



Fairbanks Juvenile Treatment Court Policies and Procedures Manual

7-1-12

FAIRBANKS JUVENILE TREATMENT COURT
Policies and Procedures Manual
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Introduction:

The Fairbanks Juvenile Treatment Court (FJTC) targets the juvenile offender whose mental illness likely contributed to the commission of their offense. Youth that are challenged with mental illness and substance abuse issues who receive appropriate diagnosis and treatment early in their juvenile justice experience have a far greater chance of avoiding further criminal activities.

The FJTC is a collaborative partnership between the Alaska Court System, the Department of Law, the Public Defender Agency, Department of Health and Social Services, and Tribal and private human services agencies.

The FJTC is managed by a Multi-Disciplinary Team, a collaborative group that consists of the designated Judge, District Attorney representative, Defense Counsel, Juvenile Probation Officer, FJTC Project Coordinator, Guardian Ad Litem and Social Workers (if applicable) and the youth's treatment providers. The team uses a non-adversarial approach in which members step out of their traditional roles and work together to promote public safety, while encouraging the successful mental health and substance abuse treatment of the juvenile offender.

The FJTC is a diversion program in which charges are held in abeyance during participation in the program. It is voluntary for appropriate offenders and strives to identify potential participants early in the criminal justice process.

Mission Statement:

The mission of the Fairbanks Juvenile Treatment Court is to promote public safety while moving adolescents from the traditional juvenile justice system into a mental health/substance abuse treatment system that can sustain health and non-criminal behavior.

The Essential Elements of a Mental Health Court

- 1. Planning and Administration**

A broad-based group of stakeholders representing the criminal justice, mental health, substance abuse treatment, and related systems and the community guides the planning and administration of the court.
- 2. Target Population**

Eligibility criteria addresses public safety and considers a community's treatment capacity, in addition to the availability of alternatives to pretrial detention for defendants with mental illnesses. Eligibility criteria also takes into account the relationship between mental illness and a defendant's offense(s), while allowing the individual circumstances of each case to be considered.
- 3. Timely Participant Identification and Linkage to Services**

Participants are identified, referred, and accepted into mental health courts, and then linked to community-based service providers as quickly as possible.
- 4. Terms of Participation**

Terms of participation are clear, promote public safety, facilitate the defendant's engagement in treatment, are individualized to correspond to the level of risk that the defendant presents to the community and provide for positive legal outcomes for those individuals who successfully complete the program.
- 5. Informed Choice**

Defendants fully understand the program requirements before agreeing to participate in a mental health court. They are provided legal counsel to inform this decision and subsequent decisions about program involvement. Procedures exist in the mental health court to address, in a timely fashion, concerns about a defendant's competency whenever they arise.
- 6. Treatment Supports and Services**

Mental health courts connect participants to comprehensive and individualized treatment supports and services in the community. They strive to use-and increase the availability of-treatment and services that are evidence-based.
- 7. Confidentiality**

Health and legal information should be shared in a way that protects potential participants' confidentiality rights as mental health consumers and their constitutional rights as defendants. Information gathered as part of the participants' court-ordered treatment program or services should be safeguarded in the event that participants are returned to traditional court processing.
- 8. Court Team**

A team of criminal justice and mental health staff and service and treatment providers receives special, ongoing training and helps mental health court participants achieve treatment and criminal justice goals by regularly reviewing and revising the court process.
- 9. Monitoring Adherence to Court Requirements**

Criminal justice and mental health staff collaboratively monitor participants' adherence to court conditions, offer individualized graduated incentives and sanctions, and modify treatment as necessary to promote public safety and participants' recovery.
- 10. Sustainability**

Data are collected and analyzed to demonstrate the impact of the mental health court, its performance is assessed periodically (and procedures are modified accordingly), court processes are institutionalized, and support for the court in the community is cultivated and expanded.

Alaska Court System Fairbanks Juvenile Treatment Court Policy & Procedures	Policy Revision Date: 6-27-12	Section:	Policy No: 001	Pages: 1 of 2
		Program	See appendix: A,B,C	
		Subject: ELIGIBILITY CRITERIA		

I. POLICY

The purpose of the Fairbanks Juvenile Treatment Court (FJTC) is to target the population of juvenile offenders between 12 and 18 years of age whose mental illness likely contributed to the commission of his/her offense. On a case by case basis the age range may be modified.

II. PROCEDURE

FJTC participation is based on the youth meeting the following criteria.

A. Mental Health Criteria:

1. All FJTC participants must have a current Diagnostic and Statistical Manual of Mental Disorders-IV Axis I diagnosis (not by history), or a V-code. The diagnosis must have contributed to the youth's criminal acts. Diagnoses for consideration included but are not limited to the following:
 - a) Major depression
 - b) Bipolar disorders
 - c) Schizophrenia
 - d) Mood disorders
 - e) Pervasive developmental disorders
 - f) Attention Deficit Hyperactivity Disorder/Attention Deficit Disorder
 - g) Substance abuse with another eligible Axis I diagnosis
 - h) Fetal Alcohol Syndrome Disorder or mental retardation, as long as a youth satisfies the other eligibility qualifications, will be considered on a case-by-case basis to determine the youth's ability to respond to treatment.
2. Excluded diagnosis absent another eligible Axis I diagnosis:
 - a) Oppositional defiant disorder
 - b) Conduct disorder
 - c) Substance abuse

B. Criminality Criteria:

1. Unless a crime is excluded below, all criminal offenses are eligible for participation in FJTC.
2. Offenders charged with sex offenses and unclassified felonies are excluded.

3. Offenders charged with class A & B violent felonies may be considered for admission on a case-by-case basis. Criteria to be considered includes, but is not limited to, the following:
 - a) Degree of injury to the victim(s)
 - b) Mechanism of injury to the victim(s)
 - c) Provocation or premeditation
 - d) Prior history of criminal behavior
 - e) Prior history of treatment
 - f) Victim(s)' attitude
 - g) FJTC ability to provide services
4. Offenders charged with violations of AS 11.61.123-127 which involve photos, videos, or other electronic means, of the offenders' self or peers, may be considered on a case by case basis. Prior to consideration for admission the offender must undergo a mental health screening.

C. Amenability Criteria

1. The youth is amenable to services as indicated by his/her identifying problem areas and expressing a willingness to address those problems.
 2. The youth's parent or caregiver is willing and able to support the youth in his/her treatment.
- D.** The FJTC's ability to refer to appropriate and available services.

Alaska Court System Fairbanks Juvenile Treatment Court	Policy Revision Date: 6-27-12	Section: Program	Policy No: 002	Pages: 1 of 4
		Subject: ELIGIBILITY DETERMINATION		
Policy & Procedures				

I. POLICY

It is the policy of the Fairbanks Juvenile Treatment Court (FJTC), through the eligibility process, to move as early as possible the eligible youth from the traditional juvenile justice system into a mental health/substance abuse treatment system that can sustain health and non-criminal behavior.

II. PROCEDURE

A. A mental health Juvenile Probation Officer (JPO) or the youth's attorney may refer a youth to the FJTC Eligibility Team (ET) for admission to FJTC at any time.

B. The ET consists of following parties:

1. Designated FJTC Judge
2. Office of the District Attorney (DA) representative
3. Public Defender Agency representative, unless the Public Defender Agency has conflict.
4. The youth's Defense Counsel if the youth is represented by someone other than the Public Defender Agency
5. Division of Juvenile Justice representative
6. FJTC Project Coordinator
7. Mental Health Consultant
8. Guardian Ad Litem (if one has been appointed)

C. Roles and Responsibilities of MDT members:

1. **FJTC Judge:** The Judge shall ensure that the FJTC complies with all statutory and Delinquency Rule procedural and substantive requirements applicable to the proceedings. In addition, as the leader of the MDT, outside the courtroom, the Judge has additional responsibilities including:
 - a) Providing training to new FJTC Judges;
 - b) Acting as spokesperson for the court to colleagues and the community;
 - c) Participating in developing resources and improving inter-agency linkages;
 - d) Participating in and facilitating all MDT and Eligibility team meetings;
 - e) Maintaining continuity; preferably, all therapeutic court hearings are before the same Judge.
2. **District Attorney representative is responsible for:**
 - a) Providing legal advice to the JPOs;
 - b) Participating in all MDT and ET meetings;
 - c) Drafting appropriate motions and supporting memorandums

- to the court;
- d) Representing the community's concerns and public safety while working in collaboration with the team toward the youth's recovery and successful reintegration into the community.
3. **Public Defender Agency Representative** (when not acting as the youth's defense counsel) will represent the defense perspective.
 4. **Youth's Defense Counsel** (only a team member when the youth is represented by counsel other than one from the public defender agency) or public defender (when representing the youth) is responsible for:
 - a) Providing competent representation to the youth throughout the youth's involvement with the FJTC;
 - b) Participating in all ET, MDT, and other meetings held regarding the youth and ensure that they have reviewed all materials submitted to the MDT in preparation for these meetings;
 - c) Supporting and encouraging the youth's full participation in the program once the youth has agreed to participate in the FJTC;
 - d) Striving to maintain a cooperative relationship with the MDT, while at no time abrogating his or her duties under the Alaska Rules of Professional Conduct.
 5. **Guardian Ad Litem** (in cases where one was appointed) is responsible for:
 - a) Participating in ET, MDT, and treatment team meetings regarding the youth;
 - b) Representing the best interests of the youth during court hearings.
 6. **Mental Health JPO** is responsible for:
 - a) Facilitating the overall case management aspects of each youth's case to include the development of a case plans appropriate for each phase the youth is in, preparation of appropriate affidavits, petitions, and orders for the court, and ensuring necessary releases of information are signed.
 - b) Prior to each MDT pre-meeting and associated court hearings, prepare and distribute a written update to all MDT members regarding the youth's progress with recommendations for any sanction or incentive.
 - c) Referring the youth and his/her family to appropriate mental health/substance abuse services as recommended by the youth's mental health professional.
 - d) Referring or assisting the youth and his/her family with accessing special education services if needed. The JPO will attend IEP meetings as needed to discuss a youth's educational needs as they relate to their mental

health/behavioral issues.

- e) Communicating regularly with the youth's treatment provider(s) to discuss the youth's progress and or additional treatment needs. The JPO will also participate in treatment team meetings to review the youth's treatment goals and assist in modifying treatment goals as needed.
- f) Communicating regularly with the youth's teacher(s) to review his/her progress with his/her academics and if there are behavioral issues in the school setting.
- g) Notifying the MDT members if a critical incident (as described in policy 009) occurred with a youth within 24 hours or as soon as possible if the incident occurred over the weekend.
- h) Meeting regularly with each youth and his/her family to ensure compliance with his/her Conditions of Conduct and FJTC Case Plan.

7. **FJTC Mental Health Consultant** is responsible for:

- a) Participating in ET, MDT, or other meetings held concerning the admission, progress, and admission, progress, and treatment of youth involved with involved in the FJTC.
- b) Review the prior legal and mental health records of a youth seeking admission;
- c) Upon agreement by the ET, screen youth for eligibility;
- d) Providing continuing education to ET and ET & MDT members about mental health issues and assisting the ET and MDT in understanding the nuances of the youth's mental health issues;
- e) Providing support to the ET & MDT and treatment providers.

8. **The FJTC Project Coordinator** is responsible for:

- a) Securing MDT and Administrative meeting space and sending out notices of change in a timely manner;
- b) Maintaining the FJTC database and other records as necessary;
- c) Supervising or performing data collection and evaluation;
- d) Providing technical assistance as needed to all MDT members;
- e) Documenting program activities and accomplishments;
- f) Participating in statewide teleconferences and staff meetings;
- g) Organizing on-going training and educational opportunities relevant to the FJTC;
- h) Providing administrative assistance to the FJTC Judges
- i) Taking notes of the ET and MDT meetings and circulating them to the members;
- j) Maintaining the FJTC policies and procedures and forms.

- D. The ET shall meet every Tuesday from 1:00-2:00 p.m. or at another mutually agreed time, to review referrals to the FJTC. Additionally, at this meeting the ET may take up administrative issues, including modification of these policies and procedures, regarding the function of the FJTC program.

- E.** The representatives from the District Attorney, Public Defender Agency, Division of Juvenile Justice, the mental health consultant, and FJTC Judge, must be present for the ET meetings when the subject matter is admission to the FJTC. These are the voting members of the ET. In the event a youth is represented by counsel other than the Alaska Public Defender Agency, s/he must be present at the ET meeting and may vote regarding admission. Other ET members may be present and provide input in the discussion regarding the youth's entry into the FJTC.
- F.** The JPO will ensure that all relevant documents, including former and/or current mental health and/or substance abuse evaluations, are distributed to the ET members no later than the close of business on the Friday preceding the Tuesday eligibility meeting. The JPO shall also include a copy of the original petition for adjudication of delinquency with the referral information.
- G.** If the ET believes it does not have sufficient current information to determine the youth's eligibility for the FJTC the ET may ask the youth to undergo an evaluation by the FJTC mental health provider or other designated mental health provider.
- H.** The District attorney reserves the right to veto an application at any time. The ET agrees that it is most beneficial to all parties if this veto is exercised as soon as possible in the application process.
- I.** The parties must agree to the designated FJTC Judge to be admitted to the FJTC.
- J.** Admission into FJTC is based upon a majority of the ET voting members (with each agency having one vote). The district attorney shall exercise his/her veto of a youth's admission prior to the vote for admission. Aside from the district attorney's veto no member of the MDT may disclose to any person outside the MDT how any MDT member voted.
- K.** If the youth is accepted into the FJTC program, the youth, his/her attorney, his/her parent or guardian, the JPO, and the district attorney will sign:

 - 1.** *Adjudication Agreement*
 - 2.** *Conditions of Conduct*

These documents shall be signed and filed at the youth's first or "opt-in" hearing scheduled after the youth is determined eligible for the FJTC. After a youth is admitted to the court the youth will sign Case Plans for each phase (as developed).
- L.** In the event a youth is not admitted to the FJTC due to the number of eligible youth exceeding the capacity of the court, priority for admission will be based on greatest need (mental health and/or circumstantial) and a youth's likelihood to benefit from the program.
- M.** If the youth is deemed "ineligible," or chooses to not participate in the program, he/she will continue with the traditional juvenile court process.
- N.** If the ET determines the youth is not eligible, the decision is final and not subject to review.

Alaska Court System Fairbanks Juvenile Treatment Court Policy & Procedures	Policy Revision Date: 6-27-12	Section: Program	Policy No: 003	Pages: 1 of 2
		Subject: MULTI-DISCIPLINARY TEAM		

I. POLICY

The Fairbanks Juvenile Treatment Court (FJTC) shall establish and maintain a Multi-Disciplinary Team (MDT).

II. PURPOSE

The MDT is composed of professionals from typically differing viewpoints who will step out of their traditional roles to collaborate for the greater benefit of the participating youth. The MDT's goal is to help participating youth gain necessary services and supports and to attain the most benefit possible from those services and supports so that they are healthier and less likely to reoffend by the completion of the FJTC process.

