

Athens-Clarke County DUI Treatment Court Policy and Procedure Manual



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DUI Treatment Court History

The Athens DUI Treatment Court was originally designed and implemented in February 2001 in the State Court of Clarke County under the direction of the Honorable Judge N. Kent Lawrence. The Solicitor-General endorsed the specialized program targeting impaired drivers, which expanded to include Municipal Court cases. In October 2002, the Program's operational components were enhanced as a result of additional funding from the Georgia Governor's Office of Highway Safety.

Steering Committee

The Steering committee utilizes persons from the community and other Athens-Clarke County employees to provide guidance on key issues such as program policy and objectives, community outreach, and other vital matters related to the program. The current Steering Committee is a joint effort shared by all the Athens-Clarke County Accountability Courts, and directed by the Athens-Clarke County Court Administration Department. Their mission reads as follows: *“to serve as an advocate for treatment courts in our jurisdiction by promoting awareness and engagement amongst stakeholders by way of ensuring adequate resources for courts, connecting participants to needed services, providing policy guidance, and ensuring accountability.”* The Steering Committee meets bi-annually to discuss and work toward various projects within their strategic objectives: Awareness and Advocacy, Access to Resources for Courts, Access to Resources for Participants, and Policy Guidance and Accountability. Leadership roles are currently filled by Superior Court Judge David Sweat (retired), Katie McFarland LCSW (Advantage Behavioral Health Systems), Sarah H. McKinney (President of Athens Area Community Foundation), Elisa Zarate (Court Administrator, ACCUG), and Jenni Olson (Community Liaison). There are approximately 60 other members who attend the bi-annual meetings.

Mission Statement

The primary mission of the Athens-Clarke County DUI Treatment Court is to provide early intervention for individuals with repeat alcohol and drug offenses. This includes enhanced community and legal supervision, substance use treatment, and continuing community support. The DUI Treatment Court strives to promote public safety and save lives while targeting those with substance use disorders in order to improve the quality of their lives and those around them.

Goals and Objectives

The goal is to instill hope and improve the quality of our participants’ lives while increasing community safety and reducing DUI recidivism. Participants are provided with the tools to live free from substance use and repeat legal involvement. An integral goal of the Program is to give participants access to those tools through treatment and local resources in hope that they will continue to thrive.

Program Structure

The DUI Treatment Court program is a post-conviction, abstinence-based, substance use treatment, and intensive supervision program for candidates with multiple convictions for driving under the influence of alcohol. The program currently has a capacity of 100 participants. The minimum program length for a participant is 14 months. Most participants come into the program with a 24-month sentence and complete the program in approximately 18 months, with the remaining time under sentence in aftercare.

The Program was implemented in 2001 using a policy manual written collaboratively by founding members of the DUI Treatment Court Team. The DUI Treatment Court Team consists of a state court judge, a magistrate court judge, the Athens-Clarke County Solicitor-General and his chief

assistant, a representative from the Athens-Clarke County Public Defender’s Office, the DUI Treatment Court Coordinator, probation officers, a police officer, a case manager, licensed counselors, a supervising treatment coordinator, and a drug and alcohol testing consultant.

Substance use treatment for the DUI is provided by licensed counselors from Family Counseling Services of Athens, Inc., and a member of the Department of Human Services Registry for the State Multiple Offender Program. The Team is charged with providing a continuum of services including treatment, coordination of ancillary services, and the referral of participants to enhanced treatment as needed.

Target Population

The DUI Treatment Court’s target population includes candidates with a moderate to severe substance use disorder and/or arrests for two (2) DUIs in five (5) years; arrests for three (3) or more DUIs in a lifetime; or a blood alcohol level (BAC) of 0.15 or higher at the time of arrest. The Court also considers individuals with an offense related to a history of a substance use disorder on a case by case basis.

Eligibility & Disqualification Criteria

In order to be eligible for the program, a candidate must:

- A. meet the legal requirements to participate in the program of
 - a. 2 DUIs in 10 years;
 - b. 3 DUIs lifetime;
 - c. a BAC over 0.15; or
 - d. another charge related to a history of substance use disorder;
- B. have the appropriate Risk and Need
 - a. Screens High Risk/High Need on the DUI RANT. (Due to misreporting or underreporting, any assessment may not be an accurate reflection of the referral’s risk and need. Historical data is reviewed when there is a question about the accuracy of a screening tool.)
 - b. Indicate “Aggravated Alcoholism Problems” on the Michigan Alcohol Screening Test (MAST).
 - c. As of December 2022, if a referral screens Low Risk/High Need, High Risk/Low Need, or Low Risk/Low Need, our program has alternative track options available and will continue with further assessment and appropriate placement. The High Risk/High Need group is referred to as our Standard Track.
- C. Meet the clinical requirements to participate in the program after being evaluated by the Treatment Team Lead;
 - a. Assess at ASAM Level 1 or higher on the Adult Needs and Strengths Assessment (ANSA) used for a full biopsychosocial and cultural overview.
- D. Agree to participate in the DUI Treatment Court and sign a written contract, and
- E. Live within 25 miles of the Athens-Clarke County Courthouse.

The following would disqualify a person from participation: Sexual or violent offense or history that would create a risk to the safety of other participants or team members, live more than 25 miles from Athens-Clarke County Courthouse, or taking prescribed medical marijuana which is not permitted by a BJA grant that our court receives.

Co-occurring Disorders- The team will strive to accept any person with a co-occurring disorder as long as the person's primary diagnosis is substance use disorder; the co-occurring disorder will not prevent the person from meaningfully engaging in treatment, and the co-occurring disorder will not prevent the person from being able to comply with the rules and requirements of the program.

Entry Process

The DUI Treatment Court's goal is for a participant to be able to enter the program as soon as possible after an arrest. Research has shown early placement and intervention with a drug or alcohol offender leads to a greater likelihood of success of a participant in the program. Entry into the DUI Treatment Court can occur as soon as 30 days.

Fast-Track Arraignment & Referrals - Multiple offender DUI cases are placed on a specialized arraignment calendar within 3 weeks of arrest in order to expedite consideration for the program. All cases are reviewed for eligibility for entry into the Program. This review is conducted by the Solicitor General's Office, which then requests a screening if DUI Treatment Court might be a suitable method to resolve the case.

Referrals also may come from local police departments, magistrate judges, municipal court judges, state court judges, probation departments, treatment providers, or defense counsel. All referrals are screened by the prosecutor's office and the DUI Treatment Court Coordinator based on the circumstances leading to arrest, a candidate's criminal history, and other relevant factors.

Screening- If a person wishes to be considered for the DUI Treatment Court, either the case manager or the court coordinator take the necessary information to determine if the person lives within the geographic region that our team serves (25 miles from the Clarke County Courthouse) unless an exception is made. The person is also screened to determine if there are any sexual or violent offenses in a person's history that might be harmful to the rest of the program's population. Screening assessments are also administered and a review of criminal history and associated police reports takes place to determine if the person is High Risk/ High Needs. If the person does not meet the criteria, the Court coordinator will let the attorneys know or possibly refer to the team for further discussion.

Medication Review- The coordinator and clinician also review any medication prescribed to the person to determine if it would affect their ability to participate in the program. Any medication that should be monitored will require that the participant sign an ROI with the prescribing physician so that the program can communicate the individual's participant in a recovery and abstinence focused program. The prescribing physician may suggest a different medication to the

individual, but if the medication of concern is determined to be the best option for the participant, spot checks will be completed to determine therapeutic values of the medication in their system.

Approval and Plea Offer- After all screenings and consultation with the team as needed, the determination is made whether a candidate will be accepted into the program. The prosecutor and attorney/public defender is notified. If the person is eligible for acceptance, the candidate is given two plea offers: one offer requires DUI Treatment Court, and the other is a non-DUI Treatment Court offer. The length of time between acceptance and entry is usually 30 days or less.

Guilty Plea and Sentencing- The guilty plea is generally entered in front of a judge from the Athens-Clarke County State Court, though if a case originates from another court the plea may take place there. Prior to the plea being entered, the DUI Treatment Court contract is signed by the candidate, the defense attorney, the Solicitor-General, and DUI Treatment Court staff. The plea agreement and additional DUI Treatment Court requirements are read in open court and provided to the candidate. The candidate then acknowledges receipt and understanding of all portions of the sentence and DUI Treatment Court requirements by initialing all documents. After sentencing, the participant completes program orientation and is set up for treatment orientation for group and individual counseling assignments. When a participant pleads into the program from outside of custody, there is no delay in entry. They report for their baseline drug screen the same day whenever possible. If a participant pleads into the program from custody, there is usually no greater than a 24 hour delay before they are actively participating in all program requirements. No DUI charge shall be dismissed as a condition of completing the program.

