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MENTAL HEALTH COURT

PARTICIPANT HANDBOOK

Madison County Problem Solving Courts

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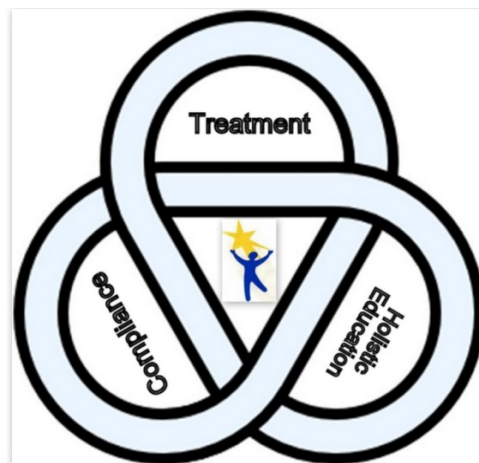
Welcome to the **Madison County Mental Health Court** program. This handbook is designed to answer questions, address concerns, and provide overall information about the Mental Health Court program. As a participant, you will be expected to follow the instructions given in Mental Health Court by the judge and comply with the treatment plan developed for you by the Mental Health Court team. This handbook will detail what is expected of you as a Mental Health Court participant and review general program information. All participants are encouraged to share this handbook with family and friends.

Mission Statement – The Madison County Mental Health Court serves the judiciary, the community and a mental health client base to increase public safety, reduce recidivism, and expand remedial mental health services by identifying persons in the criminal justice system who suffer from mental illness, monitoring and supporting mentally ill offenders in accessing, and securing treatment and improving their quality of life. Each participant is treated with respect and dignity thus empowering him/her to make positive changes in his/her life.

Program Description

The Madison County Mental Health Court program is a court-supervised, comprehensive treatment program. This is a voluntary program based upon the Problem Solving Court model of extensive judicial involvement and oversight with a series of rewards or sanctions. Participants are screened to determine initial eligibility. A formal treatment plan is drafted upon admission to the program. Graduation follows successful completion of the treatment plan and meeting all program benchmarks.

The Madison County Mental Health Court is a treatment program that focuses on three interdependent components to help you manage your life and your mental health. The three components work together to help you reach your goals.



The three components are *treatment* through an approved provider, *compliance* through Judicial supervision, and *holistic educational opportunities* that teach living, coping and social skills. The educational portion of the program is individualized to your needs as stated by you and as assessed by your treatment team.

Program length ranges from a minimum of twelve (12) months to a maximum of thirty-six (36) months. All participants enter the program with an eighteen (18) month completion date that is reduced as benchmarks are met or increased to 36 months if deemed appropriate by the Court. Successful completion of the program occurs when an individual has served a minimum of twelve (12) months in the program and met the following criteria by the date of successful release:

- Completed terms of the treatment plan;
- Abstinence from drugs and alcohol for at minimum of 6 consecutive months prior to the graduation date;
- Gainful employment for a minimum of 6 consecutive months prior to the graduation date; and,
- Payment of all financial obligations due and owed during program participation.

Violation of program rules, such as missed treatment sessions, missed appointments with staff, dirty urine screens, non-compliance with the participation agreement and treatment plan, or new criminal charges, will result in sanctions being imposed by the Mental Health Court judge or termination from the program. If the participant is removed from or withdraws from the Mental Health Court for any reason, he or she will be returned to the court of original jurisdiction for a hearing.

Madison Superior Court IV Judge, David Happe, serves as the Mental Health Court judge. Judge Happe will oversee your progress and have full jurisdiction of the entire process. The judge shall make final determination of entry into the program with input from the Mental Health Court team.

Eligibility Criteria

Participation in Mental Health Court is an opportunity, not a right. Potential participants in Mental Health Court must meet personal jurisdiction requirements as listed under IC33-23-16, and local eligibility rules as adopted by the Madison County Mental Health Court and certified by the Indiana Judicial Center, and not be deemed ineligible for any reason.

