

2023

# Problem Solving Court Participant Handbook

Brown County Drug/DUI  
Court  
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Aberdeen, SD 57402

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03/13/2023 UJS

**SHOW UP**

**TRY**

**BE HONEST**

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## Mission Statement

The mission of Brown County Drug/DUI Court is to provide community-based rehabilitation through intensive supervision, more treatment opportunities, and increased community support to stop the cycle of addiction and repeat offenses, thereby creating safer communities while reducing the cost of corrections.

### Program Goals

The objectives are to have the participants graduate this Program with the following characteristics:

- Crime-free
- Clean and sober and working toward recovery
- Stabilization of mental health and active participation in mental health recovery
- Be employed
- Able to manage their financial responsibilities
- In stable housing
- Reduced incarceration in jail or prison for non-violent offender
- Repayment plan for fines and restitution developed

## Introduction

### What is Problem Solving Courts?

Drug/DUI Court participants are court ordered to go to treatment and to counseling. By being in Drug/DUI Court, I have the chance to change my life and make it better. Drug/DUI Court is a joint community effort. If I attend Drug/DUI Court, I have the chance to stay in the community and will get long-term treatment instead of going to prison.

### Program Outline

If I agree to Drug/DUI Court, I would be sentenced to the program. During the time I am in Drug/DUI Court, I must go to court each week, go to treatment, and do random drug testing. I would also go to support group meetings. The Program length is based on my progress and can range from fifteen to twenty-four (15-24) months.

\*The information contained in this handbook is intended as a guideline for Drug/DUI Court. Such information is subject to change and may be modified by the Drug/DUI Court Team at any time.

## Screening and Eligibility Standards

The State Court Administrator's Office, in consultation with the Statewide Drug Court Advisory Board, shall implement screening and eligibility criteria and establish procedures for participants in judicially supervised adult drug court programs. Each drug court program shall:

1. Be structured as a post-adjudication sentencing alternative.
2. Provide services only for felony offenders over the age of eighteen.

3. Only accept applicants that are willing to participate in the drug court program on a voluntary basis.
4. Exclude any person currently required to register as a sex offender.
5. Target offenders for admission who have been assessed as high-risk/high-need with a moderate to severe substance use diagnosis using a validated risk-needs assessment tool and a validated clinical assessment tool.
6. Require that offenders meet legal entrance criteria for drug court program.
7. **Make all reasonable efforts to ensure that the time between arrest and entry into the drug court program is less than 50 days.**
8. Utilize a collaborate team process that requires community involvement.
9. Adopt residency provisions that all for Problem-Solving Court supervision in that locality.
10. Allow participants to transfer and participate in the programs in another circuit, when approved by both the receiving and sending programs.

## Referral Process

1. States Attorney completes legal screen for Drug/DUI Court
2. You complete Drug/DUI Court application and meet with your defense attorney
3. You complete a drug and alcohol assessment and LSI-R risk/needs assessment
4. Team discusses and either approves or denies your application
5. If accepted, Drug/DUI Court becomes sentencing option
6. You are sentenced to probation with Drug/DUI Court as a condition

## Confidentiality

You will sign releases from the Drug/DUI Court Team and service providers. This will give the Team permission to talk about my treatment while in the program. This information will not be shared with anyone outside the Team. However, there is one exception to this rule pertaining to SDCL 26-8A-3 and 4, which requires reporting of any prior or current child neglect/ abuse.

**Disclosure of any confidential information other than information about you is grounds for immediate termination.**

## Participant's Rights

If I agree to participate in Drug/DUI Court, I agree to waive my right to usual court proceedings such as questioning or disputing the legality of a search, seizure, or traffic stop; a preliminary hearing; and a trial by jury or court. My attorney can explain this in detail to me, if I have any questions.

## Defense Attorney

Drug/DUI Court's Defense Attorney Chris Dohrer will be your defense attorney the whole time you are in Drug/DUI Court. You have the right to get your own attorney if you want. Even though Attorney Dohrer is a member of the Drug/DUI Court Team, he is also **your attorney**. As your attorney, you will have the attorney-client privilege, which allows you to share privileged and confidential information with him which he cannot share with the Team unless you give him permission to do so.

