

ST. LOUIS VETERANS TREATMENT COURT POLICY MANUAL

EFFECTIVE 12/2017

St. Louis Veterans Treatment Court
State of Missouri, 22nd Judicial Circuit
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AUTHORIZATION OF POLICIES AND PROCEDURES

Principles and procedures for the operation of the St. Louis Veterans Treatment Court (VTC) shall be established through the Veterans Treatment Court Policy Manual. The Manual will be promulgated by the Court en Banc, pursuant to Local Court Rule 100.14.7

The Policy Manual provides the framework for the uniform treatment of eligible program participants. Any change or amendment to this manual shall be made by the VTC Operations Committee with approval of the Court en Banc, upon recommendation of the appropriate court committee.

Staff and representatives of the Operations Committee shall be notified of changes in the Policy Manual and copies shall be made available to them by the Court Administrator.

OPERATIONS COMMITTEE

The VTC shall implement and maintain an Operations Committee to include representatives of all key components of VTC. The key components of VTC include:

- Drug Court Commissioner
- Drug Court Administrator
- Probation and Parole/ Case Manager
- Treatment Representative
- Legal Counsel for the State
- Legal Counsel for the Defense
- Veterans Judicial Outreach Worker
- Veteran Mentor representative

The purpose of the Operations Committee shall be to hold regularly scheduled meetings to assure the qualitative and quantitative goals of VTC are met and that operations run smoothly. The Commissioner in charge or designee shall oversee the meetings. Minutes of the meetings shall be kept and distributed by the Court Administrator or Coordinator.

RELEASE OF INFORMATION

Case-related Information: VTC staff and representatives of the VTC Operations Committee are to regard all case-related materials and information as confidential, and such information cannot be released to anyone without proper authority in accordance with 42 USC 290dd-2; 42 CFR Part 2; and the Health Insurance Portability and Accountability Act, 45 C.F.R. 160 & 164. The operation of VTC as it relates to the release of client information shall be bound by the current federal and state laws.

All VTC staff and representatives of the Operations Committee are required to be familiar with the federal confidentiality regulations regarding alcohol and drug abuse prevention and treatment confidentiality and the associated criminal and civil liability.

Release of Information to Agencies and Agency Personnel: Information gained through the VTC operations and all other case-related information may be disclosed to authorized agencies and their authorized personnel in accordance with statutory provisions of Federal and Missouri law and established VTC procedures.

Release of Information to News Media: Only the Presiding Judge of the Circuit and the VTC Commissioner, or individuals so designated by them may release information concerning activities of the VTC to representatives of the news media. All requests from the news media for information shall be referred to those listed above.

MISSION STATEMENT

To divert veteran offenders with mental health and/or substance abuse disorders from the normal criminal justice process by providing frequent judicial oversight, intensive supervision, and treatment through a holistic approach to positively impact offender lifestyle and community safety.

GOALS AND OBJECTIVES:

1. Mandating veteran offenders with mental health and/or substance abuse disorders to judicially supervised treatment as an alternative to incarceration;
2. Providing participants with the resources needed to address mental health issues, drug and alcohol addiction, criminal thinking, and skills to promote a life of recovery and sobriety;
3. Providing rigorous supervision and case management to ensure participants comply with their individual treatment plans, program requirements, Relapse Prevention Plans, and personal Sustainable Recovery Plans;
4. Providing immediate intervention to reduce high-risk behaviors and promote responsible conduct while holding participants accountable for their actions;
5. Providing tools of recovery to all participants to learn how to manage their addiction and/or mental health issues so they can maintain long term recovery and sobriety;
6. Encouraging participants to maintain a drug and alcohol free lifestyle by implementation of random, frequent drug and alcohol testing;
7. Assisting participants with their physical and mental health issues, vocation, education, and employment needs through Veterans Administration and/or community partners resources.

10 KEY COMPONENTS

In the formation stage of drug courts, the Office of Justice Drug Courts Program developed ten key components which each drug court follows to be eligible for federal funding. The ten key components provide an outline of treatment court philosophy and requirements. The VTC has adopted the ten key components as adapted to the unique needs of veteran participants.

- 1. Veterans Treatment Court integrates alcohol, drug treatment, and mental health services with justice system case processing**

Veterans Treatment Courts promotes sobriety, recovery and stability through a coordinated response to veteran's dependency on alcohol, drugs and/or management of their mental illness. Realization of these goals requires a team approach. This approach includes the cooperation and collaboration of the traditional partners found in drug treatment courts and mental health treatment courts with the addition of the Veterans Administration Health Care Network, veterans and veterans family support organizations, and veteran volunteer mentors.

2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights

To facilitate the veterans' progress in treatment, the prosecutor and defense counsel shed their traditional adversarial courtroom relationship and work together as a team. Once a veteran is accepted into the treatment court program, the team's focus is on the veteran's recovery and law-abiding behavior--- not on the merits of the pending case.

3. Eligible participants are identified early and promptly placed in the Veterans Treatment Court program

Early identification of veterans entering the criminal justice system is an integral part of the process of placement in the Veterans Treatment Court program. Arrest can be a traumatic event in a person's life. It creates an immediate crisis and can compel recognition of inappropriate behavior into the open, making denial by the veteran for the need for treatment difficult.

4. Veterans Treatment Court provides access to a continuum of alcohol, drug, mental health and other related treatment and rehabilitation services

While primarily concerned with criminal activity, AOD use, and mental illness, the Veterans Treatment Court team also consider co-occurring problems such as primary medical problems, transmittable diseases, homelessness, basic educational deficits, unemployment and poor job preparation, spouse and family troubles---especially domestic violence---and the ongoing effects of war time trauma.

Veteran peer mentors are essential to the Veterans Treatment Court team. Ongoing veteran peer mentor interaction with the Veterans Treatment Court participants is essential. Their active, supportive relationship, maintained throughout treatment, increases the likelihood that a veteran will remain in treatment and improves the chances for sobriety and law-abiding behavior.

5. Abstinence is monitored by frequent alcohol and other drug testing

Frequent court-ordered AOD testing is essential. An accurate testing program is the most objective and efficient way to establish a framework for accountability and to gauge each participant's progress.

6. A coordinated strategy governs Veterans Treatment Court responses to participants' compliance

A veteran's progress through the treatment court experience is measured by his or her compliance with the treatment regimen. Veterans Treatment Court reward cooperation as well as respond to noncompliance. Veterans Treatment Court establishes a coordinated strategy, including a continuum of graduated responses, to continuing drug use and other noncompliant behavior.

7. Ongoing judicial interaction with each veteran is essential

The Commissioner is the leader of the Veterans Treatment Court team. This active, supervising relationship, maintained throughout treatment, increases the likelihood that a veteran will remain in treatment and improves the chances for sobriety and law-abiding behavior. Ongoing judicial supervision also communicates to veterans that someone in authority cares about them and is closely watching what they do.

8. Monitoring and evaluation measure the achievement of program goals and gauge program effectiveness

Management and monitoring systems provide timely and accurate information about program progress. Program monitoring provides oversight and periodic measurements of the program's performance against its stated goals and objectives. Information and conclusions developed from periodic monitoring reports, process evaluation activities, and longitudinal evaluation studies may be used to modify the program.