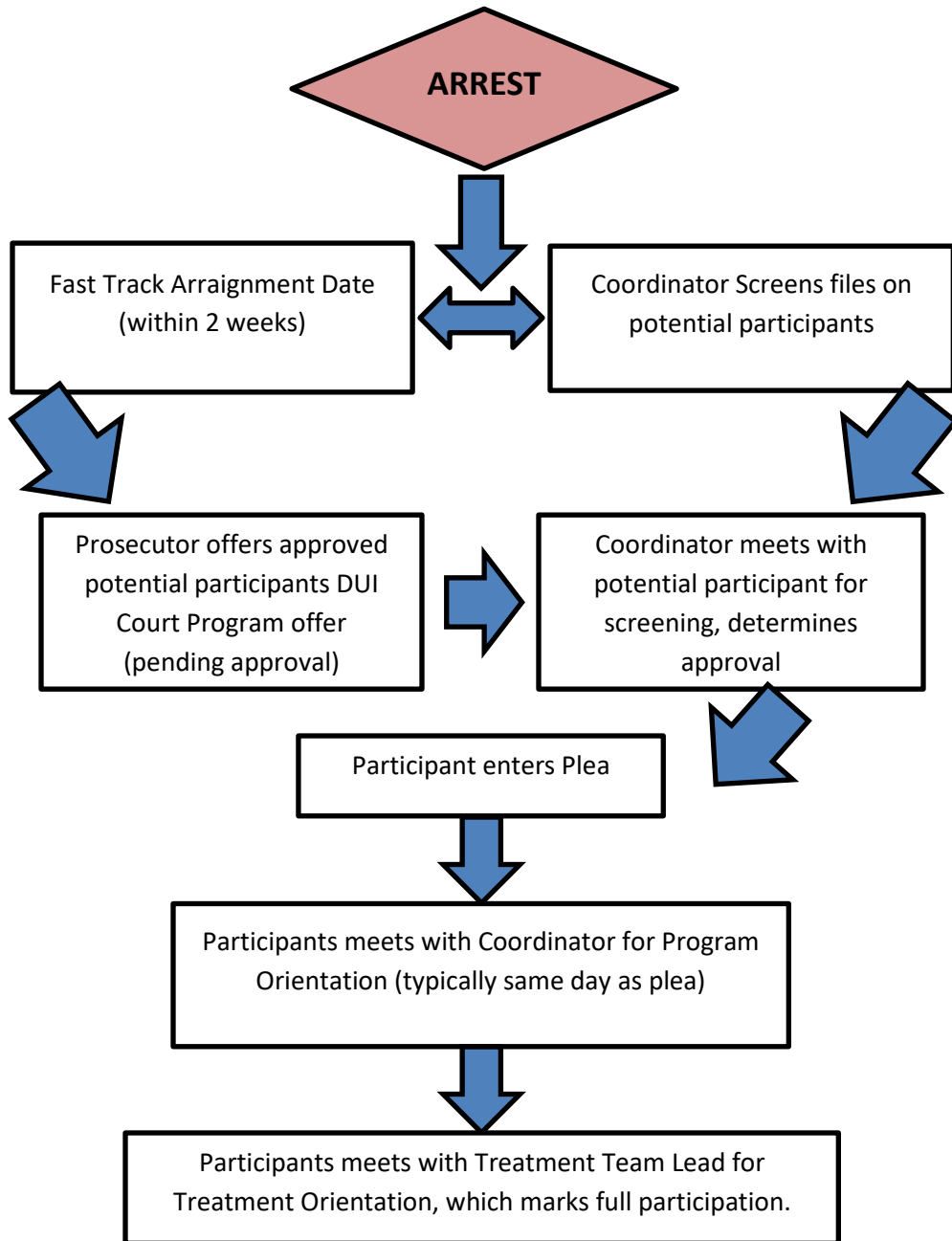
The Court will comply with the requirements and provisions set forth in the Georgia Crime Victim's Bill of Rights.

Orientation and Assessment- During Orientation for the program, the participant meets with DUI Treatment Court Staff to A) receive program instructions and the Participant Handbook, B) set up the call-in system for drug screens, C) set up for status conference attendance, and D) be given an appointment to meet with counseling to complete treatment orientation. Counseling uses the assessment results from screening coupled with a clinical assessment (ANSA - Adult Needs & Strengths Assessment) to help determine level of care and develop an individualized Treatment Plan. It is during this process that initial placement in an appropriate Track is determined. The participant will also be directed to provide a baseline drug screen that day and receive notice and contact information for their Probation Officer and Case Manager/Peer Support Specialist.

The new participant is also screened by a treatment clinician using an assessment tool developed by John Ewig of the Bowles Center for Alcohol Studies, the C.A.G.E. assessment/questionnaire, and the Brief Mental Status Evaluation or the B.M.S.E. The clinician determines if the screens indicate a substance use disorder of moderate or severe. The clinician will also preliminarily screen for co-occurring mental health disorders that may affect their ability to participate meaningfully in

the program. The Level of Service/Case Management Inventory (LS-CMI) provided by the state is sometimes utilized by the clinician, as well, but this will discontinue after probation begins screening new participants using the Intoxicated Driver Assessment (IDA) to determine needs regarding the individual level of supervision required.

Referral Flowchart



Team Member Roles and Responsibilities

DUI Treatment Court Judges

The Judges provide supervision for the program and lead the DUI Treatment Court Team. The Judges shall maintain a current knowledge of the law and research on best practices in accountability courts. The Judges shall attend all staffing sessions and Status Conferences. The Judges shall interact frequently and respectfully with all participants. The Judges shall work closely with Team members. The Judges shall give due consideration to input from all members of the Team. The Judges must always maintain their judicial independence.

Solicitor-General

The Solicitor-General screens applicants for eligibility, serves on the DUI Treatment Court Team, attends program related obligations, and is actively involved in the ongoing development of the DUI Treatment Court. In addition, the Solicitor-General is responsible for recommending or not recommending consideration for participation in the program. In addition, the Solicitor-General represents the State and makes recommendations after consultation with the probation officer and Team at any violation hearings where a participant is alleged to have violated the terms or conditions of the program.

Defense Attorney/Public Defender

The Defense Attorney or Public Defender team member attends DUI Treatment Court sessions, serves on the DUI Treatment Court Team, attends program related obligations, and is actively involved in ongoing development of the DUI Treatment Court. The Defense Attorney or Public Defender works with local defense counsel to identify possible eligible participants for the program and can make the appropriate referrals to the program.

Probation Officers

The Probation Officers actively oversee the supervision of all participants. The Probation Officers complete home visits and monitor compliance with program regulations. Additionally, the Probation Officers assist the state during probation petitions or violation hearings.

Court Coordinator

The court coordinator is responsible for the day to day operations and management of the DUI Treatment Court program, including operations involving participants, team, and other staff. The Coordinator participates in the development and maintenance of eligibility standards, operating procedures, and rules for the DUI Treatment Court. The coordinator develops strategies to maintain funding for the program, reviews service contracts, and monitors program certification and operating procedures. The coordinator shall be responsible for data collection to monitor participant compliance and to provide a basis for evaluation of the DUI Treatment Court. The coordinator also works on and completes grants that are crucial to the program's funding, operates as the manager of program referrals, and organizes and provides information to the rest of the team at weekly staffings or as needed.

Case Manager

The Case Manager works closely with the court coordinator to manage the day to day operations of the program. The Case Manager is responsible for ensuring that participants move through the program in an effective and efficient manner. The Case Manager is a key contact involved in participant interaction and assists in monitoring compliance with all program rules. The case manager connects participants to ancillary services such as employment, educational/vocational, medical, transportation, and housing resources. The Case Manager assists with the collection and organization of information regarding the participants. Additional job duties can include, but are not limited to, managing payment plans, assisting with the placement of participants into third-party treatment providers (AOD or medical), and gathering any and all participant information.

Peer Support Specialist

The Peer Support Specialist assists the DUI Treatment Court in developing a deeper understanding of the process of pursuing a life in recovery and provides support to participants as a person in recovery who has successfully completed a treatment court program. Additionally, a Peer Support Specialist shares community recovery resources with participants and the team, helps participants build recovery skills, seeks out and maintains relationships with recovery-focused and/or friendly support agencies in the area, provides mentorship, and assists in the continuing education of the team, the public, and policymakers with the goal of providing holistic support to individuals who are in treatment court programs, seeking sobriety, and hoping to obtain the tools to build a life in recovery.

Counselors

A counselor is assigned to each participant in the DUI Treatment Court, and it is this counselor that first provides a clinical assessment of the participant to develop an individualized comprehensive treatment plan. This counselor shall manage the treatment during the time that the individual is a participant in the DUI Treatment Court. Each counselor reports to other members of the DUI Treatment Court Team during staffing to keep the Team informed of each participant's progress through treatment. The counselor shall communicate all information pertinent to a participant's continued recovery to the judges and the rest of the Team in order to properly treat each participant. A more comprehensive list of duties is attached in the MOU in Appendix A.

Lead Treatment Clinician

The Lead Treatment Clinician is responsible for the overall supervision and coordination of treatment services provided to participants. The Lead Treatment Clinician shall meet with participants and treatment providers on a regular basis, and shall be responsible for facilitating evaluations, making treatment referrals, preparing treatment plans, and coordinating treatment with counselors on staff as well as outside agencies. A more comprehensive list of duties is attached in the MOU in Appendix A.