Attorney Dohrer's job is to help you understand your rights and the requirements of the Drug/DUI Court program. The Drug/DUI Court Judge makes all final decisions, but Attorney Dohrer will advocate for you to the Judge and the Team. Attorney Dohrer will defend your legal rights, make sure you get fair and equivalent treatment, and share your view on things like incentives and sanctions, phase advancement, and graduation or termination. Attorney Dohrer will represent you in evidentiary hearings if you want to question the facts used to decide on sanctions or terminations. Attorney Dohrer will also represent you if you are facing termination from Drug/DUI Court and if you are facing a Probation Violation after termination from Drug/DUI Court, unless you request a different attorney.

Attorney Dohrer will attend Drug/DUI Court sessions, and he can answer questions you might have during Drug/DUI Court. You should contact him **before** Drug/DUI Court if possible to talk about any issues that might come up. You can reach him (605) 226-1673 or [cdohrerlaw@nvc.net](mailto:cdohrerlaw@nvc.net).

## Weekly Court Hearings

The Drug/DUI Court Team will meet weekly before the court. During the hearing, the Drug/DUI Court Judge will talk about the case with the participants. Incentives and sanctions will be given to each person depending on how their week went.

All court proceedings will be on the record. Drug/DUI Court is open to the public. This includes family members and friends. Individuals present in the courtroom, other than the participants, may watch but may not talk during proceedings. Individuals can give information to the Drug/DUI Court Team but need to do so in writing.

### Meetings

The Drug/DUI Court Team will talk about participant progress in treatment and community supervision. The meetings happen on a weekly basis before the court. Team meetings are confidential treatment meetings. The Team meetings are not open to the public.

### Courtroom Rules

- **Be on time!** - If you are not in your seat before 1:30PM you are late and will get a sanction.
- **Be respectful** to the Judge, the Team, and your fellow participants. - Turn off your phone before Drug Court
- Be quiet and pay attention

- No sleeping
- Do not wear:
  - Hats, bandanas, or do-rags
  - Sunglasses
  - Clothes with drug/alcohol logos or gang symbols
  - Clothes that show your underwear
- **Be supportive** of your fellow participants, and encourage them with applause.
- **Stay seated** in the courtroom during the whole Drug Court hearing, unless the Judge excuses you. Cell phones are not allowed during court proceedings.

## Other Drug Court Rules

- **Follow all directions from the Drug Court Team**
- **Follow all laws**

Do not commit any crimes. Do not threaten anyone for commit any violent acts. You can be terminated from Drug Court for breaking the law. **Tell probation right away if you have contact with the police** (even if it was not your fault).

Probation and/or police will visit you in the community during the day or night and with or without notice. You might be drug/alcohol tested. You must allow your person, property, place of residence and vehicle to be searched and/or seized upon the demand of the Court Services Officer at any time of the day or night with or without a search warrant. **Do not have any firearms, weapons, alcohol, drugs (including marijuana), drug paraphernalia, or other contraband.** You must allow your Court Services Officer access to any electronic devices or media, including cell phones, smartphones, home computers, and gaming systems.

### **IMPORTANT THINGS YOU MUST TELL PROBATION:**

- Any changes to your phone number
- Any changes to work or school schedules
- If you get fired from your job
- If you have a significant other, romantic relationship, or sexual relationships
- All medications, pills, and supplements you are taking,
- If you relapsed,
- If you had contact with the police or have been arrested

### **Use and update your planner every day**

Drug Court can be overwhelming. Using your planner will help you manage all your program tasks, work tasks and personal tasks. Using your planner will help you focus on the most important things, and you will feel accomplished when you check off what you have done. Checking off completed tasks will help you feel more relaxed when you know you have done

everything you are supposed to do. Checking off completed tasks will also help you stay motivated to keep working toward your goals.

Write all your appointments, treatment, meetings, office visits, Court, and daily activities in your Drug Court planner. **Always carry your planner with you and look in it often.** Probation will check your planner regularly.

Using your planner will also help you remember what you have done! If the team has questions about something that might have happened and wants to know where you were, who you were with, or what you did on a certain day--You can look it up if you write that stuff down! If the team hears you missed an appointment or a UA--You can look it up if you check that stuff off!

