

## WHO QUALIFIES FOR NORTHWEST JUDICIAL DISTRICT DRUG COURT?

Candidates must have multiple prior Misdemeanor or Felony drug offenses, or in DUI cases must have three or more DUIs. The current offense must be a class A Misdemeanor or greater. Candidates may qualify if this is their first Felony offense and there is a supporting history of substance abuse. They cannot be violent offenders and must demonstrate a willingness to accept responsibility for their addiction and criminal conduct. They must receive an addiction evaluation and have a chemical addiction diagnosis. Candidates who have previously been in any drug court program are not eligible. Candidates are also not eligible if the current offense or criminal history includes drug delivery, intent to deliver, or manufacturing. Candidates must live in Minot/Burlington to participate in Drug Court.

### FOR MORE INFORMATION CONTACT:

North Dakota Field Services Division  
Jackie Jensen  
1600 2<sup>nd</sup> Ave SW, Suite 14  
Phone (701) 857-7684

## NORTHWEST JUDICIAL DISTRICT DRUG COURT

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..... CONNECTING PEOPLE,  
AGENCIES, AND COMMUNITIES

## WHAT IS NORTHWEST JUDICIAL DISTRICT DRUG COURT?

Drug Court is a court supervised, treatment oriented program that targets non-violent participants whose major problems stem from substance abuse. The Drug Court Program is a voluntary program, which includes regular court appearances before the Drug Court Judge. Treatment includes drug testing, individual and group counseling, and regular attendance at 12-Step meetings. The probation officer and the treatment team may also assist with obtaining education and skills assessments and will provide referrals for vocational training, education, and/or job placement services.

The program length, determined by the participant's progress, will be no less than one year. Successful completion and "graduation" from the Drug Court Program may result in having probation terminated early.

## A TEAM APPROACH

The Northwest Judicial District Drug Court Team consists of judges from the Northwest District Court, the State's Attorney's Office, the Probation Officer, the Treatment Providers, and the Defense Attorney.

## PROGRAM DESIGN

As participants progress through the three phases the requirements become less restrictive. Each phase has specific goals a participant must achieve prior to advancing to the next phase. Once a participant has successfully completed all three phases, he/she will graduate. Incentives and sanctions may be given based on the progress of the participant.

### Phase I: Minimum of four months

- ❖ Attend one Drug Court session weekly
- ❖ Provide a minimum of two alcohol or drug tests weekly
- ❖ Report to probation officer as scheduled
- ❖ Attend two AA/NA meetings weekly
- ❖ Obtain and maintain a 12-Step sponsor
- ❖ Meet financial obligations
- ❖ Attend and participate in all counseling sessions
- ❖ Maintain approved stable housing and employment, training, or education
- ❖ If DUI offense, view victim impact video
- ❖ Have 60 days of continuous sobriety

### Phase II: Minimum of four months

- ❖ Attend one Drug Court session every two weeks
- ❖ Provide a minimum of one alcohol or drug test weekly
- ❖ Report to probation officer as scheduled
- ❖ Attend two AA/NA meetings weekly

- ❖ Continue to maintain a 12-Step Sponsor
- ❖ Participate in all counseling sessions
- ❖ Meet financial obligations
- ❖ Maintain approved stable housing and unemployment, training, or education
- ❖ Have 120 days of continuous sobriety

### Phase III: Minimum of four months

- ❖ Attend one Drug Court session every three weeks
- ❖ Provide two alcohol or drug tests monthly
- ❖ Report to probation officer as scheduled
- ❖ Attend two AA/NA meetings weekly
- ❖ Continue to maintain a 12-Step sponsor
- ❖ Attend and participate in all counseling sessions
- ❖ Meet financial obligations
- ❖ Maintain approved housing and employment, training, or education
- ❖ Have 120 continuous days of sobriety
- ❖ Complete an exit interview and have established plan for aftercare



## **PARTICIPANT HANDBOOK**

Welcome to Drug Court. This program is especially designed for persons whose major problems stem from substance abuse. As you enter this voluntary, intensely supervised treatment program, you need to be motivated to work toward changing your lifestyle and becoming free of alcohol and chemical addiction. This program is accessible regardless of your race, religion, sex, ethnic origin, sexual preference, marital status, age, or physical and/or mental disability.

