

I. ADMINISTRATION

A. History

In May of 2009, planning began for the Hamilton County Drug Court under the direction of Judge Gail Bardach. Members of the probation department were involved in the planning process and have continued to meet as a committee with the Judge on a weekly basis to ensure the swift implementation of our county's drug court. During the summer of 2009, at the suggestion of the Indiana Judicial Center, our planning committee began a series of on-site visits with some recommended area drug courts, including Allen County, Grant County, Hancock County and Monroe County. These visits proved to be insightful and instrumental in establishing the best practices for our county's drug court.

The planning committee arranged an Informational Presentation for several members of the local community, beginning with our own Judiciary, to educate others on our mission in developing this Court. With the approval of our Judiciary in late January of 2010, we notified the Judicial Center of our intent to proceed with this Court. In March of 2010, we presented to a group of potential advisory board members and shortly thereafter the Board was formed. A list of advisory board members is included in this manual as an **attachment**.

The Hamilton County Drug Court Advisory Board met on a monthly basis in 2010 and bi-monthly from January, 2011 until July of 2011. It was decided at that time that future Advisory Board meetings would be held on a quarterly basis with the final 2011 meeting to be held in October of 2011. Drug court personnel will initially be comprised of certified probation officers with the Hamilton County Department of Probation Services and the Judge of Superior Court 6. A grant from the Hamilton County Council on Alcohol and Other Drugs was obtained in 2010 and renewed in 2011 to support the salary of a part-time deputy prosecutor to work exclusively as part of the drug court team. Also Hamilton County Circuit and Superior Courts/Court Administration will continue to fund a contract for services of a local member of the criminal defense bar to serve as dedicated drug court pauper counsel through 2011. Thereafter, a grant from the Hamilton County Council on Alcohol and other Drugs will be sought to continue to fund the grant position. In addition, the program applied for and received the Adult Drug Court Discretionary Grant Program for implementation specifically from the federal Office of Justice Programs in the amount of \$350,000, effective October 1, 2011. Our program is very excited about this opportunity and is currently working on the acceptance process. These monies will be used to hire additional drug court personnel and pay for necessary travel to national drug court trainings for our team. An initial site visit was conducted with the Indiana Judicial Center in October of 2010 and the Hamilton County Drug Court was awarded a provisional certificate of approval to operate as a problem-solving court in at that time. Our program is currently in the process of applying for initial certification.

B. Authority

Authority for the operation of the Hamilton County Drug Court is derived from IC 33-23-16. It will be operated in accordance with these statutes and the Judicial Conference of Indiana Problem-Solving Court Rules.

C. Applicability

Hamilton County Drug Court will provide services to offenders eligible under IC 33-23-16 and the criteria for admission to drug court as established by the drug court team. The Hamilton County Drug Court must submit to certification procedures and requirements established by the Judicial Conference of Indiana and the Indiana Judicial Center.

D. Eligibility and Non-Discrimination

Hamilton County Drug Court will provide services to offenders who meet drug court eligibility criteria under IC 33-23-16-13 and the established criteria for admission to the Hamilton County Drug Court. A person is not eligible for the Hamilton County Drug Court program if he/she is charged with or convicted of a felony during which he/she carried, possessed or used a firearm or other dangerous weapon and:

1. Force was used against another person, or
2. Death or serious bodily injury occurred to any person.

A person is also not eligible for the Hamilton County Drug Court if he/she has one or more prior convictions for a felony crime of violence involving the use or attempted use of force against any person with the intent to cause death or serious bodily harm. A copy of the eligibility criteria (*Hamilton County Drug Court Participant Information and Orientation* form) is included in this manual as an **attachment**. Hamilton County Drug Court will not discriminate on the basis of race, religion, gender, ethnicity, age or disability.

Offenders referred to the drug court who are deemed ineligible may request information regarding the availability of alternative substance abuse services in the community.

E. Provisional Certification, Initial Certification and Recertification

The Hamilton County Drug Court was provisionally certified to provide problem-solving court services as of October 1, 2010 under the Interim Problem-Solving Court Rules. As previously noted we are currently seeking full certification with the Indiana Judicial Center pursuant to the rules and by completing the following tasks:

- The Hamilton County Drug Court shall submit a full certification application with any required materials to the Indiana Judicial Center no later than ninety (90) days after the Judicial Conference Board of Directors adopts final rules governing the certification of problem-solving courts. In addition, the drug court shall provide all supporting materials to the Indiana Judicial Center no later than thirty (30) days prior to the scheduled review date.

- Once fully certified the Hamilton County Drug Court will apply for the recertification as required every three (3) years by notifying the Indiana Judicial Center of our intent to reapply and follow all applications procedures.