III. PROCEDURE

A. The MDT, which is assigned to each youth accepted into the court, consists of the following:

1. Designated FJTC Judge
2. Office of the District Attorney (DA) representative
3. Public Defender Agency (PDA) representative
4. Division of Juvenile Justice representative (JPO)
5. FJTC Project Coordinator
6. Guardian Ad Litem (GAL) if one has been assigned
7. Mental Health Consultant
8. The youth's attorney (if the youth is not represented by the PDA)
9. Other persons deemed necessary by the FJTC team

B. If the PDA had a conflict during the eligibility determination phase, the youth shall waive this conflict after s/he has been adjudicated and entered FJTC.

C. Once weekly the MDT will hold pre-hearing case discussions to review all cases that are scheduled to be heard by the court that day. The scope of the MDT's discussion at the pre-hearing meeting will be youth's progress through the program phases; compliance with his/her case plan, including the youth's activities, academics, and behavior since the youth's last court appearance, as well as appropriate assignments, incentives, sanctions and the date of the youth's next court appearance. Sanctions and incentives should be individualized as much as possible for each youth. A description of possible sanctions and incentives is appended to these procedures.

D. The MDT will continue to monitor and consult regarding the youth's treatment and progress throughout the youth's involvement with the FJTC.

E. When a youth is ready for promotion from orientation to phase 1 or from one phase to the next the next phase the MDT will conduct a transition

meeting as described in policy 009.

F. The FJTC Judge will have responsibility for implementing all final MDT decisions.

G. Operation of the MDT

1. The representatives from the District Attorney, Public Defender Agency, Division of Juvenile Justice, and FJTC Judge, must be present for the MDT meetings. Other MDT members may be present. The roles and responsibilities of each MDT member are described in paragraph C of policy two above
2. FJTC judge will facilitate the MDT pre-hearing, transition, and discharge meetings. The FJTC project coordinator will take notes of the MDTs decisions and provide them to the MDT.
3. After input and discussion between all MDT participants the voting members of the MDT will vote on issues concerning the youth including assignments, referrals, incentives, sanctions, transition through the program, and discharge from the FJTC. Nonvoting members of the MDT may be present during the discussion and voting. However, how individuals vote shall remain confidential and will not be discussed with the youth or his parent/guardian or caregiver.
4. The FJTC judge, DA representative, PDA representative, Mental Health consultant, and JPO are voting members of the MDT. Each agency and entity has one vote. Decisions of the MDT (other than admission) will be by simple majority vote. No member of the MDT may disclose to any person outside the MDT how any MDT member voted.
5. MDT decisions are final and not subject to appeal.

Alaska Court System Fairbanks Juvenile Treatment Court Policy & Procedures	Policy Revision Date: 6-27-12	Section: Program	Policy No: 004	Pages: 1 of 2
		Subject: CASE PLANNING		

I. POLICY

Every youth participant of the Fairbanks Juvenile Treatment Court (FJTC) shall have a case plan appropriate to his/her needs and phase in the program. (See appendix C for description of the phase program requirements)

II. PROCEDURE

- A.** During the orientation phase of the FJTC program, the mental health Juvenile Probation Officer (JPO) will develop an individualized case plan for the youth, with consideration of the MDT recommendations. As the youth progresses through the various phases of the FJTC program, the case plan will be modified as appropriate for the youth.
1. The case plan will be agreed upon and signed by the youth, the parent(s)/legal guardian(s), and the youth's Defense Counsel.
 2. Refusal by the youth, parent or guardian, or defense counsel to sign the case plan will render the youth ineligible for the FJTC.
- B.** The youth's individualized case plan should include a full array of support and treatment services. These services may include, but are not limited to mental health, substance abuse or psychological, academic or vocational evaluations, individual, group, or family counseling or therapy, medical and medication monitoring, or random drug testing.
- C. Family:**
1. Family is a critical aspect of a youth's success in the FJTC.
 2. Parents/caretakers must sign the Adjudication Agreement before the youth is admitted into the program, pledging to support their youth's participation; if a custodial parent refuses to sign, the youth may be deemed ineligible for admission to FJTC.
 3. Parents and guardians can help their youth succeed by supporting him/her through:
 - a) Maintaining a consistent household routine;
 - b) Enforcing curfews and conditions of conduct as imposed by the JPO;
 - c) Encouraging the youth to take prescribed medications;
 - d) Providing transportation of the youth to treatment appointments and encouraging the youth to actively participate in treatment;
 - e) Attending court hearings with their youth;
 - f) Encouraging and enforcing school attendance;
 - g) Modeling sober, nonviolent living for the youth.
 4. Parents need to understand and take steps to structure the home and interact with the child in ways that promote positive, productive

behaviors. Sometimes this will be accomplished through **strong** encouragement from the judge, other times through family therapy or in-home training.

D. Educational / Vocational:

1. The JPO will assist the youth in identifying and achieving their educational/vocational goals by:
 - a) Regularly communicating with teachers, counselors, and employers;
 - b) Requesting periodic progress reports from teachers and treatment providers;
 - c) Participating in Individualized Education Plan (IEP) conferences when relevant;
 - d) Working closely with the parents or caregivers;
 - e) Facilitating training activities or work experience to develop vocational skills and self-discipline in cases where vocational skill development is indicated.
2. As they improve the likelihood that the youth can obtain meaningful employment, language and computer literacy will be important elements of all treatment plans, particularly if the youth is lacking these skills.

E. Living Skills:

1. The development of self-care skills is essential for the youth's success. Relevant areas will be included in the case plan and be monitored by the JPO.
2. Areas of living skills may include:
 - a) General cleanliness
 - b) Personal hygiene
 - c) Cooking
 - d) Transportation
 - e) Maintaining a schedule
3. These may be promoted by regularly engaging in specific tasks in the home and attending classes offered throughout the community.

F. Social Skills:

1. Learning appropriate personal interaction skills is a normal task of adolescence, but can be more difficult, yet especially important, for youth with mental health problems. The case plan may include activities and encounters which will teach the youth to develop these skills.
2. Activities may include:
 - a) Recreational Therapy
 - b) Group meetings or peer gatherings
 - c) School or a vocational training program
3. If the youth is involved in home schooling or independent study, every effort shall be made to ensure that these programs are closely monitored and that the youth has ample opportunity to participate in approved social activities.

Alaska Court System Fairbanks Juvenile Treatment Court	Policy Revision Date:	Section: Program	Policy No: 005	Pages: 1 of 3
				See appendix: A,B,C

I. POLICY

It is the policy of the Fairbanks Juvenile Treatment Court (FJTC) to ensure that all State and Federal laws and regulations and the Alaska Court System (ACS) Rules of Court are followed to ensure that confidentiality is maintained.

II. AUTHORITY

- A.** The Alaska Rules of Court-Delinquency Rules-Part X-Court Administration of Juvenile records #27.
- B.** Alaska Statute 47.12.300 and 47.12.310.
- C.** The Health Insurance Portability and Accountability Act (HIPAA) of 1996-45CFR 160.103 and 45 CFR 164.501
- D.** Federal laws 42 U.S.C. 290dd-3 and 42 U.S.C. 290ee-3 and Federal regulation 42 CFR part 2

III. PROCEDURE

- A.** The specific purpose for releasing confidential information is to assist with assessment, diagnosis, referral, coordination of treatment, legal management of criminal charges, and verification of compliance with court ordered conditions. A signed Release of Confidential Information (ROI) permits treatment providers and team members to share and disclose information regarding diagnosis and treatment of the youth.
- B.** The youth's Juvenile Probation officer (JPO) shall ensure that the youth and his/her parent(s)/legal guardian(s) have signed a ROI prior to referring the youth to the Eligibility Team (ET) for review. If the youth is in the custody of the State of Alaska through the Office of Children's Services, the JPO shall ensure that the ROIs are signed by the assigned social worker.
- C.** After the ROI is completed and signed by all necessary parties, a copy of the form is to be given to the youth and his/her parent(s)/legal guardian(s). The original form will be kept in the youth's DJJ probation file.
- D.** Information shall not be exchanged between the ET or the Multi-Disciplinary Team (MDT) members, until a ROI is on file. A photocopy/fax of the ROI is as valid as the original.
- E.** The youth and his/her parent(s)/legal guardian(s) have the right to revoke the authorization to release confidential information, in writing, at any time except to the extent that information has already been released. However, revocation of the ROI will jeopardize the youth's continued participation in the FJTC.
- F.** Once the released information is disclosed to members of the FJTC, applicable state and federal statutes shall be complied with as to redisclosure of the confidential information.

- G.** The FJTC shall maintain any protected health information (PHI) that it acquires in confidential files that are accessible only to MDT members and ACS personnel that are bound by confidentiality.
- H.** The FJTC and JPO will carefully balance confidentiality yet provide victims the rights they have pursuant to AS 12.61.010.
- I.** In all cases, disclosures shall be limited to information that is covered by the youth's ROI, these policies and relevant statutes. Information that is relevant, is reliable, and limited to the scope of the program will be shared in an atmosphere that is respectful and professional.
- J.** If a youth is discharged from FJTC, chooses to withdraw from the FJTC, or is no longer eligible for FJTC, and the youth's case is sent back to traditional juvenile court, or a new petition for adjudication of delinquency is filed against the youth (in traditional court), the following information may be disclosed by the JPO to the traditional court:
1. Any evaluations or assessments of the youth before the youth entered the FJTC (except the screening conducted by the MDT mental health consultant);
 2. Any assessments or evaluations of the youth obtained during the orientation phase of the FJTC program (except the screening conducted by the MDT mental health consultant);
 3. DJJ's efforts to identify and locate any out-of-home placements or provide appropriate treatment for the youth;
 4. The history of out-of-home placements, including the dates of placement, and any change of placement;
 5. Without disclosing specific mental health information such as the youth's diagnosis, the JPO may provide information regarding the youth's attendance and completion of recommended program(s) as well as the provider's current placement recommendations;
 6. If after remand to the traditional superior court, a supplemental mental health evaluation of the youth is necessary, the evaluator will be provided with the information from subsections J1 through J5 (except the screening conducted by the MDT mental health consultant). Should the youth or his/her counsel choose to provide any information in addition to that which is listed in J1 through J5, the JPO may provide additional information as provided in subsection J9. Additionally, any party may provide information pursuant to subsection J10;
 7. The youth's non-compliance with any conditions of conduct as supported by contemporaneous affidavit(s) which the youth admitted to, or which the youth was found by a preponderance of the evidence to have committed;
 8. The involvement, participation, and cooperation of the youth's parents/guardian;
 9. Information with the consent of the youth. Should the youth or his counsel argue or otherwise reveal FJTC confidential information to the traditional court, this will function as a waiver and the JPO may

provide information to the superior court in response to the youth's representations;

- 10.** Should a party (JPO, State, GAL, parent) desire to introduce information to the traditional court not listed above, the party will file a motion with FJTC for an order permitting disclosure of the information. In determining whether the information may be disclosed the FJTC judge will consider:

 - a)** the content and nature of the information;
 - b)** whether there is any other effective way to obtain the information; and
 - c)** whether the public interest and need for disclosure outweighs the potential injury to the youth, the youth's therapeutic relationships and the FJTC. Before ruling on such a request, the FJTC judge may inspect any pertinent records *in camera*. The court may allow, limit, or prohibit disclosure and use of the records.
- 11.** If the court grants the request for disclosure of the youth's privileged information, the court order must:

 - a)** limit disclosure to those parts of the youth's records which are essential to fulfill the purpose of the disclosure;
 - b)** limit disclosure to those persons whose need for the information is the basis for the order; and
 - c)** include such other measures as are necessary to limit disclosure for the protection of the youth, the therapeutic relationships and the integrity of the FJTC.
- 12.** In the event DJJ seeks to place the youth in a program which requires a hearing and findings pursuant to AS 47.12.255 the initial hearing will be held by the FJTC judge. Subsequent hearings will be conducted by the traditional court. The youth's mental health diagnosis may be disclosed during these hearings.

Alaska Court System Fairbanks Juvenile Treatment Court	Policy Revision Date: 6-27-12	Section: Program	Policy No: 006	Pages: 1 of 3
		Subject: FJTC RECORDS		
Policy & Procedures				

I. POLICY

It is the policy of the Fairbanks Juvenile Treatment Court (FJTC) to maintain all records regarding participating youth in a lawful, consistent, secure and confidential manner.

II. AUTHORITY

Prior to and after the youth's acceptance into the FJTC, the procedures formaintaining the youth's court records will follow the established protocol, as applicable, that are governed by the following Statutes and Alaska Rules of Court:

- A. Alaska Rules of Administration # 37- Records Retention
- B. Alaska Rules of Administration # 37.5-Access to Court records
- C. Alaska Rules of Administration # 37.8-Electronic Case Information
- D. Alaska Rules of Administration # 40-Index to Cases
- E. Alaska Rules of Administration # 41-Case Numbering
- F. Delinquency Rule # 27-Court Records-Confidentiality
- G. Alaska Statute 47.12.300-Court Records
- H. The Health Insurance Portability and Accountability Act (HIPAA) of 1996-45CFR 160.103 and 45 CFR 164.501

III. PROCEDURES

A. Information that is received or generated by the FJTC Project Coordinator will be maintained in the following manner:

1. While a youth's case is being considered and after the youth's case is accepted by the FJTC the project coordinator will maintain a FJTC file regarding the youth's admission and progress. This FJTC file is confidential, work product, and not subject to discovery during any phase of the youth's court case, including a return to traditional court.
2. Participant records shall be kept current. All contacts made regarding the participant shall be documented. The type of contact; telephone call (TC), office visit (OV), court (Ct), etc., are noted.
3. All entries in the case record shall be initialed and dated per the date of receipt by the Project Coordinator. Information recorded must be legible.
4. A separate six (6) part file for each FJTC participant will be maintained by the Project Coordinator.
5. The youth's file and its contents will be kept out of public view, in their proper storage locations. These storage places will be locked whenever the Project Coordinator does not occupy the immediate area.
6. Computer monitors which reveal confidential information about a youth should be protected from public view.

7. Any discarded confidential documents shall be shredded before being placed in a waste container.
 8. When persons other than the Project Coordinator can overhear telephone conversations, it is important to be discreet so as to protect confidentiality.
 9. Caution should be used if sending confidential information via e-mail.
 10. Confidential information and memos to be sent through the mail should be placed in an envelope, and marked "confidential".
 11. Should a youth be rejected for admission to the FJTC, the reasons for the rejection will remain confidential and not be disclosed to the traditional juvenile court.
 12. Thirty days after the youth is discharged or his/her participation in the FJTC is concluded, the project coordinator will destroy the contents of the FJTC file. The only information the project coordinator may maintain past this thirty day period is statistical information and information necessary to reporting and application for funding sources.
- B. Physical handling and storage of confidential documents maintained by the Alaska Court System:**
1. While a youth's case is before the FJTC, the Alaska Court System file will be maintained in conformance with the Alaska Delinquency and Administrative Rules of Court.
 2. After a youth's case is closed by the FJTC due to discharge from the FJTC court, graduation from the court, or return of the case to traditional juvenile court, the following contents of the youth's court system file (which were generated while the youth was participating in the FJTC) will be placed in an envelope:
 - a) The log notes maintained by the court clerk of all hearings conducted by the FJTC;
 - b) Youth's conditions of conduct;
 - c) Adjudication/plea agreement signed by the parties;
 - d) Eligibility determination;
 - e) Orders regarding treatment, disposition, and set aside;
 - f) GAL reports or recommendations;
 - g) Substantive motions, memorandums, oppositions, and reply's, including supportive affidavits, and attachments, which involve confidential issues;
 - h) Assignments and projects produced by the youth;
 - i) Other items agreed to by a majority of the parties. In determining whether a document is retained in the closed envelope, the youth's confidentiality shall be balanced against the need to protect the public. The envelope containing the above documents will be labeled "Closed Court Documents". Attached to the envelope will be an order from the FJTC court directing that the contents of the envelope may not be reviewed without further permission from the FJTC court, after notice and an opportunity to be heard to the youth, his attorney, the JPO, and the MDT.