### **PROGRAM DESCRIPTION**

The Drug Court is a court-managed, drug intervention treatment program, designed to provide a cost-effective alternative to traditional criminal case processing. It may be offered if you are arrested and it is determined you are a chemically dependent person. If you are eligible and choose to participate in this program, you must be willing to commit to the entire program. The program may be successfully completed within one to two years. If you complete the program, your charge may go on the record as a dismissal. At anytime during your participation, you could be terminated from the program and sentenced by a District Court Judge for noncompliance with rules and treatment plan.

### **RIGHTS TO DRUG COURT CANDIDATE**

As a drug court candidate you understand that by agreeing to participate in the Drug Court Program prior to proceeding through the usual court proceedings such as a preliminary hearing, arraignment and trial, that you are giving up and waiving the right to have an attorney of your choosing or one appointed by the court, if you cannot afford to hire an attorney. You are giving up the right to obtain reports, witnesses' statements, or laboratory test results and review them prior to deciding to waive your rights to a preliminary hearing or trial depending on the type of case.

As a drug court candidate understand that by agreeing to participate in the Drug Court Program prior to proceeding through the usual court proceedings that you are giving up and waiving the right to question or dispute the legality of the search or seizure or traffic stop or the bringing of the criminal case against you, whichever may be applicable. You also understand that by entering a guilty plea you are giving up the right to a trial by jury or other means.

## **YOUR GOALS**

Although the Drug Court staff will work with you on individual goals, the following are goals for every participant:

1. To learn to be alcohol and drug free;
2. To learn better life coping skills;
3. To adjust to a drug/alcohol-free lifestyle;
4. To develop a non-criminal pattern of living;
5. To enhance employment skills through vocational training and educational pursuits;
6. To attend 12-step support groups;
7. To increase social skills;
8. To enhance self esteem and self motivation;
9. To learn the warning signs of relapse and develop a relapse prevention plan;
10. To accept responsibility for financial obligations and learn budgeting skills; and
11. To develop time management skills.

## **COSTS RELATED TO THE PROGRAM**

You may be required to pay all or partial costs for participation in Drug Court as set by the treatment provider after consideration for your financial circumstances.

## **COURT RELATED FINANCIAL OBLIGATIONS**

Any Drug Court participant with court related financial obligations, i.e., child support, restitution, crime victims fund, public defender fees, will make court approved payments on a regular schedule and provide staff with documentation of payments. Unless the Court orders a specific amount, amounts and payment schedules are to be established by your probation officer and documented for the Judge's approval. If you cannot make payment, discuss your situation with staff before the due date of payment and, if possible, other arrangements will be made. Failure to make timely payments may result in delaying your phase advancement or completion of the program.



## **PARTICIPANT RULES**

Rules are needed to foster a supportive working environment so everyone involved can achieve their goals. The Drug Court Judge who may impose sanctions will review any infraction of the rules.

1. Appropriate clothing is expected at all times. You must wear shirt or blouse, pants or skirt, and shoes. Sunglasses and caps will not be worn in the courtroom. Clothing bearing drug or alcohol-related themes, or promoting alcohol or drug use is not allowed.
2. You must attend all scheduled counseling sessions, educational sessions, and court sessions, unless you obtain prior approval to be excused. You must arrive on time and not leave until the meeting is over. If you are late, you may not be allowed to attend the session and may be considered absent. Arrangements must be made to make up missed groups before your next court appearance.
3. The following actions will not be tolerated:
  - Violence or threats of any kind
  - Use and/or possession of drugs and/or alcohol
  - Belligerent behavior
  - Possession of any type of weapon
  - Inappropriate sexual behavior or harassment
  - Romantic relationships among Drug Court or other chemical dependency treatment participants
  - Failure to notify staff of any arrest, court obligations or fees within 12 hours.
4. Your family, children and/or friends cannot loiter on the premises. If they are providing transportation, they should simply drop you off and pick you up at the end of the session.
5. You may not have beepers or cellular phones on in the courtroom, or in individual or group sessions.
6. The program shall comply with N.D.C.C. 50-25.1-03, which requires reporting of any prior or current child neglect/abuse. Federal law and regulations do not protect any information about suspected child abuse or neglect from being reported under state law to appropriate state or local authorities.