Eligibility

To be considered for entry in to the Madison County Mental Health Court program, the Defendant must

- Have an Axis I Diagnosis

- Have a pending criminal charge or pending probation violation in the Unified Courts
- Have a link between his/her mental health and the pending case
- Agree to pursue mental health treatment before they can be accepted into the Mental Health Court
- Agree to participate fully in mental health treatment, work toward treatment goals, refrain for illegal activity, meet conditions of probation (when applicable) and attend court sessions as scheduled.

Ineligibility

1. The individual is convicted of a sex offense that requires registration under IC 11-8-8;
2. The individual threatens or commits acts of violence creating a substantial risk to service providers, vendors, volunteers or other community partners in Mental Health Court;
3. The Judge of Mental Health Court deems the individual ineligible.

Non-Discrimination

The Madison County Mental Health Court will not discriminate on the basis of race, religion, gender, ethnicity, age, or disability.

Mental Health Court Supervision

As a Mental Health Court participant, you will be required to appear in Mental Health Court on a schedule determined by the Mental Health Court team as outlined in your treatment plan. The judge will be given a progress report prepared by the Mental Health Court team regarding your drug test results, payment of fees, attendance, participation, and progress toward the goals in your treatment plan. The judge, or the Mental Health Court team members, may ask you questions about your progress and discuss any specific problems you have been experiencing. If you are doing well, you will be encouraged to continue with the program and work with your case manager toward success. If you are not doing well, the judge will address your non-compliance with you and the Mental Health Court team to determine further action. The goal of the Mental Health Court program is to help you achieve stability and management over your mental illness including full compliance with all terms and conditions, full-employment, and abstinence from all illicit drugs or substances. The judge may change the conditions of your treatment plan based on your level of success in the program.

Failure to appear in court on the date and time you are scheduled will result in a warrant being issued for your arrest and you will be placed in custody. New criminal charges could result in termination from Mental Health Court and a return to the originating court for sanctioning. Other violations that could result in termination include failing drug screens, failing to cooperate with the treatment plan or participation agreement, and directing violence or threats of violence at staff or other clients. All decisions regarding termination from the program will be made by the Mental Health Court judge.

Mental Health Court Program Rule Highlights, Services, and Sanctions

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

1. I will report as directed. I will keep all appointments for:
 - Court
 - Treatment
 - Case Management
 - Probation, as applicable
 - Classes/Sessions
 - Support Groups
 - All other appointments ordered by the Court.
2. I will be on time for all scheduled appointments or sessions.
3. I will not leave the State of Indiana without permission from the Court.
4. I will allow and cooperate with home visits from my probation officer, case manager, or any other designated Mental Health Court representative, including a law enforcement official acting on behalf of Mental Health Court.
5. I will obey all city, state, and federal laws. If I take part in a criminal act, I may be terminated from participating in Mental Health Court. Should I have any contact with law enforcement I will report it immediately to my probation officer, case manager, or supervising Mental Health Court team member.
6. I will not use alcohol, illegal drugs, or non-prescribed prescription medication. I will submit to drug testing when instructed and pay for positive screens as required in this Participant Manual.
7. I will submit documentation of all prescription medication. I will use one primary physician for prescribed medication and one pharmacy to fill prescriptions;
8. I will not associate with any known felon unless approved by the Court. It is my responsibility to know if someone I associate with has a criminal record.
9. I will consult my probation officer and/or case manager before I make any changes in address, phone number, or employment. It is my responsibility to notify the Court if my employment or contact information changes.
10. I will not own or carry weapons of any kind. I will not threaten to commit any acts of violence.
11. I will follow any rehabilitative, educational, vocational, medical, psychiatric, or substance abuse treatment program assigned by the Court.
12. I will sign all authorizations for release of information needed by the Mental Health Court.

13. I understand that immediate action may be taken before staffing if I:
- Fail to keep an appointment ordered by the Court (unexcused absence)
 - Fail to comply with instructions from treatment providers or Mental Health Court team members
 - Test positive for alcohol or any non-prescribed drug
 - Violate the participation agreement, court orders, or engage in criminal activity
14. I will pay a Mental Health Court User Fee of \$40 per month. The fee is assessed on the first of the month and is not pro-rated in any way. If I graduate or am terminated at any point of the month, the full fee for that month still applies.