3. Upon agreement of the MDT specific documents may be ordered sealed.

Alaska Court System Fairbanks Juvenile Treatment Court Policy & Procedures	Policy Revision Date: 6-27-12	Section: Program	Policy No: 007	Pages: 1 of 1
		Subject: PROGRAM EVALUATION		

I. POLICY

It is the policy of the Fairbanks Juvenile treatment Court (FJTC) to monitor and evaluate program implementation and participation.

II. PROCEDURE

- A.** The Project Coordinator (PC) will collect and maintain the statistical data for the FJTC, the Alaska Court System (ACS) and any other funders as required.
- B.** The design of the evaluation program shall include:
 - 1.** Maximum utilization of existing criminal justice information systems.
 - 2.** Minimum reliance on manual data entry and report generation to reduce redundancy and errors.
 - 3.** Safeguards to ensure data entry integrity for all affected systems.
 - 4.** Safeguards to ensure privacy and security of all records.
- C.** The PC will capture any other information required in order to complete data collection for a grantor or funding source.
- D.** All Multi-Disciplinary Team (MDT) members shall provide pertinent data to the PC in a timely manner.
- E.** The ACS will schedule periodic evaluations which will typically occur every three to four years. The ACS may appoint an independent evaluator to analyze data and work with the MDT.
- F.** MDT communication about the youth for evaluation purposes shall be made in a manner that conforms to all State/ Federal confidentiality laws and regulations and the ACS Rules of Court that protect the youth's rights; respects his/her dignity and ensures the integrity of the FJTC.

Alaska Court System Fairbanks Juvenile Treatment Court Policy & Procedures	Policy Revision Date: 6-27-12	Section: Program	Policy No: 008	Pages: 1 of 1
		Subject: CRITICAL INCIDENT REPORTING		

I. POLICY

It is the policy of the Fairbanks Juvenile Treatment Court (FJTC) that all Critical Incidents be reported and documented on the FJTC “Critical Incident Report” form.

II. PROCEDURE

A. “Critical Incidents” are defined as any events or situations involving the youth that jeopardize his/her health and safety or that of his/her family, caretakers, staff associated with the youth or the general public. These situations include, but are not limited to, the following:

1. Death
2. Serious physical injury
3. Fire Setting
4. Commission of a serious offense by or against the youth
5. Attempts of suicide by the youth
6. Physical or sexual assault against or by youth (includes attempted or alleged)
7. Any unanticipated event that results in negative coverage by the media and their inquiry for further information

B. Reporting responsibilities:

1. Critical Incidents must be documented on the Critical Incident Report form and a copy shall be submitted to the FJTC Project Coordinator.
2. The Juvenile Probation Officer (JPO) shall notify the Multi-Disciplinary Team (MDT) of a critical incident, as soon as possible and no later than 24 hours, to address any immediate health or safety needs.
3. The JPO shall access the MDT to seek support or consultation on any Critical Incident situation as needed.
4. Following a critical incident, an MDT meeting shall be held as soon as possible to evaluate or revise the youth’s case plan and address areas of concern.

C. A copy of the Critical Incident Report form will be kept on file with the FJTC.

D. Reporting responsibilities outlined in this policy are in addition to Division of Juvenile Justice critical incident reporting requirements for JPOs.

Alaska Court System Fairbanks Juvenile Treatment Court Policy & Procedures	Policy Revision Date: 9-7-12	Section: Program	Policy No: 009	Pages: 1 of 4
		Subject: HEARING PROCEDURES, TRANSITIONAL AND DISCHARGE MEETINGS AND OPTING-OUT		

I. POLICY

It is the policy of the Fairbanks Juvenile Treatment Court (FJTC) that the Judge monitor the youth’s progress through the FJTC program through frequent status hearings and MDT transition meetings, and if necessary discharge meetings.

II. PROCEDURE

A. Status Hearings

1. The frequency of the hearings on each youth’s case will be determined by his/her progress. Hearings may occur at intervals from once a week to every six weeks.
2. The status hearings will be attended by the members of the MDT, the youth and his/her parent(s)/guardian(s) or caregiver. Other persons may attend with consent of the youth and the MDT. With consent of the court and upon agreement of the MDT any of these persons may participate in the hearings telephonically.
3. The in-court clerk will facilitate communication with individuals that participate in the hearings telephonically.
4. During the status hearing the youth and the judge will engage in a one to one colloquy. The judge will discuss with the youth, and if appropriate the parent/guardian/caregiver, the youth’s progress in the program, and in school. The court may request verbal reports from any of the MDT members. The court will review and discuss any assignments previously given to the youth. Additionally, the court will award incentives and impose sanctions as recommended by the MDT.
5. If the youth fails to appear at a scheduled status hearing, the Judge may issue a warrant for his/her arrest and detention. At the detention hearing (subsequent to arrest) the judge will schedule a hearing before FJTC. The youth will receive some consequence for his/her absence. How severe the consequences will depend on his/her progress in the program, how long the minor was absent, whether or not he/she turned themselves in voluntarily, and the circumstances of his/her arrest.
6. If the youth must miss a court hearing for any reason, he/she should tell his/her JPO and attorney as soon as possible and attempt to have it rescheduled.
7. While in court, all cell phones, pagers and portable electronic devices must be turned off or set to silent.
8. If at any time the JPO or other MDT member finds that the youth is having problems remaining committed to his/her case plan, the JPO or team member may request an expedited hearing to have the

MDT and court review the situation. The outcome of an expedited hearing may be an amended case plan, remand to detention, or if the youth does not appear for the hearing and public safety is a concern, an arrest warrant may be issued.

B. Transition Meetings

1. Before a minor is promoted from orientation through the various program phases, and graduation, transition meetings will occur. Present at the transition meetings will be the MDT and invited treatment providers. In addition the youth and his parent/guardian/caregiver will provide input (as described below) to the MDT. The team will review the minor's progress in completing his/her case plan for that stage and readiness for promotion to the next phase or graduation from FJTC.
2. The youth will make a presentation to the MDT explaining why s/he is ready for promotion to the next phase or to graduate. The youth will not be present for other MDT reports or discussions.
3. The youth's parent/guardian/caregiver is expected to attend the transition meetings. The MDT will seek input from the parent/guardian/caregiver regarding the youth's behavior and progress as well as any concerns the parent/guardian/caregiver has regarding the youth. The MDT will work collaboratively with the parents/guardian/caregiver, actively seeking input and recommendations from them as to how to most effectively work with, interact, and motivate their youth.
4. The youth and parent/guardian/caretaker's presence for the reports of team members or treatment provides will be at the discretion of the MDT.
5. Invited treatment providers may present reports and recommendations.
6. The JPO will review for the MDT the youth's progress in completing the requirements of the specific orientation/phase of the program.
7. If a MDT member is recommending discharge and return to traditional court the MDT member will file a report documenting the reasons why discharge is appropriate.
8. If after consideration of the JPO, youth and parent/guardian/caregiver comments, the MDT does not believe the youth has made sufficient progress to be promoted from orientation to phase 1, or from phase to phase, or to graduate the MDT may choose to not promote the youth and retain him/her their present orientation/phase for a specific period of time or discharge the youth from the FJTC and return his/her case to traditional court.
9. Should the MDT decide the youth is not ready for promotion or graduation the MDT will inform the youth of what is necessary for promotion or graduation and when the youth may request another transition meeting.
10. The MDT will operate as described in section G of policy 3.
11. The youth will be eligible for significant incentives when promoted from phase to phase.

12. The FJTC Judge will facilitate the transition meetings; these transition meetings will last approximately 30 minutes.
13. No member of the MDT may disclose to any person outside the MDT how any MDT member voted.

C. Discharge Meetings

1. At the request of any MDT member the MDT may hold a meeting for the purpose of discussing and voting on the discharge of a youth from the FJTC. Reasons a youth may be discharged from the FJTC may include but are not limited to unsatisfactory progress in the program, lack of participation, violations of conditions of conduct, failure to comply with case plan, new criminal violations, or failure to pursue or follow treatment recommendations.
2. At least one week prior to the discharge meeting the MDT member who is requesting discharge will file a report outlining the reasons why the youth should be discharged from the FJTC.
3. The representatives from the district attorney, public defender agency, and division of juvenile justice, the mental health consultant, and the FJTC judge must be present at the discharge meeting. Other members of the MDT may be present and participate including the youth's attorney (if s/he is represented by an outside attorney), and where one was appointed, the guardian ad litem.
4. After short presentations by the youth, his/her attorney and parents/guardian/caregiver and MDT member requesting discharge, the MDT will discuss whether discharge is appropriate. Neither the youth nor his parent/guardian/caregiver will be present for this discussion. No member of the MDT may disclose to any person outside the MDT how any MDT member voted.
5. The MDT may decide to: a) discharge the youth from FJTC and return his/her case to traditional court for further proceedings; b) retain the youth in FJTC with imposition of an appropriate sanction and/or modifications to his/her case plan; c) retain the youth in FJTC with no sanction.
6. Should the MDT not discharge the youth the reasons for his/her possible discharge may be considered in subsequent discharge meetings regarding the youth.
7. If the youth is returned to traditional court information shared with the traditional court will be controlled by policy six.
8. The decisions of the MDT regarding discharge are final and may not be appealed.

D. Voluntary withdrawal or "opt out"

1. A youth may voluntarily decide to opt out or withdraw from the FJTC at any time.
2. In the event a youth seeks to opt out of the FJTC his/her attorney will request a hearing before the FJTC judge.
3. The FJTC judge will set a hearing no sooner than a week after the request is made. The youth and his/her attorney and parents will attend the hearing. If, at this hearing the youth still seeks to opt out, s/he may.

4. As the youth would not have completed the FJTC program the youth would no longer have the benefit of the disposition being held in abeyance. The FJTC court would enter the disposition order pursuant to AS 47.12.120 as agreed to in the adjudication agreement.
5. Any further hearings would be held before the traditional court. Information shared with the traditional court is controlled by policy six.

Alaska Court System Fairbanks Juvenile Treatment Court Policy & Procedures	Policy Revision Date: 6-27-12	Section: Program	Policy No: 010	Pages: 1 of 2
		Subject: MULTI-DISCIPLINARY TEAM TRAINING, CROSS TRAINING AND CONTINUING EDUCATION		

I. POLICY

It is the policy of the Alaska Therapeutic Courts to foster a collaborative working relationship between all Multi-Disciplinary Team (MDT) members by providing cross training and continuing education opportunities.

Each therapeutic court will be required to develop specific training policies. These policies will address the role specific requirements and ongoing continuing education needs for the MDT members and their court. In addition, each court will be required to develop an annual training plan that includes both role-specific and cross-training needs for their court. These plans should include any requests for regional and/or national training opportunities, and will be considered by the AOC and other therapeutic court stakeholders when developing their annual budgets for training.

II. PROCEDURE

- A.** The FJTC Project Coordinator shall provide an orientation packet to each new MDT member which shall include the following information:
 - 1. FJTC Policies and Procedures manual
 - 2. FJTC Program Handbook
 - 3. Information on the history and philosophy of therapeutic courts
 - 4. Training Questionnaire
 - 5. Orientation Checklist
 - 6. Individualized Training Plan (ITP) form

- B.** New MDT members will be sent to role specific NDCI training if scheduling allows and funds are available.

- C.** The FJTC Project Coordinator shall organize cross-training opportunities for MDT members quarterly. Court and legal team members will be educated on the dynamics of addiction and mental health, the systems that treat them and the recovery processes as well as the mission and ethics of treatment substance abuse and mental health providers. Provider(s) will be educated about the legal and court processes and the mission and ethics of legal system representatives.

- D.** Every effort will be made to schedule training(s) that offer continuing education units (CEUs) for the MDT members and other involved professionals.

- E. All MDT members will be encouraged to share information with their team on conferences, seminars and other educational opportunities available within the state, on a national level or offered via teleconference and electronically (web-based trainings).
- F. The Project Coordinator shall maintain a record of each MDT member's ITP. It is the responsibility of each MDT member to ensure that the Project Coordinator receives all of their updated training records on at least a quarterly basis.
- G. The ITPs will be compiled to develop the annual training plan that will be submitted to the AOC and other therapeutic court stakeholders for their consideration when developing annual training budgets.

Recommended Trainings for Therapeutic Court MDTs

- Philosophy of therapeutic court
- Goals of specific therapeutic court
- Nature of alcohol and drug abuse, treatment and terminology
- Basic alcohol and drug education
- cultural competency
- Gender issues
- Victim's rights
- Consumer and family perspectives
- Dynamics of abstinence and relapse prevention techniques
- Responses to relapse and other noncompliance
- Confidentiality-general principles and practices
- Sanctions and Incentives
- Mental health disorders
- Interrelationships of co-occurring conditions such as AOD abuse and mental illness
- Personality and mood disorders
- Types of offenders
- Criminal thinking behaviors
- Sensitivity to racial, cultural, ethnic, gender and sexual orientation as they affect the operation of the therapeutic courts
- Motivational interviewing
- Basics of UA testing
- Federal, state, and local confidentiality requirements
- Team building
- Roles of therapeutic court team members
- Basic legal requirements of therapeutic court programs and an overview of the local criminal justice systems' policies, procedures and terminology
- Webinars
- Statewide trainings
- Discipline specific trainings
- Conferences

Alaska Court System Fairbanks Juvenile Treatment	Policy Revision	Section: Program	Policy No:	Pages: 1 of 1
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<p style="text-align: center;">Court</p> <p style="text-align: center;">Policy & Procedures</p>	<p>Date: 6-27-12</p>		<p style="text-align: center;">011</p>	<p style="text-align: center;">See appendix: NA</p>
		<p>Subject: CULTURAL COMPETENCY & DIVERSITY</p>		

I. POLICY

It is the policy of the Fairbanks Juvenile Treatment Court (FJTC) that all individuals affiliated with the court, either directly or indirectly, be treated in a culturally competent manner based on the recognition of, and response to, cultural concerns of ethnic and racial groups, including his/her histories, traditions, beliefs, and value systems.