9. Continuing interdisciplinary education promotes effective Veterans Treatment Court planning, implementation and operations

All Veterans Treatment Court staff should be involved in education and training. Interdisciplinary education exposes criminal justice officials to veteran treatment issues, and Veteran Administration, veteran volunteer mentors, and treatment staff to criminal justice issues. It also develops shared understandings of the values, goals, and operating procedures of both the Veterans Administration, treatment and the justice system components.

10. Forging partnerships among Veterans Treatment Court, Veterans Administration, public agencies, and community-based organizations generates local support and enhances Veterans Treatment Court effectiveness

Because of its unique position in the criminal justice system, Veterans Treatment Court is well suited to develop coalitions among private community-based organizations, and AOD and mental health treatment delivery systems. Forming such coalitions expands the continuum of services available to Veterans Treatment Court participants and informs the community about Veterans Treatment Court concepts. The Veterans Treatment Court fosters system wide involvement through its commitment to share responsibility and participation of program partners.

VTC TEAM MEMBERS

Drug Court Commissioner

The VTC has a Commissioner who presides over cases. The Commissioner heads a collaborative team composed of the prosecutor, defense counsel, probation officers, treatment representatives, VA representatives and administration. The Commissioner reviews case progress reports and leads case staffing to determine compliance with each participant's treatment mandate, drug test results, cooperation with the treatment provider and ancillary service providers, and progress toward the goal of abstinence and law-abiding behavior.

Assistant Circuit Attorney

The role of Assistant Circuit Attorney is to protect the public's safety by ensuring that each candidate is appropriate for the program and complies with all court requirements. The Assistant Circuit Attorney reviews new cases to determine which are appropriate for the pre-plea admission and coordinates with assigned attorneys for cases deemed appropriate for post-plea admittance. The Assistant Circuit Attorney files all necessary legal documents; participates in staffing assuring that victims interests are addressed; positive drug tests and other instances of noncompliance are addressed; and participates in decision making regarding the participant's continued enrollment in the program based on performance in treatment rather than on legal aspects of the case. In pre-plea cases the Assistant Circuit Attorney enters a nolle prosequi upon graduation of the VTC program.

Defense Attorney

The role of the Defense Attorney is to protect the participant's due process rights while encouraging full participation. The Defense Attorney reviews all program documents, advises the participant as to the nature and purpose of the VTC, the rules governing participation, the consequences of abiding or failing to abide by the rules and how participating or not participating in the VTC will affect his or her interests. The Defense Attorney also explains all of the rights that the participant will relinquish, how important it is to be honest with the Commissioner and VTC team, gives advice on alternative courses of action and discusses with the participant the long-term benefits of sobriety and a drug-free life. The Defense Attorney participates in decision making regarding each participant's continued enrollment and graduation from the VTC.

Probation Officer

The probation officer orients new participants to the program and is the primary case manager who monitors and documents the participant's progress and compliance with the program requirements. The probation officer conducts a comprehensive interview and assessment that is entered into the Court's management information system. The probation officer has input into treatment plans and reinforces the client's lifestyle changes by supporting, encouraging and/or educating the participants as they move along in the recovery process. The probation officer submits progress reports to the Court for

each client prior to status hearings, which includes recommendations for incentives and/or sanctions based on the client's progress.

Treatment Representative

Treatment Representative conducts screenings, assessments and evaluations to determine the best course of treatment for each participant. The Treatment Representative arranges community-based treatment, monitors participants' treatment plans, and makes treatment related appointments to aid the recovery of each participant.

Drug Court Administrator

The role of the Court Administrator is to assist the Commissioner and coordinate all court activities with the VTC team, coordinate development of case management and management information reporting system activities, supervise the urinalysis program, develop requests for proposals and associated contracts with external providers, disseminate information and implement directives received from the Commissioner, act as the liaison with other governmental and non-governmental agencies and groups including treatment providers and grantors, prepare annual budget request, set regular Operation Committee meetings, and generally facilitate the day to day operations of the Court.

Substance Abuse Treatment Provider

The role of the treatment provider is to develop and implement a treatment plan for each client from pre-treatment through post VTC graduation which addresses areas of addiction, social skills, work skills, relationship issues, and any other area in order to assist the client in living a healthy, sober life. Interventions may include: individual, group, and didactic therapy; detoxification; residential care; and assistance in areas of employment, housing and education.

Ancillary Service Providers

The VTC team may include other professionals who provide employment services, educational opportunities, mentoring services, specialized trauma treatment, or other necessary programming to enhance the participant's recovery.

Veterans Judicial Outreach Worker

A Veterans Administration representative acts as a liaison between the VA and VTC. The VA provides services to eligible veteran participants that further the treatment goals of the VTC.

Veteran Mentors

The role of veteran mentors provide personal advice and experiences, recommendations and guidance to the VTC participant. Veteran mentors are present during court proceedings, lead group meetings for veteran participants, and are available to meet with participants individually.

CONFIDENTIALITY

The VTC is governed by federal laws of confidentiality, which are very protective of patient rights. Disclosure of information received in the course of treatment is strictly prohibited unless an order “for good cause” is obtained. The Courts have placed a heavy burden on any party seeking disclosure under the law. The VTC creates a confidential file for each participant, separate from the criminal case file, to maintain the records with strict confidentiality.

As part of their participation in VTC, participants authorize the disclosure to the Court of information regarding their “diagnosis, attendance, scope of treatment, treatment progress and quality of participation, dates and results of drug testing and termination or completion of treatment”. In essence, participants authorize the release of information to specified entities relating to their compliance with VTC requirements.

ELIGIBILITY REQUIREMENTS

VTC is a hybrid court that will consider admission of pre-plea cases, post-plea cases, and probation violation cases. Eligibility requirements:

1. An applicant must currently serve in the United States Armed Forces or have prior service history;
2. An applicant must have been charged with an offense motivated by alcohol, drug abuse and/or mental illness;
3. An applicant must have a mental health and/or substance abuse disorder based upon an assessment performed by clinical staff for the VTC, and/or information provided by members of the Operation’s Committee at admission staffing;
4. The applicant must not be currently on parole.
5. Admission of applicants with a violent charge or history will be considered on a case by case basis;
6. The applicant must understand the rigors of the program and agree to participate in the program and pay all VTC fees;
7. An applicant’s case does not have evidence of significant and substantial drug dealing;
8. An applicant is not a graduate of another adult treatment court program;
9. The Circuit Attorney selects and recommends participants for the VTC pre-plea program. Participants not recommended for the pre-plea program by the Office of the Circuit Attorney may request consideration for participation in the post-plea program following arraignment.

ELIGIBILITY SCREENING

Prior to admission, potential participants will submit to an initial eligibility screen for alcohol and substance abuse issues, physical and mental health issues, and social data. The Operation’s Committee will consider this material in conjunction with the data

supplied by the Circuit Attorney and Missouri Department of Corrections, Probation and Parole to determine eligibility issues.

PRE-TREATMENT

Pre-Treatment is designed to administer extensive intake assessments to determine the level of treatment best suited for each participant and provide initial treatment contact until a permanent community-based substance abuse program admission is available. Early engagement impacts participant retention in treatment and ultimately contributes to successful completion of drug court requirements. To engage participants early in the process, they are required to attend on-site pre-treatment groups. The goal of these groups is to introduce participants to substance abuse treatment, and to familiarize them with the rules, regulations and expectations of the program.