The services and service providers utilized by the Mental Health Court are as follows:

| Services: | Service Provider: |
|--|---|
| In-home Detention | Adult Probation, Parole or Community Justice Center |
| Substance Abuse Evaluation and Treatment | Aspire Indiana; Anderson Center |
| Mental Health Evaluation and Treatment | Aspire Indiana; Anderson Center |
| Medical Services | Madison County Community Health Center |

Successful completion of the Mental Health Court program will result in one or more of the following:

- a) If under court supervision, at the time of successful completion, the participant shall receive a 25% reduction in the remaining period of supervision;
- b) Administrative caseload status for the remainder of parole, or
- c) Modification of the original sentence, as agreed by the Court and the State, prior to admission to the program.

Participants of Mental Health Court may be sanctioned for non-compliance or terminated from the program and returned to the originating court for a final sanction that may include revocation to the Department of Correction or community based incarceration. Incremental program sanctions include:

- Community Service;
- Increased attendance in 12 step meetings;
- Increased level of addiction treatment;
- Increased frequency of urine screens;
- Increased supervision;
- Residential placement;

- Short-term community-based incarceration; and
- All other legal sanctions available to the Court.

Recommendations for incentives, sanctions, or termination by the Mental Health Court team shall be made to the Mental Health Court Judge on staffing dates held twice weekly prior to court. All participants will be notified of the reason for their termination and the potential penalties that may result from the termination. The Mental Health Court reporter will provide written notice of the termination to the sentencing court detailing the failure to comply with the treatment plan and/or participation agreement.

Mental Health Court User Fee and Other Fees

Mental Health Court User Fee (payable to the court)

When you are admitted to Mental Health Court, you incur a \$40 monthly fee. Once you agree that you want to do Mental Health Court and are admitted, you will be assessed this fee. This user fee helps cover administrative costs of the Mental Health Court. The monthly fee is assessed on the first of each month. The Court Reporter will give you a form to take to the Clerk (second floor) to set up your Mental Health Court user fee account. If you are terminated from, or you opt out of, Mental Health Court and you have unpaid user fees, these fees become due and payable immediately upon your termination from Mental Health Court.

Drug Screen Fees

The Mental Health Court may also collect fees to cover the cost of drug and alcohol screening. A baseline urine screen will be administered at the Court's expense. If subsequent urine screens test positive, you will be charged the full amount for a confirmatory analysis by a certified laboratory. If you are required to submit to weekly drug screens, you will be assessed \$15 per week of screens. If you are part of the regular Drug Court screening system and have a "color," you will be charged \$5 per week.

Service Provider Fees (payable to service providers)

All participants will be responsible for payment for all services from a service provider. All participants will be expected to pay for services they receive according to their applicable discount, subject to 3rd party co-pays, deductibles, and spend-downs (insurance, managed care, Medicaid, etc.). All participants will be expected to pay for their evaluation with a treatment provider at the time of, or prior to, the evaluation. Mental Health Court works closely with service providers to monitor fee balances. If you fall behind in your obligation to pay these fees, you may not be allowed to continue your treatment program. This, in turn, places you in violation of Mental Health Court guidelines and expectations.

Restitution

There are occasions when an individual who is referred to Mental Health Court also owes restitution as part of the agreement. It is expected that this restitution will be paid off in order to successfully complete and graduate from Mental Health Court.

EACH PARTICIPANT IS RESPONSIBLE TO KEEP ALL RECEIPTS FOR PAYMENT OF FEES (COURT AND SERVICE PROVIDERS) AND MAY BE ASKED BY THE COURT, AT ANY TIME, TO SHOW PROOF OF PAYMENT.

Assessment and Treatment Planning

The Mental Health Court team will develop your treatment plan based on the results of your psychological evaluation and prior treatment history. The plan will act as a guide through your time in the program. This plan will help you set goals, select methods for meeting those goals, and develop a target date for achieving those goals. The plan will be kept in your file for regular review and necessary updates as you progress through the program. Any revisions to the plan will be made and signed by you and your counselor/case manager and approved by the Mental Health Court team.