Police Officer

A police officer is the main liaison between the DUI Treatment Court and local law enforcement agencies. The police officer provides notice if they learn of participant interaction with law enforcement and also assists in the supervision of the participants as needed. The police officer also keeps the team informed about community trends and up to date education on substances participants may use or come into contact with.

Drug Testing Lab Manager

The Lab Manager oversees the Athens Drug Lab which provides testing services to participants. The Lab Manager ensures that testing protocols, equipment, and technology are up-to-date and comply with best practices to properly monitor participants. The Lab Manager answers questions from the DUI Treatment Court Team concerning drug testing and the effects of drugs and other medications on testing results and on the participants. This person may sometimes work with an outside confirmation lab in order to provide feedback on drug testing.

DUI Treatment Court Team: Ethical Considerations

The relationship between Team members and participants shall be professional, with all interactions based on adopted Athens-Clarke County Standards of Professional Conduct. Team members shall always maintain professional and objective personal conduct between themselves and the participants, the participants' families, and participants' associates so as to safeguard the welfare of the participant both during and after enrollment in the DUI Treatment Court.

Team members are prohibited from developing personal relationships with participants including sexual or romantic relationships, employment of participants, or engaging in business relationships with participants who are active in the DUI Treatment Court. Relationships with participants should never include behaviors on the part of the team member, which would have the potential to be abusive or damaging to the participant or their progress in the program. Team members must disclose pre-existing social ties or relationships with a participant prior to the individual's placement into DUI Treatment Court.

Treatment Phases

	Orientation <i>Assessment</i>	Extended Assessment <i>Foundations Groups</i>	Active Treatment <i>Early Recovery Groups</i>	Relapse Prevention <i>Relapse Prevention Group</i>	Sustained Recovery <i>Recovery Management/Integration Group</i>	Aftercare
Requirements Outline* *Individual treatment plans may determine a need for additional requirements /contact	Substance Use Disorder Evaluation Group Assignment Individual Counseling Assignment	Minimum 8 treatment groups Minimum of 1 Individual counseling session per week	Minimum 12 treatment groups Minimum of 2 Individual counseling sessions per month 1 Community Support Meeting per week	Minimum 4 treatment groups Minimum of 2 individual counseling sessions per month 1 Community Support Meeting per week	Minimum 2 treatment groups Minimum of 1 individual counseling session per month 1 Community Support Meeting per week	Minimum of 1 Treatment group per month Minimum of 1 individual counseling session per month

Court Phases

	Orientation <i>Intake</i>	Phase 1 <i>Stabilization</i>	Phase 2 <i>Planning</i>	Phase 3 <i>Action</i>	Phase 4 <i>Maintenance</i>	Aftercare
Requirements Outline	Enter Plea Complete Program + Treatment Orientation Provide Baseline UDS Attend Status Conference every other week Minimum of 2-3 UDS each week	Minimum of 60 days 14 days no violations required to phase up Status Conference every other week Minimum of 2-3 UDS each week Comply with Supervision, Treatment, Admin Staff	Minimum of 90 days 30 days no violations required to phase up Status Conference every other week Minimum of 2-3 UDS each week Comply with Supervision, Treatment, Admin Staff	Minimum of 120 days 60 days no violations required to phase up Status Conference every other week Minimum of 2-3 UDS each week Comply with Supervision, Treatment, Admin Staff	Minimum of 150 days 120 days no violations required to phase up/commence 2nd Status Conference of each month Minimum of 2-3 UDS each week Comply with Supervision, Treatment, Admin Staff	Continuing Care attend Conference as directed Minimum of 2-3 UDS per month

Phase Structure, Commencement Criteria, & Aftercare

Phase Structure- Please see above chart for description of treatment phases and court phases.

Writing projects will be assigned during each phase of treatment. Participants are expected to apply themselves to the best of their ability and will meet with their counselor to review each project. The completed assignments will reflect a participant's progress and are an integral part of the treatment process. Counselors will evaluate projects, participation in group and individual counseling sessions, time in current phase, drug and alcohol test results, and other relevant information to determine a participant's readiness to move on to the next treatment phase.

Phase Progression- For any phase progression in DUI Treatment Court, participants must be clinically appropriate, as determined by their individual counselors, as well as meet all supervision requirements. Court Phases and Treatment groups are separate. The level of treatment needed by each participant is determined by individualized treatment plans. Participants must be financially current, on an approved payment plan, or designated indigent status in order to advance to the next phase. Participants must also meet all testing and supervision requirements in order to apply for phase-ups.

Commencement Criteria- In order to qualify for "Ready for Commencement" status in the program, a participant must meet all previous phase requirements, including completion of all treatment obligations. They also must be current with all DUI and probation fees, on a payment plan, or in indigent status while attending all required appointments with their probation officer and appearing for all call-in drug screens. A minimum of 120 days of negative drug testing is required prior to a participant being deemed eligible for commencement from the program.

A major goal of the DUI Treatment Court Team is to support each participant's progress throughout the phases toward commencement from the DUI Treatment Court program. Commencement is an important milestone, providing the participant and the DUI Treatment Court Team an opportunity to reflect on the personal journey each participant has experienced during the program.

Aftercare- Following commencement, participants enter the aftercare phase and follow an aftercare plan that includes random screens and individual counseling sessions. It may also include peer support groups and/or attendance at an alumni group. Participants remain in aftercare until probation is completed. During Aftercare and following completion of probation, participants are encouraged to maintain their relationship with the DUI Treatment Court as alumni, which can include mentoring current participants.

Termination Criteria- The goal of the DUI Treatment Court is for every participant to successfully complete the program. Every effort will be made to meet the treatment/program needs of each participant, thereby minimizing the potential for dismissal from the DUI Treatment Court. If the Court is not able to meet the treatment needs of the participant through no fault of the participant or the participant has a medical condition that prevents them from participating in good faith, the participant should not be penalized or subject to an increased sentence upon being released from the program.

Notwithstanding, a participant could jeopardize their ability to participate with significant or repeated violations of program rules including, but not limited to: new criminal offenses, repeated technical probation or program violations, continued drug/alcohol use, attempts to circumvent drug testing procedures, dishonesty, or refusal to meaningfully engage in treatment.

Any participant facing a recommendation of dismissal from the program shall be provided written notice of the allegations and provided the right to a hearing with the opportunity to be represented by an attorney. The consequences of removal from the DUI Treatment Court shall be comparable to those sustained in other similar cases before the presiding judge. The sentence shall be reasonable and not excessively punitive based on the reasons for termination from the DUI Treatment Court.

Incentives and Sanctions

Incentives- Incentives are administered in a few different ways, to include at set times when a participant meets a set goal, completes a phase, and/or when we host prosocial events throughout the year. They are also randomly administered as opportunities present themselves, such as when they are seen doing something right and/or setting a positive example for others. Some examples can include:

- community service credits
- judicial praise
- recognition for progression through the program via Phase-up and Group completion certificates presentation at status conference
- online attendance for status conference
- going first and leaving early at status conference
- being excused from status conference
- spotlight award for being an example for others in recovery: praise, certificate, and personalized gift
- gift certificates
- free pro-social events like ice skating, zoo, and picnics
- assistance obtaining driver's license or permit via accountability court order

The DUI Treatment Court program also works with the local vocational college and community programs to help participants receive job training opportunities to aid in employment placement.

Sanctions- Consequences for participants' behavior shall be predictable, fair, consistent, and administered with evidenced-based principles of effective behavior modification. Recommended sanctions shall gradually escalate and be applied in a consistent and appropriate manner to match a participant's level of compliance. There will be no indefinite time periods for sanctions, including those sanctions involving incarceration or detention. Sanctions are administered in a separate sanction hearing. These are held twice a week and occur outside of a participants' standard program obligations. In and of itself, coming to court additionally for a violation hearing is very often an effective consequence of breaking program rules, even when the court's disposition for the violation is very low impact.

Increased treatment shall never be imposed as a sanction for any violation. However, notification of every alleged violation is forwarded to a participant's treatment clinician to determine if a revised treatment plan

should be implemented for that participant based upon the violation. Implementation of a revised treatment plan recommended by a counselor may result from any alleged violation and shall not be considered a sanction.

We no longer operate from a fixed sanction matrix, but instead pull from a continuum of recommended responses informed by the severity of the violation. The severity of the violation is determined by the participant's track placement (proximal/distal goals that vary by need and risk levels considered), phase, and how many times the participant has previously committed the violation. When probation schedules a participant for a violation hearing, the alleged violations are explained to them, and they have the right to contest the violation and request confirmation test or a full hearing as desired. Both standard violation hearings and full violation hearings are handled in front of a Judge, with the state, probation, admin staff, treatment, and representation (if requested) present.

Standard Sanction Recommendations-

Response to Minor Infraction: Verbal reprimand, assignment related to the infraction, letters of apology, providing a weekly schedule to supervising officer, stay late at status conference, presenting lesson learned at group or status conference, not eligible for virtual option at status conference, leave request or use of any other incentive for 30 days.