### **Do not have or use drugs or alcohol**

Drugs (including marijuana) and alcohol are not allowed. Do not use or have any drugs or alcohol with you, in your home, or in your vehicle. Do not go to places where drugs or alcohol is the primary sale. Admitting you used drugs or alcohol before a test will almost always lessen the sanction you might get. **Honesty is always the best policy.**

## **Drug and Alcohol Testing**

Successful Drug/DUI Courts have frequent and random drug testing. This is to determine compliance with the rules of the Program. The frequency of the tests is subject to change. The change is based on violations and the advice of the Drug/DUI Court Team. Your UAs are randomly scheduled by the LIMS computer system. **You must call in daily to (605) 303-6163 to find out if it is your day to UA**, so you must always have access to a phone. You need to do a UA by 11:00am. UAs at Court Services are free. You need to be ready to test when you come in. A missed or late UA will be considered as a positive test. All tests are watched. Any detectable level of alcohol or controlled substance will be deemed as a positive test. If you have a positive test you could be jailed. Sometimes, treatment providers will have tests for therapeutic adjustments. These results will be shared with the Team. Drug testing also includes frequent monitoring on the South Dakota Prescription Drug Monitoring Program.

**Alcohol monitoring is required when you first start the program.** The Brown County Sheriff's Office 24/7 Program will provide full rules and regulations about the programs. These rules may be different from your Drug/DUI Court rules and procedures. If there is a conflict between the 24/7 Program and the Drug/DUI Court rules, you need to ask your CSO for clarification. **You will be required to maintain an alcohol and drug-free residence throughout all phases of the program.**



## Over-The-Counter Drugs and Other Drug Policy

Tell treatment and probation about ALL prescription medications, over-the-counter medications, pills, and supplements you are taking

You are responsible for what is in your body. You need to make sure the medicine you are taking and what you are eating/drinking/smoking will not affect drug/alcohol testing. Read ALL ingredients of what you are eating or drinking or smoking so you know what is going into your body.

All over-the-counter medications have a purpose. However, when used incorrectly, these drugs can create a range of possible harmful effects, including relapse. All OTC medications that have alcohol are not allowed. Any OTC medicine that can be used for mind altering purposes are not allowed.

You are not allowed to take the following:

- Do not take medicine or use products that contain alcohol
- Do not take medicine or use products that contain THC, CBD, etc.
- Do not eat poppy seeds
- Do not use synthetic substances (K2, Spice, etc.)
- Do not take any cleansing/masking products
- Do not take diet pills without permission
- Do not take herbal supplements without permission
- Do not take cold or allergy medication without permission

Using medication that has controlled substances or alcohol is not allowed without permission and monitoring by treatment and probation. You should work with your doctor to find non-addictive medications and treatment options.

Take all medications as prescribed

Take the **right dose**, at the **right time**, in the **right way** and as often as **directed**. **Do not take more than the recommended dose of any medication.**

**Always ask the pharmacist and your CSO before buying and using OTC medications!**

## Gambling

### Do not gamble

Gambling is just as addictive as drugs and alcohol. **DO NOT go into casinos or gaming/gambling businesses.** Do not play games of chance, lottery, or any kind of betting for money, prize, or something of value.

## Additional Info

### Stay out of bars, liquor stores, CBD stores and marijuana dispensaries

Even though these substances can be purchased legally, you are NOT allowed to have them or use them in Drug Court. **DO NOT go into any place where alcohol, cannabidiol (CBD) or marijuana is the primary source of income.**

## Prosocial Activity

### What's a Prosocial activity and why do I want one?

- 1) *Prosocial* is the opposite of *Antisocial*
- 2) An action is Prosocial when you act to benefit others, rather than yourself
- 3) Provides you with healthier alternative activities than substance use
- 4) Helps you naturally care about and cooperate with others
- 5) Can replace the feeling of “reward” achieved from using a substance, without negative consequences
- 6) Will help you stay connected to a supportive network after Drug/DUI Court

### What should I look for in a Prosocial Activity?

- 1) Does it get me out of my routine of work / home / meetings?
- 2) Does it have me engaging with new people, making acquaintances and friends outside of Drug/DUI Court or Support Meetings, helping me build a broader, more varied support system?
- 3) Because it will help me feel connected, does it help other people or my community?
- 4) Does it feed my soul, calm my head, make me happy and a more well-rounded person?