7. You are expected to maintain appropriate behavior at all times during Drug Court sessions and while in the courthouse. The judge and team members shall be addressed with respect. Unless prior approval is given, you will remain for the entire Drug Court proceedings. There will be no talking while seated in the audience. We do encourage you to show support and encouragement to fellow participants by applause. Your behavior and demeanor while in the courthouse is a reflection on the entire program. Maintaining appropriate behavior is indicative of the progress you and your fellow participants are making toward your recovery.
8. If children are brought to the courtroom, another person shall accompany you, who will be responsible for removing the children should they become a distraction.

### **PROGRAM PLANS**

Based on your needs, an Individualized Treatment Plan and a Case Management Plan will be developed. The plans will outline goals you must achieve before advancing to the next phase. There are three phases to the program.

#### **Phase I: Minimum of 4 months**

##### **Minimum Requirements:**

1. To attend one Drug Court session per week.
2. To provide a minimum of two alcohol/and or drug tests per week.
3. To report to your probation officer as instructed.
4. To attend and provide documentation of two AA/NA meetings per week.
5. To attend and participate in all assigned group, family, and/or individual counseling sessions.
6. To meet financial obligations: i.e. court costs, restitution, child support, etc., as decided on by the Drug Court Team.
7. To maintain Drug Court Team approved stable housing.
8. To maintain Drug Court Team approved employment, training, or education and a 40-hour work week.
9. To obtain and maintain a 12-step sponsor.
10. If offense is DUI, to view a victim impact panel videotape.
11. To have 60 continuous days of sobriety.
12. To abide by a recommended curfew.

#### **Phase II: Minimum of 4 months**

##### **Minimum Requirements:**



1. To attend one Drug Court session every two weeks.
2. To provide a minimum of one alcohol/and or drug test per week.
3. To report to your probation officer as instructed.
4. To attend and provide documentation of two AA/NA meetings per week.
5. To attend and participate in all assigned group, family, and/or individual counseling sessions.
6. To meet financial obligations: i.e. court costs, restitution, child support, etc., as decided on by the Drug Court Team.
7. To maintain Drug Court Team approved stable housing.
8. To maintain Drug Court Team approved employment, training, or education and a 40-hour work week.
9. To obtain and/or maintain a 12-step sponsor.
10. To have 120 continuous days of sobriety.

### Phase III: Minimum of 4 months

#### Minimum Requirements:

1. To attend one Drug Court session every 3 weeks.
2. To provide two alcohol/and or drug tests per month, which reflect no use of drugs or alcohol.
3. To report to your probation officer as instructed.
4. To attend and provide documentation of two AA/NA meetings per week or as determined by the Drug Court Team.
5. To attend and participate in all assigned group, family, and/or individual counseling sessions.
6. To meet financial obligations: i.e. court costs, restitution, child support, etc., as decided on by the Drug Court Team.
7. To maintain Drug Court Team approved stable housing.
8. To maintain Drug Court Team approved employment, training, or education and a 40-hour work week.
9. To obtain and maintain a 12-step sponsor.
10. To have 120 continuous days of sobriety.
11. To complete an exit interview and have an established plan for aftercare.

Completion of each phase is based on your performance. The Drug Court Judge will promote you according to your individual progress with recommendations from the Drug Court staff.

## **INDIVIDUAL COUNSELING**

One-on-one individual sessions are held according to your needs. You will attend individual counseling sessions assigned by the treatment provider. Additional sessions may be scheduled based on your progress.

## **GROUP COUNSELING**

Group counseling is a crucial part of the recovery process. Attendance at every assigned group session is mandatory unless excused by the treatment staff. You must be on time and may be considered absent when late.

The effort you put forth in each group will determine the benefits you receive. Every participant will be expected to follow the rules and to show respect to the fellow participants and the group leaders. Failure to do so will result in sanctions as determined by the Drug Court Team. The common concern of the group is that participants provide support and help each other in recovery.

## **FAMILY COUNSELING**

Family group sessions may be required to address questions or concerns you and your family have about the program, understanding of addiction, relapse, and other issues. Groups may also include children of participants and focus on basic parenting skills, building trust, and substance abuse prevention.