Response to Mid-level Infraction: All sanctions on the Minor list, increased supervision, curfew, alcohol monitor, increased testing schedule, daily contact with probation or case manager by phone/email, community service, providing schedule daily, bench duty.

Response to Severe Infraction: All sanctions on Minor and Mid-Level list, loss of driving privileges, daily reporting to the probation office/DUI Court office, daily testing, electronic surveillance, home detention, flash jail sanction (1-5 days), diversion/ work release center.

Mitigation of Sanction- Honesty is a core component of the Athens-Clarke County DUI Treatment Court. The team favorably considers self-disclosure of use or any other program or law violation as a mitigating factor when sanctions are imposed. The Team may also consider the extent to which a participant has taken ownership of poor choices and initiated action on their own to respond to their choice and to prevent the behavior from re-occurring.

Advocacy- Team members encourage participants to be an advocate for their needs and regularly discuss the importance of advocating for one's needs with participants facing violation hearings. The purpose of this is to indicate that we value their input as the person who is the possible recipient of the sanction to be determined by the Judge and to empower them to be a meaningful contributor to the outcome in this often stressful process rather than an outside party awaiting an outcome. This makes the process as a whole more person-centered and offers opportunities for collaboration, building rapport, and generally a deeper understanding of the situation for all parties. This has been shown to increase participant buy-in and the efficacy of responses to client violations and behavior. Meetings with the Peer Support Specialist on the team help participants cultivate their own advocacy language and offer administrative support if necessary.

Shift to person centered responses to violation (Certification Requirement 6.9)- In the past, we utilized progressive punitive sanctions in response to use behavior. The progression was the same for each participant based on the number of times a person tested positive. We moved away from this method several years ago. Instead of using a formulaic or linear process to increase the punitive response to successive positive drug screens, we use a participant-centered process that reviews each positive test in light of the participant's current circumstances and determines the best response for the particular situation. We look at factors including where the individual is in their treatment, whether the participant was honest or deceptive about the use, and what supports the person needs to remain sober. The response is more likely be a graduated treatment response or a graduated supervision response instead of a graduated punitive sanction. Successive responses are not always linear, graduated, or progressive. As a result, we share as many potential sanctions to educate the team and alert participants as to the possible range of options. However, each person and each use are looked at to determine what is the most appropriate response based on the individual circumstances.

Treatment Protocol

Treatment is not provided to reward desired behaviors, punish infractions, or serve other non-clinically indicated goals. Participants receive treatment based on a standardized assessment of their particular treatment needs. Each participant shall have an individualized treatment plan based on their particular needs.

Provider Training: Treatment providers are trained and supervised to deliver a continuum of evidence-based interventions that are documented in treatment manuals. Treatment providers seek yearly continuing education credits to ensure they are trained on the most recent Standardized and Evidence-based practices.

Treatment Modalities: Treatment shall include standardized, evidenced-based practices and other practices recognized by the Substance use and Mental Health Services Administration National Registry of Evidence-Based Programs and Practices and which comply with the Georgia Council of Accountability Court Judge's Adult DUI/Drug Court Treatment Standards. Treatment providers use MRT (Moral Recognition Therapy), Seeking Safety, CBT (Cognitive Behavioral Therapy), MI (Motivational Interviewing), Prime Solutions (Substance Use Disorder curriculum), Logo therapy (finding meaning in life), Strengths Perspective, and Mindfulness-Based therapies. These modalities are used with participants either individually, in group counseling, with family and/ or couples counseling as needed.

Initial treatment plan: Participants in the Athens-Clarke County DUI Treatment Court program undergo a comprehensive evaluation process upon entering the program. The Lead Treatment Clinician administers a clinical interview, in combination with the ANSA assessment tool, to determine a diagnosis (Substance Use Disorder – Mild, Moderate, Severe) for each participant. During this process, the individual needs of the participant are identified, and the participant begins Phase 1 of the program. The individualized treatment plan will be documented and placed in the client's treatment file.

Extended Initial Assessment: Phase 1 is an extended assessment period (allowing a minimum of 8 weeks) to determine the participant's individual needs and challenges and how to address them in a treatment setting and determine if modifications to the treatment plan needs to be made.

Ongoing Assessment: Clinicians will review a client's treatment plan at least every 3 months. Clinicians will review a treatment plan if a client has a use issue, other significant event, or if the clinician determines the need to review. Any changes to the individualized treatment plan will be documented.

Higher Levels of Care: Should a participant need increased treatment or support (halfway house, recovery residency, intensive outpatient, inpatient treatment facility, crisis stabilization, or detox center), treatment, the case manager, and coordinator shall coordinate placement at such a facility.

Examples of Individualized Treatment Interventions:

- Individual Counseling Sessions
- Gender-Specific Group Counseling
- Family Violence Intervention Program
- Anger Management Classes
- Phoenix Project
- Community Support Meetings
- Diversion Center Programming
- Referral to a higher level of care
- Increasing drug testing and/or home visits
- Recovery Community Involvement
- Medical/ Wellness Evaluation
- Medically Assisted Treatment

These interventions may be utilized as substitutions or in conjunction with the Phase 2 (Active Treatment) or Phase 3 (Relapse Prevention) groups built into the program curriculum.

Maternity Leave Protocol

A participant may be put on Maternity Leave if necessary during their participation in the program. The goal is continued communication between the participant and the Team.

- Participants will continue to participate in randomized drug testing and their individualized treatment plan until admitted to the hospital.
- Upon admission to the hospital, the participant must contact their counselor and probation officer to inform team members of updated medical status.
- Upon release from the hospital, the participant must contact their counselor and probation officer to update team members of medical status.
- Seven days after release from the hospital, the participant is responsible for contacting their counselor to set up an individual appointment. At this time, the counselor will assess the participant for the appropriate level of participation in treatment and return to other court obligations.

Transportation Assistance & Licensing Rules

For participants without a license, the Team shall discuss creating a transportation plan to ensure that the participant has transportation to program requirements. Participants who do not have a valid driver's license are offered multiple forms of transportation assistance. The DUI Treatment Court Team has a partnership with "Bike Athens", providing access to bicycles for our participants. The program requests grant funds to assist participants with transportation. The program has partnered with the Athens Community Council on Aging and Uber to provide transportation services to participants when available. Assistance navigating the free transit system in Clarke County is also available and frequently offered.

Each member of the DUI Treatment Court Team will discuss with the participant the consequences of driving while the participant's license is suspended. The following flow chart is for internal use only; staff should direct participants to seek any legal advice from their attorneys. The Team shall take all reasonable steps to assist participants in completing all requirements for license reinstatement prior to commencement. The Team shall stay current on all applicable licensing laws in the state of Georgia and shall strictly enforce all driving restrictions.

DUI Licensing Rules & DUI Treatment Court Policies Chart

Offense	Suspension	Driving Permit	Reinstatement Requirements	DUI Treatment Court Policy
DUI Alcohol 40-6-391(a)(1), (3), or (5)				
1 st Conviction in 5 years	120 days	Permit without interlock available if no other suspendable offense in previous 5 years	ARR (DUI School) \$210 fee	Allow issuance of permit and driving unless otherwise placed in sentence
2 nd Conviction in 5 years	18 Months	No permit for 1 st 120 days After 120 days Ignition Interlock if: (1) Proof of Enrollment in Substance use treatment program (Treatment Enrollment Cert) OR permission from DUI Treatment Court; (2) Proof of ARR (3) Installation of IID (4) \$25 fee After 12 months of Interlock, can convert to permit without interlock for remainder of 18 months Not eligible for Interlock waiver for 12 months if granted after 12 months then permit allowed until 18 months expires	After 18 months may reinstate if: 1) Proof of IID for 12 months or waiver of interlock 2) Treatment Completion Cert 3) \$210 4) AAR if not already provided for permit	Treatment enrollment cert after (1) 60 days with no testing issues; and (2) active in treatment. For 60 days after issuance, team could revoke if testing issues. Will issue an Order under O.C.G.A. § 40-5-76 waiving requirement of Treatment Completion Cert if 120 days of no testing issues Interlock Waiver provided if demonstrated hardship and 120 with no testing issues.
2 nd Conviction in 10 years but not 2 in 5	120 days	Same as 1 st in 5	Same as 1/5 may require treatment completion Certificate	Will issue an Order under O.C.G.A. § 40-5-76 waiving requirement of Treatment Completion Cert if 120 days of no testing issues
DUI Drugs 40-6-391(a)(2), (4), or (6)				
1 st in 5	6 months	No permit for 6 months unless in DUI Treatment Court	1) ARR 2) \$210 fee	Allow Limited Permit if: Attending Treatment 2 weeks with no testing issues
2 nd in 5	12 months	No permit unless in DUI Treatment Court	1) ARR 2) \$210 fee	<i>Proposed Rule:</i> Allow limited permit if (1) 120 days from suspension; (2) 60 days with no testing issues; and (3) active in treatment. For 60 days after issuance, team could revoke if testing issues.