F. Definition of Terms

Terms used throughout this manual are the same as those defined in the Problem-Solving Court Rules adopted by the Judicial Conference of Indiana in 2011 with additions which apply to local terminology. The following terms, when used in these rules, shall have the meanings below unless the context clearly indicates a different meaning:

“C.A.R.E. Program” means Court-Assisted Rehabilitative Efforts program, which is the certified Court Alcohol and Drug Program in Hamilton County that is housed within the probation department.

"Case management" means goal oriented activities that facilitate, coordinate, or monitor the full range of basic human needs, treatment, and service resources and delivery for individual problem-solving court participants in accord with the policies and procedures of the problem-solving court or other service provider.

“Case management file” means all records regarding a participant contained in the file maintained by the case manager, including printed and electronic information regardless of the source of the information.

“Case management plan” means a plan that documents case management activities that the participant must complete as a condition of problem-solving participation. These activities shall be based upon the results of risk and needs assessment in conjunction with any other assessments, the problem-solving court participation agreement and other court orders.

"Case manager" means a problem-solving court team member who is responsible for managing a number of individual problem-solving court participants and the participants' respective case files, which may include administering a risk and needs assessment, substance abuse and mental health screening, referral to treatment and ancillary services, monitoring participant compliance with the case management plan and other applicable agreements and providing participant progress and compliance information to the problem-solving court team. A problem-solving court case manager will also be a certified probation officer.

“Case Management Supervisor” means the person who provides the daily supervision of the drug court's staff and coordination of the drug court team members.

“Case termination” means following the procedure for terminating a participant's court imposed obligation to participate in the services of a certified drug court.

"Certification review" means the process of reviewing a court's compliance with the state and federal statutes, regulations and rules for certified problem-solving courts, to include the application for certification, review of applicable documentation, site visit and follow-up activities.

"Certified problem-solving court" means a problem-solving court that has applied for and has received a certificate of approval from the Indiana Judicial Center.

"Chemical test" means an analysis of an individual's blood, breath, hair, sweat, saliva, urine, or other bodily substances to determine the presence of alcohol, drugs or controlled substances as defined in IC 35-48-1-9.

"Clinical impression" means a written summary of the observations and conclusions of drug court staff or treatment providers based on a clinical screening the person has conducted and within the scope of the person's training.

"Clinical screening staff" means a drug court staff member or team member who refers the participant to an appropriate treatment provider evaluates whether the participant meets clinical eligibility requirements for participation in the certified drug court, or both. A clinical screening staff member will also be a certified probation officer.

"Coordinator" means the problem-solving court team member responsible for the administration, management and coordination of problem-solving court services and operations, including overseeing problem-solving court staff activities, ensuring the court's compliance with procedures, managing service provider contracts and team member memoranda of understanding, managing program grants, facilitating team meetings and serving as a liaison to local service providers and community groups.

"Documentation" means a written record acceptable as evidence to demonstrate compliance with these rules.

"Drug court" is a term that defines a specific type of problem-solving court. This type of court is the only court currently in existence in Hamilton County. See below for further definition.

"Drug court advisory board" is a group of people that the supervising judge may appoint to provide advice on drug court matters.

"Drug court staff" means the drug court judge, drug court coordinator, drug court case management supervisor, drug court case manager(s) and assessment staff member(s).

"Drug court team" means the drug court judge, drug court coordinator, drug court case management supervisor, drug court case manager(s), assessment staff member(s), drug court prosecutor, drug court defense counsel, treatment representative(s), Hamilton County Community Corrections representative(s) and the program evaluator.

"Eligible individual" means an individual who meets the eligibility criteria as defined in IC 33-23-16-13.

"Eligibility screening" means a procedure for determining a potential participant's legal eligibility for admission to the problem-solving court under IC 33-23-16-13 and court guidelines.

"Evidenced-based practices" means the use of research and science to enhance decision making in the criminal justice system resulting in the use of effective interventions to produce the most favorable results.

"Indiana Risk Assessment System" (IRAS) means the risk assessment system made up of five instruments to be used at specific points in the criminal justice process to identify a participant's risk to reoffend and criminogenic needs, and assist with developing an individualized case management plan.

"Judicial involvement" means regular and frequent interaction between the problem-solving court judge and participants during case compliance hearings.

"Offender" means any person charged with a criminal offense having an active case pending in a Hamilton County Circuit or Superior Courts.

"Orientation" means the administrative process in compliance with the requirements of these rules conducted after a participant is accepted by a problem-solving court.

"Outcome evaluation" means an evaluation of program results or outcomes, as measured by collected data, which determines if a program achieved its stated goals.