## **12-STEP SUPPORT GROUPS**

Involvement in 12-step support groups is vital to your recovery. Attendance at these groups is mandatory and shall be documented. The fellowships will help you see how others with similar problems are recovering from their addictions. You will observe that changing to a drug-free lifestyle is a positive and exciting experience. Very few alcoholics and addicts maintain recovery without a support system.

## **INCARCERATION**

You may be required to serve time in custody while participating in Drug Court. Jail time may be used as a sanction for various infractions of the rules, including, but not limited to, positive drug screens, missed drug screens,



continuous missed groups or meetings, and inappropriate behavior. The duration of incarceration will be at the discretion of the Drug Court Team and administered by the Drug Court Judge.

## **EMPLOYMENT**

You will be required to obtain and maintain full-time employment throughout your involvement in the program.

Participants will be permitted to change jobs while in the program; however, staff must be notified and approve the change before it takes place.

Consideration will be given for going to school. You will still be expected to obtain part-time employment if going to school to achieve a 40-hour work week. The 40-hour work week shall consist only of job searching, actual work hours, and school hours. Other programming such as treatment, AA/NA meetings, or meeting with your probation officer are not part of the 40-hour work week expectation.

If you lose your job while in the program, you will be given a time period in order to locate appropriate employment. While searching for employment, you may be required to complete a set number of community service hours each week.

Employment will be verified frequently by the probation officer either through phone contacts with the employer or copies of pay stubs. On-site visits will also be conducted. In case of incarceration, you are responsible to notify your employer. It is your obligation to inform your employer of your participation in Drug Court and make necessary arrangements for Court appearances, groups, meetings etc.

## **VOCATIONAL/JOB TRAINING COMPONENT**

Participants with less than a high school degree or GED and those who are unemployed or underemployed will be expected to work on developing their skills. Areas in which the staff may be able to provide you with assistance include:

- Assessment of current skills
- Aptitude and interest testing
- Development of a personal action plan
- Life skills seminars
- Adult education referrals

## **DRUG/ALCOHOL SCREENS**

Drug and alcohol screens will be an integral part of your recovery. It is your responsibility to make sure that you understand and comply with the stated guidelines. If you do not feel that you fully understand, it is your responsibility to ask for clarification.

If you are using prescription or over-the-counter medications, you must bring them to the staff for viewing, approval and verification by the prescribing doctor. You may not use any over-the-counter medications that contain alcohol. You also may not use mouthwash. Failure to abide by the rules with proper procedure or a positive screen may result in sanctions.

## **DISCHARGE**

The Drug Court Judge may terminate you from the program. For example, you may be terminated from the program if:

- You petition the court for termination;
- You have exhibited violent behavior or threats of violence toward self or others, or displayed inappropriate, disruptive behavior, or fail to cooperate with programming;
- You have refused to satisfactorily participate in program requirements;
- You have violated program rules;
- You are arrested, with or without conviction; or
- You abscond from the program.

## **GRADUATION**

Graduation comes at successful completion of the program. In addition to meeting program requirements, you should be able to show how the Drug Court has positively influenced your life. Before graduation, you must complete an exit interview. Graduates will be honored and receive certificates at a special graduation ceremony. At the ceremony, you may invite friends, family, and others you would like to have there. Graduation is the culmination of the program but marks the beginning of new opportunities and a new lifestyle for yourself and those around you.

## **PROGRAM EVALUATION**



## NOTES AND PHONE NUMBERS

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Other: \_\_\_\_\_

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**MEETINGS-DAYS-TIMES-DATES**

**TREATMENT:** \_\_\_\_\_

**DRUG COURT:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**AA/NA:** \_\_\_\_\_

\_\_\_\_\_

**OTHER:** \_\_\_\_\_

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## DRUG COURT AGREEMENT OF PARTICIPATION