Supervision Protocol

Driving under the influence presents a significant danger to the public. Increased and intensive supervision and monitoring of participants by the court, probation department, law enforcement, and treatment provider must occur as part of a coordinated strategy to intervene with repeat and high-risk DUI offenders, to ensure accountability of participants, and to protect against future impaired driving.

Surveillance plan- Upon entry into the program, a participant will be assessed using the Impaired Driver's Assessment (IDA) which will be used to determine a supervision plan based on the participant's level of need and risk. The supervision plan will be modified as needed throughout the participant's time in the program. Based on the need of the participant, components of the plan may include 24 Hour Alcohol electronic monitoring device either transdermal SCRAM CAM or the SCRAM breath monitor, GPS electronic monitoring, house arrest, curfews, weekly or daily reporting, or a participant being placed into the Athens-Clarke County Diversion Center.

Field surveillance- The probation officer assigned to the DUI Treatment Court shall visit each participant in the field either at home or work at least once per month and more if needed. Probation typically does not utilize urine screens in the field due to safety and privacy concerns but uses breath testing devices. If needed, probation may use alternative technologies for testing such as saliva tests or may collect a urine specimen if standard urine collection protocol and be followed.

Diversion Center- The Athens-Clarke County Diversion Center provides an alternative to traditional jail. Individuals housed at the Diversion Center maintain employment or will be assisted in job placement if unemployed. Participants living in the Diversion Center are given the opportunity to attend DUI Treatment Court requirements, including Status Conferences, check-ins, and individual and group treatment sessions.

Drug and Alcohol Testing Protocol

Effective drug testing must be random, frequent, and observed with results provided within 48 hours.

Randomization- The Drug Lab's operating system (Connexis) is used to ensure random selection. Participants are assigned to a color group. Color groups are randomly selected to test on Monday through Friday (some holidays as well), three Saturdays each month, and two Sundays each month. Participants use a call-in system to learn what color groups are testing each day. This is a county phone line that we've converted into a hotline. We use the line for drug testing instructions, program announcements, and inspirational quotes from staff, participants, and others in the recovery community.

Frequency- During the first 4 phases of the program, each participant will have a minimum of two (2) urine screens a week. Participants in the Aftercare phase are tested at a minimum of twice (2) per month until the expiration of probation.

Observation- All urine collections are observed by a member of the Athens-Clarke County DUI Treatment Court Team or Drug Lab Technician of the same sex as the participant. Urine samples are collected at the Athens-Clarke County Drug Lab located at 110 Bray Street Athens, GA 30605. To establish a chain of custody, the lab will use evidence collection forms requiring the signatures of all parties involved in the

collection and transportation of the sample. If the team approves a participant to be on leave and the trip duration of 5 days or less, the participant will be required to test immediately prior to departure and immediately upon return. If the trip during if more than 5 days, they will be required to take a device of some kind. A remote breath device or transdermal monitor can be utilized for alcohol abstinence. Sweat patches can be used for other substances. Regardless of the program phase (1-4), these monitors are utilized when a participant requests to travel to a location the team identifies as high risk (cruise, party city, etc.).

Substances tested- Urine samples shall be tested by the Athens-Clarke County Drug Lab using full panels including EtG assays for alcohol detection. All samples will be tested for creatinine to determine validity. In response to a noted increase in Fentanyl related overdoses in our region, it was added to the standard panel in 2022.

Dilute Samples & Failure to Appear- Dilutions of urine samples and failure to appear for a screen are treated as “positive” samples for the purpose of responding to behavior. If a sample returns with a creatinine of less than 20mg/dL, it is considered a dilute sample. Staff monitor low-trending creatinine levels and communicate with participants about these levels in hopes to educate and support the participant to avoid a dilute violation.

Results- Results for samples shall be available within 48-72 hours of the sample’s arrival in the lab. In the event that a single urine sample tests positive for more than one (1) prohibited substance, the results shall be considered as one (1) positive drug screen. Admin staff review results as they become available and notify Probation, Treatment, and Peer Support if a participant has a positive screen, dilute screen, adulterated screen, or fails to appear for a test. The entire team is notified through a group email of all testing issues on regular basis. Positive screens and verbal admissions of drug or alcohol use shall not be used as the basis for a new criminal prosecution.

Confirmation Test- If a participant disputes the results provided by the Drug Lab, a confirmation can be requested by the participant. The sample will be packaged and shipped with the chain of custody forms to a nationally certified lab paid for by the participant. If the sample comes back as “not confirmed,” the cost of the confirmation test is credited to the participant’s fees.

EtG Results- EtG (Ethyl Glucuronide) tests can detect the ingestion of alcohol for a considerable time period after consumption. This technology is used to monitor participants’ compliance. Any test with an EtG level 500 ng/mL or above will be considered a “positive” drug screen for the purpose of petitioning a participant for revocation or sanction. Values of 300 to 499 ng/mL indicate that the participant may have had significant extraneous exposure to alcohol or may have consumed some amount of alcohol. In that event, the information is provided to treatment for further discussion to provide an opportunity for honesty or an examination of possible accidental exposure. Elevated EtG levels may delay eligibility when considered in conjunction with other measures of a participant’s progress.

THC Ratios After Entry or Use- When a participant tests positive for THC (Tetrahydrocannabinol/marijuana) either upon entry or use, THC to creatinine ratios will be monitored and this information is

provided to the team. The expectation is that the THC will be eliminated from the body in a timely fashion; if that does not occur the participant can be petitioned or face not progressing in the program if new use is identified.

Dilution Protocol- In the event of a dilute urine drug screen, the following procedure will be initiated. The goal is education and prevention at an early stage in the program.

1st Dilution:

- Participant will receive education through Dilution class and/or counselor.
- Participant will begin documenting diet through food/fluids log.
- Participant may be required to undergo a medical physical.
- Participant will be required to test 3x per week for a minimum of 4 weeks.
- Verbal reprimand

2nd Dilution:

- Participant will be required to test 3x per week for a minimum of 4 weeks, first thing each morning.
- Participant will be required to receive additional education regarding dilutes, and continue meeting with Counselor.
- Participant may be required to undergo a medical physical.
- Community service

3rd Dilution:

- Participant will be required to test first thing each morning for 2 weeks.
- Possible referral to consult a specialist, such as a Nephrologist.
- Possible use of other support and/or accountability tools.

Additionally, the administrative staff monitor low-trending creatinine levels (under 40 mg/dL) for the purpose of notifying participants of possible future issues if downward trending continues. This is done with the hope to educate the participant and assist with the development of a plan to address habits that might cause future difficulties providing a valid sample, which can result in a violation.

Judicial Interaction

The DUI Treatment Court is conducted by an elected state court judge with a magistrate court judge assigned to assist. The judges shall maintain a current knowledge of the law and research on best practices in accountability courts. The judges shall attend all pre-court staffing sessions. The judges shall interact frequently and respectfully with all participants. The judges shall give due consideration to input from all members of the Team.

Participant reviews during Status Conferences shall be conducted for each participant individually to optimize program effectiveness. The judges shall strive to spend an average of three minutes with each

participant during status review and spends this time reviewing treatment curriculum components or discussing another topic that is meaningful to the participant.

Staffing

All members of the DUI Treatment Court Team or an office/organization liaison are required to attend each staffing meeting. The staffing meetings shall be held weekly on Thursday afternoons beginning at 1:00 PM. Each staffing meeting takes place at either the courthouse or virtually. During the staffing meetings, the team reviews participant-related action items. The entire DUI Treatment Court Team shall review said action items and make comments or suggestions depending on specific needs or inquiries. As time allows, a general review of participant status is conducted.

Status Conferences and Violation Hearings

Status Conferences occur every other week and a minimum of two times a month. These hearings will be held at the Athens-Clarke County Courthouse. A virtual attendance option may be granted on a case-by-case basis and is an incentive that can be earned. During Status Conference sessions, the judges will discuss each participant's progress in the program and address any problems or concerns a participant may have. Important information about program schedules and phase progression shall be disseminated to participants during these sessions. Guest speakers are occasionally invited to address the participants. All members of the Team attend whenever it is possible to do so.

Sanction or Violation Hearings are held separately at designated violation hearings to address recent issues. The reasons that sanctions are held separately include:

- As a post-plea court, we ensure full due process for all participants as well as the opportunity to be heard and opportunity to be represented by counsel;
- To create a safer and more trauma-informed courtroom for court reviews for participants suffering from trauma and reduces the potential for anxiety of participants waiting to find out if they are facing a sanction;
- To respond more quickly to behaviors by bringing a participant into court upon learning of a violation;
- To be respectful of the time of participants who aren't being sanctioned;
- To increase the potential for honesty and decrease potential drama or motivation to deny behavior by not having a participant concerned about trying to save face in front of their peers;
- To reduce shame and embarrassment to participants that can be caused when confronted about use or violations in the presence of a large group of peers;

Even though violation hearings may occur outside of status conference, it is important to use the violations and lessons learned to teach other participants. This is done by having participants discuss behavior and the corresponding sanction in the safe environment of group where it can be processed through a counselor and in the presence of other group members. Also, bringing lessons back into the status conference when appropriate by having participants let others know of mistakes they made and how they addressed them.