II. PURPOSE

Cultural competence is one approach to helping mental health service systems and professionals create better services and ensure their adequate utilization by diverse populations. Cultural competence entails a set of behaviors, attitudes, and policies that come together in a system or agency or among professionals that enables that system, or agency or those professionals, to work effectively in cross-cultural situations.

III. PROCEDURE

- A.** The FJTC shall not discriminate based on ethnicity, race, age, gender, sexual orientation, physical ability or disability, socioeconomic or religious diversity and other characteristics by which someone may prefer to self-define.
- B.** With the input from the Multi-disciplinary Team (MDT), the FJTC Coordinator will seek out educational, consultative and training opportunities to help improve team member understanding and effectiveness in working with culturally diverse populations.
- C.** Through the use of voluntary surveys, questionnaires and checklist, the FJTC will evaluate whether or not the cultural needs of the families served are being addressed and met.
- D.** The FJTC will partner with MDT members, families, providers and community members to promote cultural awareness and embrace and respect diversity.
- E.** Whenever possible, the FJTC will seek translators to accommodate the family's language.

Alaska Court System Fairbanks Juvenile Treatment Court Policy & Procedures	Policy Revision Date: 6-27-12	Section: Program	Policy No: 012	Pages: 1 of 1
		Subject: VICTIMS' RIGHTS		

I. POLICY

It is the policy of the Fairbanks Juvenile Treatment Court (FJTC) to respect the victim(s) of the crime which brought the youth to therapeutic court and uphold all rights afforded to them as provided in AS 12.61.010 *et seq.*

II. PROCEDURE

- A.** Even if there are no specific victims' rights provisions implicated in the therapeutic court case, the FJTC will encourage youth to take personal actions to make amends to his/her victims; keeping in mind that orders from previous cases, or civil protective orders, may prohibit a participant from making such efforts directly.
- B.** The JPO will be responsible for providing the victims notice as they are entitled by AS 12.61.015 and delinquency rule 3.
- C.** Although cases may involve victims who are already aware of the youth's problems with drugs, alcohol or mental disability, the FJTC shall ensure the balance between the legal confidentiality of health care information and the rights of the victim(s) is maintained.

Alaska Court System Fairbanks Juvenile Treatment Court Policy & Procedures	Date Revised: 6-27-12	Section: Program	Policy No: 013	Pages: 1 of 5
		Subject: FUNDING		

I. POLICY

It is the policy of the Fairbanks Juvenile Treatment Court (FJTC) to assist participating youth and families in accessing available funds, through a variety of sources, which will support them in reaching their treatment goals.

II. PROCEDURES

A. Alaska Mental Health Trust Authority (AMHTA) Emergent Funds

To meet essential needs and avoid or cope with emergency circumstances when all other resources have been exhausted the AMHTA has made “emergent funds” available that are intended to be utilized when needed to prevent or minimize the consequences of crises and avoid periods of instability, which impede the youth’s recovery and rehabilitation.

1. Due to the limited amount of funds, participants who have emergent needs in the defined target areas will be prioritized for access to the funds. However, because it is not possible to predict all the needs that may arise for individuals, access is not limited to the defined target areas and requests outside the target areas will be considered on an individual basis. Listed below are examples of pre-defined target areas:
 - a) Shelter
 - i. Room in a motel/hotel
 - ii. Assistance with apartment deposit
 - b) Basic housing needs
 - i. Pillow, blanket, towel, washcloth
 - ii. Cookware, utensils, etc.
 - iii. Personal hygiene products
 - c) Food
 - d) Clothing
 - e) Transportation (Bus tokens/passes, cab vouchers)
 - f) Phone cards for safety or participation in counseling
 - g) Educational supplies or materials
2. The Interior Alaska Center for Non-violent Living (IAC) is the separate, fiscal entity responsible for the management, disbursement and accounting of these funds.
3. It is preferred that requests for funds be approved and submitted to the IAC at least 36 hours prior to the funds being needed. Funds can be requested on an expedited basis, but only as a last resort.
4. The FJTC Juvenile Probation Officer (JPO) or designee and the youth’s caregiver shall identify a short-term, basic and emergent need that can not be met through other sources such as Medicaid,

private insurance, Indian Health Services, earnings/benefits, donations or other natural supports.

5. All requests shall be presented to the FJTC Multi-Disciplinary Team (MDT) for review. Upon MDT approval, the JPO shall complete the "Emergent Funding Request Form" and submit it to the FJTC Project Coordinator (PC) for processing. The PC shall fax the request to the IAC for the distribution of funds (fax # 907-452-2613).
6. Funds shall only be released to a third party or vendor. If the PC/designee and Youth's caregiver provide an invoice or bill with the request for funds, the payment will be mailed directly to the vendor. In the event those funds are released to a third party, it is the responsibility of the PC to ensure that a receipt of payment and any emergent fund change is returned to the IAC. All receipts and/or change should be returned to the IAC no later than five days after the check was picked up. The receipt and/or change must be attached to the Emergent Funding Receipt/Change Form". If there is no change being returned, the receipt and "Emergent Funding Receipt/Change Form" can be sent to:
IAC
Re: FJTC Flexible Funds
726 26th Avenue
Fairbanks, Alaska 99701
If change accompanies the receipt the PC shall hand deliver the change and accompanying "Emergent Funding Receipt/Change Form" to the IAC.
7. The ultimate goal of the fund is to assist the youth and his/her caregiver(s) in becoming as self-sufficient and independent as possible. Some youth and caregivers will, following resolution of the crisis or emergent need, be able to reimburse the fund for the assistance they received.
8. Provisions will be made to allow reimbursement of the fund by the youth or his/her caregiver(s) and to allow contributions to be made to the fund by the youth and his/her caregiver(s) participating in the court in order to make the fund a permanent source of assistance.
9. The Youth and his/her caregiver(s) receiving assistance from the fund should be asked, but not required, to reimburse the fund whenever possible and to the extent they are capable. Should a youth or his/her caregiver(s) elect to repay the loan, the "Promissory Note Form" should be completed. All payments shall be made to the FJTC PC who will in turn deliver the payment to the IAC at the above address.
10. IAC accounting practices shall clearly delineate and separate FJTC emergent funds from other funds that may be kept in the same account. The FJTC and the IAC shall follow all conditions of the Authority Grant Funding Agreement entered into with the AMHTA.

B. AMHTA Discretionary or "Flexible Funds"

Flexible fund requests for incentives must be directly related to supporting a specific goal in the youth's case/treatment plan(s).

1. Requests for the disbursement of discretionary funds should be anticipated in advance, if possible.
2. All requests shall be presented to the MDT for review. Upon MDT approval, the JPO shall complete the *Flexible Funding Request Form* and submit it to the PC for processing.
3. Purchases under \$30.00 may be made using the FJTC debit card established through the IAC. The PC shall ensure copies of the Flexible Funding Request Form and accompanying receipt(s) are sent to the IAC.
4. Disbursements in excess of \$30.00 must be made by check payable directly to the Vendor. The PC shall fax the request to the IAC for the distribution of funds. (fax # 907-452-2613).
5. IAC accounting practices shall clearly delineate and separate FJTC Flexible Funds from other funds that may be kept in the same account. The FJTC and the IAC shall follow all conditions of the Authority Grant Funding Agreement entered into with the AMHTA

C. FJTC Treatment Funds

To ensure the youth and their families are receiving the services necessary to complete their case/treatment plan(s), the Alaska Court System (ACS) will consider paying for services from private treatment providers. Availability of funds will be limited to situations where insurance, Medicaid or other resources are not available for payment.

1. The provider(s) shall submit the following to the PC:
 - a) Signed letter of interest (See sample letter in appendix B)
 - b) List of services provided by the agency/organization
 - c) Current Fee Schedule
 - d) Current staff and agency licensure, certification and accreditation documentation (as applicable)
2. Upon receipt of the above documents, the PC shall prepare a draft *Agreement for Treatment Services* for the provider to review. This agreement shall outline the payment terms for rendition of services to the youth and families that may be referred to them by the FJTC.
3. If the MDT has identified a treatment need and all other funding sources have been exhausted, the JPO may submit a *Stipulation for Treatment Services* (STS) to the Judge for consideration.
4. If the Judge signs the STS, the PC shall immediately distribute copies to the parties present at the hearing. The JPO shall ensure that the parent(s)/guardian(s) and the provider receive a copy of the STS so that services can be delivered as soon as possible.
5. To ensure timely and accurate payment, the provider must submit a copy of the STS with the billing invoice to the individual identified in their *Agreement for Treatment Services*.
6. The PC shall ensure that the ACS fiscal department also receives a copy of the STS.

D. Division of Behavioral Health (DBH) Individualized Service Funds

1. The DBH encourages all and requires many state behavioral health grantees set aside a five percent (5%) match for the purposes of *Individualized Service Funds*. The needs to be addressed by these funds are usually of an urgent if not emergency nature, usually one time or short-term, and always addressed in the individual treatment/rehabilitation plan.
2. Whenever a youth participating in the FJTC is receiving SA/MH services from a state grantee, the JPO should ask the grantee whether or not ISA funds are available to the youth and what the JPO needs to do to facilitate access to the funds.
3. Individualized services identified in the plan may include traditional and non-traditional services. When all other funding sources have been exhausted and with appropriate justification, services may include, but are not limited to, the following:
 - a) Double staffing during a crisis
 - b) Respite
 - c) Language interpreters (i.e. Spanish, ASL, etc.)
 - d) Transitional living services/semi-independent living
 - e) Short term housing & living supports:
 - i. Room and board (non-custody child in group home or resource home care)
 - ii. Essential home furnishings
 - iii. Clothing
 - iv. Payment of utility bills, rental deposits, short term rent or other housing costs Transportation support (bus tickets, taxi fare, auto repair, etc)
 - v. Items to increase social interaction (recreational items, fees)
 - f) Emergent medical needs:
 - i. Medications
 - ii. Eye glasses
 - iii. Dentures/dental
 - g) Short term school & vocational supports:
 - i. School supplies
 - ii. Tutoring
 - iii. Computer/programs
 - h) Other:
 - i. Fees or dues
 - ii. Incentives
 - iii. Ankle bracelets/monitors

E. Bring the Kids Home (BTKH) Funds

1. The Division of Juvenile Justice has available funding to aid in the support of youth experiencing serious emotional disturbances (SED) to remain in their homes, foster/ group homes, or in-state facilities when:
 - a) This is the least restrictive option available for the youth

- b)** The funding is time limited (up to three months at a time)
 - c)** A plan is in place or in development for care in a less restrictive setting.
- 2.** Additionally, funding is available to aid in the transition of youth experiencing an SED from more restrictive settings. The funding is flexible as to the types of services or items for which it may be utilized to assist DJJ youth.
- 3.** The JPO shall follow DJJ procedures to access available BTKH funds

APPENDIX A



Fairbanks Juvenile Treatment Court

Handbook

7-1-12

About this Handbook

This handbook explains how the Fairbanks Juvenile Treatment Court (FJTC) works and what is expected of you if you participate. You should share this handbook with family and friends so that they can understand and support you throughout the next 9 to 18 months if you are accepted into the court. If you have questions about this handbook, please ask either your Juvenile Probation Officer (JPO) or attorney.

FJTC Introduction

The FJTC is a therapeutic court that connects you to counseling, medical and educational services in order to help you remain crime free. While you are in the court, your charges are held in abeyance, which means that upon successful completion, the charges against you will be dismissed. Your JPO will have close contact with you in order to help you abide by your conditions and enable you to gain control of your life. In addition, you will also have the support of a Multi-Disciplinary Team (MDT) while you are with the court. Your MDT is made up of the judge, your defense counsel, a representative of the public defender's agency if they are not your counsel, your therapist or case manager, your Guardian Ad Litem (if you have one), the court coordinator, a mental health consultant and your JPO. The MDT will meet regularly to evaluate your progress, if you are doing well, the team will let you know and encourage you, likewise, if you mess up, there will be consequences.

The FJTC operates through the use of phases. There are four phases which you will need to complete in order to graduate from the program and have your charges dismissed. Each phase will have specific requirements that you will need to complete in order to move to the next phase. Once you feel that you have completed the requirements for each phase, you will be able to ask the MDT to hold a transition meeting. At the transition meeting, the MDT will decide if you have met the requirements of the phase and whether you will be allowed to proceed to the next phase. If the team decides that you are not eligible to move on to the next phase, then you will be told exactly what you will need to do in order to transition, and when you can ask for another meeting. If you are not progressing through the phases or you violate your court ordered conditions, possible consequences could include repeating a phase(s) or dismissal from the court.

The goals of the FJTC are:

1. To ensure the safety of the public.
2. To connect you to counseling, medical, educational and other services that will help you.
3. To support your efforts to live a sober, crime-free life, and to be a positive member of your community.

Here is the way it happens...

1. If you are charged with committing a crime and your JPO and/or attorney feel that you could benefit from participating in the FJTC you will be referred to the FJTC Eligibility Team (ET), which is made up of the Mental Health JPOs, your attorney, an assistant public defender (if you are not represented by the public

defender agency) Juvenile Probation supervisor, FJTC coordinator, the Assistant/District Attorney(s), the Judge, and the FJTC mental health consultant. In addition, if your JPO is not a mental health JPO, they will also be invited to attend to provide their feedback on why they feel you should be accepted.

2. If you do not have a current mental health assessment you will be referred to the FJTC Mental Health Consultant for a screening.
3. The ET will review all of the referral documents at an eligibility meeting. At this meeting, you will either be approved for the court, denied, or more information may be requested and you will be scheduled for another review at a later date.
4. If the ET decides you are “ineligible,” or you choose not to participate in the FJTC, your case will proceed through the traditional juvenile court process. You cannot appeal the decision if the ET finds you ineligible.
5. Once you are admitted or “opted in” to the FJTC, you will be placed on Conditions of Conduct. Your JPO will then meet with you to develop a case plan. Your case plan may include a requirement to obtain evaluations or assessments, to attend counseling, medical treatment, educational services, or group experiences, and so on. You will also be required to have regular meetings with your JPO.
6. People working with you, for example, your therapist, or substance abuse counselor, will submit regular progress reports to your JPO and will then report your progress to the MDT prior to every court hearing.
7. You will have a court hearing about once a week to about once every six weeks. The frequency of your hearings will decrease as you progress with the program. Your MDT will meet before each of your court hearings. At your court hearing where your progress, problems, and any case plan changes will be discussed. Good behavior will be acknowledged by the Judge and the court and you may even get a reward. Poor behavior will be addressed in court by the Judge. You may be given consequences (see list on page 7) or even detention.
8. If you graduate from the FJTC, all the charges that you came into the court with will be dismissed and will not appear on your record.
9. If you fail to complete the court, you will return to the traditional juvenile court process and the charges you were adjudicated for will remain on your record. You may also be charged with violating your conditions and any new crimes you may have committed since entering the FTJC.

What is expected of you?