### Your Prosocial can be something you identify, or an example like:

- Photography Club, Supper Clubs or other creative groups
- Community theater
- Volunteering at churches, schools, food banks, thrift shops, etc.
- Participating in intramural sports
- Join a community or church choir
- Take a class on Yoga, Zumba, Pilates, Piyo, Karate, etc.
- Go to a cultural event - an art gallery, live theater, or concert
- Take up gardening
- Organize a group for a charity walk
- Join or start a book club
- Help with Habitat for Humanity on a build or at ReStore
- Try a service club such as Lions Club, Rotary Club, Shriners, or Sertoma Club
- Start a group to make items for new babies or cancer patients

- Look around you: see a legal need to be filled or something that looks fun or interesting and give it a try!

## Written Requests

All written requests must be turned in to Court Services by **TUESDAY** so they can be shared with the Team and discussed on Thursday. The Judge will make the final decision about your request.

### Special Request

Special requests are used to ask permission for special situations. Your request must be as detailed as possible to include times/dates. Specify who, what, when, where and how.

Examples include:

- Work permits
- Late Curfew
- Jobs that place you at risk
- Same day trips
- Possible risky situation

### Trip Requests

Trip requests are used to ask permission to go on overnight or out of the area trips. Your request must be detailed and filled out completely.

### Holiday Plans

Holiday Plans help you think about how to stay safe and sober during holiday times. Holiday Plans also help the Team know where to find you. Your Holiday Plan must be detailed and filled out completely. **If you do not turn in your Holiday Plan by the due-date, you will be on House Arrest** during the entire holiday time.

Holiday Plans are required for:

- New Year
- Easter
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving
- Christmas

## Phases of Drug/DUI Court

There are five (5) phases to the Program. Moving up a phase is subject to the decision of the Drug/DUI Court Team based on your progress. Participants must make a written request on the form provided by the Court Service Officer for phase advancement and read the request in open court.

**Promotion eligibility and phase advancement are not based on a specific number of days in a phase.** However, your "days" in a phase will begin on the day you are sentenced to Drug/DUI Court.

### Phase 1—Acute Stabilization

- At least 60 days
- Go to court weekly
- Write in your planner weekly
- Engage with treatment (CD and MH) and follow recommendations
- Comply with supervision
- Weekly office visits
- Monthly home visits
- Daily alcohol testing
- Random drug testing
- Address housing
- Develop transportation plan\*
- Maintain employment, community service, or education
- Obtain medical assessment
- Start changing people, places, and things
- Curfew 10pm
- May not leave Brown County without prior approval of the Team
- Must make written application for advancement to the next phase and read your request in open court

### **Phase 2 Advancement Criteria**

- ❖ At least 60 days in Phase 1
- ❖ At least 21 days continuous clean time
- ❖ Engage in treatment
- ❖ Compliance with supervision

### Phase 2—Clinical Stabilization

- At least 90 days
- Attend court twice per month
- Write in weekly planner
- Engage with treatment (CD and MH) and follow recommendations
- Comply with supervision
- Weekly office visits
- Monthly home visits

- Daily alcohol testing
- Begin peer recovery groups\*
- Following transportation plan\*
- Random drug testing
- Maintain housing
- Maintain employment, community service, or education
- Develop financial plan
- Address financial issues
- Address medical issues
- Demonstrate changing people, places, and things
- May not leave Brown County without prior approval of the Team
- Must make written application for advancement to the next phase and read your request in open court

### **Phase 3 Advancement Criteria**

- ❖ At least 90 days in Phase 2
- ❖ At least 30 days continuous clean time
- ❖ Engage in treatment
- ❖ Compliance with supervision

