its right to terminate this Agreement by notifying all other Agencies in writing, a minimum of 90 days prior to such termination.

**NOTE:** Each treatment team member will be responsible for dissemination of information to their respective agency with regards to confidentiality laws that apply specifically to treatment court participants. Likewise the sharing of information between team members is a vital part of working together. Team members will also be charged with the education of peer professionals on the program and develop community linkages in an attempt to enhance the effectiveness of the program. In creating this partnership and uniting in a single goal of addressing an underlying problem impacting our community in a negative manner, we are pledged to enhancing communication between the courts, treatment agencies and law enforcement. Through this linkage of services, we anticipate wider participations and greater effectiveness in addressing substance abuse offenders involved in the criminal justice system.

**CLINTON COUNTY COURT OF COMMON PLEAS JUDGE:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**DISTRICT ATTORNEY:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**PUBLIC DEFENDER:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**WEST BRANCH DRUG AND ALCOHOL ABUSE COMMISSION:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**CLINTON COUNTY ADULT PROBATION:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



**IN THE COURT OF COMMON PLEAS  
OF CLINTON COUNTY, PENNSYLVANIA**

**IN RE: TREATMENT COURT ) No. \_\_\_\_\_**  
**CONFIDENTIALITY )**  
**) ADMINISTRATIVE DOCKET**  
**)**  
**)**

**ORDER**

**AND NOW**, May 2014, **IT IS HEREBY ORDERED** that all persons participating in the Clinton County Treatment Court client reviews shall keep all information disclosed in those reviews, including treatment and medical information, confidential and shall not disclose or utilize such information outside of Treatment Court proceedings for any purpose without prior consent of the client and/or Order of Court signed either by the President Judge or the Judge assigned to preside over Treatment Court. Any admission to the commission of a new offense may be disclosed with the exception of a positive drug test or open court admission of drug possession and/or use will not result in the filing of additional drug charges based on that admission.

BY THE COURT:

\_\_\_\_\_  
Craig P. Miller, President Judge

**Court of Common Pleas, Clinton County, Pennsylvania**  
**25<sup>th</sup> Judicial District**  
**Adult Probation Services**  
**Conditions Governing Treatment Court**

Name: \_\_\_\_\_

Court No. (s): \_\_\_\_\_

The Clinton County Court, Criminal Division, after due consideration, has accepted you on the Treatment Court Program. This supervision is granted with the full understanding that you are in the legal custody of the Court until the expiration of the maximum sentence or until such time as you may be legally discharged.

Your supervision shall be monitored by a Probation Officer from the staff of the Court's ADULT PROBATION SERVICES. Any Probation Officer has the legal authority, at any time during your period of supervision, based on an alleged violation of any of the following conditions, to detain you in a county jail.

**TREATMENT COURT CONDITIONS OF SUPERVISION**

1. You shall report in person, to the Clinton County Probation Office, in accordance with the written and/or oral instructions given to you by the Probation Office or Treatment Court Committee.
2. You shall comply with all Municipal, County, State and Federal Laws. If you are arrested, receive a citation, or are being investigated by any law enforcement officer, you must notify the Probation Office within 48 hours from the time you become aware of the allegations.
  - a. You shall advise law enforcement that you are under the supervision of the Adult Probation Department.
  - b. You shall act respectfully toward law enforcement.
  - c. You shall not act as a confidential informant for any law enforcement agency while actively participating in Treatment Court nor during the aftercare portion.
3. You shall not change your approved residence or telephone number, including cell phone number, without the prior permission of the Probation Office.
  - a. You shall obtain permission from the Probation Office before allowing anyone to reside in your home.
  - b. You shall permit any Probation Officer to visit you at your home and fully cooperate with such visits.
  - c. You shall not possess or have any access to any firearms, crossbows, pellet guns, rifles, shotguns or any other offensive weapon(s) without written permission from the Probation Office.
  - d. You shall abide by the following curfew during your active participation in Treatment Court:
    - i. 9 p.m. to 6 a.m. in Phase I
    - ii. 10 p.m. to 6 a.m. in Phase II
    - iii. 11 p.m. to 6 a.m. in Phase III
4. You shall be respectful to the Treatment Court Committee, all probation staff, any treatment providers, and refrain from all disorderly conduct and abusive language.
5. You must remain in Clinton County, unless you have secured written permission from a Probation Officer or the Treatment Court Committee to travel elsewhere.
6. You shall pay all court costs, fees, fines, and restitution to the Probation Office pursuant to a schedule your Probation Officer establishes.