Program Management and Communication

The DUI Treatment Court Team shall maintain ongoing and timely communication with all Team members regarding the progress or issues facing participants. The administrative staff shall provide reports generated through the case management system on the progress of each participant before each staffing session. The entire Team shall be present for the weekly staffing sessions and bi-monthly Status Conferences.

In addition to staffing sessions, the DUI Treatment Court Team utilizes email, case management website sharing, and direct mobile cellphone communication to discuss any necessary information. Each week, the court coordinator will email an agenda focused on action items for review along with the relevant staffing sheets. Important information such as a participant missing an appointment or having a positive screen should be sent to the entire team by email. If a significant event occurs, the entire team shall be immediately notified by email. After regular business hours or on the weekend, important information may also be communicated by text message or phone call to team members that need to be immediately notified.

For communication with the participants, the probation officer, coordinator, and case manager each maintain a google cellphone number and email. Participants can also access information through the website and Facebook page. Treatment also maintains an emergency line for participants through their answering service; if a participant leaves a message and their counselor will call them back ASAP. Probation also maintains an Emergency/After Hours cellphone that is accessible for participants with an immediate need to speak with staff.

The DUI Treatment Court Team shall meet every six months at a minimum to discuss potential modifications to the program philosophy, requirements, and policies. All participating agencies shall devote effort to maintaining a flexible program with highly structured rehabilitative components.

DUI Treatment Court Team meetings are kept confidential. No information disclosed can be the basis for prosecution of new crimes, and no Team member shall be required to testify in regards to any information discussed or disclosed during a DUI Treatment Court Team meeting or Status Conference.

Confidentiality Protocol

The DUI Treatment Court is required by law to maintain the privacy of each participant through HIPAA and 42 C.F.R. Upon entrance into the program, each participant signs a Release of Confidential Information Form. This form allows communication between the Athens DUI Treatment Court and Treatment Clinicians, County Probation, the Public Defender, the Solicitor General, Drug Testing Lab, and other agencies pertaining to the individual. The individual as needed and on a case-by-case basis may sign additional Release of Information Forms.

Provision of Information to News Media, Social Outreach Media, or Professional Inquires Protocol

The DUI Treatment Court is committed to cooperating with the sharing of information with the community and public media sources. In the event of news media personnel or other professionals reaching out to DUI Treatment Court Team members, all inquiries should be directed to the DUI Treatment Court Coordinator. The following communications guidelines should be followed:

- All media/professional questions should be directed to the DUI Treatment Court Coordinator to ensure the consistent exchange of information.
- All inquiries should be responded to in a timely and accurate manner.
- All information exchange should protect confidential information by following HIPPA and 24 C.F.R. guidelines.
- The DUI Treatment Court Coordinator will reach out to the Athens-Clarke County Public Information Department for assistance as necessary.

Participant Rights and Grievance Procedure

DUI Treatment Court participants are expected to comply with all recommended aspects of treatment and supervision. Participants have the option to submit grievances in the form of letters to be reviewed by the Team at staffing. Failure to comply with treatment or supervision will result in a summons to Court for a petition to modify or revoke probation. The Solicitor-General and public defender representatives work to ensure that participants are provided sufficient notice of any alleged violation and afforded all due process rights during probation proceedings, including the right to a hearing and legal representation if requested. DUI Treatment Court petitions are heard during DUI Treatment Court specific violation hearing dates set each Tuesday and Thursday.

Disparate Impact Statement

No person shall be excluded on the basis of sex, race, color, socioeconomic status, religion, creed, age, national origin, ancestry, sexual orientation or identity, pregnancy, marital or parental status. Citizens who have historically experienced sustained discrimination or reduced social opportunities because of their race, ethnicity, gender, sexual orientation, sexual identity, physical or mental disability, religion, or socioeconomic status shall receive the same opportunities to participate as other citizens.

Documentation

The DUI Treatment Court uses both electronic and paper files for documentation of each participant. Casework by FivePoint Solutions is the primary source for electronic documentation for programmatic, drug testing, and treatment matters. This is a web-based case management system required by the state of Georgia. All team members are responsible for entering role-specific data. Data can include, but is not limited to, demographic information, risk assessment evaluations, ASAM level of care screening, drug testing results, treatment session attendance, exit date and status, employment, and recidivism. The DUI Treatment Court also utilizes JAG Probation case management for tracking probation matters. Paper files are used to store hard copies of Sentencing paperwork for each active participant. The DUI Treatment Court maintains an electronic catalog on all previous participant files, with three layers of backup.

Data Reporting

Participant data is gathered using multiple computerized databases including FivePoint Solutions CaseWorx, JAG Probation Management, and Connexis (Drug Lab). Team members are responsible for entering role-specific data including but not limited to:

- Treatment Clinicians- ASAM level of care screening and date, diagnosis, treatment session notes for staffing.
- Probation Officer- Individual meeting notes, field visit notes, sanctions with court response, probation start and end dates.
- Case Manager- Drug testing dates and results, treatment attendance rosters, treatment session duration and type, court attendance rosters, personal demographic information, fees payments, medication, and case management notes.
- Coordinator- Screening notes (including DUI Rant score), recidivism information, demographic information, start, exit, and status notes.
- The Coordinator and Case Manager are required to complete periodic reviews of participant data to ensure that information is entered and correct.

Information from participant surveys, review of participant data, reports received from the CACJ, and findings from evaluations are reviewed at quarterly retreats and used to make any necessary modifications to program operations, procedures, and practices.

The DUI Treatment Court provides all requested data to the Georgia Administrative Office of the Courts as required by the Council of Accountability Court Judges, including a comprehensive end-of-year report.

Evaluation

In 2016, 2018, and 2021 our court completed Georgia's certification review process which evaluated all aspects of our program and ensured compliance with state standards and national Best Practices. Our Court met all standards and was certified each year. In 2019, our Court participated in the State peer-review process developed according to the national model provided by NADCP & NPC Research. In 2007, 2010, 2013, 2016, 2019, and 2022, the National Center for DWI Courts (NCDC) reviewed our program as part of their Academy Court evaluation. This review included a thorough review similar to the BeST assessment and included a review of all of our program materials, such as the Policy and Procedures Manual, Participant Handbook, and Memorandums of Understanding. In addition, NCDC conducted a site visit each time. When complete, our court and the processes were peer reviewed by other drug court professionals. Through these reviews, NCDC has provided valuable feedback regarding our processes, our fidelity to the model, and our compliance with national best practice standards. In addition, NCDC staff and trained consultants visit our court for observation at least one time each year and often several times per year. It is not possible to list all of the changes that have occurred through these many reviews, but a few examples are: (1) the creation of gender-specific tracks, (2) updating of all of our phase structures to match best practices, (3) the separation of treatment phases from court phases, (4) implementation of a trauma-informed court setting, (5) self-care sessions for our team, (6) the increased support of our participants, (7) the amount of time spent by the judges with participants, (8) management of prescription

medication, and (9) the development and implementation of tracks to provide services to other risk and need groups.

In addition, each DUI Treatment Court participant is strongly encouraged to complete an anonymous program evaluation/feedback form when they leave the Program. The form is shared with them via Google Spreadsheet. A hard copy is provided when necessary. The data and information gathered in the evaluation is used to help improve program performance.

Fees and Fiscal Management

As a condition of participation in the DUI Treatment Court, each person is responsible for the cost of treatment and supervision. Employment is essential for each participant. If a participant has a documented disability that limits or prevents employment, the DUI Treatment Court Team will address it on a case-by-case basis. The DUI Treatment Court fees will be collected in the probation office during regular business hours or online.

A one-time orientation fee of \$100.00 is required. This fee includes intake, orientation, a level of care assessment, and a baseline drug screen. Each participant is responsible for payment of \$280.00 a month while in Phases 1-3 (\$235.00 participant fee/\$45.00 supervision fee). The \$235.00 fee helps to cover costs associated with group counseling, individual counseling, drug screens, and case management services. Upon movement into Phase 4, the monthly fee is reduced to \$130.00 a month (\$85.00 participant fee/\$45.00 supervision fee) until commencement or expiration of probation, whichever comes first. Charges accrue on the 1st of each month and are charged based upon the phase the person is in on that date.

Continuing Education

The DUI Treatment Court Team participates in the State of Georgia Council of Accountability Court Judges Conference each year and the CACJ Operational Tune-Up training every three years. A rotating selection of team members attend the NADCP Annual National Conference each year.

Counselors are required to attend a minimum number of training hours of education to maintain licensing and certification. Attorneys and judges are required to attend a minimum number of training hours to maintain their Georgia bar status and judicial status in good standing. All new Team members are required to attend formal training provided by the Georgia Council of Accountability Court Judges. Coordinators are now required to go through a certification process provided through the Georgia Council of Accountability Court Judges. Law enforcement and Probation comply with all P.O.S.T. yearly training requirements.