In addition to Path I requirements, participants who have not yet entered a treatment program in the community will be required to appear at pre-treatment groups each week and at all scheduled assessment appointments. Any missed pre-treatment group or assessment appointment will be reported to the probation officer.

TREATMENT

CLINICAL ASSESSMENTS

Upon admission, the VTC will use professional assessments provided by community resources and the Veterans Administration Medical Center to determine therapeutic needs and monitor the progress of the participant during the program.

TREATMENT AND ANCILLARY SERVICES

Court mandated treatment, which may include services from the Veterans Administration, will provide a full continuum of services, including clinical assessments and the creation of individual treatment plans to include primary care, trauma and mental health issues, substance abuse and other recovery services.

LEVELS OF TREATMENT

The treatment experience for participants will differ depending on their own circumstances. Each participant will work with their treatment counselor to prepare an individual treatment plan to map out a successful recovery journey designed to meet their unique issues; including a Relapse Prevention Plan prior to entry in Path III and a personal Sustainable Recovery Plan prior to entry to Path IV.

DRUG TESTING

The VTC will require observed and random alcohol and drug testing, including urine and breath tests, at a professional collection facility as directed by the Court.

SUPERVISION

Case management supervision will be provided by the Missouri Department of Corrections, Probation and Parole or an approved private probation program, with a

minimum of one contact per week during the initial six months and a minimum of two contacts per month for the balance of the program. Supervision may include office contacts, home visits, and other community contacts.

PROGRESSING THROUGH TREATMENT

Participants' individual progress through treatment will be communicated to the Court in terms of **Stages of Change** as follows:

Pre-Contemplative – Individual does not seriously consider the idea of change and does not acknowledge that there is a behavioral problem that needs to be changed.

Contemplative – Individual acknowledges that there is a problem but is not yet ready or sure of wanting to make a change.

Preparation – Individual has made a commitment to change and begins small steps toward changing behavior.

Action – Individual believes he/she has the ability to change behavior and is actively taking steps to change behavior by using a variety of different techniques.

Maintenance – Individual is able to successfully manage temptations and sustain healthy practices to maintain a clean, sober and legal lifestyle.

PROGRESSING THROUGH VTC PATHS

In addition to the clinical levels of treatment the St. Louis Veterans Treatment Court have a system of paths to measure the progress of a participant to help define successful completion.

There are four (4) paths through which all participants must progress. The duration of these paths are measured in minimum lengths of time; however the progress of each participant will vary based upon their program performance.

PATH I / BASIC REQUIREMENTS—Minimum of 1 month:

- Complete Pre-Treatment;
- Attend a pre-self help presentation as directed by the Court or probation officer;
- Appear in court as directed;
- Comply with all court orders and directives;
- Attend treatment as ordered by the Court;
- Meet with probation officer as directed;
- Call the drop line daily and give a urine and breath sample for testing according to procedure or as directed by the Commissioner or probation officer;
- Keep all medical appointments;
- Medication compliant, if applicable;

- Demonstrate weekly mentor contact and VA involvement or other veteran resources as directed by the Commissioner;
- Demonstrate awareness and ability to meet proximal goals and exercise the cornerstone concept of VTC---honesty;
- Meet all basic requirements.

PATH II / INTERMEDIATE REQUIREMENTS—Minimum of 4 months:

- Appear in court as directed;
- Comply with all court orders and directives;
- Attend a minimum of two (2) recovery meetings per week and get a sponsor as ordered, or other resource as directed by the Court;
- Meet with probation officer as directed;
- Call the drop line daily and give a urine and breath sample for testing according to procedure or as directed by the Commissioner or probation officer;
- Attend treatment as directed by the Court;
- Have a completed individual treatment plan;
- Be in compliance with the individual treatment plan including medication compliance, if applicable;
- Prepare a Relapse Prevention Plan (RPP) with the aid of the treatment counselor and submit the RPP to the Court for consideration of advancement to Path III, Advanced Requirements;
- Maintain weekly mentor contact and VA involvement or other veteran resources as directed by the Commissioner;
- Verify completion of eight (8) hours of volunteer service;
- Make regular payments toward restitution, if any, and regular payments toward the VTC fees;
- Have no major sanction, including a positive drug or alcohol test, for the last four (4) weeks in order to be eligible for advancement to Path III, Advanced Requirements;
- Prepare a written or oral promotion request for review by the Court.

PATH III / ADVANCED REQUIREMENTS Minimum of 6 months:

- Appear in court as directed;
- Comply with all court orders and directives;
- Attend a minimum of two (2) recovery meetings per week;
- Maintain weekly sponsor contact, if applicable;
- Meet with probation officer as directed;
- Call the drop line daily and give a urine and breath sample for testing according to procedure or as directed by the Commissioner or probation officer;
- Make regular payments toward restitution, if any, and regular payments toward the VTC fees;
- Resolve all outstanding warrants;
- Verify completion of twelve (12) hours of volunteer service;
- Attend treatment as directed by the Court;

- Be in compliance with the individual treatment plan, including medication compliance;
- Be in compliance with the Relapse Prevention Plan (RPP) and review document with treatment counselor;
- Maintain weekly mentor contact and VA involvement or other veteran resources as directed by the Commissioner;
- Obtain or maintain employment and/or a training program or a formal academic program approved by the Court;
- Have no major sanctions, including a positive drug or alcohol test, for the last eight (8) weeks in order to be eligible for advancement to Path IV, Senior Requirements;
- Prepare and submit a personal Sustainable Recovery Plan to the Commissioner and request permission to advance to Path IV, Senior Requirements.

PATH IV / SENIOR REQUIREMENTS—Minimum of 4 months

- Appear in court as directed;
- Comply with all court orders and directives;
- Attend a minimum of one (1) recovery meeting per week;
- Maintain weekly sponsor contact, if applicable, and verify contact;
- Call the drop line daily and give a urine and breath sample for testing according to procedure or as directed by the Commissioner or probation officer;
- Attend treatment as directed by the Court;
- Meet with probation officer as directed;
- Pay all restitution, if any, and pay all VTC fees;
- Attend two (2) veteran specific, mentor, court sponsored or alumni activities per month;
- Complete mentor training;
- Maintain mentor contact and VA involvement or other veteran resources as directed by the Commissioner;
- Maintain employment and/or a training or a formal academic program approved by the Court for a minimum of the last eight (8) consecutive weeks in the program;
- Be major sanction free for the last twelve (12) consecutive weeks; and be viewed by the Operation's Committee to have sufficiently integrated the necessary information to support long term recovery to be eligible to graduate from VTC;
- Prepare a written request to graduate for review by the Operations Team;
- Be in compliance with the:
 1. Individual Treatment Plan, including medication compliance, if applicable;
 2. Relapse Prevention Plan;
 3. Sustainable Recovery Plan.