1. To recognize it won't be easy. The FJTC is not just an easy way out of your situation with the criminal justice system, but an opportunity for you to make changes and learn to make good decisions that will allow you to live crime free.
2. To agree to work with the social and medical services that will make your life better, such as substance abuse treatment, individual and/or family counseling and educational services.
3. To realize you'll have a lot of people watching---and helping you---not just your JPO, but the judge, attorneys, therapist, teachers and other people in your life.
4. To follow all the Conditions of Conduct you signed with your JPO, including all the terms of your Adjudication Agreement, treatment requirements, restitution agreement, and your case plan.

5. To obey the law
6. To be truthful in the program
7. To remain drug and alcohol free
8. To attend all required court hearings on time and talk to the judge with honesty.
9. To attend all treatment sessions and take any medications you are prescribed.
10. Take and pass any required drug tests
11. Remove from your life anything, or any people, that could tempt you to get into trouble. For example, being around drug-using friends or going places that tempt you.
12. Make an effort to get along with your parent(s); be respectful and follow the rules at home.
13. Find ways to earn money. Usually this means get a job or work for a parent or other adult you know.
14. Comply with any consequences that the judge gives you.
15. Follow through on things you say you are going to do.
16. Be respectful of everyone-- the MDT members, the treatment providers, court staff, fellow participants, guests and anyone you come in contact with.

17. Stick to the program no matter how discouraging it may seem at times.
18. To remain in the placement that the court and/or your parents have chosen for you and to follow the rules of your placement.
19. To attend school daily. This means that you will be on time to school and all of your classes. It also means that you will attend all your classes and complete any assignments given to you.

Questions and Answers

How long do I really have to stay in this program?

The court is built on a phase system. There are four phases that you will need to complete in order to graduate from the court. Each phase has specific requirements that you will need to complete before you can request to be transitioned to the next phase and ultimately graduate.

ORIENTATION- This phase lasts approximately 30 to 45 days. The emphasis of this phase is to get assessments in order to start connecting you to services that will help you to live a sober and crime free lifestyle. Failure to comply with the requirements of this phase will result in your termination from FJTC and your case will proceed through the traditional juvenile court process.

PHASE I- This phase lasts approximately 3 to 6 months. The emphasis of this phase is for you to get established with your treatment providers as recommended in your assessments. During this phase you will also be expected to explore activities that will also help you to remain sober and meet other youth who live crime free lifestyles.

Failure to comply with the requirements of this phase could result in sanctions or termination from FJTC, which might result in you being placed in the custody of the State on a (B3 order) for 2 years.

PHASE II- This phase lasts approximately 3 to 6 months. The emphasis of this phase is to ensure that you are attending all your treatment appointments and that you are making progress in treatment. During this phase you will also start to identify those people in your life who can help you remain sober and crime free. You may also be connected to the Division of Vocational Rehabilitation (DVR) where you can learn job skills and/ or get help applying for college. DVR can also help you find funding for college. Failure to comply with the requirements of this phase could result in sanctions, such as having to return to Phase 1 or termination from FJTC, which might result in you being placed in the custody of the State on a (B3 order) for 1 year.

PHASE III MAINTENANCE- This phase lasts approximately 2 to 4 months. The emphasis of this phase is to ensure that you are internalizing and using what you have learned in treatment. During this phase we want to see that you know what you need to do to remain crime free and you are able to maintain your behavior without much intervention from your JPO or the court. Failure to comply with the requirements of this phase could result in sanctions, such as having to return to Phase 1 or termination from FJTC, which might result in you being placed in the custody of the State on a (B3 order) for 1 year.

The fastest you can graduate from the FJTC is 9 months, however; the longest you may remain with FJTC is 24 months.

In addition, per Alaska Statute AS 47.12.020, juveniles who commit crimes before their 18th birthday can be supervised for a period of up to two years, but not exceeding their 19th birthday. So, if you are admitted into the court at age 17, you could possibly be supervised until your 19th birthday.

What about my legal representation?

Your attorney will continue to represent you throughout your participation in the FJTC. He or she will attend MDT meetings and stay informed about your progress. Your attorney represents your interests, and works in collaboration with the MDT to do what is best for you to succeed.

Can I talk to any member of my MDT?

You are expected to talk with:

- Your defense attorney about your legal case
- Your JPO and counselor about home, school, case plan activities, your job, etc.
- Your counselor about your substance abuse and mental health treatment, personal issues, and about treatment

You will be able to talk to the MDT at your transition meetings. At these meetings, you will be able to explain to the MDT why you feel that you should be transitioned or promoted to the next phase or graduate.

You are only allowed to communicate with the Judge during court hearings. You may not phone, e-mail, fax or visit the judge. If you do so the judge will immediately tell you to stop and will refer you to your attorney.

How often do I meet with my probation officer?

Your JPO will provide you with a schedule, but how often you meet with your JPO will depend on your behavior. At these meetings, your JPO will discuss your progress, difficulties, and plans. Your JPO will also be able to connect you to services and resources that you may need. Please keep in the mind that the role of your JPO is to enforce the court ordered conditions of conduct and your Adjudication Agreement. Their job is not only to provide you with resources and services, but also to ensure public safety. Your JPO, along with the MDT, will determine if placement in detention is necessary due to a violation of your conditions or because you are a threat to public safety.

What do I have to do at court hearings?

FJTC hearings are held on Mondays between 2:30pm and 3:45pm at the Rabinowitz Courthouse, which is located at 101 Lacey Street. You will not have to attend every Monday, and will be told in advance when your hearings are scheduled.

You are required to:

- Be on time
- Be truthful
- Dress appropriately; meaning clean clothes that do not have any drug or sexual logos, and that cover your body modestly. If you would not wear it to church, then don't wear it to court!
- Be polite towards everyone
- Bring your FJTC notebook
- Bring any assignments given to you at the previous court hearing.

You will be sitting at a table with your defense attorney. The rest of the MDT will be in the courtroom and may speak with the judge or you from time to time. You will probably be very nervous at first, but will get more comfortable as time goes by.

Always address the judge directly as "Your Honor."

Depending on your progress in the program, the judge may give you encouragement, or give you some consequence for not doing well. These rewards and consequences are meant to recognize your progress, as well as to encourage you to work hard and succeed.

Your honesty allows the MDT to determine how to support you and help you succeed in the program. If you did something wrong, it is far better to admit it than be caught in a lie.

How will I know if I'm doing well in the program?

The judge will let you know verbally during court hearings and you may even receive a reward for your good behavior.

Some examples of rewards may include:

- Praise by the judge
- Opportunity to tell the court positive events
- Opportunity to tell the court how they accomplished a goal
- More privileges, later curfew
- Decreased monitoring (UAs, EM)
- Tangible rewards (e.g. a small gift or a gift card)
- Reduced probation
- Certificates of achievement
- Reduced supervision
- Decreased court appearances
- Graduation

What if I'm not doing well in the program?

The judge will let you know verbally during court hearings and sometimes give you consequences for not following through on your case plan or for breaking the rules.

Some examples of consequences may include:

- Reprimand by the judge
- Begin and/or increase community work service
- Writing assignments- essays or presentations
- More frequent court hearings
- New or earlier curfew
- In-patient treatment
- Be held back in the phase program
- Repeat a phase
- Termination from the program
- Writing letters of apology
- Loss of privileges
- Increased monitoring-begin and/or increase UAs or Electronic Monitoring (EM)
- Detention
- Extended probation

Do I have a right to privacy?

Yes and no. You agreed to give up your privacy with the MDT and treatment providers when you asked to be transferred to this court. However, the details of your medical and mental health information will not be talked about at court hearings. The MDT members may talk about the fact that you went to counseling and how you are doing, or to doctor's visits and whether or not you are taking medications, but will not talk about why you went to see the counselor or doctor.

Your treatment records in the Fairbanks Juvenile Treatment Court are confidential. These records are filed separately and include court notes made by the judge during MDT meetings and progress notes from your treatment provider(s). **These files are available ONLY to the members of the MDT which includes your attorney.**

Do I have to pay restitution?

It is the policy of FJTC that you pay any restitution owed to victims as spelled out in your conditions of conduct or case plan. Restitution may be collected by your JPO or by the Department of Law; Collections unit.

Do I have to pay for counseling or substance abuse treatment?

Depending upon your parents' income and insurance, they may have to pay for these services. The State and the court system do have some limited funds available for those families who cannot afford to pay.

Who else will I be dealing with in this program?

You may be referred to people and programs that can help you get your life together, or help with your education or health care. You are responsible for following through with any referrals given to you. In addition, you should be surrounding yourself with a new group of friends who will support your substance free and crime free lifestyle. By getting involved in extracurricular activities, you will have the opportunity to meet new friends who can help you to see that you can have fun without the use of drugs, alcohol or criminal activity.

Are there reasons for which I can get dismissed from the program?

Yes. The MDT can decide that your lack of commitment and inability to progress through the phases demonstrates that you do not want, or do not deserve, to remain in the program. **You could be terminated for:**

- Committing a violent felony level offense
- Committing a sexual offense
- Using or distributing drugs
- Continually not complying with your conditions of conduct
- Failure to follow treatment recommendations or not attending treatment appointments
- Not completing phases successfully.

What do I have to do to complete the program successfully?

- Follow all your Conditions of Conduct
- Complete the requirements of each phase
- No crimes, drinking or taking illegal drugs

- Go to all counseling and medical appointments
- Take any prescribed medications regularly
- Attend school daily or follow the schedule of your educational plan
- Become friends with kids that will support your healthy lifestyle
- Find adults you trust enough to talk about what is going on in your life

Once you have completed all your phases and have demonstrated to the judge and the MDT that you are able to maintain your behavior, you may request a meeting with the MDT to present why you feel that you should graduate from the FJTC. The MDT will discuss your presentation and either approve you for graduation or require you to complete a few more tasks before you are eligible to graduate. Your MDT will explain why they believe you need to complete additional tasks in order to graduate.

If you are eligible to graduate, you will have a graduation ceremony at your final court hearing. You will also be given a certificate and your charges will then be dismissed.

Remember, you are here to build a new life for yourself-*Work at it!*

APPENDIX B

FAIRBANKS JUVENILE TREATMENT COURT
ELIGIBILITY TEAM REVIEW

Client: _____ JOMIS # _____ Referral Date:

Gender: _____ Court Case Number:

Ethnicity/Race:

Residence prior to referral:

Current residence:

Birth date/Age:

Assigned Judge:

Criminal offense(s):

Total number of arrests in the past 6 months:

Number of days spent in Juvenile Justice Youth Facility in the past 6 months:

Current mental health assessment (completed within the past 90 days): Yes No
(If yes list the DSM IV diagnosis below)

DSM IV Diagnosis:

Axis I:

Axis II:

Axis III:

Axis IV:

Axis: V: GAF (current):

Currently participating in MH treatment?: Yes No
Where:

Total number of days spent at a residential psychiatric treatment facility in the past six months:

Current medication(s):

Substance abuse: Yes No

Drugs: Yes No

Alcohol: Yes No

Substance abuse assessment completed within the past 90 days? Yes No
Who completed the assessment?:

Currently participating in SA treatment: Yes No
Where:

Past placements:

Education Level/Grade: IEP: Yes No

Current educational setting:

Behavioral issues in school?:

FASD Suspected? Yes No

FASD Diagnosed? Yes No

When?

Where?

Presenting problems:

Current need for treatment and services:

Youth's willingness to participate in the treatment court process?:

Parent(s) level of participation:

Why is this youth being recommended for participation in the Fairbanks Juvenile Treatment Court?:

Contacts:

Revised 8-8-12

Fairbanks Juvenile Treatment Court

Division of Juvenile Justice
 Fairbanks Youth Facility
 1502 Wilbur Street
 Fairbanks, AK 99701

CONSENT FOR THE RELEASE OF CONFIDENTIAL INFORMATION

I, _____, parent/legal guardian of _____ whose DOB is: _____ and SSN is: _____, hereby authorize the following initialed individuals to mutually exchange information.

I understand that this release is meant to coordinate services between the members of the Fairbanks Juvenile Treatment Court eligibility team members and my son/daughter's treatment provider. My son/daughter is receiving treatment from:

Person/Organization: _____
 Address: _____
 City/State/Zip: _____
 Phone#/Fax#: _____

It is with this understanding that I authorize all initialed agencies below to exchange the specified information between one another and my son/daughter's treatment provider listed above. All information may be communicated verbally, in writing and/or electronically. (Initial all that apply)

<input type="checkbox"/> Superior Court Judge	<input type="checkbox"/> Court Coordinator
<input type="checkbox"/> Public Defender Agency	<input type="checkbox"/> Mental Health Consultant
<input type="checkbox"/> District Attorney's Office	<input type="checkbox"/> Evaluator
<input type="checkbox"/> Juvenile Probation Officer	<input type="checkbox"/> Other: _____

Description of specific information to be disclosed: **(INITIAL ALL THAT APPLY)**

Discharge Summaries	Psychiatric Assessments
FAS/FASD Assessment/diagnosis	Psychological Assessments
Intake Assessments	Treatment Plan/Reviews
Neuropsychological Assessments	Medications
School Records/Grades/IEP	Substance Abuse Assessment
Prior placement history	Medical History
Other: _____	Other: _____

I Authorize the release of the following sensitive information by initial below: **(INITIAL ALL THE APPLY)**

Drug/Alcohol treatment and/or Diagnosis Mental Health Treatment and/or Diagnosis

The specific purpose of this release is to: Assist with assessment, diagnosis, referral and coordination of treatment, and legal management of criminal charges and verification of compliance with court ordered conditions. I understand that once the above information is disclosed, it may be re-disclosed by the recipient and the information my NOT be protected by federal privacy laws or regulations. However, the Fairbanks Juvenile Treatment Court WILL NOT make any further disclosure of this information unless further disclosure is expressly permitted by written consent of the person to whom it pertains.

I understand that I have the right to cancel this authorization in writing at any time except to the extent that information has already been released. I understand that I may request a copy of this authorization.

I understand that a photocopy/fax of this authorization is as valid as the original.

I understand that information only covered by HIPAA (45 C.F.R Parts 160 & 164-which includes conducting quality assessment and improvement activities including outcomes evaluation and development of clinical guidelines-;Federal laws 42 U.S.C. 290 dd-3 and 42 U.S.C. 290 ee-3 and Federal regulation 42 CFR part 2) is subject to re-disclosure by the recipient and may no longer be protected by the HIPAA Privacy Act. I hereby authorize the use and disclosure of the health information as listed and described above. This Release of Information is valid until my son/daughter graduates from the Fairbanks Juvenile Treatment Court OR

This authorization will expire on (date): _____

 Signature of Client, (if minor and 12+, youth should sign) Date

 Signature of Parent/Legal Guardian Date

 Signature of Witness Date

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
IN FAIRBANKS

In the Matter of:)
)
)
)
)
A minor under 18 years of age.)
)
Date of Birth:)
_____)

CONFIDENTIAL
FAIRBANKS JUVENILE TREATMENT COURT

CASE NO. 4__-__-__DL

**FINDINGS AND ORDER RE: ELIGIBILITY DETERMINATION FOR
FAIRBANKS JUVENILE TREATMENT COURT**

The court has found the above named minor meets criteria for participation in the Fairbanks Juvenile Treatment Court.