Chemical Testing (UDS/Breathalyzer)

You will be tested regularly, according to the treatment plan, to determine the presence of illicit drugs or alcohol. As you progress through the program, testing may be required on a less frequent basis. The Mental Health Court judge will have access to all drug test results, including any failures to test and may order a drug test at any time. You may be asked to provide a specimen for a UDS at any meeting you attend with members of the Mental Health Court team. **Diluted screens or missed screens will be considered positive for substances.** You must have six months of consecutive clean screens before you are eligible for graduate. If you have less than six (6) months to reach the thirty-six (36) month maximum time allowed in Mental Health Court, then you cannot graduate. One of the goals of Mental Health Court is to help you achieve total abstinence from all mood-altering substances. **In the event of a positive, dilute, or missed screen, you must report for the next Mental Health Court session regardless of whether you are scheduled.** This includes alcohol. You are subject to tests for alcohol as well as other drugs. The Mental Health Court maintains a “zero tolerance” policy for alcohol and drugs. Mental Health Court participants are responsible for whatever they put into their bodies. The judge will be reviewing your overall performance in the program.

Treatment Services

Substance abuse or mental health treatment is comprised of several types of services:

individual, intensive outpatient program (IOP), group, and case management. As part of your treatment plan, you will be required to participate in various types of services individually tailored to your treatment needs. Together they are designed to develop self-awareness, realize self-worth, and practice self-discipline. The treatment sessions may include problem identification, alternative solutions, videos, lectures and question/answer sessions.

Family/significant other participation: Family/significant other involvement in treatment is expected throughout the program.

Education, Vocation and Employment Programs

Successful completion of Mental Health Court means developing self-sufficiency and becoming a productive and responsible member of society. Prior to graduation, you will be expected to be employed or involved in an educational or vocational training program. Your case manager will work to assist you in obtaining an assessment of your needs and skills and will refer you to the proper agencies for education, training, and job placement. The Mental Health Court expects participants to be employed full-time or in school full-time. **IF YOU ARE EMPLOYED AND LOSE YOUR JOB, YOU MUST NOTIFY YOUR CASE MANAGER WITHIN 24 HOURS.** Your case manager may refer you to job group or other programs within the court or community.

Social Services

Prior to your entry into the Mental Health Court program, an evaluator will assess your housing, transportation, family and general living needs, and when appropriate, refer you to a local, state, and/or county agency for assistance.

Graduation Criteria

- Completed terms of the treatment plan;
- Abstinence from drugs and alcohol for a minimum of six consecutive months prior to the graduation date;
- Gainful employment for a minimum of 6 consecutive months prior to the graduation date; and,
- A stable and approved living environment
- Payment of all financial obligations due and owed during program participation.

After Care

The Mental Health Court strongly encourages continuation of recovery through participation in 12-step programs. It also appreciates your willingness to provide ongoing feedback about the effectiveness of the program.

Confidentiality

State and Federal law requires that your identity and privacy be protected. In response to these regulations, the Madison County Mental Health Court and community treatment facilities have developed policies and procedures that guard your confidentiality. You will be asked to sign a statement releasing appropriate information to the Mental Health Court.

Conclusion

The Mental Health Court Program is designed to promote self-sufficiency and to return you to the community as a productive and responsible member. The program is voluntary and is your personal choice. The judge, the court staff, and community service providers are present to guide and assist you, but the final responsibility is yours. You must be motivated to make this change and commit to a new life. We wish you the best of success.

We hope this Handbook has been helpful to you and answered most of your questions. If you have any additional questions or concerns about your participation in the Mental Health Court program, please feel free to contact your case manager. **Important Mental Health Court telephone numbers have been listed below for easy reference:**

IMPORTANT PHONE NUMBERS

| | |
|---|----------------|
| <u>Madison County Mental Health Court</u> | (765) 641-4210 |
| <u>Adult Probation</u> | (765) 641-9546 |
| <u>Parole</u> | (765) 643-8363 |
| <u>Community Justice Center</u> | (765) 649-7341 |
| <u>Aspire</u> | (765) 649-8161 |

I, _____, have reviewed the Madison County Mental Health
(PLEASE PRINT)

Court Participant Handbook, I understand and agree to follow all of the Mental Health Court guidelines as outlined in the handbook.

Participant

Date

Witness

Date