Memorandums of Understanding

The purpose of the MOU is to define the mission and goals of the Court and the roles of the agencies and team members. This Agreement is entered into the DUI Treatment Court (“The Court”), Athens-Clarke County Solicitor General’s Office, Family Counseling Services of Athens, Inc., Athens-Clarke County

Police Department, Western Circuit Public Defender's Office, Athens-Clarke County Diversion Center, Athens-Clarke County Probation, and all Judges.

Community Partnerships and Ancillary Services

The DUI Treatment Court actively engages in forming and nurturing relationships between the Court and various community partners including local businesses, other government agencies, and treatment courts in surrounding areas. The Court facilitates these relationships through forums, informational sessions, public outreach, and other forms of marketing.

If the participant is in need of additional services, we will strive to provide or make the necessary referrals for, ancillary services that are available. We currently collaborate with the following services:

- Athens Justice Coalition of Care for assistance with academic and employment training opportunities through the "Phoenix Project"
- Bread for Life for assistance with training and employment opportunities through the Classic Center
- Family Counseling Service of Athens offers anger management classes for family violence, as well as additional family counseling
- The Athens Mercy Clinic provides indigent medical care
- Project Safe for domestic violence interventions and support
- The Cottage for sexual assault interventions and support
- Athens Nurses Clinic for Low Income/Indigent medical care
- The Food Bank for low-income basic needs
- Advantage Behavioral Health Systems for higher "levels of care" treatment for mental illness and substance use detox
- The Palm House for sober living environment
- Acceptance Recovery Center (ARC) for long-term residential substance use treatment.
- Freedom from Bondage for sober living environment
- People Living in Recover for Peer Support Services
- DIVAs Who Win for Peer Support Services

Memorandum of Understanding for Continued Treatment Court Services (COPY)

Whereas, **Family Counseling Services of Athens, Inc. (FCS)** and the **Unified Government of Athens-Clarke County** entered into a *Contract* for the continuation of services on August 28, 2002, where FCS agreed to provide counseling, treatment, case management, and other services to the **Athens DUI Treatment Court (ACC DUI Court)**. Since that time, **FCS** has continued to provide treatment services to the **ACC DUI Court** and provide support to the **ACC DUI Court** on many levels. On July 30, 2019, FCS and ACC DUI Court entered a Memorandum of Understanding (MOU) for Continued Treatment Court Services to further define the roles, services provided, and the cost of services provided. This MOU was renewed on September 3, 2021, and served to cover a period of provided services beginning on July 1, 2021.

Whereas, **FCS** and **ACC DUI Court** both wish to continue the partnership and wish to further define the roles of the entities, services provided, and cost of the services provided.

The parties to this Agreement endorse the mission and goals of the treatment court in order to increase community safety, provide a meaningful alternative to incarceration, and give participants a chance for rehabilitation and the tools to be healthy, productive members of society. By addressing criminal thinking, substance/alcohol use disorders, trauma, and mental and physical health, the participants will realize improved quality of life.

Therefore, the parties enter into this *Memorandum of Understanding for Continued Treatment Court Services*

SECTION ONE: Services to be provided by FCS: See *Attachment A- Services to be provided by Family Counseling Services.*

SECTION TWO: Payments for Services Provided: *[redacted]*

SECTION THREE: Compliance with County, State and Federal Grant Requirements: Both parties understand that funds to pay for treatment services are from a variety of sources including state and federal grants, Council of Accountability Court Judges, Criminal Justice Coordinating Council funds, Drug Abuse Treatment and Education funds, Athens-Clarke County and other sources. Both parties will abide by all conditions pertaining to any source of funding.

SECTION FOUR: Compliance with Best Practices and State Standards: Prior to entering this MOU, both parties reviewed and understand the NADCP Adult Drug Court Best Practice Standards, the Council of Accountability Judges Adult DUI/DWI Court Standards, and CACJ Adult DUI/DWI Court Treatment Standards. Both parties will comply with all applicable best practices and standards.

SECTION FIVE: Confidentiality of Participant Records: The parties to this MOU understand that the confidentiality of participants' alcohol and drug treatment records are protected under Federal regulations: Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2 and the HIPPA Privacy Rule, 45 CFR 160, 162, and 164. The parties agree to comply with all confidentiality requirements.

SECTION SIX: Additional Terms: The parties agree that this MOU is contingent upon the continuations of grants and funds currently available to the ACC DUI Court. Should this funding become reduced or unavailable, or if the capacity and extent of services contemplated by the agreement is no longer needed, the parties may attempt to restructure or end this agreement with 60 days' notice.

So agreed this _____ day of June, 2022

ACC DUI Court

Family Counseling Services of Athens, Inc.

Charles E. Auslander, III
Judge

Tiffany George
Executive Director

Attachment A

Services Provided by Family Counseling Services

Family Counseling Services will provide the following services:

- 1. Intake Assessment and Individual Treatment Plan-** For new clients, FCS will complete an evaluation for substance use disorder and level of care using the ASAM Criteria Interview, create an individualized treatment plan, assign a counselor and group, and send an email to the DUI Court Team with information about the intake/orientation meeting with the new client. FCS will also enter this information into CaseWorx.
- 2. Availability to the Court-** The Lead Treatment Clinician or a Counselor they delegate to will be available:
 - a. 4-5 hours each week for treatment orientations and triage appointments.** *Currently, these are on Tuesday 1:00 pm – 4:00 pm, Friday 9:00 am – 10:00 am, and every other Thursday from 2:00 pm – 3:00 pm; and*
 - b. For sanction hearings.** *These are currently at 1:00 pm o Tuesday and 8:15 am on Thursday.*
- 3. Treatment Services-** FCS will provide treatment services that meet ASAM 1 criteria and the Department of Behavioral Health and Developmental Disabilities State Multiple Officer Program requirements. Currently provided are the following: 1-hour individual treatment sessions, 1.5-hour group therapy, and 3-hour group therapy in Phase 4.
- 4. Referrals to Higher Level of Care-** If FCS determines that a client needs a higher level of care such as Intensive Outpatient, Residential, or Inpatient, FCS will provide the diagnosis, level of care needed, and make suggestions about which third party provides would be appropriate. The Lead Clinician or Counselor will work with the Coordinator and/or Case Management Specialist to place the client at a third-party provider. The Coordinator and/or Case Management Specialist will take the lead role in assisting clients with the entry process. Priority for placements shall first be clients in jail, then clients in active use, and then others needing services. The Coordinator and/or Case Management Specialist will also request reports from the third-party providers prior to each status conference. The Coordinator/Case Management Specialist and the Lead Treatment Clinician will work together so as not to duplicate efforts whenever possible. The Lead Treatment Clinician or Counselor will work with the third-party provider to create a discharge plan prior to the client's discharge.
- 5. Group Counseling Sessions-** FCS will provide gender specific group counseling for DUI Court clients using evidence-based treatment modalities that meet the CACJ Adult DUI Treatment Court Standards and the NADCP Best Practice Standards including Prime Solutions, MRT, Seeking Safety, and Relapse Prevention Therapy. FCS is working toward implementing the Habilitation Empowerment Accountability Therapy (HEAT) curriculum in the next 6-9 months. The

Habilitation Empowerment Recovery (HER) curriculum will also be added in the future. HEAT and HER are trauma-informed, culturally responsive, developmentally targeted programs for young African American men and women in the justice system.

- 6. Individual Counseling Sessions-** FCS will provide each DUI Court client:
 - a. Phase 1: 1 session per week
 - b. Phase 2-3: 2 sessions per month
 - c. Phase 4: 1 session per month

- 7. Aftercare Plan and Services for Graduates-** Prior to clients completing the DUI Court program, their Counselor will meet with clients to review an aftercare plan. After the client completes the DUI Court obligations, FCS will continue to provide services to the client outlined in the aftercare plan as long as the client is supervised by the court/probation. This will include 1 individual counseling session per month.

- 8. After-hours Availability-** FCS will provide emergency after-hours availability for clients in crisis through FCS' on-call answering system.

- 9. Monthly Calendar-** Provide a Monthly Calendar outlining groups and other client responsibilities. [See Attachment D as an example.]

- 10. Compliance with DBHDD Registry Requirements-** FCS will meet all requirements of reporting for providers listed on the DBHDD registry.

Expectations of Assigned Treatment Clinicians:

1. Create Individual Treatment Plan with clients on caseload and review Treatment Plan monthly to assess appropriateness of plan (and to change plans as the client's needs change) [see Attachment B].

2. Create Revised Treatment Plans as needed for clients on caseload and review and update ASAM Level every three (3) months.

3. Plan, organize, and facilitate group (create group topic relevant to population of clients, engage clients in group topic, encourage open and honest communication between group members, redirect conversations as needed towards therapeutic topics, note Change Talk in group participants to enhance Motivational Interviewing, prepare and complete Group Note [see Attachment C] after group, email Team with group roster, collect Community Support Meeting sheets, and review upcoming programming requirements for clients).