### **Phase 3—Pro-Social Habilitation**

- At least 90 days
- Attend court twice per month
- Write in weekly planner
- Engage with treatment (CD and MH) and follow recommendations
- Comply with supervision
- Bi-monthly office visits
- Monthly home visits
- Daily alcohol testing as recommended
- Maintain peer recovery groups\*
- Random drug testing
- Address life skills
- Begin criminal thinking program
- Establish recovery network
- Establish pro-social activity
- Following transportation plan\*
- Address medical issues
- Maintain housing
- Maintain employment, community service, or education
- Address financial issues
- Demonstrate changing people, places, and things
- May not leave Brown County without prior approval of the Team

- Must make written application for advancement to the next phase and read your request in open court

**\* Work permit requires daily testing**

**Phase 4 Advancement Criteria**

- ❖ At least 90 days in Phase 3
- ❖ At least 60 days continuous clean time
- ❖ Engage in treatment
- ❖ Compliance with supervision
- ❖ Establish pro-social activities
- ❖ Establish recovery network
- ❖ Maintain peer recovery groups\*
- ❖ Begin criminal thinking program

**Phase 4—Adaptive Habilitation**

- At least 90 days
- Attend Court monthly
- Write In weekly planner
- Engage with treatment (CD and MH) and follow recommendations
- Comply with supervision
- Bi-monthly office visits
- Monthly home visits
- Random drug testing
- Continue criminal thinking program
- Maintain peer recovery groups\*
- Maintain pro-social activity
- Maintain housing
- Maintain employment
- Address financial issues
- Maintain recovery network
- Address medical issues
- Address ancillary services (i.e. parenting, family support)
- Demonstrate changing people, places, and things
- May not leave Brown County without prior approval of the Team
- Must make written application for advancement to the next phase and read your request in open court

**\* Work permit requires daily testing**

**Phase 5 Advancement Criteria**

- ❖ At least 90 days in Phase 4
- ❖ At least 75 days continuous clean time
- ❖ Engage in treatment

- ❖ Compliance with supervision
- ❖ Maintain pro-social activities
- ❖ Maintain recovery network
- ❖ Maintain peer recovery groups\*

### Phase 5—Continuing Care

- At least 120 days
- Attend Court monthly
- Engage with treatment (CD and MH) as recommended
- Comply with supervision
- Monthly office visits
- Monthly home visits
- Random drug testing
- Complete criminal thinking program
- Develop continuing care plan
- Maintain peer recovery groups\*
- Maintain recovery network
- Maintain pro-social activity
- Maintain housing
- Address financial issues
- Address medical issues
- Address transportation license reinstatement\*
- Maintain employment, vocational training, or school
- Address ancillary services (i.e. parenting, family support)
- Demonstrate changing people, places, and things
- Community Service Project
- Must make written application for commencement and read your request in open court

**\* Work permit requires daily testing**

\*if applicable

**SHOW UP**

**TRY**

**BE HONEST**



## Commencement

### Commencement Requirements

- Complete Phase 5
- At least 90 days continuous clean time
- Engaged in treatment
- Compliance with supervision
- Maintain pro-social activities and recovery network
- Maintain employment, vocational training or school
- Address ancillary services (i.e. parenting, family support)
- Community service project completed
- Articulate continuing care plan

Upon successfully completion of all five (5) phases, upon meeting graduations requirements, and upon recommendation of the Drug/DUI Court Team, the participant will graduate from Drug/DUI Court.

Graduation from Drug/DUI Court is recognized as a very important event. A participant's loved ones and friends will be invited to join the participant at a special ceremony as the Drug/DUI Court Team congratulates the participant for successfully completing all phases of the Drug/DUI Court Program and achieving all the goals to establish a chemical-free life.

## Driving Permit Eligibility-DUI Court Participants

If you have a valid driver's license at the time of sentencing, you may be eligible for a driving permit. State law allows driving permits for a person to operate a vehicle for the purposes of employment, 24/7 sobriety testing, attendance at school, or attendance at a counseling program. State law requires that you must successfully complete a treatment program to be eligible for a driving permit and participate in the 24/7 Program. You must be compliant with all programming, be in at least Phase 2 of the program, and have at least 60 days of continuous sobriety. You will write a special request to the DUI Court team requesting a driving permit. If a driving permit is granted, you must complete all necessary forms to obtain and maintain the driving permit. Violation of the driving permit will result in a sanction up to and including termination from the DUI Court Program and is also a crime requiring a mandatory sentence to the county jail.