NAME: \_\_\_\_\_ SS#: \_\_\_\_\_ DOB: \_\_\_\_\_

1. **Drug Treatment and Counseling:** I will attend drug treatment and participate in group, family, and/or individual counseling.
2. **Refrain from Further Possession or Use of Drugs/Alcohol:** I will not possess and/or use illicit drugs or alcohol and agree to submit to frequent and random drug/alcohol testing to detect the presence of illicit drugs or alcohol. I will not use or possess any urine adulterant products. Possession or use of any such products will be deemed a violation of this agreement. I understand that results of my tests shall be admissible as evidence in Drug Court. I shall not enter any liquor establishment. I shall not use or possess any type of surveillance equipment such as audio, video and motion detectors, scanners or any type of surveillance/counter surveillance equipment without written permission my supervising officer.
3. **Housing:** I understand that stable housing is necessary for my recovery and must be approved by the Drug Court staff. I agree to comply with recommendations and restrictions.
4. **Refrain from Further Violation of Law:** I will not violate laws and I understand that any violation or arrest must be reported to the Drug Court staff within 12 hours.
5. **Employment/Education/Job Training:** I agree to maintain approved employment and/or attend any education or job training programs to which I am referred. I will inform the Drug Court staff prior to changing employment. I will maintain a 40-hour work week. The 40-hour work week does not include treatment unless it is day treatment. The 40-hour week only includes work, school, or community service hours.
6. **Agreement to Make All Scheduled Appearances:** I will provide for my own transportation and shall appear as scheduled for Drug Court sessions and all other appointments.
7. **Costs Related to Program:** I agree to pay all costs for my participation in Drug Court as set by Treatment and the Court after consideration of my financial resources.
8. **Exchange of Information:** I understand Drug Court data is confidential and I will not discuss the program or disclose participant information without the approval of the Drug Court staff. I understand the Drug Court staff will make reports to the Judge concerning my progress in treatment. I agree to release information and permit communication with outside agencies to assist in fulfilling the requirements of the Drug Court program.
9. **Medical Issues:** I agree to seek medical attention when appropriate and follow through with the recommendations. Any prescribed medications will be reported to the Drug Court staff.
10. **Disclosure of Program Information:** I understand for purposes of study or review of this program, some otherwise confidential information may be disclosed to third parties, but that under no circumstances will this statistical data include my name, address, or other personal identifying information.
11. **Confidentiality of Drug Court Participation:** I understand that any statements or disclosures I make during the course of my participation in treatment, counseling or court proceedings, in regard to drug use or drug seeking behavior shall be held confidential. If I am terminated from this program, the fact of my participation, the results of any testing, any statements I made during the course of the program, and the reason(s) for termination shall be privileged subject to appropriate waivers of said privilege.
12. **Participants Not Asked to Inform on Others:** The Court agrees that no defendant participating in this program will be requested to be an informant or encouraged to disclose information concerning any third parties as a condition of entry or completion of this program.
13. **Appropriate Behavior Among Participants:** I agree to respect the opinions and feelings of other program participants and understand verbal or physical threats or abuse will not be tolerated. I agree not to engage in any romantic or sexual relationships with other Drug Court participants while actively involved in the program.
15. **Site Visits:** I understand site visits to my home and place of employment will be conducted by Drug Court Staff and/or law enforcement officers.
16. **Incarceration:** I understand that I may be incarcerated as a sanction for violations of the participant agreement and I agree to comply with the incarceration.
17. **Conditions of Supervision:** I agree to abide by all other conditions of supervised probation as contained in Appendix A of the Judgment of Conviction.
18. **Travel:** I will not leave the Minot area without prior approval of my probation officer.
19. **Curfew:** I agree to abide by a curfew during the first phase of the Drug Court program. The curfew will have a beginning time when you are to be home and an ending time when you may leave. During your curfew you may be on your property, as long as you are able to hear and get to the telephone.

20. **Gambling:** I will not gamble nor enter any gambling establishments without the written permission of my supervising officer.
21. I understand that in agreeing to participate in Drug Court I am giving up the right to obtain reports, witnesses' statements, or laboratory test results and review them prior to deciding to waive my rights to a preliminary hearing or trial. I understand that I am giving up and waiving the right to question or dispute the legality of the search or seizure or traffic stop or the bringing of the criminal case against me. I understand that by entering a guilty plea I am giving up my right to a trial by jury or other means.

**Participant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Witnessed by:** \_\_\_\_\_ **Date:** \_\_\_\_\_