"Participant" means any person who has signed a participant agreement and been admitted to the problem-solving court by the problem-solving court judge.

“Participation Agreement” means the document signed by a participant evidencing the participant’s agreement to follow the conditions of problem-solving court participation as required by section 20 of Problem-Solving Court Rules.

"Policy" means a statement of the principles that guide and govern the activities, procedures and operations of a problem-solving court.

"Problem-solving court" means a court as defined in IC 33-23-16-8 that is operating under a problem-solving court certificate issued by the Indiana Judicial Center pursuant to IC33-23-16, including (as defined in IC 33-23-16: community courts; domestic violence courts; drug courts; family dependency drug courts; mental health courts; reentry courts; veterans courts and any other courts certified as a problem-solving court by the Indiana Judicial Center.

“Problem-solving court advisory board” is synonymous with the Drug Court Advisory Board noted above.

"Problem-solving court judge" means the judicial officer who presides over a problem-solving court.

"Problem-solving court services" means a broad range of services provided under a case management plan, including supervision, offender assessment, judicial involvement, case management and services and program evaluation that may be extended to a problem-solving court participant and that influence the behavior of the participant toward identified goals and objectives. The services and the manner in which they are provided are guided by IC 33-23-16.

"Procedure" means a series of activities designed to implement problem-solving court goals or policy.

“Process evaluation” means a procedure to document and analyze the development and implementation of a program, to assess whether strategies were implemented as planned and to determine whether expected outputs were produced.

“Risk and needs assessment” means the procedure used to determine the participant’s criminogenic risk and needs using the IRAS for the purposes of determining eligibility and developing a case management plan.

"Recertification review" means the process of reviewing a problem-solving court’s compliance with the statutes, rules and standards for certified problem-solving courts, to include the application for recertification, review of applicable problem-solving court documentation and the problem-solving court site visit.

“Supervision” means a method of monitoring a participant’s compliance with the participation agreement and case management plan.

"Ten (10) key components" means the ten (10) key components of drug courts published by the Drug Court Program Office of the United States Department of Justice.

“Treatment plan” means a plan that addresses substance abuse or addiction and mental health issues by: identifying the individual participant’s strengths and needs through assessment; defining goals and objectives based on identified need; and establishing services to be provided to assist with achieving the stated goals and objectives.

"Volunteer" means a person who, without direct financial remuneration, provides ongoing services to the certified drug court.

II. DRUG COURT MANAGEMENT

A. Philosophy and Purpose

The increasing negative impact of chemical dependence on the community has required the criminal justice system to explore alternative sentencing options for alcohol and drug offenders. The drug court movement began in Florida in 1989 as an alternative to traditional case processing for drug offenders. Drug courts provide substance abusing and dependent offender's access to long-term treatment services while under the strict supervision of the drug court. Drug courts are a non-adversarial alternative to traditional criminal justice system processing and procedures. There is a team approach to working with offenders to reduce illegal drug use and criminal activity among drug court participants. Team members include the drug court judge, the prosecutor or deputy prosecutor, a criminal defense attorney under contract as pauper counsel, probation officers, a representative from community corrections and treatment providers. Since the inception of drug courts in 1989, the drug court model has become a national movement. The Department of Justice, Office of Justice Programs developed the Ten Key Components of Drug Courts as a framework for drug court operations. The Hamilton County Drug Court seeks to implement the drug court model in order to provide drug offenders in the community access to treatment services and reduce drug use and criminal activity in our community. A copy of the ten key components and the eight principles of effective interventions (as published by the National Institute of Corrections) are included as **attachments** to this manual.

The mission of the Hamilton County Drug Court is as follows:

The Hamilton County Drug Court unites resources of our community in an intensive supervision and treatment program for non-violent drug addicted and drug dependent defendants. Drug Court participants have the opportunity and incentive to learn personal responsibility, achieve long term sobriety, and enhance their social, vocational and academic skills. The holistic approach of the Court promotes public safety, reduces criminal justice costs, reduces jail overcrowding and empowers participants to become productive members of our community with the use of evidenced based practices.

B. Goals and Objectives

The goals of the Hamilton County Drug Court are:

- To reduce recidivism by guiding substance abusing offenders to long-term sobriety and overall life improvements.
- To reduce overall criminal justice costs by reducing drug addiction, street crime, and costs of incarceration.

The objectives of the Hamilton County Drug Court are:

- To collaborate with community agencies to develop a systematic approach to working with substance abusing and addicted offenders.
- To provide eligible offenders early and affordable access to a full continuum of substance abuse services including detoxification, residential services, outpatient services, supportive living programs, support groups and relapse prevention.
- To enroll up to 30 eligible offenders in the drug court within the first year of operation.
- To provide immediate accountability through the use of graduated levels of sanctions for defendants who are not in compliance with program rules.
- To facilitate the acquisition or enhancement of academic, vocational and life skills development in defendants.