Approval will be granted on an individual basis. This means that the entire DUI Court Team will review and approve granting a driving permit. **Any program violation means you may lose your driving permit at the discretion of the DUI Court Team.** A driving permit may be withdrawn by the DUI Court Judge or Court Services Officer upon any driving violation or violation of the DUI Court Program rules. A driving permit may also be withdrawn as a sanction.

## Treatment Services

You will be required to attend addiction and/or mental health and/or both services while in Drug/DUI Court. You may be required to attend the treatment sessions in a group or individual

sessions as needed. Your treatment plan will be developed by you and your provider and can vary from person to person. Treatment may include:

- **CBISA (Cognitive Behavioral Interventions for Substance Abuse)** is 6 hours a week for 13 weeks. The program is a cognitive behavioral treatment approach that will assist you in learning skills and strategies for avoiding substance abuse.

The program focuses on assisting you with identifying your high-risk situations and how to deal with those situations as they arise. In contrast to talk-therapy treatment approaches, this program places heavy emphasis on skill-building activities. These activities will assist you with developing cognitive, social, emotional, coping, and problem-solving skills.

- **CBISA Aftercare** is an advanced practice phase which begins after completing CBISA and lasts 12 weeks for 1 hour a week. Aftercare will assist you with continuing to identify and manage your high-risk situations. In order to succeed using the skills in your daily life, you will benefit from practicing them in a variety of situations with increasing difficulty; therefore, as you become more familiar with using the skills, you will learn how to handle more realistic pressure.
- **CD individuals:** Phase 1 meet weekly for up to an hour with participants. Phase 2-4 meet based on participants needs. May meet bi-weekly or monthly or no services based on progress. Phase 5 work on recovery maintenance (4-5 sessions). Address physical health, pro-social activities, and spiritual health. Work on honesty/denial and relapse prevention.

Intensive Outpatient Treatment, Residential Treatment, and Inpatient Treatment consists of individual, group, family sessions with videos/ lectures/speakers and peer support. You gain a better understanding of addiction and the progressive nature of the disease. A series of group therapies will help you share your experiences, find your identity and discuss your plans for maintaining your sobriety/recovery.

- IOPT Level 2.1, is 3 hours a day, 3 days a week for 6 weeks (9 hours a week)
- Aftercare 1 hour once a week for 8-12 weeks
- Residential Level 2.5, 5-7 days a week for 4 weeks (a minimum of 20 hours each week)
- Inpatient Level 3.7, 5-7 days a week for 4 weeks (a minimum of 30 hours each week)
- **MAA\*EZ (Making Alcoholics Anonymous Easier)** The primary objective of MAAEZ is to equip clients to deal with the experiences that they may encounter during support group meeting. MAA\*EZ is meant to alleviate newcomers' resistance to AA/NA so they are able to understand how the fellowship of the AA/NA programs will help in their recovery process. MAA\*EZ is a 6-week program with each session lasting 60-70 minutes.

### **Mental Health Treatment**

- **Individual sessions:** one hour session addressing mental diagnoses for varying durations of time—may be weekly, bi-weekly, monthly or on an as-needed basis. Mental health services may be short term or last throughout the duration of the participant's treatment court

- process. Participants may have family members or significant others attend sessions if it is therapeutically indicated and requested by the participant.
- **Seeking Safety** addresses co-occurring substance use and posttraumatic stress disorders. The group meets weekly for 90 minutes for approximately 4 months.
- **Moral Reconciliation Therapy (MRT)** - a systematic treatment strategy that seeks to decrease recidivism among juvenile and adult criminal offenders by increasing moral reasoning. The group meets weekly for one hour for a minimum of 12 weeks.
- **Dialectical Behavior Therapy (DBT)**- a type of psychotherapy that utilizes a cognitive-behavioral approach. DBT emphasizes the psychosocial aspects of treatment consisting of mindfulness, interpersonal effectiveness, distress tolerance, and emotional regulation. The group meets weekly for two hours for six months to learn these skills. The group participants are also required to meet weekly with their therapist for individual therapy.
- **Parent classes (Love and Logic)**- **philosophy of raising and teaching children** which allows adults to be happier, empowered, and more skilled in their interactions with children. Love and Logic allows children to grow through their mistakes.

