

Memorandum of Understanding

First Judicial District Family Drug Court

This Memorandum of Understanding Between: The First Judicial District Family Drug Court, First Judicial District, Child and Family Services (DPHHS), Lewis and Clark County Attorney's Office, Boyd Andrew Community Services, Community Solutions Inc., Montana Public Defenders Office.

This memorandum, entered into on this the 26 day of May, 2016 is an agreement in principle concerning the anticipated roles, responsibilities, and expectations of the parties noted above.

All signatories agree to the following:

A. Adhere to the following mission statement: The First Judicial District Family Drug Court (FJDFDC) is committed to providing excellent treatment to include screening, assessment, engagement, and counseling for families with substance abuse disorder problems involved in dependency and neglect cases, and to resolve problems of child maltreatment and provide children with the services they need to fulfill their potential and grow up in a healthy environment preferably reunited in their family.

- A. Sustaining and maintaining safe and healthy family relationships and keeping families intact make up the core purpose of this program. FJDFDC recognizes that quality treatment is community based and that it balances client advocacy with structure and accountability.
- B. Adhere to the program FJDFDC Participant Handbook and to the Policy and Procedures Manual when finalized.
- C. Be familiar with and adhere to all federal and state confidentiality laws applying to personal health information and substance abuse treatment information. These laws include 42 C.F.R. Part 2, Health Insurance Portability and Accountability Act (HIPAA).
- D. Participate collaboratively in the program as a valued member of the FJDFDC treatment team.
- E. Contribute, as requested, to the identification and enrollment of potential participants as recommended by Children and Family Services and the First Judicial District Court.
- F. Contribute, as requested, to the development of the family drug court participant plan and the treatment plan for identified participants.
- G. Attend FJDFDC team staffing to help determine treatment progress, update individual treatment plans, and make joint decisions concerning compliance with drug court rules and to recommend subsequent incentives, sanctions, and treatment adjustments.
- H. Assist in writing and reviewing FJDFDC documents as requested.
- I. Attend and participate in formal docket hearings as requested.

- J. Whenever possible attend drug court training conferences and training seminars if funding is available.

The First Judicial District Family Drug Court, First Judicial District agrees to the following:

- A. Provide staff support and courtroom facility necessary for the program.
- B. Provide and maintain case file management. Designated District or County Family Drug Court
- C. District Court Judge agrees to: 1. Preside over family drug court sessions. 2. During court sessions, motivate participants towards success in their treatment while holding them accountable for their actions. 3. Ensure that all cases are staffed prior to court formal court sessions. 4. Monitor participants' progress in relation to his/her case plan and address compliance by delivering incentives, sanctions, and treatment adjustments. 5. Promote collaborative, non-adversarial and power-sharing relationships between treatment team members. 6. Serve as the final arbiter when the team is unable to reach consensus. 7. Coordinate collection and compilation of status reports from all drug court team members to use at team meetings and court reviews.
- Include the parent's attorney, child's attorney, agency attorney, Guardian ad Litem and/or CASA representative as appropriate in staffing and court dockets and in the overall planning and implementation of the First Judicial District Family Drug Court.

The Children and Family Services of the Department of Public Health and Human Services agrees to the following:

- A. Facilitate the referral process for the Family Drug Court.
- B. Identify and screen potential participants in the FJDFDC and make recommendations for admission to the Drug Court Team.
- C. Provide the primary case management support for families involved in the Family Drug Court. D. Oversee the coordination of services provided.
- E. Oversee the coordination of funding for the services provided.
- F. Generate and maintain participant plans.

Boyd Andrew Community Services Agrees to:

- A. Screen and assess drug court referrals and participants with validated instrumentation
- B. Provide, in a timely fashion, treatment recommendations to the family drug court team. These recommendations are to include, but are not limited to: 1) level of care recommended, 2) initial substance abuse disorder and/or co-occurring treatment goals and objectives, 3) identified ancillary services, 4) specific treatment program outline (i.e., schedule of visits, length of stay, etc.).
- C. Provide case management support for family drug court participants and their families

As when requested.

- D. Provide family drug court participants with opportunities for meaningful interaction and involvement with the sober community to include an orientation regarding participation in self-help programming.
- E. Provide leadership and clinical supervision and treatment delivery for the implementation of evidence-based treatment services.
- F. Utilize the American Society of Addiction Medicine placement criteria for recommendations of placement of family drug court participants in the treatment continuum of care and help facilitate that placement.

Community Solutions Inc. Drug Testing Services agrees to:

- A. Provide a minimum of twice a week random, observed by appropriate gender, drug testing to include urine collections and breathalyzer.
- B. Provide onsite drug testing during court hearings if requested.
- C. Promptly report to the treatment team the results of drug tests administered to family drug court participants and no later than 48 hours.
- D. Provide complete reports of drug testing results for participants prior to court hearings and no later than 48 hours after collection.
- E. Provide avenues for test confirmations through an alternative method when requested by the court and in a timely manner.

Intermountain Community Services, Inc. (Children/Family Services):

- A. Screen and assess drug court family member referrals with validated instrumentation.
- B. Provide, in a timely fashion, treatment recommendations to the family drug court team.
- C. These recommendations are to include, but are not limited to: 1) level of care recommended, 2) treatment goals and objectives, 3) identified ancillary services needed by children/family members, 4) specific treatment program outline (i.e., schedule of visits, length of stay, etc.).
- D. Provide case management support for family drug court children and families when requested.
- E. Provide leadership and clinical supervision and treatment delivery for the implementation of evidence-based treatment services for children and families.

This the _____ day of _____, 20_____.

Signatures:

First Judicial District Family Drug Court Judge, First Judicial District:

Child and Family Services, Department of Public Health and Human Services :

Lewis and Clark County Attorney's Office:

Boyd Andrew Community Services :

Intermountain Community Services:

Office of the Public Defender

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