INCENTIVES AND SANCTIONS

Rewards can be recommended by the VTC Team and granted at the Commissioner's discretion to support treatment through positive reinforcement of program accomplishments. Incentives may be awarded by the Commissioner:

INCENTIVES:

- Call Early on the Docket
- Positive Reinforcements
- Credit on VTC Fees
- Allow Travel Privileges
- Certificate for Path Advancement
- Rewards of Movie Tickets or Gift Certificates
- In Court Applause and Praise
- Enter Drawing for Prizes
- Fish Bowl Drawing for Clean Drug Tests
- Recognition from Veterans Affairs, such as certificates, flags, and ribbons
- Individualized Incentives

When participants fail to comply with the VTC program, the Commissioner may, within discretion of the Court, order one or more of the following sanctions:

MISSED DROP CONSEQUENCES:

Program Requirement Not Met	Path I	Path II	Path III & IV
1 st missed drop during the entire program	8 hours community service	one day in jail	sanction imposed at the discretion of the Court with minimum of 4 days in jail
2 nd missed drop during the entire program	one day in jail	2 days in jail	sanction imposed at the discretion of the Court with minimum of one week in jail
3 rd missed drop during the entire program	2 days in jail	minimum of 4 days in jail	sanction imposed at the discretion of the Court

All subsequent missed drops during the entire program	sanction imposed at discretion of the Court	sanction imposed at the discretion of the Court	sanction imposed at the discretion of the Court
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PROGRAM NON-COMPLIANCE CONSEQUENCES:

Actions Contrary to Program Principles	Consequence for Actions Contrary to Program Principles
Tampering with or dilution of urine sample	<ul style="list-style-type: none"> • community service • jail time at the discretion of the Court
Missed probation officer appointment	<ul style="list-style-type: none"> • community service
Missed recovery meetings	<ul style="list-style-type: none"> • make up meeting • community service
Missed Pre-Treatment or missed treatment sessions	<ul style="list-style-type: none"> • make up session • increase recovery meetings • journaling • workbook assignment • community service • restart path • return to previous path • jail • termination
Positive drug test	<ul style="list-style-type: none"> • increase urine drops • increase recovery meetings • journaling • electronic monitoring and curfew • workbook assignment • increase outpatient treatment • change outpatient treatment location • restart path • return to previous path • residential treatment • jail • termination
Inappropriate behavior	<ul style="list-style-type: none"> • apology • community service • restart path • return to previous path

	<ul style="list-style-type: none"> • jail • termination
Leaving residential treatment without permission	<ul style="list-style-type: none"> • arrest warrant issued • sent back to residential • restart the path • return to previous path • jail • termination
Missing court appearance	<ul style="list-style-type: none"> • arrest warrant issued • electronic monitoring and curfew • jail • termination
Forging recovery meeting sheets, treatment attendance sheets, or other written documents	<ul style="list-style-type: none"> • jail • termination
New arrest	<ul style="list-style-type: none"> • jail • possible termination

AVAILABLE RESOURCES

The following services are available as a part of the VTC program through the Veterans Administration and/or community based treatment partners:

Detoxification Services – Assists participants in withdrawing from drugs, including alcohol. There are both medical detox facilities (acute detox) which have physician supervision and social detox facilities (sub-acute detox) which is non-medical detoxification in a treatment setting or other safe environment.

Inpatient Treatment - Residential inpatient treatment to treat alcohol/drug issues for a specific number of days depending on the progress of the individual. This is a concentrated intervention program that consists of therapy, education, and activities for detoxified alcoholics and addicts.

Outpatient Treatment – Consists of group and individual treatment services of varied duration and intensity for chemically dependent clients in a non-residential setting. Participants will be given the level of outpatient treatment required for their circumstances and that level of care will change as indicated by their level of change toward recovery.

Sustainable Treatment – Consists of individual treatment services once per month to review adherence to the Relapse Prevention Plan and the personal Sustainable Recovery Plan. In addition, participants will be required to attend sustainable recovery group meetings or events as directed by the Commissioner to provide a therapeutic network to support recovery.

Veteran Mentor Program—Veteran mentors are part of the VTC team and provide advice, personal experiences, recommendations and guidance to veteran’s involved with the legal system. Veteran mentors are present during court proceedings, lead group meetings for veteran participants, and are available to meet with participants individually.

VTC RULES

All participants will be required to adhere to the following set of rules:

- Always tell the truth.
- Obey all laws.
- Do not forge documents.
- Do not miss urine drops or attempt to subvert urine tests.
- Do not possess alcohol or consume any substance that contains alcohol.
- Do not consume legal medication, contrary to medical advise, or illegal drugs or any substance in an attempt to cause an altered reality.
- Do not consume a prescription medication prescribed for another person.
- Do not gamble or enter a gambling casino.
- Be on time to Court, treatment sessions and probation officer appointments.
- Behave appropriately in Court, treatment sessions, during meetings with probation officers and in the courthouse.
- Do not establish romantic relationships or have sexual contact with other program participants.
- Do not travel away from the St. Louis metropolitan area (City of St. Louis, St. Louis County, Jefferson County, and St. Charles County) without permission from the Commissioner.

TREATMENT PROVIDER POLICIES

Treatment Provider Policy-001 Termination of VTC Participants from Treatment
VTC and its associated treatment program partners are successful because of the cooperative effort and close business relationship. The policy below attempts to maximize this relationship to the ultimate benefit of the participant.

Except in cases listed below, no VTC participant should be dismissed from a community treatment provider program due to rule infraction or lack of participation. There are times and events when immediate action must be taken. Under the circumstances listed below, a participant may be removed from a provider’s program, at the clinical manager’s discretion, without completion of listed protocol. However, as soon as the situation is stable, the community treatment provider must contact the Treatment Representative or Court Administrator/Coordinator to inform them of the dismissal and court staff will immediately contact the Court Commissioner and probation officer.

- A. Participant harms, or seriously threatens harm, to self or others.
- B. Participant brings drugs onto the premises of the program.
- C. Participant breaks a law while engaged in the treatment program.
- D. Participant requires immediate transfer for medical or psychiatric reasons.
- E. Participant smokes in a prohibited area of the treatment facility and program policy require dismissal for the smoking rule infraction.

When other serious problems arise relating to program infractions or lack of participation which require assistance by the court to move the participant into compliance, the following options apply:

1. Identify the problem to the participant and document in the participant's file. Provide information regarding the problem with the participant through counselor's weekly progress reports to probation officer or through the Treatment Representative, along with a recommendation for the VTC Commissioner to address with participant at the next scheduled court status hearing.
2. Contact the participant's probation officer, request a meeting to discuss the problem, develop behavior contract, if necessary, and provide information to the VTC team and a recommendation to the Commissioner.
3. Contact the Treatment Representative or Court Administrator, to request the participant be placed on the next available docket to enable the court team and VTC Commissioner to immediately deal with the problem and consider recommendations of the treatment provider.

Treatment Provider Policy-002 Court Orders from the Court Commissioner

Court orders, including "no supervised passes" can not be overridden by anyone, including representatives of the Court, other than the Commissioner, until and unless a new order is promulgated by the Commissioner or a Judge of the 22nd Judicial Circuit. If a particular order creates a problem for a treatment provider, the program should contact the Treatment Representative or Court Administrator so the matter can be brought before the Court Commissioner. Following discussions, the court will inform the treatment provider about alternative orders or instructions, if any, issued by the Court.

If a treatment provider takes a participant to an appointment when there is a "no unsupervised passes" order in place, treatment personnel must continue to supervise the participant and, if necessary, the medical/psychiatric secondary program must be made aware of the existing court order. If this court order creates an undue hardship or other problem, the provider should contact the Treatment Representative or Court Administrator who will communicate the issue with the Court Commissioner.

A medical emergency is an exception to the requirements mentioned above regarding staff supervision. If a medical emergency occurs, treatment program personnel should call 314-622-4924 to leave a message about the status of the participant.