4. Utilize evidence-based treatment modalities to include but not limited to: MRT (Moral Reconciliation Therapy) for Criminal Thinking Group/Curriculum, Seeking Safety for Women's group, trauma,

and PTSD curriculum, CBT (Cognitive Behavioral Therapy), Motivational Interviewing, Prime Solutions (Substance Use Disorder Curriculum), Logotherapy (Finding meaning in life) Curriculum, Strengths Perspective, and Mindfulness Based Perspective.

5. Facilitate Individual Sessions with each assigned client for a minimum of one-hour once per month up to one individual session per week depending on phase/need/treatment plan. These sessions may include family treatment or couples' treatment as needed.
6. Approve and review medications for clients and send an email out to the team so any new medications can be added into CaseWorx by the Case Management Specialist.
7. After-hours crisis availability for clients and coverage through FCS's on-call answering system for after-hours crises.
8. At least 1 Clinician will attend treatment court staffing weekly; 1 – 3:30 pm on status conference days and 1 – 2 pm on non-status conference days.
9. At least 1 Clinician will attend Status Conferences bi-weekly from 3:30 – 7 pm.
10. Meet with other treatment clinicians and Team Supervision Officer(s) bi-weekly for staffing on Wednesdays 9:30 – 11:00 am.
11. Prepare CaseWorx notes for bi-weekly team staffing and status conference and prepare graduation notes/bios for graduating clients as needed.
12. Report group attendance weekly to Team by email for every group offered.
13. Review, track, and respond to emails and Urine Drug/Alcohol screen results in a timely manner; respond to positive UDS with by producing a Revised Treatment Plan and submit plan to probation within 5 days of positive test.
14. Attend trainings to receive CEU's and keep licensure up to date.
15. Attend staffing at FCS weekly on Thursday 9:30 - 11 am to review caseload and cases with peers and supervisors.
16. Attend bi-weekly supervision to review cases with supervisor.
17. Attend quarterly planning sessions (2-3 hours) with Team.
18. Attend Academy Court responsibilities yearly (including full Status Conference and staffing).
19. Attend peer review sessions as requested by treatment court.

Expectations Specific to Lead Treatment Clinician:

1. Consults with the Coordinator regarding screenings of Potential Participants when needed.
2. Substance Use Disorder Evaluation with all potential ACC DUI Court clients and follow up by email with appropriate partners regarding results.
3. Orientation with new ACC DUI Court clients (assign counselor and group) and send email to Court Team with information re: new clients, create initial individual treatment plan for new clients, have a block of 4 hours available each week for Evaluations and Orientations.
4. Complete treatment-related assessments for all new participants including ANSA (Adult Needs and Strengths Assessment) with Substance Use D/O Evaluation (ASAM level) for potential SDC clients, and record ASAM level, and drug/alcohol history in CaseWorx.
5. Work with Coordinator and/or Case Management Specialist to assist in seeking placements of clients with a third-party provider when a client needs a higher level of care or service that is not provided by FCS such as Intensive Outpatient, Sober Living Environment, Inpatient Treatment or other ancillary services such as medical, dental, vocational, or mental health. The coordinator and/or Case Management Specialist will be lead on this task with the Lead Treatment Clinician assisting.
6. Team lead for treatment side of team: keep agenda for retreat topics, inform treatment team of changes, implement changes, act as liaison between treatment team and court team to integrate transitions, work with program Administration to update paperwork, handbook, etc. yearly or as needed. Complete Monthly Calendar outlining groups and other participant responsibilities. [See Attachment D as example.]
7. Assure that all clinicians are coordinating to provide evidence-based treatment and following NADCP Best Practices, CACJ Adult DUI/DWI Court Standards, and CACJ Adult DUI/DWI Court Treatment Standards.

Attachment C - DUI Treatment Court Group Note
HIPPA Service Code H004 HQ

Client: _____ Date: _____

Time In: _____ Time Out: _____

Court Phase: **I** **II** **III** **IV**

Title of Group: _____

Check in: _____

Claim time: _____

Group topic _____

_____ Actively participated	_____ Attentive	<u>Attitude</u>
_____ Shared	_____ Disengaged	_____ Positive
_____ Self-disclosed	_____ Disruptive	_____ Negative
_____ Gave feedback	_____ Other	_____

Comments: _____

Assessment: ___ **No change since last visit**

Mood: ___ Appropriate ___ Anxious ___ Depressed ___ Irritable ___ Euphoric/Elevated

Affect: ___ Appropriate ___ Intense ___ Flat ___ Inappropriate ___ Labile

Motor: ___ Normal ___ Excessive ___ Slowed

Insight: ___ Present ___ Partial/Limited ___ Absent ___ Increased re: _____

Thought: ___ Logical ___ Tangential ___ Racing ___ Loose ___ Incoherent

Suicide/violence risk: ___ None ___ Ideation only ___ Threat ___ Gesture ___ Rehearsal ___ Attempt

Actions taken _____

Staff Signature _____

State of Georgia
County of Athens-Clarke

MEMORANDUM OF UNDERSTANDING FOR DRUG TESTING SERVICES

Athens-Clarke County Probation Services ("ACC Probation") is the county entity responsible for supervising persons on misdemeanor probation, pretrial diversion, pretrial diversion supervision, and operations of a laboratory for drug testing.

Athens-Clarke County DUI Treatment Court is a DUI accountability court recognized by the State of Georgia that follows the 10 Key Components of Drug Courts, 10 Guiding Principles of DWI Courts, and Georgia Adult DUI/Drug Court Standards. The goals of the ACC DUI Court include: 1) the abstinence of participants from alcohol, illegal drugs, and controlled substances unless lawfully prescribed and allowed by a treatment plan; 2) promotion of individual accountability; and 3) public safety.

Frequent and random observed drug testing of participants is required for the DUI Treatment Court to comply with national best practices and state standards and to meet the goals of the program. ACC Probation operates the Athens-Clarke County Drug Lab ("Drug Lab") that tests urine for the presence of alcohol, controlled substances, and illegal drugs. The testing capabilities of the Drug Lab meet the requirements of the DUI Treatment Court's needs. The Drug Lab has sufficient capacity to test promptly and with scientific accuracy all participants as required by state and local standards. The DUI Treatment Court wishes to contract with ACC Probation and the Drug Lab to test all DUI Treatment Court's participants.

Therefore, in consideration of their mutual promises and agreements outlined in this Memorandum of Understanding (MOU), the duly authorized representatives of ACC Probation and DUI Treatment Court agree as follows:

1. **Period of MOU:** The effective date of this MOU is July 1, 2022, through June 30, 2023. The MOU will remain in effect during the entirety of this period unless amended pursuant to Item 6 below. After review and evaluation, this MOU may be renewed for additional periods by agreement of the parties.
2. **Purpose of the MOU:** ACC Probation agrees to provide drug testing services to the DUI Treatment Court, including staff for collection, supplies, results of testing, availability for testimony in court, and independent confirmation testing if requested.
3. **Services:** ACC Probation through the Drug Lab shall:
 - a. provide staff for observed collection of samples from DUI Treatment Court participants Monday through Friday, one (1) day each weekend, and at least one Saturday and Sunday back to back each month according to a reasonable schedule set by ACC Probation;

- b. provide all supplies and materials necessary for the collection and testing of urine samples;
- c. provide a list of each participant that appeared for testing by the morning of the following business day and notify if any that appeared did not provide a sufficient sample or attempted to manipulate or falsify a sample;
- d. provide prompt, detailed results of all samples tested with the results being delivered within two (2) business days from receipt by the Drug Lab;
- e. provide the DUI Treatment Court electronic access to the Connexis database for the purposes of entry of participants into the database, obtaining results of tested samples, facilitating the importing of results into the DUI Court's case management program, allowing "read-only" access to all DUI Treatment Court participant results both current and historical, allowing queries of the database related to DUI Treatment Court participants as needed, and utilizing the testing randomizer which texts and emails participants daily whether the participant has been randomly selected to urine test;
- f. provide staff to testify as witnesses in any court proceeding involving a drug test, drug test violation, or other related matter if properly subpoenaed by a party or requested by the trial court;
- g. follow all state standards and guidelines relating to drug testing and follow all the instructions and requirements of the manufacturer, distributor, and service providers for any hardware, reagents, and software for the instruments used for the testing of urine samples;
- h. process and ship tests to an independent laboratory for confirmation testing within (2) two business days of a request and provide notice via email when the sample is shipped; and
- i. provide any reports requested from the databases.

4. **Compensation:** *[redacted]*

5. **Ownership:** Nothing in this MOU shall transfer the ownership rights of any product independently owned by the parties.

6. **Amendment:** This MOU may be amended by mutual agreement of the parties by a writing of equal dignity.

7. **Cooperation:** The parties acknowledge that unforeseen issues may arise during the period of this MOU. The parties agree to work cooperatively to resolve such issues.

This MOU is being signed by each party on the date indicated below their signatures.

**ATHENS-CLARKE COUNTY
PROBATION SERVICES**

By:

Mark C. Pulliam
Chief Probation Officer

ATHENS-CLARKE COUNTY DUI TREATMENT COURT

By:

Charles E. Auslander, III
Judge, State Court of Athens-Clarke County

Date: _____