The Hamilton County Drug Court will review these goals and objectives annually and revise them as necessary. These goals and objectives will guide the program's operation and service delivery.

C. Drug Court Services

Services to be provided by the Hamilton County Drug Court pursuant to IC 33-23-16-20 include eligibility screening and other appropriate services, assessment, orientation, referral, service coordination and case management, supervision, judicial involvement and program evaluation. The Hamilton County Drug Court is authorized to require an individual to undergo chemical testing pursuant to IC 33-23-16-24.

D. Organization

The Hamilton County Drug Court Advisory Board consists of the Drug Court Judge (Hamilton County Superior Court 6), an additional County Judge (Hamilton County Superior Court 3), the County Prosecutor or Deputy Prosecutor, a criminal defense attorney under contract as Drug Court Attorney, the County Sheriff, the Chief Probation Officer, Drug Court Coordinator, the Case Management Supervisor, the Director of Community Corrections, a representative from the community and a representative from one of the treatment agencies providing services to drug court participants. The advisory board provides recommendations to the drug court team and judge related to drug court policy.

The drug court team consists of the drug court judge, a deputy prosecutor, a public defender, 1-2 representatives from an agency providing services to drug court participants, the drug court coordinator, case manager, assessment officer, program evaluator and a representative from community corrections. A description of the advisory board members and drug court team members is on file in the drug court office and a listing of each can be seen as

attachments to this document. A copy of the organizational chart is also enclosed as an **attachment** to this manual.

The drug court judge designates and supervises the drug court coordinator and case management supervisor and serves as the chair of the drug court advisory board and drug court team. The drug court coordinator and the case management supervisor are responsible for the daily operations and administration of the drug court, including supervision of the drug court staff. The drug court judge serves as the supervising judge and may appoint the clinical and administrative personnel necessary to support the certified drug court. Drug court case managers and assessment officers are responsible for providing drug court services to include clinical eligibility screening, orientation, referral, case management, and chemical testing.

Each member of the drug court team must sign a memorandum of understanding that describes team members’:

- Agreement to uphold confidentiality requirements:
- Commitment to participate in team meetings and court sessions; and
- Additional responsibilities in relation to the problem-solving court.

The drug court coordinator maintains signed copies of the team memorandum of understanding in the drug court office. A copy of the each team member’s memorandum of understanding is included as an **attachment** to this manual.

The policy and procedures manual (PPM) contains the policies and procedures developed by the drug court team. The drug court policies, procedures and practices incorporate each of the Ten Key Components. The drug court coordinator shall review the PPM annually and update as necessary. The PPM is available to advisory board members and the drug court team.

E. Service Providers and Contractors

The drug court coordinator is responsible for determining annually that all agencies providing treatment services to drug court participants are certified by the Division of Mental Health and Addiction or an equivalent agency. The drug court coordinator will obtain a copy of the agency’s certification and the credentials of all staff persons providing services to drug court participants. The drug court coordinator will have a written referral agreement with all agencies to which the drug court refers drug court participants. The referral agreement will outline procedures for the following:

- Initiation and acceptance of referrals
- Exchange of participant related information
- Post-referral reporting by the treatment services provider that enables the court to perform its monitoring responsibilities
- Attendance of agency representatives at drug court team meetings

A copy of the drug court referral agreement is enclosed as an **attachment** to this manual.

The Hamilton County Drug Court may contract for drug court services except for eligibility determination and termination from drug court. The contractor must provide services for the program in the manner intended and meet all requirements outlined in IC 33-23-16 and the Judicial Conference Rules. The drug court coordinator maintains all information on agencies contracting with the drug court.

F. Drug Court Team Meetings

The drug court team will meet weekly prior to scheduled court appearances to discuss participant progress in drug court. The drug court case manager(s) and/or case management supervisor shall prepare a written summary of each participant's progress to include recommendations for incentives, sanctions, graduation, or termination. The case manager will provide this information to each team member present at the weekly meeting. *All drug court team members are expected to attend the weekly meetings prior to each session of court.*

G. Reports and Evaluation

a.) Annual Report

The Hamilton County Drug Court Coordinator will prepare the annual report each year. Upon approval by the drug court judge, the drug court coordinator will submit the annual report to the Indiana Judicial Center by March 31st of each year. The annual report will include a minimum of the following:

- A summary of the drug court's activities and accomplishments
- A summary of the drug court's income and expenditures
- Documentation of any certification reviews or visits
- Statistical data and results of any process and outcome evaluations of the court

b.) Statistical Evaluations

The Hamilton County Drug Court will collect statistical data and submit to evaluations required by the Indiana Judicial Center, completing a process evaluation within the first three (3) years of operation and at least once every three (3) years thereafter. The Drug Court Advisory Board's Outcome Measures Committee originally outlined the Hamilton County Drug Court program evaluation process. A probation department employee has since been designated as program evaluator to further develop the data collection measures. He is responsible for collecting data to ascertain the success rates, recidivism rates, outcome measures and overall effectiveness of all programs within the scope of the juvenile and adult probation departments as well as the Hamilton County Drug Court. The HCDC Information Management System (HCDCIMS), a Microsoft Access Database, includes fundamental descriptive statistics and is designed to track a myriad of data points. The evaluation process determines the extent to which the program is being implemented according to plan; assesses and documents the degree of reliability and variability in program implementation, expected or unexpected; provides validity for the relationship between the drug court and the

outcomes; provides information on what components of the drug court are responsible for outcomes; understands the relationship between program context (setting characteristics) and program processes (levels of implementation); provides feedback on the quality of implementation; provides program accountability to the public, program participants, and program staff; and, improves the quality of the program.

This evaluation will consist of two components: a process evaluation and an outcome evaluation. Data for both evaluations will be gathered over the next three years. The process evaluation will be completed first and all findings will be reported to all parties. The specifics of each evaluation will be connected to the goals and objectives of the program as well as general areas that the evaluations will address. The key areas to be addressed are: program characteristics, target population, use of testing and treatment sources, retention in the program, impact on criminal behavior, impact on substance abusing behavior, and impact on participant's life circumstances.

b.) Participant Survey

Hamilton County Drug Court will provide each participant an opportunity to complete a survey related to services provided by the drug court and those provided by the referral source or by the court through a contractor. The opportunity to complete the survey will be provided both at the time of the client's admittance into the program and referral to services and again at the participant's discharge from drug court whether the participant successfully completes the drug court program or not. Cases in which the participant declines the opportunity to complete the survey or does not complete the survey for other reasons must be documented in the participant's record. Each completed survey is kept on file with the drug court coordinator. The drug court team will review the completed surveys quarterly to determine if any changes to the drug court structure or programming is appropriate. A copy of the participant survey is enclosed as an **attachment** to this manual.

III. SCREENING and CLINICAL RIGHTS

A. Legal Eligibility Screening

Offenders may be referred to the Hamilton County Drug Court by the Hamilton County Circuit Court judge or any one of the six Hamilton Superior Court judges, the prosecuting attorney's office, defense attorneys, Hamilton County Community Corrections or Hamilton County Probation. All referrals to the drug court will be submitted to the drug court coordinator or case management supervisor who will provide a copy of the referral to the drug court deputy prosecutor. **Legal** eligibility determinations will be made by the drug court deputy prosecutor who will have communicated their intent to consider the defendant for drug court to the assigned counsel for the defendant. Persons admitted to the drug court must meet eligibility guidelines outlined in IC 33-23-16 and Section 18 of the Problem-Solving Court Rules and those established by the drug court team.

The drug court team will consider interested parties eligible for participation if they are at least 18 years of age; have reliable transportation; have a willingness to participate in

treatment as well as court appointments and hearings. They must admit to either an addiction or significant abuse of mood altering substances and must enter a guilty plea to a felony offense and/or multiple or repetitive misdemeanor offenses or admit to violating probation. In addition, the drug court will consider high to moderate risk offenders or low risk offenders with high levels of need in areas other than substance abuse/misuse. These risk and need levels are determined by the Indiana Risk Assessment System (IRAS), along with the Substance Abuse Subtle Screening Inventory (SASSI-3) and the Client Evaluation of Self and Treatment Intake Version (TCU CJ CEST-intake) results.

A person is not eligible for the Hamilton County Drug Court program if he/she is charged with or convicted of a felony during which he/she carried, possessed or used a firearm or other dangerous weapon and :

1. Force was used against another person, or
2. Death or serious bodily injury occurred to any person.

A person is also not eligible for the Hamilton County Drug Court if he/she has one or more prior convictions for a felony crime of violence involving the use or attempted use of force against any person with the intent to cause death or serious bodily harm or has outstanding warrants, detainers or pending terms of probation and/or parole in other counties or states. In addition, the Hamilton County Drug Court will not accept a referral for any type of sex offense. Final determination of the individual's eligibility to participate in the Hamilton County Drug Court rests with the Hamilton County Drug Court judge. A copy of the Hamilton County Drug Court eligibility criteria is enclosed as an **attachment** to this manual (*Hamilton County Drug Court Participant Information and Orientation* form).

The Hamilton County Drug Court will provide services to offenders who meet eligibility criteria under the above-referenced authorities and the criteria for admission established by the team. The court will not discriminate on the basis of race, religion, gender, sexual orientation, ethnicity, age or disability.

B. Orientation

Offenders found to be legally eligible for the drug court will be scheduled for a clinical eligibility screening with the drug court coordinator or assigned assessment officer within ten (10) days to obtain all the necessary information from the offender. This information will then be submitted to the Drug Court Team for review at their next staffing to determine final eligibility. If necessary a Presentence Investigation interview will also be conducted at this time. If the offender is incarcerated, then a yellow drug court orientation folder will be taken to the jail for the offender to review. The staff member will review the following information with the person individually or in a group setting and will provide the information in writing:

- Eligibility criteria, including the fact that a person does not have a right to participate in drug court.
- Services offered by the drug court either directly or by referral.
- Requirements for successful completion including court appearances, chemical testing, day reporting, appointments with case managers and

treatment providers, self help groups, and other regularly scheduled appointments.

- Conduct and behavior that could result in sanctions or termination from drug court.
- Possible sanctions for non-compliance with drug court requirements.
- Information about treatment providers used by the drug court.
- Information about the cost to participants for the administration fee, user fee, chemical testing, and treatment expenses and the procedure and schedule for paying those costs.
- Information about the drug court's policy and procedures for scheduling and conducting chemical tests
- Advice that a participant always has the opportunity to obtain the advice of counsel.
- Hamilton County Drug Court treatment provider information.

Following the completion of the orientation session, the staff member will have the offender sign a form to indicate that the offender has been provided a copy of the orientation information and understands the information provided. The case manager will place a copy of the signed form in the offender's drug court case record. If the offender refuses to sign the form or does not sign the form for any other reason, the case manager shall document the reasons in the offender's record.

C. Risk and Needs Assessment

The Hamilton County Drug Court utilizes the Indiana Risk Assessment System Community Supervision tool (IRAS-CSST). The drug court coordinator, case management supervisor, assessment officer and the case manager are certified to administer and score the IRAS. Offenders scoring as moderate to high risk on the IRAS community supervision tool would be seen as possible candidates for drug court, IF they met the other eligibility criteria. The Hamilton County Drug Court will consider some low risk clients for participation if they are found to be chemically dependent AND a high need for services in areas other than substance abuse. In addition to conducting the IRAS-CSST, the Substance Abuse Subtle Screening Inventory (SASSI-3) and the Client Evaluation of Self and Treatment Intake Version (TCU CJ CEST-intake) tools are also administered to all potential drug court participants at the time of the clinical screening interview. All assessment results will be considered when determining eligibility. The drug court case manager will conduct the IRAS re-assessments every six (6) months or no less frequently than as required by the Judicial Conference of Indiana Board of Directors. Reassessments will also be conducted upon discharge from the drug court program. A treatment plan will be devised around the clients high to moderate risk and needs areas. All scores for assessment and re-assessment will be documented in the participant's case record and used to determine eligibility placement initially in the drug court. In addition, a hard copy of the assessment shall be maintained in the case management file for each offender. If the assessment results suggest further evaluation is needed in other areas (such as mental health, gambling, etc.) then the client will be referred to the appropriate provider for such evaluation. The confidentiality of the offender will be maintained in accordance with the policy adopted by the Judicial Conference of Indiana Board of Directors.

D. Privacy and Confidentiality of Records

a.) Privacy

The Hamilton County Drug Court will respect and maintain the privacy of drug court participants to the greatest extent possible. The drug court office is located within the Hamilton County Probation Department. Each case manager and/or assessment officer has access to a private office area that will allow drug court participants privacy during case management and assessment sessions. The drug court docket will not be posted in a common area of the Hamilton County Judicial Center nor will drug court sessions be identified to the public as such. Urine drug screens will be collected in private areas. The Hamilton County Department of Probation Services waiting rooms minimize disclosure to the general public of a client's status as a drug court participant. Although clients are required to check in with other probationers, every effort shall be made on the part of support staff and probation staff to keep private the identities of these clients. When staff retrieves a client from the waiting area prior to conducting an appointment only first **or** last names are used to protect privacy.

b.) Confidentiality

The Hamilton County Drug Court will comply with all federal and state laws including federal rules pertaining to confidentiality of alcohol and drug abuse patient records (42 CFR Part 2). In the event that there is a conflict between state and federal law, the more restrictive law will prevail.

All disclosures of information related to drug court participants will be made pursuant to all applicable federal and state laws. A signed consent for release of information form will be required prior to disclosing information to:

- Judicial officers
- Drug court team members
- Family members or other contact person designated by the participant
- Legal counsel
- Employers
- Probation
- Community Corrections
- Third party payers
- Addiction services providers

Drug court participants shall sign a criminal justice consent for release of information for communication between drug court team members for the purpose of monitoring compliance with drug court requirements. The consent for release of information shall include the parties to whom information shall be released and the specific information to be provided. This release shall be non-revocable on the part of the participant and will remain in effect throughout the participant's involvement in drug court. The consent for release of information will terminate when the participant completes or is removed from drug court.

Participants may also choose to release information regarding their drug court participation to family members, employers, or other non-drug court related persons. Information will be disclosed to these parties with a properly completed general consent for release of information form. This consent for release of information may be revoked by the participant at any time. Participant identifying information may be given **without consent** in the case of medical emergencies, research, audit or evaluation.

Any disclosure of information made with participant consent will be accompanied by a written statement that the information is protected by federal law and that the recipient is prohibited from further disclosing this information unless expressly permitted by the regulations or participant consent.

Both consent forms contain a signature line for the participant to indicate the participant understands the information contained in the forms. Both forms also contain a witness signature line and must have any blank lines marked "NA" at the time the participant signs the form. In addition, both forms include a statement advising the client that specific matters in their case can and will be discussed in open court. The original form must be placed in the participant's record and copy is given to the client. Copies of the drug court consent for release of confidential information forms (two) are included as **attachments** to this manual.

The court will accept only offenders who are age 18 and older. In the case of participants deemed by the court to be incompetent, consent required under federal or state law may be given by the guardian or other person authorized by Indiana law to act on the participant's behalf. Any disclosure of information identifying a deceased participant as an alcohol or drug abuser must be made with consent given by an executor, administrator, or other personal representative appointed under Indiana state law. If there is no such appointment, the consent may be given by the participant's spouse, or, if none, by any responsible member of the participant's family.

Participant information may be discussed without participant consent among court staff and entities having direct administrative control over the Hamilton County Drug Court for the purposes of carrying out assigned court duties and responsibilities.

Participant-identifying information may be disclosed to medical personnel **without consent**, as noted above, who have a need for information about a participant for the purpose of treating a condition which poses an immediate threat to the health of any individual and which requires immediate intervention.

Federal regulations permit disclosure of participant information to qualified personnel for research, audit, or program evaluation **without** a valid consent. Qualified personnel may not include identifying information in any report or otherwise disclose participant identities except back to the program that was the source of the information.

The disclosure of confidential information may be compelled under certain conditions. Federal regulations compel disclosure of drug and alcohol treatment information pursuant to

a subpoena accompanied by a court order after a court has found that good cause exists for the disclosure. The Hamilton County Drug Court will follow all state guidelines with regard to the investigation and prosecution of alleged violations including child abuse and neglect. In all cases, the drug court judge will make the final determination regarding disclosure of participant information without a consent form.

Each participant has a right to inspect and copy the participant's own case record. A participant's review of the participant's case record shall be recorded in the case record. Any denial of the participant's right to review their own record shall be recorded in the case record, together with the reasons for denial of the review. By policy the court may permit the withholding from the participant all or part of the participant's record if:

- Withholding is necessary to protect the confidentiality of other sources of information;
- It is determined that the information requested might result in harm to the physical or mental health of the participant or another person;
- Granting the request will cause substantial harm to the relationship between the participant and the court or to the court's capacity to provide services in general.

All drug court participants' records will be stored within the drug court management information system (Access database), in the Odyssey case management system used by the probation department and hard copy forms contained in the drug court file. Hard copy files are in compliance with 42 CFR Part 2 and are disposed of in compliance with Indiana Supreme Court Administrative Rule 7. Drug court files are to be kept in locked file cabinets to which only authorized staff has access. In addition, electronic case records are housed in the Odyssey case management, which is password protected and remains in compliance with 42 CFR Part 2. Only limited drug court program members have access to the case management information system (Access database) and these too are kept in compliance with 42 CFR Part 2. Any disclosure of participant information will be noted in the participant's record.

c.) Clinical Rights

The drug court coordinator will ensure that all drug court participants are provided with a written statement of their basic rights, which includes the following:

1. The right to be informed of the various steps and activities involved in receiving services with drug court.
2. The right to confidentiality under federal and state laws relating to the receipt of services.
3. The right to make an informed decision whether to participate in drug court or to refuse treatment.
4. The right to humane care and protection from harm, abuse and neglect.
5. The right to practice one's own religion.
6. The right to contact and consult with counsel and private practitioners of the client's choice at the client's expense.