If a veteran participant threatens to leave or is in the process of leaving a treatment program without authorization from the Court when a court order is in place, the treatment provider should inform the participant:

- they are not authorized to leave treatment,
- the Court will be immediately informed, and
- a warrant for arrest will be issued.

Treatment Provider Policy-003 Relating to Referring Court Participants to Treatment

1. The VTC shall ensure that proper releases of information are in place with any and all treatment programs to which referrals are made enabling the Court and the treatment program to freely communicate regarding details of the progress, or lack thereof, of participants in the treatment program.
2. The Treatment Representative, or the Court Administrator/Coordinator in the absence of the Treatment Representative, shall ensure the availability of treatment capacity prior to referring participants to a treatment program.
3. The Treatment Representative, or the Court Administrator/Coordinator in the absence of the Treatment Representative, shall provide the treatment program the court order and a copy of the identification card within two (2) hours after participant signs the order.
4. The Treatment Representative, or the Court Administrator/Coordinator in the absence of the Treatment Representative, shall provide background information to the treatment program to include, but not limited to: psychiatric/psychological evaluations, prior treatment history, relevant medical information, and other information that may be of help to the treatment program to work with the participant. The Treatment Representative will communicate with the probation officer to acquire relevant information to forward to the treatment program.
5. The Treatment Representative, or the Court Administrator/Coordinator in the absence of the Treatment Representative, shall confirm that the participant has entered residential treatment on the assigned date and time. If the participant fails to enter residential treatment at the assigned date and time, the Court Commissioner shall be informed immediately in order to issue a capias warrant.
6. Members of community treatment providers shall provide regular updates regarding the progress of participants regarding the following: 1) attendance, 2) participation, 3) stages of change, 4) progress in treatment plan goals and relapse prevention plan goals, and 5) recommendation of special issues for the Court. Progress reports shall be submitted electronically to probation officers for submission to the Court prior to court appearances for every participant.
7. The Treatment Representative or probation officer shall provide residential treatment and outpatient programs information regarding positive drug tests, change of treatment program ordered by the Court, and orders of jail within two

(2) business days or sooner in order that treatment programs are updated on the status of their clients. If a participant is not returning to a residential treatment facility after a court appearance, the Treatment Representative shall advise the treatment facility immediately to release the bed in a timely manner.

DRUG TESTING

VTC participants are expected to be drug and alcohol free. The Court monitors compliance with this requirement by frequent, random observed drug tests.

Drug testing is essential to the VTC program by providing a framework for accountability to gauge the participant's treatment progress. Drug tests confirm when a participant is clean, demonstrating program compliance which serves as the foundation for rewards and movement through the paths toward graduation.

VTC participants are required to provide urine samples at the location, dates and times as directed by the Court in accordance with Drug Court Procedures. VTC participants are required to abide by all drug testing laboratory instructions. All participants must follow the directives of the Court related to drug test schedules.

Tampering with a urine sample can be substituting the urine of another, a diluted specimen, or an adulterated specimen. A diluted specimen is when an individual has intentionally ingested high levels of liquids in order to decrease the concentration and make it difficult for the lab to identify drugs. An adulterated specimen is when an individual has introduced a foreign substance into the collected sample to intentionally disguise drugs in the urine. All collections of urine are carefully observed by a same sex collector and the sample is checked for color, temperature, pH balance, specific gravity and creatinine to identify tampering issues. Tampering or attempting to tamper with a drug test is a sanctionable activity.

COURT FEES

Each participant of the VTC is expected to pay a court fee of \$40.00 per month. Payments are to be made to the cashier on the first floor of the Civil Courts Building. Regular VTC fee payments are required to move to a new path and all fees must be paid in order for a participant to graduate. The Commissioners, at their discretion, for good cause shown, may grant credits or abate any portion of the fees. VTC fees are deposited in the Client Fee Account held by the Circuit Clerk for expenditures to promote the mission of the St. Louis Treatment Court and the VTC. Expenditures from the Client Fee Account must be authorized by co-signatures of the Treatment Court Committee Chairman and the Treatment Court Commissioner on the disbursement voucher presented to the Circuit Clerk.

PRESCRIPTION MEDICATION ADVISORY FORM

VTC participants are required to inform all treating physicians and dentists that they are in recovery and may not take narcotic or addictive medications or drugs, unless medically dictated. In the event a prescription medication is deemed medically necessary, the

physician and/or dentist must sign the prescription medication advisory form. The prescription medication advisory form and a copy of the signed prescription must be submitted to the Court for review before taking medication. Medical emergency situations will be reviewed on a case-by-case basis.

MEDICATION ASSISTED TREATMENT (MAT) POLICY

The Veterans Treatment Court accept participants who, with professional medical advice, voluntarily elect Medication Assisted Treatment (MAT) as part of their treatment protocol provided the therapy is available through state or federal public funding, Medicaid, private insurance or private pay.

Random drug testing will be used to ensure medication compliance as well as program requirement adherence. Participants receiving MAT services may be required to attend specifically designed treatment modules used to address recovery issues.

The use of medication prescribed for addictive disorders have various levels of abuse potential ranging from nonexistent risk (e.g. naltrexone) to high risk of abuse (e.g. methadone) which creates a recovery issue that requires Court oversight. The Veterans Treatment Court does not provide direct medical treatment; however, the Court expects VTC participants who select MAT as part of their recovery protocol to adhere to the following treatment philosophy or be subject to discharge:

1. Select a court approved credentialed addiction specialist medical professional recognized by the American Society of Addiction Medicine, American Board of Addiction Medicine or the Substance Abuse and Mental Health Services Administration or physician with advance knowledge of recovery issues.
2. Use effective medications with the lowest risk of abuse for the treatment of addiction disorders or co-occurring disorders.
3. Discontinue medications that are abused or diverted after the participant and/or drug court team have made reasonable efforts to increase compliance.
4. Document a trial of cessation of MAT under the supervision of the previously approved credentialed addiction specialist and VTC team, including the titration from medication which contain agonist properties provided said titration is consistent with the personalized medical protocol while engaged in the VTC program.
5. Demonstrate treatment engagement and program compliance to achieve the goals of sustainable recovery.

The Veterans Treatment Court will support participants in the development of a Sustainable Recovery Plan (SRP) to prevent relapse and promote long-term recovery following program completion. The SRP focuses on long-term treatment plans and skillful transition plans that extend beyond VTC completion. In addition to other graduation requirements, participants who receive or have received MAT services are expected to meet the following Sustainable Recovery goals prior to program completion:

1. Sustained abstinence from all non-prescription psychoactive substances;
2. Low and infrequent drug cravings/thoughts;
3. Medication compliance with anti-craving medications and/or medications for co-occurring disorders, if applicable;
4. Demonstrate ability to use non-addictive and cognitive behavioral coping strategies;
5. Engagement in a sober social support and accountability network; and
6. Demonstrate ability to identify the need and ability to re-engage MAT services with an approved community based addiction specialist or treatment program prior to relapse. VTC participants who elect to continue MAT services, in the event the MAT abstinence trial proved ineffectual or was contra-indicated by the medical protocol, must exhibit SRP plans for ongoing pharmacotherapy and treatment plans for relapse prevention prior to graduation.

Participants receiving MAT services must authorize communication between the Court and all medical professionals writing prescriptions for that client to guard against the issue of unnecessary drug seeking behavior.