Therefore, it is ORDERED:

- This case is reassigned to Judge Jane Kauvar, Superior Court Judge *Pro Tem*
- A New Delinquency case shall be opened regarding this minor. The Petition for Adjudication of Delinquency shall be filed within 5 working days. The new case shall be assigned to Judge Jane Kauvar, Superior Court Judge *Pro Tem*.
- The Public Defender Agency is appointed as attorney for the minor.
- The Office of Public Advocacy is appointed Guardian Ad Litem for the minor.
- The Office of Public Advocacy is appointed as attorney for the minor. The Public Defender Agency cannot be appointed due to a conflict in representation.
- Other: _____
- A hearing date has been set before Judge Kauvar on the _____ day of _____, 20____, at _____ P.M, for _____ minutes.

Dated at Fairbanks, Alaska this _____ day of _____, 20____.

JANE F. KAUVAR
Superior Court Judge *Pro Tem*

I _____ certify that on _____ a copy of the above was hand-delivered/mailed/faxed to each of the following:
 DA OCS GAL Parent/Guardian
 PDA OPA DJJ JPO
 FJTC Project Coordinator
 Other: _____

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

In the Matter of:)
)
)
)
)
A minor under 18 years of age.)
Date of Birth:)
_____)

CASE NO.

**ORDER ACCEPTING ADJUDICATION AGREEMENT AND
HOLDING ADJUDICATION IN ABEYANCE**

A petition was filed on _____ alleging that the above-named minor is:

- a delinquent minor.
- a delinquent minor who has violated the conditions of his/her (probation) / (conduct agreement).

An adjudication hearing was held on the above petition on _____.

Present were: _____

The court has considered the allegations in the petition and evidence presented and makes the following FINDINGS AND CONCLUSIONS:

1. The court has jurisdiction over the parties and the subject matter of the proceedings.
2. The minor has knowingly and voluntarily admitted to Delinquency Rule 14(b)(4) that:
 - all allegations in the petition are true.
 - the following allegations in the petition are true:
Admits:
Dismissed:

This matter having come before the court; and the court having considered the Fairbanks Juvenile Treatment Court Adjudication Agreement including several attachments, which was signed by the minor, his/her counsel, the Juvenile Probation Officer, and the Assistant/District Attorney. The agreement provides the minor will participate in the Fairbanks Juvenile Treatment Court for a

period up to 18 months. The agreement further provides that the participation period may be extended for up to an additional 6 months. The court hereby accepts the terms and conditions of the Fairbanks Juvenile Treatment Court Adjudication Agreement.

IT IS ORDERED that the adjudication be held in abeyance until _____ pursuant to Delinquency Rule 21(d)(1)(B) under the terms and conditions of the agreement. All parties agree that while the case is held in abeyance, the minor and the parent/guardian will participate in the Fairbanks Juvenile Treatment Court (FJTC) will comply with the Fairbanks Juvenile Treatment Court Adjudication Agreement.

DATED: _____

JANE F. KAUVAR
Superior Court Judge *Pro Tem*

I _____ certify that on _____
a copy of the above was hand-delivered/
mailed/faxed to each of the following:
 DA OCS GAL Parent/Guardian
 PDA OPA DJJ JPO
 FJTC Project Coordinator
 Other: _____

5. If the minor fails to abide by the conditions of this agreement, including the FJTC phase program and the minor's conditions of conduct the minor will be sanctioned progressively and may be discharged from the FJTC.
6. If the minor successfully completes the FJTC Phase Program, the minor will graduate from the FJTC. Following graduation, the minor's adjudication of delinquency will be set aside pursuant to Alaska Delinquency Rule 21(d).
7. The minor understands that the period of this agreement is for 18 months. Should the FJTC MDT determine it is in the minor's best interest, the minor understands and accepts that this agreement may be extended for an additional 6 months, for a maximum of two years. In the event the minor successfully completes the FJTC program in less than 18 months, the FJTC MDT may recommend an early release from the FJTC program and this agreement. If during the period of this agreement the minor reaches his/her 18th birthday the minor understands and agrees to continue and participate in the FJTC until s/he completes the program or is discharged from the program.
8. If the minor is discharged from the FJTC before the minor enters phase 2 of the FJTC program, the adjudication of delinquency will stand, the Order Accepting Adjudication Agreement and Holding Adjudication in Abeyance entered pursuant to this agreement and Delinquency Rule 21(d) will be revoked. The court will impose a disposition order pursuant to AS 47.12.120(b)(3) for a period of two years. Upon entry of the new disposition order, this matter will be transferred back to the Superior Court (the referring court) from the FJTC. Subsequent proceedings in the minor's case will be conducted by the Superior Court.
9. If the minor is discharged from the FJTC after the minor enters phase 2 of the FJTC program, the adjudication of delinquency will stand, the Order Accepting Adjudication Agreement and Holding Adjudication in Abeyance entered pursuant to this agreement and to Delinquency Rule 21(d) will be revoked. The court will impose a disposition order pursuant to AS 47.12.120(b)(3) for a period of one year. Upon entry of the new disposition order, the above captioned matter will be transferred back to the Superior Court (the referring court) from the FJTC. Subsequent proceedings in the minor's case will be conducted by the Superior Court.

10. The minor understands that while many of the assessments and events which occur during his/her participation in the FJTC may be confidential, some information is not, and, in the event his/her case is returned to the Superior Court which referred this matter to the FJTC, some reports and information will be disclosed to the Superior Court. The minor acknowledges s/he has been provided the specific FJTC confidentiality policy (Attachment D) and has had an opportunity to discuss it with his/her attorney.
11. The minor acknowledges that this agreement has been discussed fully with counsel and is entered into with the advice and consent of counsel. The minor fully understands the terms of this agreement and the consequences of abiding by or violating this agreement. Further, the minor acknowledges that after full consultation with counsel, the minor has been informed and understands the following:
 - i. The nature of the charges
 - ii. The potential disposition for the offense which could include institutionalization of the minor for two years or until the minor's majority.
 - iii. The defendant has the absolute right to deny the offenses and to persist in that denial if it has already been made.
12. By admitting to counts _____ of the petition, the minor is voluntarily:
 - i. waiving the right to remain silent;
 - ii. waiving the right to call witnesses on the minor's behalf;
 - iii. waiving the right to a speedy and public trial by jury or by judge.
 - iv. waiving the presumption of innocence and the requirement that the State prove the charge(s) beyond a reasonable doubt;
 - v. waiving the right to confront and cross-examine the witnesses against the defendant;
 - vi. waiving the right to appeal the juvenile's adjudication or to appeal the terms of the agreement to enter the Fairbanks Juvenile Treatment Court in this case.
 - vii. Waiving the right to a predisposition report.
13. The minor acknowledges and affirmatively represents to the court that, by entering this agreement:
 - i. The minor is fully satisfied with the representation and advice of

his/her lawyer.

- ii. The minor has fully discussed the charge(s) made against the minor in this case, the potential defenses, the sentencing ranges and this agreement with his/her lawyer and is entering this agreement voluntarily, knowingly and intelligently.
- iii. The minor has reviewed the attachments to this agreement as well the FJTC policies with his/her attorney. The minor has been provided a copy of the FJTC handbook.
- iv. The minor understands that s/he is voluntarily giving up his/her right to testify in the minor's own behalf at trial.
- v. The minor is voluntarily waiving the right to contest the lawfulness of any search or seizure or statements made to police in the case(s) being disposed of through this agreement.
- vi. The minor is presently not under the influence of alcohol, drugs or medication.

The parties further represent that the terms of the agreement are completely set out by this document and its attachments. The defendant acknowledges and represents that there have been no threats, coercion, or promises apart from this agreement.

CERTIFICATION OF PARTIES

I, _____, certify that I have carefully read and understand the terms of this agreement, including all attachments and all of its consequences and have no questions. I am signing this document freely and voluntarily and agree to be bound by its terms or suffer the consequences set forth above should I violate any of the provisions of this agreement.

I, _____, the parent or guardian of the above named minor, certify that I have carefully read and understand the terms of this agreement, including all attachments and all of its consequences and have no questions. I am signing this document freely and voluntarily and agree to assist my child or ward in the completion of the FJTC program.

Defense counsel certifies to the court that to the best of counsel's knowledge the defendant understands the agreement and consents to its terms and that it is being entered into with the advice and consent of counsel.

Minor

Date

Minor's parent or guardian

Date

Minor's parent or guardian

Date

Counsel for Minor

Date

Assistant / District Attorney

Date

Mental Health Juvenile Probation Officer

Date

I _____ certify that on _____

a copy of the above was hand-delivered/

mailed/faxed to each of the following:

DA OCS GAL Parent/Guardian

PDA OPA DJJ JPO

FJTC Project Coordinator

Other: _____

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

IN THE MATTER OF:)
)
)
)
)
)
Date of Birth:)
)
) Case No.: 4FA- -DL
_____)

STATE OF ALASKA)
) ss
FOURTH JUDICIAL DISTRICT)

AFFIDAVIT OF PROBATION OFFICER IN SUPPORT OF
VIOLATION OF CONDITIONS OF CONDUCT

COMES NOW , Probation Officer, Division of Juvenile Justice, first being duly sworn
and upon oath and states as follows:

1. I am a Juvenile probation officer assigned to supervise the above named minor.
2. has been adjudicated a delinquent minor. On , 201 the minor
opted in to participation in the Fairbanks Juvenile Treatment Court. As a condition of the
participation in Fairbanks Juvenile Treatment Court the minor was placed on conditions of
conduct (copy attached) and directed to comply with a case plan developed for him/her.
3. Among the minor's conditions of conduct were .
4. On , 201 the minor violated condition numbers by:
5. Your affiant respectfully requests this court to

SUBSCRIBED AND SWORN before me this ____ day of _____ 201__ .

Notary Public in and for the State of Alaska

My commission expires: _____

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

FOURTH JUDICIAL DISTRICT AT FAIRBANKS

IN THE MATTER OF:

)
)
)
)
)
)
)
)
)

Date of Birth:

Case No.: 4FA- DL

FINDINGS AND ORDER RE: RETURNING CASE TO SUPERIOR COURT CALENDAR FROM FAIRBANKS JUVENILE TREATMENT COURT

The minor has been discharged from the Fairbanks Juvenile Treatment Court (FJTC).

Therefore, it is ORDERED:

- That the minor's case is remanded to the Superior Court Judge assigned to the case prior to participation in FJTC.
- That this matter shall be assigned to a Superior Court Judge for further proceedings.
- Other _____
- The next hearing in this matter is scheduled for: _____
- No further hearings are necessary at this time.

Dated at Fairbanks, Alaska this ____ day _____, 201__.

JANE F. KAUVAR
Superior Court Judge *Pro Tem*

I _____ certify that on _____
a copy of the above was hand-delivered/
mailed/faxed to each of the following:
 DA OCS GAL Parent/Guardian

PDA OPA DJJ JPO
 FJTC Project Coordinator Other: _____

FAIRBANKS JUVENILE TREATMENT COURT CONFIDENTIALITY AGREEMENT

I, _____, as a participating member or guest of the Fairbanks Juvenile Treatment Court (FJTC), duly recognize my responsibility to the confidentiality of the Fairbanks Juvenile Treatment Court Participants and hereby agree:

1. Any information discussed at a team meeting shall remain confidential and will not be revealed to anyone.
2. Names of FJTC Participants will be disseminated to team members only.
3. Photos, FJTC files and addresses of FJTC Participants will remain confidential, to be used by FJTC Team members only.

Signature: _____ Date: _____

Note: *This form is necessary in order to comply with Federal Statutes 42 U.S.C. 290dd-3, 290ee-3 and Federal Regulations 42 C.F.R. Part 2 which govern Confidentiality of Alcohol and Drug Abuse Patient Records.*

**FAIRBANKS JUVENILE TREATMENT COURT
CRITICAL INCIDENT REPORT**

Date and time of incident _____ / _____ a.m. /p.m.

Juvenile's Name:		Gender:	DOB:	Age:
MH/SA Provider Address: Phone:		MH/SA Provider Address: Phone:		
Name of Parent(s)/Legal Guardian(s):			Phone:	
Name of Juvenile's caretaker(s):			Phone:	
Type of incident:	<input type="checkbox"/> Death <input type="checkbox"/> Serious Physical Injury <input type="checkbox"/> Other	<input type="checkbox"/> Media Exposure <input type="checkbox"/> Serious Offense <input type="checkbox"/> Sexual Assault	<input type="checkbox"/> Physical Assault <input type="checkbox"/> Suicide Gesture/Attempt	
Location(s) of incident:				
Description of incident: (Include ages of all parties involved)				
Describe immediate action taken:				
Notification: Date & Time		Who was notified:		
Notification: Date & Time		Who was notified:		
Signature of Reporter:			Phone:	
Date/Time- FJTC received Critical Incident Report:				
*MDT review and action recommended/ taken:				

Reviewed by: _____	Date: _____
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Distribution: Original -DJJ File /Copy- FJTC File

*MDT-Multi-Disciplinary Team

Dear Sir or Madam:

The Fairbanks Juvenile Treatment Court (FJTC) diverts eligible minors from the traditional juvenile delinquency court system to a specialized therapeutic court designed to address the mental health and other needs of the youth. To ensure the youth and their families are receiving the services necessary to complete their case plan, the FJTC will consider paying for services from treatment providers. To that end, the FJTC asks that you identify the services available by checking the appropriate box below. If the generic description is inadequate, you may complete the "other" box and provide a description on a separate attachment.

- | | |
|--|---|
| <input type="checkbox"/> Peer group facilitation | <input type="checkbox"/> Substance abuse assessment |
| <input type="checkbox"/> Psychiatric evaluation | <input type="checkbox"/> Individual counseling |
| <input type="checkbox"/> Family counseling | <input type="checkbox"/> Substance abuse treatment |
| <input type="checkbox"/> Education/vocational training | <input type="checkbox"/> Medication management |
| <input type="checkbox"/> Mental health assessment | <input type="checkbox"/> Psychological assessment |
| <input type="checkbox"/> Family support services | |
| <input type="checkbox"/> Other: _____ | |

PAYMENT:

Availability of the funds will be limited to situations where insurance, Medicaid or other resources are not available for payment. Consequently, please include a fee schedule for services that you provide. With this information, it is our intention to prepare a draft Agreement for Treatment Services for your review outlining the payment terms for rendition of services to the youth and families that may be referred to you by the Fairbanks Juvenile Treatment Court.

If you have questions, please contact me at your convenience.

Provider name: _____ Date: _____

Provider phone number(s): _____

Provider e-mail address: _____

**Alaska Court System
Agreement for Treatment Services**

THIS AGREEMENT is made and entered into between the Alaska Court System (hereinafter referred to as “ACS”), 820 W 4th Ave., Anchorage, Alaska 99501 and

_____ with an address of _____

(hereinafter referred to as "Provider"), and shall become effective _____, 20____ and continue in full force until terminated as provided in this agreement.