7. You shall make every effort to obtain and maintain employment and support your legal dependents. If your employment changes, you shall notify the Probation Office in within 48 hours of that change.
  - a. If you are unemployed, you shall cooperate with the Probation Office in securing employment.
8. You shall refrain from any behavior which threatens or presents danger to yourself and/or others.
9. You are prohibited from using or possessing alcoholic beverages, including at your approved residence.
  - a. You are prohibited from entering any public or private places of business that deals in or sells alcoholic beverages.
10. You shall not possess, sell, or use nonprescription/illegal drugs, inhalants and/or solvents, including mind altering substances like Bath Salts, K2, Spice, or another other synthetic drug.
11. When instructed by the Probation Office you shall submit to drug and alcohol testing and you may be financially responsible for costs associated with such testing. No outside drug test results will be honored by the Treatment Court unless, they were requested by the Probation Office or were completed by an approved Treatment Provider.
  - a. You may be required to report to a specific location and time as instructed by your Probation Officer to provide a drug or alcohol test. Being late or missing the scheduled drug test may be considered a use.
  - b. Failure to provide a sample or sufficient quantity for testing device will be considered a use.
  - c. Diluting urine by ingesting excessive amounts of fluids will be considered a use.
  - d. Substituting or altering urine specimen or attempting in any way to modify your bodily fluids or other specimens for the purpose of changing the drug testing results, will be considered a positive test and may be grounds for immediate termination from Treatment Court.
12. You shall comply with all requirements of the Electronic Monitoring Program (SCRAM/GPS), including the conditions set forth in the Program Participant Agreement and pay all costs associated with this program.
13. You shall comply with all requirements of the PharmChem<sup>®</sup> Drug Patch, including not tampering or removing said patch.
14. You shall obtain approval of your Probation Officer or Treatment Court Committee prior to consuming medications that have been prescribed to you and take any approved prescription medications as prescribed. (Phase progression will be suspended until approved medication is complete.)
  - a. When instructed by the Probation Office you shall bring your prescription medications to every office appointment.
  - b. When instructed, you shall provide the Probation Office with written verification within 48 hours of any medical/dental contact and sign a release for all information regarding said contact.
  - c. You shall advise medical/dental professionals that you are in recovery and not permitted to consume or possess addictive medications or narcotics.
  - d. You shall not permit anyone else to use your prescription medications and shall not give or sell it to anyone else.
  - e. You shall use \_\_\_\_\_ pharmacy to fill any prescription medication.
  - f. If approved by the Treatment Court Committee for prescriptions such as Suboxone, Subutex, Vivitrol, Methodone, or any similar medication, you shall not travel outside Clinton County for such prescriptions.
15. You shall not take any over-the-counter medications, poppy seeds, vitamins or any other type of supplements without permission from the Probation Department.

16. You shall friend request the Adult Probation Department Facebook account and allow full access to any information on your account.
17. You shall perform \_\_\_\_\_ hours of community service.
18. You shall successfully complete any treatment or program that is recommended by the Probation Office or Treatment Court Committee.
19. You shall attend all self-help meetings, including weekly Mock Meetings as recommended by the Treatment Court Committee.
20. You shall successfully complete Treatment Court, including a minimum of one year aftercare upon graduation from Treatment Court.
21. You shall abide by any policy and procedural changes that may occur during your participation in Treatment Court and Aftercare Phase.
22. You shall comply with any special conditions imposed by the Court or any Treatment Court conditions imposed by your Probation Officer, Treatment Counselor, Treatment Committee, or West Branch Drug and Alcohol Abuse Commission.
23. \_\_\_\_\_

**CLIENT GRIEVANCE PROCEDURE**

Should problems arise, or questions occur concerning the conditions of your Treatment Court Program, consult with your Probation Officer, as it is his/her responsibility to help you in the interpretation of the conditions of your Treatment Court Program.

A client grievance procedure has been developed to assist you if you believe you have a legitimate complaint concerning any administrative decision, action, policy, or regulation. If you believe you have a valid complaint concerning your supervision you must attempt to resolve the problem with your Probation Officer. If your attempt to resolve the situation is unsuccessful you should submit a written request to the Chief Probation Officer within ten (10) days for administrative review. Your complaint will be processed within ten (10) days of receipt and the Chief Probation Officer may rule on the complaint with or without the benefit of a formal hearing. The decision of the Chief Probation Officer shall be final.

**ACKNOWLEDGEMENT BY TREATMENT COURT PARTICIPANT**

I hereby acknowledge that I have read, or have had read to me, the foregoing conditions of my Treatment Court Program. I fully understand and agree to comply with them. I fully understand the penalties involved should I violate them in any manner. I understand that I may be required, at any time, to undergo a warrantless search, with reasonable suspicion, of my person, car, or residence by any Probation Officer.

I acknowledge that my Probation/Parole/Intermediate Punishment is expressly conditioned upon my waiving extradition to the Commonwealth of Pennsylvania from any jurisdiction inside or outside the United States.

\_\_\_\_\_  
Signature of Treatment Court Participant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Probation Officer

\_\_\_\_\_  
Date

**25<sup>th</sup> JUDICIAL DISTRICT  
CONFIDENTIALITY AGREEMENT**

I, \_\_\_\_\_, (position) \_\_\_\_\_

\_\_\_\_\_, (address) \_\_\_\_\_,

acknowledge that I will be exposed to information, court proceedings, conversations, notes, investigations and other sensitive information that is private and confidential and is not to be discussed outside of the 25<sup>th</sup> Judicial District, Clinton County, Pennsylvania.

I agree that I shall not disclose, publish or otherwise reveal any confidential information to any other individual or entity whatsoever.

In the event there are any questions as to what is or is not confidential, I shall discuss these matters with the Judges of the 25<sup>th</sup> Judicial District, Clinton County, before any disclosure to other persons.

I further agree that my obligations and promises under this Agreement are of a continuing nature.

**IN WITNESS WHEREOF**, I have executed this Agreement on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature