

PARTICIPANT HANDBOOK



CODINGTON COUNTY DUI COURT

N. Bob Pesall
Magistrate Judge
2:00 pm on Wednesdays

Codington County Courthouse
14 1st Ave SE
Watertown, SD 57201
(605) 882-5375

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WELCOME TO DUI COURT!

DUI Court will give you tools to change your life and a chance to break the cycle of addiction and crime. The program uses intensive supervision, treatment, and drug/alcohol testing to help you change. You will have regular contact with the DUI Court Judge, probation, and treatment. You will participate in addiction and mental health treatment, group and individual treatment sessions, regular DUI Court hearings, drug/alcohol testing, and recovery support meetings (AA, NA, SMART, etc.). Other activities should be expected because each person's path to recovery is different. DUI Court can take up to 14 months or more to complete.

DUI Court's goal is **RECOVERY**, not just sobriety. "Recovery" is a process of change through which you improve your health and wellness, and live a manageable, crime-free, and self-directed life.

DUI COURT GIVES YOU A CHANCE TO IMPROVE YOUR:

Health



- ◆ Achieve sobriety
- ◆ Address mental health problems
- ◆ Improve physical health

Home



- ◆ Have a safe and stable place to live
- ◆ Be able to provide that home independently

Purpose



- ◆ Have meaningful daily activities (family relationships, job, school, volunteering, creative projects)
- ◆ Be a productive member of society

Community



- ◆ Build positive relationships that provide friendship, love, and hope
- ◆ Surround yourself with a network of people that will support your recovery

You must follow the rules of DUI Court and the directions given by the DUI Court Judge and DUI Court Team. **Read this Handbook carefully.** It tells you what to expect in DUI Court. You can share this handbook with your family and friends.



The Judge and the team are here to help you, but **the final responsibility is yours.**

We know that with your **hard work, honesty, and commitment to recovery** *you can be successful.*

DUI COURT TEAM

The DUI Court Judge makes all the final decisions about your DUI Court case, with help from the DUI Court Team. Team members are:



- ◆ Judge N. Bob Pesall
- ◆ Coordinator Tiffany Barthel
- ◆ Court Services Officer Angie Collignon
- ◆ Prosecutor Rebecca Morlock-Reeves
- ◆ Defense Attorney Amanda Thole
- ◆ Addiction Treatment Provider Cynthia Binde
- ◆ Mental Health Treatment Provider Cora Lowry
- ◆ Codington County Sheriff's Office Shawna Carter
- ◆ Watertown Police Dept. Sergeant Det. Trevor Barthel

DUI Court Contacts:

Coordinator Tiffany Barthel

(605) 882-5375 (office)

Court Services Officer Angie Collignon

(605) 882-5376 (office)

Human Service Agency

123 19th St NE, Watertown, SD

(605) 886-0123

PARTICIPANT RIGHTS

By agreeing to be in DUI Court, you have given up some of your rights (disputing search/seizure/traffic stops, preliminary hearing, trial by jury or court, etc.).

You have given permission for treatment to share information with the DUI Court Team.

DUI Court is open to the public.

The team can't tell how the media might use your identity.

The team can't stop them from sharing information that is public record.



DUI COURT SCHEDULE

TEAM STAFFING: 12:00-1:00PM WEDNESDAYS

The team discusses participants before each Drug Court and DUI Court hearing. Alcohol and drug testing, attendance, participation in your treatment and cooperation, employment, and other topics are shared. The team will talk about your progress and any problems you have. Staffings are closed to the public. You do not have a right to attend staffing. You might be invited to staffing by the team to talk about private issues, if needed.

DUI COURT: 2:00 PM WEDNESDAYS

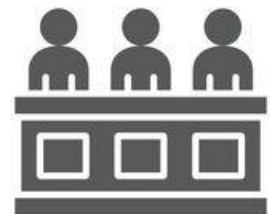
Codington County Courthouse

You will come to DUI Court weekly in Phases 1 and 2, every other week in Phase 3, and monthly in Phase 4 and 5. You and other DUI Court participants will appear in court to talk about your progress and any problems you have with the Judge. You might get incentives (rewards) if you are doing well, and sanctions (consequences) for undesirable choices. A warrant could be issued for your arrest if you do not show up to DUI Court when required. **Ask if you have questions about when you are required to be in DUI Court.** If you are going to miss Court for an emergency, contact your Court Services Officer (CSO) right away.

DUI Court hearings are open to the public. You can invite people to attend. You should expect other people, including supportive community members, to be at DUI Court hearings.

COURTROOM RULES:

- ★ **Be on time!** – If you are not, you may get a sanction.
- ★ **Even though you will find DUI Court to be very different from other court hearings, it is still a court proceeding:**
 - Be respectful to the Judge, the team, and your fellow participants.
 - Turn off your phone before DUI Court
 - Be quiet and pay attention
 - No sleeping
 - Dress appropriately; no hats, sunglasses, clothes with drug or alcohol references or gang symbols, or clothes that show your underwear
- ★ **Be supportive** of your fellow participants, encourage them with applause.
- ★ **Speak up** when the Judge is talking to you.
- ★ **Stay seated** in courtroom during the whole DUI Court hearing, unless the Judge excuses you.



DUI COURT RULES

★ Follow all directions of the DUI Court Team

Their guidance will help you and your recovery.

★ Follow all laws

Do not commit any crimes. Do not threaten anyone or commit any violent acts.

Contact your CSO right away if you have contact with police

(*any* contact, even if it's as small as a traffic stop or noise complaint).

★ Show up and be on time for ALL appointments

If you need to change any appointment (treatment, office visits, etc.), you must do it at least 24-hours before the appointment starts.

If you are late or miss an appointment, you might get a sanction.

SANCTIONS COULD INCLUDE:

- ✗ Daily planning assignment
- ✗ Increased probation supervision
- ✗ Community service
- ✗ Jail
- ✗ Other, as decided by the Judge with team input



★ Be honest and try in treatment

Your treatment plan will be made by you and treatment. You will get both addiction and mental health treatment. You will be in both individual and group sessions. The team will regularly review how you are doing in treatment. **You could be in treatment the entire time you are in DUI Court.** Treatment could include:

- ◆ MAAEZ (Making Alcoholics Anonymous Easier)
- ◆ Assessments
- ◆ IOP (Intensive Outpatient Treatment)
- ◆ CBISA (Cognitive Behavioral Intervention for Substance Abuse)
- ◆ Recovery Planning
- ◆ Recovery Maintenance
- ◆ Aftercare
- ◆ MRT (Moral Reconciliation Therapy)
- ◆ DBT (Dialectical Behavioral Therapy)
- ◆ Individual Counseling
- ◆ Seeking Safety
- ◆ Medication Assessment and Management
- ◆ Intensive Inpatient Treatment
- ◆ Other, as decided by treatment

★ Do not have or use alcohol or drugs

Alcohol and drugs (including marijuana and over-the-counter mind-altering substances) 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 alcohol is the primary item of sale (bars). Do not go to vape shops. Admitting you used alcohol or drugs *before* a test will almost always change the response of the Judge and team. **Honesty is *always* the best policy.**



★ Stay in contact with your CSO

Show up for all probation appointments. Keep regular phone contact with probation and make sure your CSO knows how to contact you. You cannot leave Codrington County without permission. If you abscond, a warrant will be issued for your arrest. Returning by choice will almost always change the response of the Judge and team.

Probation and/or police will visit you during the day or night, with or without notice. You might be drug or alcohol tested. You, your vehicle, and your home can be searched. **Do not have any firearms, weapons, alcohol, drugs (including marijuana or any over-the-counter mind-altering substances), drug paraphernalia, or other contraband.** Probation can also search your electronic devices.

IMPORTANT THINGS YOU SHOULD TELL YOUR CSO:

- ◆ Any changes to your phone number
- ◆ Any changes to work or school schedule
- ◆ If you get fired from your job
- ◆ If you have a romantic or sexual relationship
- ◆ **ALL** medications, pills and supplements you are taking
- ◆ If you had a use recurrence
- ◆ If you had contact with Law Enforcement or have been arrested

★ Use and update your daily planner

Write all your appointments, treatment, meetings, office visits, Court, and daily activities in your DUI Court planner.

Always carry your planner with you; check it often.

Your CSO will check your planner regularly and the Judge may ask to see it in court. You may choose to track your sober days in your planner.



★ Change your people, places, and things

Probation and the team may talk with everyone involved in your life. This includes significant others, friends, family, employers, doctors, counselors, etc. You will need to give up people, places and things that are not good for your recovery.

Without having prior approval from the team, do not hang out with people who:

Use alcohol or drugs Are on felony probation or parole Are violent
Have pending charges Are breaking the law

The team will restrict your contact with certain people if needed.

If you conceal any relationship, even healthy ones, you will be in violation of DUI Court Rules. You may be asked to complete a Request for Association for new people in your life to help the team and Judge determine if they will be supportive of your recovery.

★ **Live in a safe and sober place that supports your recovery & participation in the program (within Codington County)**

Tell probation where you are living and everyone who lives there. Don't let someone move in without permission. **Don't move without permission.** The team might tell you to move if you are not living in a safe and sober place that supports your recovery.



Stay home during your curfew. Don't have visitors during curfew hours without prior team approval. **Ask if you have any questions about when you are supposed to be at home.** Contact probation right away if you have an emergency. DUI Court curfew is:

Phase 1	Phase 2	Phase 3	Phase 4	Phase 5
9PM	10PM	11PM	Midnight	None

★ **Keep yourself and your home environment clean and tidy**



Good personal hygiene is important for health and social reasons. Poor personal hygiene can lead to illness and may cause people to avoid you, which can make you isolated and lonely. If you need any hygiene items, the team will help you.

You can keep yourself clean by regularly:

- ◆ Washing your hands with soap:
 - before making food and eating
 - after going to the bathroom
 - after blowing your nose, coughing, or sneezing
 - after touching garbage or like items
 - after touching pets or pet items
- ◆ Washing your body with soap
- ◆ Washing your hair with shampoo
- ◆ Wearing clean clothes
- ◆ Doing laundry regularly
- ◆ Using deodorant
- ◆ Brushing your teeth
- ◆ Trimming and cleaning your fingernails

Your home environment can affect your mood and mental health. A clean and tidy home can lower stress, calm your mind, and keep your body safe and healthy. A dirty home environment gives allergens and germs a place to grow and can cause illness. Making your bed is a great way to start your day.

You can keep your home clean and tidy by regularly:

- ◆ Put things away when you are done using them
- ◆ Clean up messes as they happen
- ◆ Wash dirty dishes with soap, dry them, and put them away
- ◆ Wash dirty clothes with soap, dry them and put them away
- ◆ Take out the trash when it gets full
- ◆ Vacuum and mop your floors
- ◆ Dust your surfaces
- ◆ Clean your bathroom sinks, tubs and toilets
- ◆ Clean your kitchen counters
- ◆ Wash your bedding regularly

★ Do all drug/alcohol tests as directed

Drug/alcohol testing helps you with sobriety goals. You will be tested often. You will test on any day of the week, including weekends and holidays.

TESTING LOCATION:

Codington County Courthouse (M-F)

(605) 461-7639 Testing Line

14 1st Ave SE, Watertown, SD 57201

You will use the Remote Breath Test (**RBT**) for alcohol testing, **SCRAM**, or **PBTs** as directed. There is a \$35/week fee plus a one-time fee of \$150 fee for activation and deactivation of the RBT machine. Two daily RBT tests will be scheduled, plus random PBTs when notified. **You need to complete a random test within 1 hour of notification. A missed or late PBT is considered a positive test.** SCRAM is \$42/week plus a one-time fee of \$164 fee for activation and deactivation. Standard PBTs are \$30 to administer and \$2/day for twice-daily PBTs.

You will be subject to random and frequent UA testing. These are done at the Codington County Courthouse or at the jail/PD depending on the day. There is a 28% every day that you may UA. You need to call in daily between 8-8:30am to see if you are called to test for that day. The testing time is 8:30-9:00am of that same day. The number is: (605) 461-7639. You don't pay for UAs. You need to be ready to test when you come in. **A missed or late UA is considered a positive test.**

UAs test for many substances. UAs also test for creatinine levels and oxidants, which demonstrate if you are diluting or contaminating your urine. **A diluted or contaminated sample will be considered a positive test.** If your urine sample requires being sent to the lab for confirmation testing, you will pay for the costs of testing if it is positive.

YOU MIGHT GET A SANCTION IF:

- ✗ You are late for a drug/alcohol test
- ✗ You miss a drug/alcohol test
- ✗ You cannot produce enough urine to be tested
- ✗ Your urine is diluted or contaminated
- ✗ You interfere with a drug/alcohol test in any way
- ✗ Your test is positive for drugs/alcohol
- ✗ Your test is positive for unapproved medications, pills, supplements or over-the-counter substances
- ✗ Your test is positive because of secondhand smoke
- ✗ Your test is positive because you ate poppy seeds
- ✗ Your test is positive because of **anything** you put in your body

SANCTIONS COULD INCLUDE:

- ✗ Lost Days of Sobriety
- ✗ Additional Phase Days
- ✗ Jail
- ✗ Shortened testing window
- ✗ Additional testing requirements
- ✗ Additional court appearances
- ✗ Community service
- ✗ Other, as decided by the Judge with help from the team

★ **Tell treatment and your CSO about prescription medications, over-the-counter medications, pills and supplements you are taking.**

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. **Do not take more than the recommended dose of any medication. Discuss supplements *before* you start taking them.**

You are responsible for what is in your body.

You need to ensure the medicine you are taking and what you are eating/drinking will not affect drug/alcohol testing.

- ✗ Do not take medicine or use products that contain alcohol
- ✗ 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



SAFE MEDICATIONS (if used as directed):

- ◆ **Pain:** Tylenol, Aleve, Aspirin, Ibuprofen, Excedrin, Midol, Pamprin (not "PM" options)
- ◆ **Stomach:** Mylanta, Milk of Magnesia, Pepto-Bismol, Metamucil, Miralax, Colace, Dialose, Docusate
- ◆ **Antacid:** Zantac, Pepcid, Prilosec, Tums/Roloids
- ◆ **Flu:** Theraflu, Alka-Seltzer
- ◆ **Cough/Cold:** Mucinex, Delsym, Tessalon Perles (non-alcoholic, pediatric, not "D" or "DM")
- ◆ **Allergies:** Allegra, Claritin, Benadryl, Clarinex, Alavert, Zyrtec, Nasacort/Nasonex, Saline Sprays (not "D" or "DM" options)
- ◆ **Joint Pain:** Tylenol Arthritis, Bengay, Icy Hot
- ◆ **Vitamins:** Multivitamins, Prenatal Vitamins
- ◆ **Other Safe Categories:** Gas Relief; Antibiotics; Antifungals; Hemorrhoid Meds; Asthma Meds; Eye Meds; Ear Meds; Fever Blister Meds; Toothache Relief; Sunscreen; Topical Creams; Vaginal Products; Urinary Products;

DO NOT TAKE:

- ✗ Undisclosed Sleep Aids
- ✗ Narcotic pain relievers
- ✗ Barbiturates
- ✗ Benzodiazepines
- ✗ Over-the-counter caffeine or diet pills
- ✗ Medications containing Codeine
- ✗ Medications, mouthwash, or topical products containing alcohol
- ✗ Tranquilizers

★ **Do not drive without a valid Work Permit and current vehicle insurance**

Your Driver's License is revoked because of your felony DUI conviction.

It is against the law to drive without a work permit.

Work permits are a **privilege**, not a right. Work permits are given by the Judge on a case-by-case basis.

Your work permit can be revoked at any time.

Your work permit may be revoked if you have a use recurrence.

Driving without a work permit or driving outside the limits of a work permit could get you terminated from DUI Court.



REQUIREMENTS TO REQUEST A WORK PERMIT:

- ◆ Confirm you had a valid South Dakota Drivers' License at the time you were sentenced
- ◆ At least 90 days in DUI Court
- ◆ At least 90 days of continuous sobriety
- ◆ Participation in a Court-approved addiction treatment program
- ◆ SR-22 and proof of insurance
- ◆ Participation in the 24/7 Sobriety Program
- ◆ Written Special Request (with proof of insurance attached)
- ◆ DUI Court Judge approval
- ◆ Sentencing Judge approval

OTHER TRANSPORTATION OPTIONS:

- ◆ Walk
- ◆ Ride the bus: **Transit** @ 605-882-5287
- ◆ Ride a bike
- ◆ Get rides from family, friends, or other sober supports

★ **Attend and participate in recovery support group meetings**

Recovery support groups include AA, NA, SMART Recovery, etc. Attend and participate in meetings as directed by the Judge. You may be asked to provide proof of attendance.



★ Find a recovery sponsor and work a recovery program

★ You need to find a recovery sponsor or mentor and start working a recovery program as soon as possible, but no later than **Phase 2**. The person you pick as your recovery sponsor/mentor will be responsible for encouraging, guiding, and supporting you on your path to recovery. That person should be **in recovery themselves**, because they will be your role model for learning a new way of life and living sober. Your sponsor should be **at least two years sober and of the same gender** as you. They should **not be a family member**. You should look for someone who will help you get to recovery support group meetings, help you develop new relationships with others in the recovery community, and help you build a strong sober social network. Your sponsor/mentor should be willing to listen to your concerns and be able to make suggestions on how you can find help to solve your problems (cravings and triggers, work, relationships, etc.). **Your sponsor/mentor is welcome to attend court and should be someone that encourages you to follow Drug Court rules, and make the changes needed to live a sober, crime-free life.**



★ Work or go to school

When you are assessed as being ready, you will need to find a job. At first, part-time employment may be approved. Eventually, you need to work 32+ hours a week or go to school while in DUI Court. The team might give you a deadline to find a job. You might also be told to do daily job contacts, a job skills program, or Community Service until you find a job.

Employment is an important part of the DUI Court program. Work helps you live independently and the benefits that come with it, like money, insurance and vacation time, help you take care of your physical and mental wellbeing. However, your treatment must come first. If your job starts to interfere with your treatment plan, some changes to your work schedule might be required. **Do not quit your job without permission from probation and the team first.**

★ Make and follow a budget

You need to make and follow a budget while in DUI Court. With help, you will write down all your bills and develop a budget. You may be asked to complete classes on managing your finances. Part of recovery is eliminating the stress that comes from excessive debt or not having enough income to cover your expenses. **Make sure you pay bills before you spend money on other things.** This includes paying your Child Support! The team will help you with the resources to get your finances under control.

★ **Be involved in positive activities in the community**

Fill your free time with activities where people are not drinking, using drugs, or breaking the law. Do things that help other people. Find wellness activities you enjoy that will improve your health and wellbeing. Explore your spirituality and creativity.

★ **Pay your DUI Court costs**

You do not have to pay a fee to be in DUI Court. You do have to pay on your court costs, fines, attorney fees, and any other money ordered at sentencing. As soon as you are able, you will make monthly payments to the Clerk of Courts. As you progress through DUI Court, the Judge may suspend some of the fines you've been ordered to pay as an incentive for positive behavior.



If you are sentenced to DUI Court, you will not have to pay for any of your treatment while you are in the program, including your initial assessments. Treatment costs are paid by the State of South Dakota.

★ **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 or prize.



★ **100 hours of Volunteer Service Hours (VSH)**

- ◆ **You were ordered** to complete 100 hours of Volunteer Service Hours throughout your time in DUI Court.
- ◆ Your hours should be served at a **charity, non-profit or other type of agency/organization**. If you want to do your hours somewhere else, you must write a Special Request to get permission from the team.
- ◆ **Written verification and signature from management** of completion of your hours must be turned in to Court Services for credit.
- ◆ **Per phase**, there is a minimum number of hours that must be completed before requesting to phase advance. See your phase checklists for the hours. All hours must be completed one month before your graduation.

WRITTEN REQUESTS

All written requests must be turned in to your CSO by **Tuesday at 5PM** so they can be shared with the team and discussed on Wednesday. The DUI Court Judge will make the final decision about your request.

SPECIAL REQUESTS

The Special Request form is used to ask permission for special situations. Your request must be as detailed as possible to include times/dates, **who, what, when, where, how**, and **how much**. Examples of things you need to ask for include:

- ◆ Work permit
- ◆ Curfew extension
- ◆ Visitors during curfew hours
- ◆ Move or get a roommate
- ◆ Adjustments in UAs, PBTs, etc.
- ◆ Change jobs
- ◆ Financial help
- ◆ Out-of-county travel

THERAPEUTIC ADJUSTMENTS

Treatment and the team use therapeutic adjustments to help you achieve sobriety and success. Therapeutic adjustments are changes in your treatment plan if you are struggling to stay sober, but are otherwise meeting program expectations.

Examples include (but are not limited to):

- ◆ Updated treatment assessments
- ◆ Increased treatment
- ◆ Increased support meetings
- ◆ Increased drug/alcohol testing
- ◆ Treatment workbook assignments
- ◆ Writing assignments
- ◆ Evaluation for medication
- ◆ Residential treatment

INCENTIVES



The team uses incentives (rewards) if you are doing well. Incentives are used to reinforce program rules and expectations.

You will earn incentives (rewards) for positive progress and healthy behavior.

Examples of behavior include (but are not limited to):

- ★ Honesty
- ★ Making all appointments
- ★ Being on time
- ★ Having a positive attitude
- ★ Reaching a milestone
- ★ Accomplishing a goal
- ★ Finding a recovery sponsor
- ★ Working hard in treatment sessions
- ★ Avoiding temptation to use drugs or alcohol

Incentives are given by the team and depend on available resources.

Examples include (but are not limited to):

- ★ Applause
- ★ Verbal praise or recognition
- ★ Awards or certificates
- ★ Phase advancement
- ★ Coins or medals
- ★ Decreased Court attendance
- ★ Decreased supervision
- ★ Reduction in court costs
- ★ Approved special requests
- ★ Compliance Basket
- ★ Extended curfew
- ★ Fishbowl drawing
- ★ Gift cards
- ★ Incentive Store
- ★ Decreased Community Service hours
- ★ Commencement

SANCTIONS

The team uses sanctions (consequences) to reinforce program rules and expectations.

A sanction may be imposed for noncompliant behavior.

Examples include (but are not limited to):

- ✗ Dishonesty
- ✗ Disrespectful behavior
- ✗ Not participating in treatment
- ✗ Not using your planner
- ✗ Not attending recovery support groups
- ✗ Contact with unapproved people
- ✗ Missing or being late for appointments
- ✗ Missing or being late for UAs/PBTs
- ✗ Interfering with UA or PBT testing
- ✗ Testing positive for drugs or alcohol

Sanctions are given by the team and depend on the violation. Sanctions increase with multiple violations.

Examples include (but are not limited to):

- | | |
|---------------------------------|------------------------------------|
| ✗ Verbal warnings or reprimands | ✗ Community service* |
| ✗ Writing assignments | ✗ Restricted/Electronic Monitoring |
| ✗ Increased Court appearances | ✗ House Arrest |
| ✗ Increased supervision | ✗ Jail |
| ✗ Delay in phase advancement | ✗ Termination |

***Community Service Sanctions:**

- ◆ Your community service sanction should be served at a **charity, non-profit or other type of agency/organization**. If you want to do your community service sanction somewhere else, you must write a Special Request to get permission from the team.
- ◆ **Written verification** of completion of your community service sanction must be turned in to Court Services by the due-date. If you have not turned in written verification by the due-date, you will get another sanction.

***House Arrest Sanctions:**

- ◆ You **CANNOT** have visitors during House Arrest.
- ◆ You may only leave your home for alcohol or drug testing, treatment appointments and work. Any other activity outside your home, including going to get groceries, support meetings – **anything** - requires the prior approval of your CSO.
- ◆ If you are unsure if something is approved, ask your CSO **before** leaving home.

PROGRAM PHASES

DUI Court has 5 phases and will take at least 14 months to complete. Each phase helps you prepare to live in recovery, independently. **Every participant is a unique individual. Everyone works their own program and progresses at their own pace. It's not a race.**

APPLICATION FOR PHASE MOVEMENT

You must complete a written checklist and application to move to the next phase. The Judge, with input from the team, will determine when you are ready for the application. Your application is an important part of your program and should be completed with thought and detail.

Your application must be turned in to Court Services by **Tuesday AT 5PM** so it can be shared with the team and discussed on Wednesday. The DUI Court Judge will make the final decision about your phase advancement.

In all Phases of DUI Court, you are expected to:

- Follow program rules and treatment recommendations
- Do random drug/alcohol tests as directed
- Show up for all probation appointments
- Show up, be honest, and try in treatment
- Attend 2 recovery support meetings (AA/NA/CR/SMART Recovery/etc.) weekly
- Change your people, places, and things
- Identify and use positive sober supporters
- Use and update your daily planner
- Live in a safe and sober place that supports your recovery
- Keep busy, eventually by working full-time, attending school, or a combination of the two
- Be responsible about money, which will include making and following a budget

Each phase of DUI Court will ask you to complete activities that will support your recovery efforts. While *some* are required for *everyone*, some may be special to *your* experience.

Examples of activities include:

- Obtain documents such as a birth certificate and social security card
- Complete a search for any debts owed
- Address health needs
- Complete a financial management class
- Get involved in a community activity
- Develop personal wellness goals
- Explore hobbies or creative outlets
- Attend parenting classes
- Complete job skills classes
- Obtain your GED
- Create a Vision Board and share it with the team

Phase 1- 60 days minimum in phase, 14 continuous days of sobriety, 9pm curfew

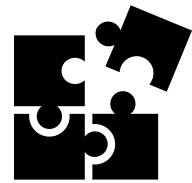
Phase 2- 90 days minimum in phase, 30 continuous days of sobriety, 10pm curfew

Phase 3- 90 days minimum in phase, 45 continuous days of sobriety, 11pm curfew

Phase 4- 90 days minimum in phase, 60 continuous days of sobriety, 12am curfew

Phase 5- 90 days minimum in phase, 90 continuous days of sobriety, no curfew

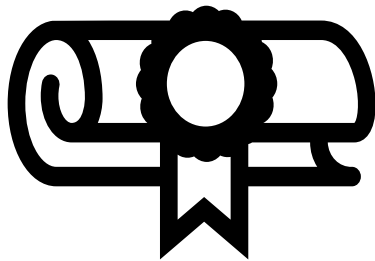
Some tasks may seem beyond your reach. When you start, you will be asked to do simple, easy tasks. As you progress in your recovery, you will try new things to help you discover life as a sober person. DUI Court is going to help you learn how to live without the stress and chaos of addiction



COMMENCEMENT

Once you have fulfilled the requirements of Phase 5, you may apply for Commencement. You must complete a Life Plan before commencement. Your plan is an important part of your program and will help the team decide on your readiness to move on. You might be asked to update or redo your plan if the team feels it is not complete. You might also have to meet with the team to answer questions about your plan.

Your Life Plan must be turned in to Court Services at least one month before the next set Commencement date so it can be reviewed by the team. The Judge will make the final decision about your Commencement.



The Commencement Ceremony is a very important event. Your family members and supporters will be invited. After Commencement, you will have the opportunity to continue your treatment for ninety days to help you transition to a life in recovery without the Court's supervision.

DISCHARGE FROM PROBATION

When you complete DUI Court, you will be successfully discharged from probation. You will be eligible for discharge from probation when you have completed your treatment program, you have maintained continued sobriety, and you have met the following requirements:

- At least 90 days of continuous sobriety
- At least 30 days with no sanctions
- Eligible for reinstatement of your Driver's License
- DUI Court Judge approval
- Sentencing Judge approval
- Written Exit Interview

EXIT INTERVIEW

You must complete an Exit Interview before you are discharged from probation and DUI Court. Your interview gives you a chance to tell the team how you feel about your journey in DUI Court. Your interview also gives you a chance to give suggestions on how to improve the program. **The information in your interview has no effect on whether you are discharged from probation and DUI Court.**

ALUMNI

After Commencement, you are invited to join the alumni group. The group is separate from the DUI Court program. Members of the group are graduates of the CODINGTON County DUI Court or the CODINGTON County Drug Court who volunteer their time. They support the DUI Court and Drug Court programs and participants. They plan activities for people living a sober lifestyle. Those activities may be ways to give back to the community or just to have fun. They lead by example of sobriety, community service, and attendance at peer recovery support groups (AA/NA/CR/SMART Recovery, etc.) and social events, and advocate for Drug & DUI Court.

You will be asked to attend Alumni Group meetings in the last phases of DUI Court, as available.

TERMINATION

If you are not following the rules of DUI Court you may be terminated from the program. Reasons for termination could include (but are not limited to):

- ✗ Not participating in treatment
- ✗ Not participating in the DUI Court program
- ✗ Breaking DUI Court rules
- ✗ Absconding from the program
- ✗ Concern for public safety
- ✗ Threat to the integrity of the program
- ✗ There are no more treatment options to help you
- ✗ Committing a crime
- ✗ Distributing drugs or driving under the influence
- ✗ Threatening, abusive, or violent behavior
- ✗ Tampering with drug/alcohol testing
- ✗ Inability to pass drug/alcohol tests
- ✗ Failure to make progress
- ✗ Any other reasons the team finds termination is necessary

When you admit a violation in DUI Court, or when a violation is proven to the Court's reasonable satisfaction, that violation may be used against you in a future termination hearing.

If termination is started, you will get written notice of the allegations against you. You can meet with an attorney to discuss your options. If you deny the allegations you will have an Evidentiary Hearing, where you can call witnesses to testify on your behalf and you can cross-examine any witnesses that testify against you. The DUI Court Judge will decide whether you violated the rules of the DUI Court program. You will have a chance to talk directly to the DUI Court Judge and team during a Termination Hearing. The DUI Court Judge will make the final decision about termination.

DUI Court is a voluntary program. **You can ask to remove yourself from the program at any time.** If you think that's what you want, you will have a meeting with an attorney to make sure you understand what that will mean. You must also wait one week from the time you request removal until the Judge issues the Order.