BUS TICKET POLICY

In an effort to remove all barriers to program participation, VTC provides bus tickets for transportation to Court, to probation officer meetings, and to treatment for participants who are indigent and not working. Bus tickets are not provided for recovery meetings or personal travel. Bus tickets can be obtained from the probation officers and participants must sign the bus log upon receipt of the transportation tickets.

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SCREENING REFERRAL PROCESS

The defendant, attorney for the defendant, the prosecutor, a probation officer, or another interested party may request a judicial order referral for screening to determine the potential participant's eligibility for Veterans Treatment Court (VTC). A screening referral order may be issued by a Judge when the defendant is referred to the VTC staff for initial screening. A screening order is communicated to the courtroom clerk in Division 25A and screening is scheduled in Division 25A, Room 516 of the Carnahan Courts Building, 1114 Market Street, St. Louis, Missouri 63101 the following Friday morning at 9 a.m. Defense counsel may request one screening date continuance for good cause shown. A warrant will be issued for failure to appear for all defendants who fail to appear in accordance with the screen order on the appointed date and time.

SCREENING PROCESS

The complete screening process is done on a team basis with input from the Circuit Attorney, defense counsel, Division of Probation and Parole, treatment representatives, Drug Court Administrator and the Drug Court Commissioner.

Court staff meets with potential participants to thoroughly explain VTC and the Agreement of Admission Screening Participation. The Agreement of Admission Screening Participation must be signed prior to administering the addiction assessment. If a defendant refuses to sign the Agreement of Admission Screening Participation, court staff must notify the referring judge in writing and the defendant is considered ineligible to participate in VTC.

When the defendant signs the Agreement of Admission Screening Participation, a drug abuse and mental health screen including the Risk And Need Triage interview is completed by a treatment professional and a drug test is administered to the potential participant. At the conclusion of the screening process, a defendant previously released on bond is instructed to return the following Thursday morning at 9:30 a.m. to Division 25A, Room 516, 1114 Market Street, St. Louis, Missouri 63101, with counsel for possible admittance into VTC. Confined applicants shall be returned to Court from confinement the following Thursday for eligibility consideration.

Department of Corrections, Division of Probation and Parole and the Office of the Circuit Attorney receive the screening interviews and drug test results, review the file, and research the defendant's criminal history to prepare for eligibility staffing.

ADMISSION STAFFING

Members of the VTC Operations Committee staff all potential VTC participants on Thursday of each week at 9:30 a.m. in Room 526, Carnahan Courts Building, 1114 Market Street, St. Louis, Missouri 63101. Defendants are represented by their attorney during eligibility staffing when potential clients are considered by the Commissioners and the VTC Team to determine who will be deemed appropriate for VTC. The team will discuss the defendant's information during staffing including the current criminal

charge(s); past criminal convictions(s), if any; information gained from the initial screening; consideration to any victims involved in the criminal case; the defendant's willingness to sign the necessary forms to participate in VTC; the defendant's ability to fully meet all VTC requirements; and any other relevant information. In pre-plea cases, the Assistant Circuit Attorney recommends eligible participants for admission. In post plea cases, the Operations Committee determines whether the defendant is eligible for admission. Defendants should wait in the Division 25A courtroom, Room 516 during the admission staffing process.

Post plea participants who are deemed eligible for admission by the VTC Operations Committee will be provided a date 30 days in the future to appear in Division 25A for the orientation docket once they have received the permission of the referral judge, entered a plea of guilty, and provided all necessary orders for admission including orders not to report, if applicable. Post plea participants who face probation violation proceedings should optimally have at least 48 months of time remaining for VTC program supervision.

In cases with unresolved legal issues in other circuits or mental health issues without a verified diagnosis for clinical review, the St. Louis Treatment Courts reserve the right to extend a provisional eligibility determination with admission conditioned upon the resolution of legal issues or receipt of verified medical documents within 60 days. Provisional eligibility determinations may be withdrawn by the St. Louis Treatment Courts at any time prior to admission with notification to counsel and the referral division.

Pre-plea participants who receive an offer of admission will appear with their lawyer for arraignment, enter a plea of not guilty and participate in the Orientation Docket in Division 25A that same Thursday morning.

Before the Orientation Docket begins, each new VTC participant will sign all contracts, waivers and admission documents with the advice of counsel, including but not limited to, consents to search and releases of information.

In pre-plea cases the participant signs the following forms:

- a waiver of confidentiality (see Appendix 1);
- a Division 25A waiver form (see Appendix 8); and
- two (2) copies of the pre-plea contract (see Appendix 9). The contract sets out the expectations and rules of VTC and possible sanctions for non-compliance.

The participant in pre-plea cases agrees to waive:

- Formal Reading of Charges
- Right to Speedy Trial
- Right to Preliminary Hearing

In post-plea cases the participant signs the following forms:

- a waiver of confidentiality (see Appendix 1); and

- two (2) copies of the post-plea contract (see Appendix 10). The contract sets out the expectations and rules of the Court and possible sanctions for non-compliance.

ORIENTATION DOCKET

Court staff conduct a detailed orientation during the Orientation Docket the first day the participant enters VTC. Participants receive information regarding all court requirements; the drug testing location and protocol; treatment and ancillary services; and other information relevant to VTC. During the Orientation Docket, participants:

- meet VTC team members,
- make their first court appearance before the Drug Court Commissioner,
- receive an appointment and program information from a probation officer,
- receive a pre-treatment appointment and information from a treatment provider,
- receive the next court date from the courtroom clerk.

When the Orientation Docket is complete, each new participant will remain in pre-treatment until they are assigned to a community-based treatment provider at the conclusion of all pre-treatment assessment sessions.

ESSENTIAL FORM CHECKLIST

Seven (7) forms are considered essential and should be included, when applicable, in all social files of the Veterans Treatment Court:

1. Contract signed by the parties.
2. Waiver disclosure of confidential information signed by the parties.
3. RANT report.
4. Assessment.
5. Treatment Plan.
6. Relapse Prevention Plan (Path III only)
7. Proof of Graduation or Termination.

A checklist should be maintained in each file to monitor the inclusion of these essential forms.

DRUG TESTING PROCEDURE

VTC participants are required to call a drug testing line every day to determine if their color is called that day. Purple is the color for all female participants. Blue is the color for men in Path I; yellow is the color for men in Path II; and Green is the color for men in Path III and Silver is the color for men in Path IV. Some participants are mandated by the Court to test on specific days of the week, in addition to, or in lieu of, their color days. All participants must follow the directives of the Court related to drug test schedules. Participants who test clean from one court date to the next are allowed to “fish” by selecting a small reward from the courtroom fishbowl.

Urine samples are collected at Avertest, 400 N. Tucker, St. Louis, Missouri, between the hours of 7 a.m. and 6 p.m. on color days and 9 a.m. to 5 p.m. on non-color days. Avertest is open Monday through Friday and open on weekend days only when colors are called. Mandatory drops must be provided weekdays between 9 a.m. and 5 p.m.

Participants are not allowed to discard or dispose of urine samples at Avertest. If a participant discards or disposes of a urine sample before it can be tested, the participant will be asked to leave the premises and not allowed to provide another sample that same day.

TREATMENT PROGRESS REPORTING PROCEDURE

Probation officers will provide a list of clients to treatment counselors in advance of staffing to allow timely progress report preparation. Prior to each staffing the treatment counselor will prepare and submit electronically, to the probation officer and Court Administrator, a written paragraph progress report on each of their clients who appear on the docket. The progress reports shall address at a minimum the following questions:

1. What is the client's attendance status?
2. How do you describe the client's level of participation?
3. Describe the client's progress in terms of "stages of change", "milestones" or "understanding of therapy" relative to drug treatment recovery and/or mental health awareness.
4. Describe the client's progress in terms of Individual Treatment Plan goal accomplishments or adherence to the Relapse Prevention Plan.
5. What special issues, if any, does the Court need to address with the client?

General Guidelines in Addition to Contractual Provisions for Service Providers

1. Contracts for professional direct services paid by the number of certified service hours performed each week the hour, the service provider must prepare and maintain a log of service hours each day. The Court should never be billed for idle time, meal time, personal time off, vacations, sick time, agency supervision time or agency functions, and personal tasks that do not benefit the treatment court participant.
2. Contractual service providers should never work more than 40 hours per week.
3. Contractual service providers must be available to conduct evening sessions if requested by the Court.
4. Contractual service providers are required to abide by policy and directives of their agency and cooperation with the Court to implement and adhere to these stated guidelines.
5. Contractual service providers should work a maximum of 8 hours per day, unless an adjusted schedule is approved in writing by the agency, Treatment Court

- Administrator and the Treatment Court Treatment Director to accommodate evening treatment group sessions.
6. Contractual service providers should be available to work Monday – Friday on an approved flexible schedule to ensure treatment services are available until 3 p.m. Friday or later.
 7. Flexible standard work hours may be maintained by contractual service providers between 8:30 a.m. and 7 p.m. Monday-Friday on a schedule reviewed by the agency and approved in writing by the Treatment Court Administrator and the Treatment Court Treatment Director.
 8. Contractual service providers must take a minimum of 30 minute lunch break each day unless their agency has a policy that requires a longer lunch break. Contractual service providers should make personal, non-business related calls or run errands during their lunch break time.
 9. Contractual service providers must be available to cover groups or treatment tasks in the event of absence or need at the direction of the Treatment Court Administrator or Treatment Court Treatment Director.
 10. To avoid undue costs of treatment and to analyze cases based on the ASAM criteria, all arrangements for community based treatment services outside the treatment court must be supported by a current treatment plan and reviewed by the Treatment Director before those services are engaged. This includes, but not limited to, detox and residential services, day treatment, MAT services, psych evaluations and other alternative therapy. Arrangement requested by the Court must be reviewed by the Treatment Director to conserve resources and ensure the most client centered approach is taken to support successful therapeutic gain.
 11. Contractual service providers are required to maintain fidelity to the manualized therapy selected by the Court including the adherence to time frame of sessions, presentation of sessions, and weekly contact recommended by the evidence based modality.

Advance permission must be obtained from the Treatment Director before any group session can stray from the content or presentation of the evidence based treatment modality. Examples include, but not limited to, the invitation of outside speakers, commingling groups to attend a presentation from outside sources, or moving the group to an off premises location.
 12. Contractual service providers must be prepared and in group room 10 minutes before group sessions begin. Groups must start on time. Participants who arrive 10 minutes after the scheduled start time is recorded as a “missed session” and must be recorded in the case management system. Late participants may remain in the group if they are not disruptive to the class and the counselor should inform the Judge/Commissioner if the person was allowed to stay.
 13. Contractual service providers must not release groups sessions early, unilaterally excuse group sessions or make substitute arrangements with the approval of the Treatment Court Treatment Director or Treatment Court Administrator.
 14. Contractual service providers shall use the electronic case management system to record:
 - Weekly progress notes
 - Initial treatment plans and treatment plan updates

- Record attendance for group and individual sessions
- Record the dates, time, participants and topic of each group session
- Record updated participant information including bio-social data, medications, medical appointments and other data included in the case management system

TREATMENT PLANS AND PLAN REVIEWS

Fourteen (14) days after intake, treatment counselors must file a written treatment plan with the Treatment Representative which will be distributed to the probation officer and provided to the Court. Treatment counselors are required to review the participant's treatment plan every 30 days to monitor the attainment of treatment goals. Treatment counselors are required to discuss the treatment plan with the client, at a minimum, every 90 days and provide information about plan modification and goal achievement to probation officers for inclusion in the progress report.

RELAPSE PREVENTION PLAN

When the participant moves from VTC Path II to Path III, the treatment counselor shall assist the participant in the development of the Relapse Prevention Plan and monitor this plan during the program. Form is located in Appendix 11.

SUSTAINABLE RECOVERY PLAN

Prior to promotion to Path IV, participants must submit a personal Sustainable Recovery Plan. The plan must be produced by the participant. The document must detail the ongoing treatment and recovery techniques that a participant plans to implement following graduation.

VETERAN MENTOR PROGRAM

Veteran mentors are veterans of the armed services who volunteer their time to help the VTC and individual participants. Each participant is assigned a mentor who assists with ongoing problems or issues of interest to the veteran participant. Mentors are present at court proceedings and are available to participants between court dates. Participants are encouraged to have frequent communication with mentors throughout their time in the VTC. Participants are required to demonstrate mentor involvement in order to advance from each phase of treatment. To graduate, participants must complete mentor training.

SUCCESSFUL COMPLETION OF VTC

Probation officers may recommend participants for graduation when they have met all VTC requirements and submit a written request to graduate for team consideration. The VTC team will meet to consider the merits of the recommendation to graduate and must agree that the participant has sufficiently integrated the necessary information to support long-term recovery. Graduation requests will be tentatively approved pending the adherence to court requirements through the date and time of the graduation ceremony including the payment of all required fees and restitution, if any. Probation officers must submit a written graduation summary and a completed JIS Exit form of each participant prior to graduation.

GRADUATION PROCEDURE

VTC graduation is a formal ceremony presided over by the Drug Court Commissioner. The graduation ceremony is conducted six times per year, approximately every other month. It is mandatory for all graduates to attend. All graduates must complete graduation surveys and any other written forms required for full program participation prior to the graduation ceremony. All VTC participants are encouraged to attend and the graduation ceremony is open to the public. Probation officers prepare a written summary of achievement for each graduate which will be read during the ceremony with the written permission of the graduate. The graduates are invited to speak about their court experience and to offer encouragement to those in attendance. Certificates of Completion or other incentives may be handed out during the ceremony. All pre-plea graduates will be given a copy of the dismissal of charges filed by the Circuit Attorney. All post plea graduates will be provided a new court date before the sentencing judge.

TERMINATION PROCEDURE

VOLUNTARY TERMINATION

Participants may petition the Drug Court Commissioner for termination from VTC. The Commissioner may enter a termination order if it is determined that the request is knowingly and voluntarily made. The participant will be required to pay all outstanding VTC fees. In pre-plea termination cases the Commissioner will set a bond amount and return the case to the appropriate court for further proceedings. In post plea termination cases no bond is set and the case is referred to the sentencing judge for further proceedings.

INVOLUNTARY TERMINATION

The VTC team may make a recommendation to the Commissioner that a participant be terminated from VTC due to the participant's non-compliance with VTC requirements or conditions. Participants must be informed of the potential termination from VTC and be allowed to have their attorneys appear on their behalf when the issue is considered unless the participant has absconded. A participant may request a formal termination hearing on the record or waive the termination hearing. After full consideration, the Commissioner may enter a termination order or determine to continue the participant in the program. Upon involuntary termination, the participant will be required to pay all outstanding VTC fees. In pre-plea termination cases the Commissioner will set a bond amount and return the case to the appropriate court for further proceedings. In post plea termination cases no bond is set and the case is referred to the sentencing judge for further proceedings.