The parties to this agreement agree as follows:

1. **Services to be Performed.** Provider’s provision of services shall include, as necessary in particular cases, those which are checked below:

- | | |
|--|---|
| <input type="checkbox"/> Peer group facilitation | <input type="checkbox"/> Substance abuse assessment |
| <input type="checkbox"/> Psychiatric evaluation | <input type="checkbox"/> Individual counseling |
| <input type="checkbox"/> Family counseling | <input type="checkbox"/> Substance abuse treatment |
| <input type="checkbox"/> Education/vocational training | <input type="checkbox"/> Medication management |
| <input type="checkbox"/> Mental health assessment | <input type="checkbox"/> Psychological assessment |
| <input type="checkbox"/> Family support services | |
| <input type="checkbox"/> Other: | |

2. **Terms of Payment.** In response to a solicitation, Provider has indicated a willingness to accept referrals from ACS Fairbanks Juvenile Treatment Court. Provider understands that the assignment of cases is solely within the discretion of the ACS FJTC, and that Provider is not guaranteed a minimum number of cases or a minimum number of hours of work. Provider has included a fee schedule dated _____. The fee schedule shall remain in full force and effect until Provider notifies the ACS in writing that a new fee schedule shall take effect not less than 30 days following ACS Fairbanks Juvenile Treatment Court receipt of the new fee schedule. Notice of the new fee schedule shall be provided to the coordinator of the ACS Fairbanks Juvenile Treatment Court at _____ and the Statewide Therapeutic Courts Project Coordinator, Alaska Court System, 820 W. 4th Ave., Anchorage, AK 99501, mbartley@courts.state.ak.us, (907) 264-8291 (fax).

3. **Payment for Services.** Provider shall submit an invoice and copy of the Order authorizing treatment services. The invoice shall identify each client and contain such other information as may be reasonably requested by ACS personnel. The ACS shall pay each invoice within 30 days of receipt. Invoices should be mailed, faxed, or emailed to: Michelle Bartley, Statewide Therapeutic Courts Project Coordinator, Alaska Court System, 820 W. 4th Ave., Anchorage, AK 99501, mbartley@courts.state.ak.us, (907) 264-8291 (fax).

4. **Expenses.** Provider shall be responsible for all expenses incurred by Provider while performing services under this Agreement. Such expenses include, but

are not limited to, license fees, memberships, and dues; automobile and other travel expenses; meals and entertainment; insurance premiums; and all salary, expenses, fringe benefits, and other compensation paid to employees or contract personnel.

5. **Independent Contractor Status.** ACS is not liable for any act, omission, or other conduct of Provider. Provider is an independent contractor, not an ACS employee or subject to ACS control. Provider's employees or contract personnel are not ACS employees. Provider and the ACS agree to the following rights consistent with an independent contractor relationship:

- a. Provider has the right to perform services for others during the term of this Agreement;
- b. Provider has the sole right to control and direct the means, manner and method by which the services required by this Agreement will be performed; and
- c. The ACS shall not require Provider or Provider's employees or contract personnel to devote full time to performing the services required by this Agreement.

6. **Business Permits, Certificates, and Licenses.** Provider has complied with, and shall maintain, all federal, state, and local laws and licensure requirements regarding professional licenses, business permits, certificates, and other authorizations required to carry out the services to be performed under this Agreement.

7. **State and Federal Taxes.** Provider shall pay all taxes incurred while performing services under this Agreement, including without limitation, all applicable income and self-employment taxes. ACS will not:

- a. withhold FICA (Social Security and Medicare taxes) from Provider's payments or make FICA payments on Provider's behalf;
- b. make state or federal unemployment compensation contributions on Provider's behalf; or
- c. withhold state or federal income tax from Provider's payments.

8. **Fringe Benefits.** Provider understands that neither Provider nor Provider's employees or contract personnel are eligible to participate in any employee pension, profit-sharing, health, vacation pay, sick pay, or other fringe benefit plan of the ACS. If Provider is later classified as an ACS employee, Provider expressly waives Provider's rights to any benefits to which he or she was, or might have become, entitled.

9. **Workers' Compensation.** The ACS will not obtain workers' compensation insurance on behalf of Provider or Provider's employees. If Provider hires employees to perform any work under this Agreement, Provider will cover them with workers' compensation insurance and, upon demand, will provide the ACS with a certificate of workers' compensation insurance before the employees begin the work.

10. **Unemployment Compensation.** The ACS shall make no state or federal unemployment compensation payments on behalf of Provider or Provider's employees or contract personnel. Provider will not be entitled to these benefits in connection with work performed under this Agreement.

11. **Insurance.** The ACS shall not provide any insurance coverage of any kind for Provider or Provider's employees or contract personnel. Provider shall defend, indemnify, and hold the ACS harmless from any loss or liability arising from performing services under this Agreement.

12. **Terminating the Agreement.** Either party may terminate this Agreement at any time by giving thirty days written notice of the termination. If the Agreement is terminated, the ACS will pay provider on a pro rata basis for all tasks satisfactorily performed by the Provider through the effective date of the termination.

13. **Exclusive Agreement.** This is the entire Agreement between Provider and the ACS.

14. **Severability.** If any provision of this Agreement is determined to be invalid, illegal, or unenforceable, the remaining provisions will remain in full force if the essential provisions of this Agreement for the ACS and Provider remain valid, binding, and enforceable.

15. **Applicable Law.** This Agreement will be governed by the laws of the State of Alaska.

16. **Notices.** All notices and other communications with this Agreement shall be in writing and shall be given as follows:

Fairbanks Juvenile Treatment Court
Project Coordinator
Rabinowitz Courthouse
101 Lacy Street, Fairbanks, AK 99701
Telephone (907) 452-9307
Facsimile (907) 452-9206

with a copy to:

Michelle Bartley
Alaska Court System
Statewide Therapeutic Courts Project Coordinator
820 W. 4th Ave., Anchorage, AK 99501
mbartley@courts.state.ak.us
Facsimile(907) 264-8291

Notices to the Provider shall be sent to:

Telephone (907) _____ and Fax (907) _____

17. **No Partnership.** This Agreement does not create a partnership relationship. Provider does not have authority to enter into contracts on the ACS's behalf.

18. **Resolving Disputes.** If any court action is necessary to enforce this Agreement, the prevailing party shall be entitled to reasonable attorney fees, costs, and expenses in addition to any other relief to which he or she may be entitled.

19. **Facsimile Originals.** Provider and the ACS agree that this Agreement will be considered signed when the signature of a party is delivered by facsimile transmission. Signatures transmitted by facsimile shall have the same effect as original signatures.

20. **Confidentiality.** By the signing of this agreement, Provider represents that Provider will abide by all state and federal confidentiality laws restricting disclosure of oral or written information, court records, agency records, medical records and mental health treatment records made available to Provider.

Alaska Court System

By: _____ Date: _____
Christine E. Johnson, Administrative Director

Provider: _____

By: _____ Date: _____

Its: _____

Taxpayer ID Number: _____

**Multi-Disciplinary Team (MDT) Member
Training Questionnaire**

Please reflect the past 12 months		
Name:	Role:	Today's Date:
Please list trainings, conferences, classes and seminars you have attended that pertain to the following areas:		
Therapeutic Courts (DUI, Drug, Mental Health, etc.):	Hours	Month and Year attended
National Drug Court Institute(NDCI) Sponsored Conferences:	Hours	Month and Year attended
National Association of Drug Court Professionals (NADCP) Sponsored Conferences:	Hours	Month and Year attended
Substance Abuse Issues:	Hours	Month and Year attended
Mental Health Issues:	Hours	Month and Year attended

Fairbanks Juvenile Treatment Court Multi-Disciplinary Team (MDT) Member Individualized Training Plan

MDT Member Name:			MDT Member Role:		
Start Date:		MDT Member Organization/Agency:			
Proposed Training <small>(Please refer to policy ## for a list of trainings recommended for Therapeutic Court MDT members)</small>	Need <small>(How will this training help FJTC Participants)</small>	Priority <small>(Needed currently or in the future)</small>	Resources <small>(In-house, Webinar, local, state, national, etc.)</small>	Funding Source(s)	Notes

Form revisions 7-3-12

**Fairbanks Juvenile Treatment Court
Multi-Disciplinary Team (MDT) Member
Orientation Checklist**

MDT Member Name:	MDT Member Role:
Start Date:	MDT Member Organization/Agency:

NOTE: All materials listed below shall be provided to the MDT member by the FJTC Project Coordinator

MDT Member Initials	Project Coordinator Initials	Action	Recommended Completion Timeline	Date Completed
		Receive a FJTC Policy & Procedures Manual and Program Handbook	On or before the start date as an active MDT member	
		Receive information on the history and philosophy of therapeutic court	On or before the start date as an active MDT member	
		Complete a training questionnaire and submit a copy to the FJTC Project Coordinator	Within two weeks of start date as an active MDT member	
		Review the FJTC training policy and submit an initialed copy to the FJTC Project Coordinator	Within one month of start date as an active MDT member	
		Complete an individualized training plan and submit a copy to the FJTC Project Coordinator	Within three months of start date as a FJTC MDT member	

NOTES:

Fairbanks Juvenile Treatment Court
Emergent Fund
Receipt/Change Form

Date: _____

FJTC Participant initials: _____

FJTC Participant case #: _____

Project Coordinator name:

Project Coordinator signature:

Original check issued to: _____

Date of issue: _____

Check number: _____

Amount of original check: \$ _____

Change being returned? No Yes (Amount:\$ _____)

Receipts attached? No Yes

Return check should be made to:

Partners for Progress
Re: AMHTA Emergent Funds
406 "G" Street, #302
Anchorage, Alaska 99501

Fairbanks Juvenile Treatment Court
Emergent Funding
Promissory Note

Amount of loan: \$ _____

Amount of loan to be re-paid: \$ _____

Date: _____

For value received, the undersigned promises to pay to the order of the Alaska Mental Health Trust Emergent Fund (hereinafter "holder", in legal tender, the sum of \$_____, with no interest. This note commences on _____ (hereinafter "Commencement Date"), and all obligations set forth herein are measured from this date. This note is payable on a monthly basis, the first monthly principle payment of \$__ being due on _____, and each additional monthly payment of \$_____ due on the same day of the following month. And, all principal shall be fully repaid no later than _____ months after the Commencement Date.

In the event of default under the terms of this Note, upon (10) ten days following written demand by Holder of this note to cure such default, and such default having not been cured, Holder may, at Holder's sole and absolute discretion, declare all remaining principal immediately due and payable. Waiver by Holder hereof to enforce any provisions of this Note shall not operate to bar Holder's rights to enforce any provisions of this Note at any time or for any later default.

All payments should be made to the **Interior Alaska Center for Non-Violent Living Fairbanks Juvenile Treatment Court** and mailed to:

Interior Alaska Center for Non-Violent Living
Re: **Fairbanks Juvenile Treatment Court Loan Payment**
726 26th Ave. Suite 1
Fairbanks, AK 99701-7033

Printed Name of Loan Recipient Date

Signature of Loan Recipient Date

This Note shall be governed and interpreted under laws of the State of Alaska.

Fairbanks Juvenile Treatment Court (FJTC)
Emergent Funding Request

FJTC Participant initials: _____

FJTC Participant Case # : _____

Date of request: _____

Amount of funds requested: \$ _____

Amount of loan to be re-paid: \$ _____
(Promissory note to be completed if applicable)

Funds requested will meet the following short term, basic and emergent needs:

- | | | |
|--|---|--|
| <input type="checkbox"/> Shelter | <input type="checkbox"/> Clothing | <input type="checkbox"/> Medication |
| <input type="checkbox"/> Basic Housing | <input type="checkbox"/> Transportation | <input type="checkbox"/> Equipment |
| <input type="checkbox"/> Food | <input type="checkbox"/> Medical care | <input type="checkbox"/> Other (please describe below) |

Emergent funds are intended to prevent or minimize the consequences of crises and avoid periods of instability which impede the youth's recovery and treatment progress. Please explain:

Check to be issued in the amount of: _____

Check is to be issued to: _____

Date check is needed by: _____

Please mail the check to this address: _____

Check will be picked up by: _____

MDT approval: Yes No

Approval date: _____

Project Coordinator printed name

Project Coordinator signature

Fairbanks Juvenile Treatment Court
Discretionary Funding
Request Form

FJTC Participant initials: _____

FJTC Participant Case #: _____

Date of request: _____

Amount of funds requested: \$ _____

Please explain how the requested funds support a specific goal(s) in the youth's case/treatment plan(s).

Check to be issued in the amount of: _____

Check is to be issued to: _____

Date check is needed by: _____

Please mail the check to this address: _____

Check will be picked up by: _____

MDT approval: _____ Yes No

Approval date: _____

FJTC Project Coordinator name:

Project Coordinator signature: _____ Date

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT

IN THE MATTER OF:

)

)

FAIRBANKS JUVENILE TREATMENT COURT

ORIENTATION PHASE

CASE PLAN

Date of Birth:

)

Case No. 4FA-

DL

)

)

The youth and parent/guardian agreed to participate in a specialized track of the juvenile delinquency system. The Fairbanks Juvenile Treatment Court serves to address the needs of the youth and the family in order to divert appropriate parties from the traditional formal court process. All parties therefore agree to comply with the contents of this case plan.

1) Minor and parents will schedule all, and complete as many assessments as possible. The minor will be required to follow all treatment recommendations.

- Substance Abuse Evaluation
- Mental/Psychiatric/Psychological Evaluation
- Resource Center for Parents and Children
- Threat or Risk Assessment
- Other

Provider and date and time of appointment:

2) Minor will complete a family tree and present to the court. The family tree should include all those persons who live with you and those whom you feel are significant people in your life.

Date Completed: _____

3) Minor will complete a list of all social contacts and present to the court.

Date Completed: _____

4) Minor will attend and participate in school every day.

School attending: _____

5) Minor will abide by the curfew hour of 8:00pm every day.

6) Minor will submit to and pass random UAs if requested by a probation officer.

7) Minor will be present at all FJTC hearings and will bring notebook and will bring any assignments as directed the court or JPO.

8) Minor will follow all court ordered Conditions of Conduct.

9) Minor will create one personal goal for this phase.

Goal: _____

Signatures: I have read/have had read to me the terms and conditions of the Fairbanks Juvenile Treatment Court case plan, I understand them, have the ability to abide by them, and agree to abide by them. I understand that violation of one or more of these conditions may result in the Judge ordering one of the above mentioned sanctions.

Youth: _____
Date

Parent: _____
Date

As a member of the Fairbanks Juvenile Treatment Court multi-disciplinary team, I agree to support this youth and I agree to provide encouragement, and guidance to help them successfully accomplish the goals outlined in this case plan:

Attorney for Minor: _____
Date

ADA: _____
Date

Probation Officer: _____
Date

IT IS SO ORDERED, dated at Fairbanks, Alaska this _____ day .