If you do not successfully complete the program, your probation will be revoked. **If you abscond from probation while in DUI Court, a motion to terminate you from the program may be made and a warrant issued for your arrest.**

If you are terminated from DUI Court **or** voluntarily remove yourself, you will be returned to your original Sentencing Judge for a Probation Violation. **The Sentencing Judge will make the final decision about revoking your probation and any sentence, limited only by the maximum penalty allowed by law.**



Application

Application Process

1. Discuss DUI Court and the information in the Participant Handbook with your defense attorney.
2. We strongly suggest you attend a session of DUI Court, which is held every Wednesday at 2:00 pm. When court is over, you will have the opportunity to meet with the Coordinator and the Court Services Office to ask any questions and discuss your interest.
3. Fill out and submit the following application and Consent for Disclosure of Confidential Substance Abuse Treatment Information to the Problem-Solving Court Office.
4. **Once your application is received** by the Problem-Solving Court, you will be required to keep three scheduled appointments. These appointments must be completed before the team will further consider your application.

The Court Services Office will call you to schedule an

- LSI-R (Risk/Needs Assessment)

Lutheran Social Services will call you to schedule an appointment for a

- Treatment Needs Assessment **AND** a separate appointment for a
- Mental Health Assessment, if recommended.

There will be paperwork you **must** complete for LSS **before** those appointments.

***Your attorney will receive written notification of acceptance or denial into the program.**

5. If you are accepted into the program, you must complete the following forms. The Drug Court defense attorney will go over them with you before you sign them.
 - Problem-Solving Court Publicity Consent Form
 - Problem-Solving Court Participant Manual Receipt and Acknowledgement
 - South Dakota Prescription Drug Monitoring Program

The Court Services Officer will go over your Drug & Alcohol Testing Contract you.



Unified Judicial System

Application to Codington County Problem-Solving Court Program

Do you need disability accommodations? Yes No

If yes; please state request: _____

Will an interpreter be needed? Yes No If Yes; what language? _____

Name:		
Other names used:		
Race:		Gender Identity:
Date of Birth:		
Current Address:		
City, State, Zip:		
Do you rent, own, or live with someone at no cost?		
If with someone, who and what relationship to you?		
Other States you have lived in:		
How long at current address:		
Current phone number:		

Are you a Veteran? Yes No

State ID #: _____

Valid Driver's License? Yes No If yes, license # _____ State: _____

Reliable transportation? Yes No

Do you have children? Yes No If yes, how many? _____

Are you ordered to pay child support? Yes No Are your payments current? Yes No

List **all** children, their DOB, and if they live with you or someone else (a relative, DSS care, guardian, adult and living on their own, etc.):

Marital Status:
(never married, married, divorced, widowed or cohabitating):

Significant Other's Full Name:

Their Date of Birth:

Does your significant other have criminal court involvement? Yes No

If Yes – What? _____

Other people in your home:

Name (First, Middle, Last):	DOB:	Criminal Involvement?	What?
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Emergency Contact:			
Relationship to you:			
Their phone number:			

Do you receive disability? Yes No If yes, how much monthly? _____

Do you receive any other type of assistance? _____

Are you working? Yes No If yes, start date: _____

Employer's Name:			
Employer's Phone Number:			
Hourly Wage:		Monthly Income:	

Do you have a substance use problem? Yes No

What is your Primary Substance of Choice? _____

Second? _____ Third? _____

Primary Physician:	
Clinic Address:	
Clinic Phone:	
Do you have a Mental Health Diagnosis? <input type="checkbox"/> Yes <input type="checkbox"/> No	
List any Mental Health Diagnosis:	
Do you take any Prescribed Medications? <input type="checkbox"/> Yes <input type="checkbox"/> No	
List all Prescribed Medications:	
Have you completed a Drug and Alcohol Evaluation? <input type="checkbox"/> Yes <input type="checkbox"/> No	
When:	Where:
LSI-R Completed? <input type="checkbox"/> Yes <input type="checkbox"/> No	When:
Highest education level completed: <input type="checkbox"/> GED <input type="checkbox"/> High School Graduation <input type="checkbox"/> Other: _____	
Any skill or trade:	
Certification or Degree:	
Currently on Probation:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Probation Officer Name:	

Do you currently have any matters pending in another court? Yes No

If yes; where and what are the charges? _____

Have you been sentenced to a Problem-Solving Court before? <input type="checkbox"/> Yes <input type="checkbox"/> No	
When:	
Where:	
Have you ever been sentenced to the Penitentiary? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, when? _____	
Have you ever been on parole? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, when? _____	

“The defendant consents to the disclosure of Problem-Solving 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 Problem-Solving Court Program.”

Defense Attorney Name:	
Defense Attorney Signature:	
Date:	
Current Codington Co. File #/s:	14CRI _____
	14CRI _____
Applicant Signature:	
Date:	