In the case of a participant who has absconded for a period of three months, the Commissioner may enter an order of termination, require the participant to pay all outstanding fees, and return the case to the referral court for further processing.

ADMINISTRATIVE DISCHARGE

If a participant cannot complete VTC, through no fault of his/her own, the veteran may be administratively discharged. Reasons for an administrative discharge include medical necessity and incarceration in a state or federal prison. The Court Commissioner may

enter an order of termination, require the participant to pay all outstanding fees, and return the case to the referral court for further processing.

MODIFICATION OF PROCEDURE

Should the VTC team determine that modification of an existing procedure best serves the interest of the participant and the VTC program and said modification receives the approval of the appropriate court committee, the approved change will be distributed in writing to each participant, the signature of the participant will be obtained and placed in the social file to acknowledge receipt of any modification.

POST PLEA ADMISSION— SUMMARY OF PROCEDURES FOR DIVISION 25A (VTC) REFERRALS:

1. Defense counsel submits to the Judge a post arraignment written request to screen for VTC.
2. If appropriate, the Judge signs an **Order to Screen** for Division 25A. A probation officer may direct a probationer to screen for post-plea admittance.
(Post Plea Eligibility Requirements)
(Division 25A Form #1)
3. Defendant appears in Division 25A for screening at 9 a.m. on Friday as ordered by Referral Judge.
4. Defendant and defense counsel appear in Division 25A at 9:30 a.m. the following Thursday for eligibility determination.
5. Court Commissioner notifies the Judge of the Referral Division:

ELIGIBLE – Commissioner will send
Post-Plea Division 25A Eligibility Order to the Referral
Judge.
(Division 25A Form #3)

NOT ELIGIBLE – Commissioner will send
Division 25A Ineligibility Order to the Referral Judge.
(Division 25A Form #2)

6. **PROCESS FOR PLEA OF GUILTY CASES:**
 - Defendant **enters plea of guilty**
 - Court **defers sentencing and schedules status hearing one (1) year** following the plea.
 - Court **orders Defendant to appear** in Division 25A the following Thursday at 9:30 a.m. for **Orientation** with executed contract and release forms.

Annual Status Conference Procedure:

1. Court Commissioner will notify the Judge of the plea division of:
 - **Defendant’s program status**
 - **Expected date of program completion**
(Division 25A Form #4)
2. Plea division will **set another status conference** to coincide with expected date of program completion.

Graduation – Court Commissioner will notify the Judge.
(Division 25A Form #4)

Termination – Court Commissioner will notify the Judge. (Division 25A Form #5)

PROBATION VIOLATION CASES AND PROBATION GRANTED PURSUANT TO SECTION 559.115— SUMMARY OF PROCEDURES FOR DIVISION 25A (VTC) REFERRALS:

1. Defense counsel submits a written request for Judge to consider VTC as a condition of probation or in lieu of probation revocation.
2. If appropriate, the Judge signs an **Order to Screen** for Division 25A.
(Post Plea Eligibility Requirements)
(Division 25A Form #1)
3. Defendant appears in Division 25A for screening at 9 a.m. on Friday as ordered by Referral Judge.
4. Defendant and defense counsel appear in Division 25A at 9:30 a.m. the following Thursday for eligibility determination.
5. Court Commissioner notifies the Judge of the Referral Division:

ELIGIBLE – Court Commissioner will send Post Plea Division 25A Eligibility Order to the Referral Judge.
(Division 25A Form #3)

NOT ELIGIBLE – Court Commissioner will send Division 25A Ineligibility Order to the Referral Judge.
(Division 25A Form #2)

6. **PROCESS FOR PROBATION VIOLATION CASES**, if approved by the sentencing Judge:
 - Court finds Defendant has violated probation;
 - Optimally a minimum of **48 months** of time remaining on supervision, however the maximum term of probation is encouraged;
 - Court **reinstates probation with a “not to report” order** to assigned probation officer while actively engaged in the Post-Plea Program in Division 25A;
 - Court adds a special condition of probation to complete the Post Plea Program in Division 25A;
 - If applicable, Court sentences Defendant pursuant to Section 559.115;
 - Court **orders Defendant to appear** in Division 25A the following Thursday at 9:30 a.m. for **Orientation** with executed contract and release forms.
(Division 25A Form #6)

Status Conference Procedure: Division of Probation and Parole will keep the Judge of the sentencing division informed by case summaries every six months.

PROCESS FOR PROBATION GRANTED PURSUANT TO SECTION 559.115, if approved by the sentencing Judge:

- Court imposes period of incarceration pursuant to Section 559.115;
- Court grants probation and holds the defendant in custody with an order to appear in Division 25A the following Thursday at 9:30 a.m. for Orientation with executed contract and release forms.
(See Post-Plea Contract Appendix 10)
(See Release Form Appendix 1)
 - Court adds special condition of probation to complete the Post-Plea Program in Division 25A where defendant will report to probation officers and the Commissioner in Division 25A.
 - Probation should optimally have 48 months supervision time, and the maximum term of probation is encouraged.
 - Court adds special condition of “not to report” to another probation officer while actively engaged in the Post-Plea Program in Division 25A.

Status Conference Procedure: Division of Probation and Parole will keep the Judge of the sentencing division informed with case summaries every six months.

7. Graduation –

- Court Commissioner will notify the Judge.
(Division 25A Form #4)
- Probation and Parole will file a report with a disposition request.
- Sentencing division sets a court date and notifies parties.

8. Termination –

- Court Commissioner will notify the Judge.
(Division 25A Form #5)
- Probation and Parole will file a violation report outlining conditions violated, including termination from the program.
- Sentencing division sets violation hearing court date and notifies parties.

PRE-PLEA ADMISSION— SUMMARY OF PROCEDURES FOR DIVISION 25A (VTC) REFERRALS:

1. Defendant may request VTC screening referral from the Judge:
 - At Pre-Trial Release
 - During arraignment
 - Prior to plea
2. If appropriate, the Judge signs an **Order to Screen** for Division 25A.
(See Pre-Plea Eligibility Requirements)
(Division 25A Form #1)
3. Defendant appears in Division 25A for screening at 9 a.m. on Friday as ordered by Referral Judge.
4. Defendant and defense counsel appear in Division 25A at 9:30 a.m. the following Thursday for admission determination.
5. Court Commissioner notifies the Judge of the Referral Division:

NOT ACCEPTED– Court Commissioner will send Division 25A Ineligibility Order to the Referral Judge.
(Division 25A Form #2)

ACCEPTED – State appears by Assistant Circuit Attorney, Defendant appears before the Commissioner, with counsel:
 - Waives formal Arraignment
 - Waives Right to Speedy Trial
 - Waives Right to Preliminary Hearing
 - Enters a Plea of Not Guilty, if not previously arraigned
 - Signs participant contract
 - Signs Confidentiality Disclosure AuthorizationDefendant enters Program Orientation on that day.
6. **Graduation** – Office of the Circuit Attorney enters nolle prosequi.
7. **Termination** – Case is transferred to Division 16 for further proceedings.
(Division 25A Form #5)