**\* Remember... Everyone needs a different level of treatment and everyone heals and learns at a different pace**

## Incentives

An incentive is awarded by the Drug/DUI Court Team when participants reach a milestone or have completed a goal towards their life in recovery.

### Types of Incentives

Incentives can include but are not limited to the following:

- |   |  |
|---|--|
| • Progression in the Program                              | • Decreased supervision                  |
| • Fishbowl drawing (gift cards to local businesses, etc.) | • Decreased court attendance             |
| • Decrease in fines                                       | • Supervised day trips                   |
| • Applause  | • Ticket to theatrical productions       |
| • Acknowledgement from the bench                          | • Reduced drug testing                   |
| • Group incentives  | • Medal to mark milestones               |
| • Payment for GED testing                                 | • Opportunity to tell story to the court |
| • School supplies   | • Commencement                           |

## Violations and Sanctions

Participant may receive a sanction if they do not follow the rules of the program. Not following the program rules is a violation. The Drug/DUI Court Judge and Team will decide sanctions based on any violations.

## **Types of Sanctions**

Sanctions may include but are not limited to the following:

- Increased court appearances
- Increased reporting to Court Services
- Additional drug testing
- Temporary incarceration
- Delay in phase promotion
- Temporary phase demotion
- Written assignments for court
- Verbal reprimand
- Additional community services hours
- House arrest
- Imposition of electronic monitoring
- Daily written schedule
- Stricter curfew
- In-court apology
- Honesty journal
- Loss of driving privileges
- Termination

## **Therapeutic Adjustments**

A therapeutic adjustment is a change in my treatment plan.

### **Types of Therapeutic Adjustments**

Therapeutic adjustments can include but are not limited to the following:

- Increased self-help meetings
- Increased drug/alcohol testing
- Journaling
- Motivational interview exercises
- Evaluation of possible medication
- Increased court appearances
- Increased treatment intensity
- Additional assessments or evaluations
- Residential treatment

## **Termination**

When a participant fails to show up, try, be honest, or follow the rules of the program, participant can be terminated or fail Drug/DUI Court. Termination may result from the following:

- Concern for public safety
- Threat to the integrity of the program
- Available treatment options have been exhausted, and the participant is no longer working towards recovery
- Violating rules of the Drug/DUI Court
- Commission of a crime
- Failure to attend Drug/DUI Court hearings
- Abandonment of treatment program
- Evidence that participant is involved with drug dealing or driving while under the influence
- Evidence that participant is involved in any threatening, abusive, or violent verbal or physical behavior towards anyone
- Tampering with drug/alcohol screening tests
- Inability to pass required drug/alcohol screening tests for any reason
- Failure to make satisfactory progress

- Any other grounds that the Drug/DUI Court Team finds sufficient for termination

### **Voluntary Removal**

You may request removal from the Drug/DUI Court Program within 30 days of being sentenced to the program; however, you are advised to meet with your defense attorney before making this request. If you have been deemed an absconder from court services supervision while in the Drug/DUI Court Program, you will be considered to have voluntarily removed yourself.

## **Fees**

### **Court Related Fees**

Participants are required to keep up with their payments for court related fees. Court related fees can include but are not limited to the following:

- Child support
- Restitution
- Crime Victim Fund
- Public Defender fees

The participant will be responsible to set up a payment plan with the Court Service Officer to present to the Team for approval.

### **Program Related Fees**

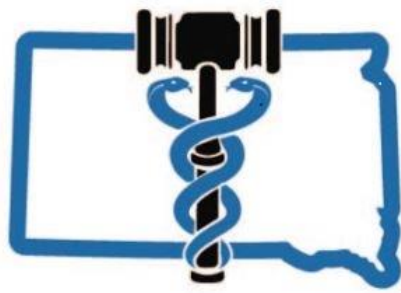
Participants may be required to pay for testing, monitoring, and treatment while in the Program. Failure to make timely payments could result in delayed completion of the Program. The fees can include but are not limited to the following:

- UA's
- 24/7 Program (Pbt's, Scram, Drug Patch or Interlock)
- Electronic Monitoring/GPS
- Treatment
- Court fines

**SHOW UP**

**TRY**

**BE HONEST**



—PROBLEM SOLVING—  
C O U R T S  
**WORK**  
MAKING A DIFFERENCE

## Application

### Application Process

1. Read through the Participant Manual with defense attorney.
  2. Fill out and submit the following application and Consent for Disclosure of Confidential Substance Abuse Treatment Information to the Problem-Solving Court Office in the \_\_\_\_\_ Court House.
  3. **Once application is received** by the Problem-Solving Court, you will be required to keep two scheduled appointments. These appointments must be completed before the Team will further consider your application.
    - The Court Services Office will call you to schedule a LSI-R (Risk/Needs Assessment)
    - \_\_\_\_\_ will call you to schedule a Treatment Needs Assessment
- \*Your attorney will receive written notification of acceptance or denial into the program.
4. If you are accepted into the program, you must complete the following forms, which are included in the Participant Handbook.
    - Problem-Solving Court Publicity Consent Form
    - Problem-Solving Court Treatment Program Basic Understanding, Waivers and Agreements
    - Problem-Solving Court Participant Manual Receipt and Acknowledgement
    - South Dakota Prescription Drug Monitoring Program



Unified Judicial System

Application to \_\_\_\_\_ Court Program

\_\_\_\_\_ Judicial Circuit

Date of Application	Do you need disability accommodations? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please state request:	Will an interpreter be needed? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, state language:
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Name	Alias
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Race	Sex	Date of Birth
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Current Address (Street)	Telephone Number	Cell Phone Number
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City	State	Zip	Other States Lived in:
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How Long at this Address?	Armed Forces Veteran? <input type="checkbox"/> Yes <input type="checkbox"/> No	Valid Driver's License? <input type="checkbox"/> Yes <input type="checkbox"/> No Driver's License Number
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Reliable Transportation? <input type="checkbox"/> Yes <input type="checkbox"/> No	State ID Number
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Do You Have Children? <input type="checkbox"/> Yes <input type="checkbox"/> No Do You Pay Child Support? <input type="checkbox"/> Yes <input type="checkbox"/> No	Number of Dependents
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**Significant Other**

NAME- Last, First, Middle (include Aliases)	DOB	Criminal Court Involvement-If so what?

**Other Members of Household**

NAME- Last, First, Middle (include Aliases)	DOB	Criminal Court Involvement-If so what?

Next of Kin	Relationship	Telephone Number
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Current Employer	Monthly Income	Receive Disability? <input type="checkbox"/> Yes <input type="checkbox"/> No
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Are You an Addict? <input type="checkbox"/> Yes <input type="checkbox"/> No
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Mental Health Diagnosis? <input type="checkbox"/> Yes <input type="checkbox"/> No		Take Psychotropic Medications? <input type="checkbox"/> Yes <input type="checkbox"/> No	
List all Mental Health Diagnoses		List Medications	
Drug & Alcohol Evaluation Completed? <input type="checkbox"/> Yes <input type="checkbox"/> No		LSI-R Completed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Agency Completing	Date	Score	Date
Highest Grade Completed		GED <input type="checkbox"/>	Graduation <input type="checkbox"/>
Skill or Trade		Certification or Degree? <input type="checkbox"/> Yes <input type="checkbox"/> No	
On Probation Currently? <input type="checkbox"/> Yes <input type="checkbox"/> No		Probation Officer	
Current Charges			Offense Date:
Do you have any matters pending in any other court? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of court		Charges	
Have you ever been sentenced to Drug/DUI Court before? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of court		Date:	
Have you ever been sentenced to the Penitentiary? <input type="checkbox"/> Yes <input type="checkbox"/> No		Date:	
Defense Attorney Name		Telephone Number	
<p><b>"The defendant consents to the disclosure of Drug/DUI Court application information, including a Risk/Needs Assessment and a Treatment Needs Assessment, prior to entry of a plea, for purposes of obtaining information useful for acceptance into the Drug/DUI Court Program."</b></p>			
_____		_____	
Defense Attorney Signature	Date	Applicant Signature	Date