JANE F. KAUVAR
Superior Court Judge *Pro Tem*

I _____ certify that on _____
a copy of the above was hand-delivered/
mailed/faxed to each of the following:
 DA OCS GAL Parent/Guardian
 PDA OPA DJJ JPO
 FJTC Project Coordinator
 Other: _____

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT

IN THE MATTER OF:

)	
)	FAIRBANKS JUVENILE TREATMENT COURT
		PHASE I
		CASE PLAN
Date of Birth:)	Case No. 4FA- DL
_____)	
)	

The youth and parent/guardian agreed to participate in a specialized track of the juvenile delinquency system. The Fairbanks Juvenile Treatment Court serves to address the needs of the youth and the family in order to divert appropriate parties from the traditional formal court process. All parties therefore agree to comply with the contents of this case plan.

1) The minor will enroll in an extracurricular activity either at school or in the community. If the minor chooses not to participate in an extracurricular activity, the minor will be required to complete 2 hours of community work service each week.

Extracurricular Activity: _____
Community Work Service Location: _____

2) The minor will work with assigned probation officer or attorney to set up a restitution agreement.

Date Completed: _____
Terms of agreement: _____

3) Minor will be present at all FJTC hearings and will bring notebook and will bring any assignments as directed the court or JPO..

4) Minor will attend and participate in school every day. Minor will be required to submit attendance and grades to the court at each scheduled hearing. If minor participates in an alternative school program, the minor will need to submit a daily schedule to the court.

5) Minor will abide by the curfew hour of _____ every day.

6) Minor will submit to and pass random UAs if requested by a probation officer.

7) Minor will attend all scheduled treatment appointments. The minor will actively participate in all appointments.

8) Minor will follow all court ordered Conditions of Conduct.

9) Minor will create one personal goal for this phase.

Goal: _____

Signatures: I have read/have had read to me the terms and conditions of the Fairbanks Juvenile Treatment Court case plan, I understand them, have the ability to abide by them, and agree to abide by them. I understand that violation of one or more of these conditions may result in the Judge ordering one of the above mentioned sanctions.

Youth: _____
Date

Parent: _____
Date

As a member of the Fairbanks Juvenile Treatment Court multi-disciplinary team, I agree to support this youth and I agree to provide encouragement, and guidance to help them successfully accomplish the goals outlined in this case plan:

Attorney for Minor: _____
Date

ADA: _____
Date

Probation Officer: _____
Date

IT IS SO ORDERED, dated at Fairbanks, Alaska this _____ day .

JANE F. KAUVAR
Superior Court Judge *Pro Tem*

I _____ certify that on _____
a copy of the above was hand-delivered/
mailed/faxed to each of the following:
 DA OCS GAL Parent/Guardian
 PDA OPA DJJ JPO
 FJTC Project Coordinator
 Other: _____

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT

IN THE MATTER OF:

)

)

FAIRBANKS JUVENILE TREATMENT COURT

PHASE II

CASE PLAN

Date of Birth:

)

Case No. 4FA-

DL

)

)

The youth and parent/guardian agreed to participate in a specialized track of the juvenile delinquency system. The Fairbanks Juvenile Treatment Court serves to address the needs of the youth and the family in order to divert appropriate parties from the traditional formal court process. All parties therefore agree to comply with the contents of this case plan.

1) The minor will identify a natural support/accountability group. These are people whom you feel that you could go to if you are having a problem or slipping back into old habits. At least half the group should be adults.

Support/Accountability Group: _____

2) The minor will set up an appointment and meet with a representative from the Division of Vocational Rehabilitation (DVR). Minor will follow the case plan developed by the DVR representative.

Date of Appointment: _____

Representative: _____

3) Minor will be present at all FJTC hearings and will bring notebook and will bring any assignments as directed the court or JPO.

4) Minor will attend and participate in school every day. Minor will be required to submit attendance and grades to the court at each scheduled hearing. If minor participates in an alternative school program, the minor will need to submit a daily schedule to the court.

5) Minor will abide by the curfew hour of _____ every day.

6) Minor will submit to and pass random UAs if requested by a probation officer.

7) Minor will attend all scheduled treatment appointments. The minor will actively participate in all appointments and begin to demonstrate that the minor is internalizing treatment concepts.

8) Minor will follow all court ordered Conditions of Conduct.

9) Minor will create one personal goal for this phase.

Goal: _____

10) Minor will have any community work service ordered by the court completed. Date Completed: _____

11) Minor will continue to participate in an extracurricular activity or weekly community work service.

12) Minor will continue to follow restitution agreement.

Signatures: I have read/have had read to me the terms and conditions of the Fairbanks Juvenile Treatment Court case plan, I understand them, have the ability to abide by them, and agree to abide by them. I understand that violation of one or more of these conditions may result in the Judge ordering one of the above mentioned sanctions.

Youth: _____
Date

Parent: _____
Date

As a member of the Fairbanks Juvenile Treatment Court multi-disciplinary team, I agree to support this youth and I agree to provide encouragement, and guidance to help them successfully accomplish the goals outlined in this case plan:

Attorney for Minor: _____
Date

ADA: _____
Date

Probation Officer: _____
Date

IT IS SO ORDERED, dated at Fairbanks, Alaska this _____ day .

JANE F. KAUVAR
Superior Court Judge *Pro Tem*

I _____ certify that on _____
a copy of the above was hand-delivered/
mailed/faxed to each of the following:
 DA OCS GAL Parent/Guardian
 PDA OPA DJJ JPO
 FJTC Project Coordinator
 Other: _____

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT

IN THE MATTER OF:

)
) **FAIRBANKS JUVENILE TREATMENT COURT**

PHASE III
CASE PLAN

Date of Birth: _____)

Case No. 4FA-

DL

)
_____)

The youth and parent/guardian agreed to participate in a specialized track of the juvenile delinquency system. The Fairbanks Juvenile Treatment Court serves to address the needs of the youth and the family in order to divert appropriate parties from the traditional formal court process. All parties therefore agree to comply with the contents of this case plan.

1) The minor will develop a contract with the help of treatment providers, support group, family and probation officer to ensure that the minor and the minor's family will maintain healthy behaviors, accountability and safety.

Date Completed: _____

2) The minor will continue to meet with their DVR representative and will continue to follow their DVR case plan.

3) Minor will be present at all FJTC hearings and will bring notebook and will bring any assignments as directed the court or JPO.

4) Minor will attend and participate in school every day. Minor will be required to submit attendance and grades to the court at each scheduled hearing. If minor participates in an alternative school program, the minor will need to submit a daily schedule to the court.

5) Minor will abide by the curfew hour of _____ every day.

6) Minor will submit to and pass random UAs if requested by a probation officer.

7) Minor will attend all scheduled treatment appointments. The minor will actively participate in all appointments and begin to demonstrate that the minor is internalizing treatment concepts.

8) Minor will follow all court ordered Conditions of Conduct.

9) Minor will create one personal goal for this phase.

Goal: _____

10) Minor will write an apology letter.

Date Completed: _____

11) Minor will continue to participate in an extracurricular activity or weekly community work service.

12) Minor will pay any remaining restitution.

Date Completed: _____

Signatures: I have read/have had read to me the terms and conditions of the Fairbanks Juvenile Treatment Court case plan, I understand them, have the ability to abide by them, and agree to abide by them. I understand that violation of one or more of these conditions may result in the Judge ordering one of the above mentioned sanctions.

Youth: _____ **Date**

Parent: _____ **Date**

As a member of the Fairbanks Juvenile Treatment Court multi-disciplinary team, I agree to support this youth and I agree to provide encouragement, and guidance to help them successfully accomplish the goals outlined in this case plan:

Attorney for Minor: _____ **Date**

ADA: _____ **Date**

Probation Officer: _____ **Date**

IT IS SO ORDERED, dated at Fairbanks, Alaska this _____ day .

JANE F. KAUVAR
Superior Court Judge *Pro Tem*

I _____ certify that on _____
a copy of the above was hand-delivered/
mailed/faxed to each of the following:
 DA OCS GAL Parent/Guardian
 PDA OPA DJJ JPO
 FJTC Project Coordinator
 Other: _____

APPENDIX C

Fairbanks Juvenile Treatment Court (FJTC) Phase Descriptions

ORIENTATION

(30 to 45 days)

During this phase the youth will be expected to:

- A.** Schedule all, and complete as many as possible, the required assessments. (Substance abuse, MH, psychiatric, RCPC etc)
- B.** Prepare a family tree which includes all significant persons involved in the youth's life
- C.** Provide to the Judge a list of all social contacts
- D.** Attend school and actively participate in all classes
- E.** Unless with a parent, guardian, or treatment provider/caregiver, the youth will have a curfew of 8:00 pm. As the youth progresses in orientation this curfew may be adjusted by the JPO
- F.** If, applicable, submit to random UAs as requested by JPO
- G.** Comply with Conditions of Conduct as established by the JPO
- H.** Attend and participate in all FJCT hearings (once a week)
- I.** The youth will bring his/her FJTC notebook to every hearing. The notebook (which will be provided by the JPO) will contain the petition, the participation agreement, the FJTC handbook, the plea agreement, the disposition judgment, notes from all court hearings, notes regarding assignments, completed assignments, school attendance/grades/progress reports, and anything else directed by the court, treatment provider, or JPO.
- J.** At the end of the orientation period a transitional meeting which will include the FJTC MDT team, all the youth's treatment providers, and the youth's parents, will be held. At the transition meeting the youth's treatment goals and court requirements will be reviewed and a collaborative relationship between the providers, parents, and MDT will be established. The FJTC MDT will determine whether the minor should progress to phase one. Other issues as needed
- K.** Failure to comply with Orientation requirements will result in discharge from FJTC and referral to traditional court and imposition of formal disposition.

PHASE I
(3-6 Months)

During this phase the youth will be expected to:

- A.** Continue to attend all FJTC hearings (once a week or as required by the judge) and bring to every hearing:
 - i)** FJTC notebook. (See description in orientation for contents).
 - ii)** Provide a copy of his/her school attendance records and present them to the judge. If the youth is enrolled in alternative education program, the youth will provide to the judge a copy of his/her daily schedule.
- B.** Be enrolled in a school sponsored by the FNSBSD or an alternative education program approved by the JPO.
- C.** Follow individualized case plan developed by JPO.
- D.** Complete assignments as directed by JPO, judge, and treatment provider(s).
- E.** Actively engage and attend all scheduled treatment appointments.
- F.** If, applicable, submit to random UAs as requested by JPO.
- G.** Report to his/her JPO as directed.
- H.** Unless with a parent, guardian, or treatment provider/caregiver the youth will have a curfew as determined by the JPO. As the minor progresses in the phase the curfew may be adjusted by the JPO
- I.** Obey conditions of conduct as established by the JPO.
- J.** If applicable to his/her offense, develop restitution payment plan and begin to pay restitution.
- K.** Enroll in an extracurricular activity such as sports, band, school clubs, youth organization, or other community youth group. If funds for registration or equipment are a barrier the youth should discuss it with his/her JPO. Alternatively, the youth will locate an organization (approved by the JPO) where the youth can do a minimum of 2 hours of volunteer work a week.
- L.** A transition meeting may be requested by the youth or the JPO no sooner than three months after s/he enters phase one to discuss the youth's progress and promotion to phase two. At this meeting, the youth will make a presentation to the FJTC MDT, treatment providers and parents/guardians explaining why the youth should be promoted from phase one to phase two. Should the youth not be ready to be promoted the MDT will inform the youth of what is necessary for promotion and when the youth may request another transition meeting.

PHASE II
(3-6 Months)

During this phase the youth will be expected to:

- A.** Continue to attend all FJTC hearings (twice a month or as required by the judge) and bring to every hearing:
 - i)** FJTC notebook. (See orientation phase for description of contents).
 - ii)** Provide a copy of his/her school attendance records and present them to the judge.
 - iii)** If the youth is enrolled in an alternative education program the youth will provide to the judge a copy of his/her daily schedule.
- B.** Be enrolled in a school sponsored by the FNSBSD or an alternative education program approved by the JPO.
- C.** Follow individualized case plan developed by the JPO.
- D.** Complete assignments as directed by juvenile probation officer, judge, and treatment provider(s).
- E.** Make progress toward earning a high school diploma or GED.
- F.** Report to his/her JPO as directed.
- G.** If applicable, submit to random UAs as requested by JPO.
- H.** Unless with a parent, guardian, or treatment provider/caregiver the youth will have a curfew as determined by the JPO. As the minor progresses in the phase the curfew may be adjusted by the JPO
- I.** Continue to attend all required meetings with treatment providers and demonstrate internalization of treatment concepts.
- M.** Continue to participate in selected extracurricular or volunteer activity.
- N.** Identify a natural support/accountability group of three to five people, at least ½ of the members of the group are adults.
- O.** Continue to pay restitution per plan developed in phase one.
- P.** Meet with a representative of the Division of Vocational Rehabilitation (DVR) for vocational evaluation and job skills acquisition and/or college referral, preparation, and application. Follow the case plan developed for the youth by DVR.
- Q.** Obey conditions of conduct as established by the JPO.
- R.** Complete any community work service ordered at adjudication.
- S.** A transition meeting can be requested by the youth or the JPO no sooner than four months after the youth entered in phase two to discuss the youth's progress and promotion to phase two. At this meeting, the youth will make a presentation to the MDT, treatment providers, and parents/guardian explaining why the minor should be promoted from phase two to phase three. Should the youth not be promoted the MDT will inform the youth of what is necessary for promotion and when the youth may request another transition meeting.

PHASE III
Maintenance Phase
(2- 4 months)

During this phase the youth will be expected to:

- A.** Continue to attend all FJTC hearings (once a month or as required by the judge) and bring to every hearing:
 - i)** FJTC notebook. (See description in orientation for contents).
 - ii)** Provide a copy of his/her school attendance records and present them to the judge. If the youth is enrolled in an alternative education program the youth will provide to the judge a copy of his/her daily schedule.
- B.** Be enrolled in a school sponsored by the FNSBSD or alternative education program approved by the JPO
- C.** Continue to follow individualized case plan developed by the JPO
- D.** Complete assignments as assigned by JPO, court, or treatment provider
- E.** Report to his/her JPO as directed
- F.** If applicable, submit to random UA's as requested by JPO
- G.** Unless with a parent, guardian, or treatment provider/caregiver the youth will have a curfew as determined by the JPO. As the minor progresses in the phase the curfew may be adjusted by the JPO
- H.** Continue to participate and progress in treatment as directed by treatment providers. Continue to attend all required meetings and demonstrate internalization of treatment concepts
- I.** Continue to progress toward earning a high school diploma or GED
- J.** Continue to participate in selected extracurricular or volunteer activity
- K.** Continue to pay restitution per plan previously developed
- L.** Continue to meet with DVR staff, and follow the DVR case plan
- M.** Obey conditions of conduct as established by the JPO
- N.** Develop a contract with treatment providers, support group, family, and JPO, to ensure the youth and family maintain healthy behaviors by increasing accountability and safety.
- O.** Demonstrate remorse, which may include a letter of apology
A transition meeting can be requested by the youth or the JPO no sooner than two months after the youth enters phase three to discuss the youth's progress and readiness for graduation. At this meeting, the youth will make a presentation to the MDT, treatment providers, and parents/guardians explaining why the youth is ready to graduate from FJTC. Should the MDT decide the youth is not ready for graduation the MDT will inform the youth of what is necessary for graduation and when the youth may request another transition meeting.