7. The right to inspect and copy your case record unless precluded from doing so by drug court policy.
8. The right to an investigation of any alleged violation of the above rights.

When it is not possible to immediately inform the individual of the participant rights due to an inability of the participant to understand, this fact shall be documented in the participant's record and the individual shall be informed of his/her rights as soon as possible. Each participant shall sign a form documenting his/her receipt of a copy of their clinical rights. This form shall be included in the participant's record. If a participant fails to sign the form, the case manager shall document the reasons in the participant record. A copy of "Client Rights and Responsibilities" form is enclosed as an **attachment** to this manual.

E. Clinical Screening

As noted above, following legal eligibility screening, the drug court case manager or C.A.R.E. program assessment staff will schedule and conduct a clinical eligibility screening prior to referring the participant for a treatment evaluation. The clinical screening shall include a social history that includes at a minimum, the following:

- Statement of the presenting problem
- Social, peer group and environmental setting from which the participant comes
- Military service history
- Financial status
- Alcohol and drug use of family members and attitudes toward use
- Occupational and educational status
- Legal history and current legal status
- Medical history
- Mental health history
- Current thoughts of suicide or homicide

The clinical screening shall also include an alcohol and drug use history of the participant, including information related to prescription and over the counter drug use, that provides the following information:

- Substances used in the past
- Substances used recently, especially within the last 48 hours
- Substances of preference
- Frequency of use of each substance
- Previous occurrences of overdose, withdrawal, or adverse reactions
- Year of first use of each substance
- Method of administration of each substance
- History of previous substance abuse treatment

The case manager or assessment officer shall use the “Assessment Worksheet”, which is also used by the C.A.R.E. program (enclosed as an **attachment** to this manual), when conducting a clinical screening. Also at the time of the initial screening, the IRAS Risk Assessment tool will be administered as previously noted under the Risk and Needs Assessment section of this manual. This format may be modified when a Presentence Investigation Report is required for the case. In such a situation, the above information will be obtained and documented within the Presentence Investigation Report (PSIR) format developed by the PSIR instruction manual, per Indiana probation standards. All clinical screenings will be conducted in the form of a personal face-to-face interview. In addition, the Subtle Substance Abuse Screening Inventory (SASSI) and the Client Evaluation of Self and Treatment Intake Version (TCU CJ CEST-intake) will also be administered during all clinical screenings. The case manager or assessment officer shall document this contact by producing a narrative summary of the case manager or assessment officer’s clinical impression and a recommendation concerning the offender’s appropriateness for drug court. In addition an Individualized Service Contract (ISC) will also be generated for each client and signed at the time they are admitted into the program. A copy of this form will be given to the client, sent to the treatment provider and also maintained in the participant’s record, along with the narrative summary.

Following the clinical screening, the assessment officer will provide all team members with a copy of the narrative summary and the case will be presented by this officer at the next available drug court team staffing. If the client is not found to be eligible for the program (as determined by the team at this stage), then a Notice of Declination form will be completed by the deputy prosecutor, coordinator or the drug court judge, outlining the date and the reasons why the client was declined admission into the program. This form is also used if the client themselves declines program admittance. A copy of this form is maintained in the clinical screening case record, which is housed in the office of the drug court coordinator. This record remains confidential and separate from the general probation file when applicable. A copy of this form is included as an **attachment** to this document.

IV. DRUG COURT OPERATIONS

A. Participation Agreement

Each drug court participant must review and sign a participation agreement following the legal and clinical eligibility screening and orientation, and prior to entry into drug court. A defendant’s case will be transferred to Superior Court 6 from the court in which it has originally been filed either prior to guilty plea and sentencing or after guilty plea and sentencing, in cases where drug court is to be imposed as a part of a defendant’s original sentence. In cases where drug court is to be imposed as a sanction for violation of probation, a defendant’s case will be transferred to drug court from the court in which a defendant was originally sentenced as soon as information charging a violation has been filed.

A copy of the “Hamilton County Drug Court Participation Agreement” form is included as an **attachment** to this manual. Persons who choose not to sign the participation agreement

will remain on the regular criminal docket in the court in which the cases has originally been filed, or in the court in which the defendant has been sentenced, for case disposition there. Each participant will be provided the opportunity to review the participation agreement with the advice of counsel. The participation agreement must contain the signatures of the drug court participant, defense attorney, drug court deputy prosecutor, and drug court judge. The original participation agreement shall be kept in the participant's official court record. A copy of the participation agreement shall be provided to the participant, prosecutor, defense counsel, and case manager.

B. Treatment Services

Treatment services available to drug court participants include detoxification, inpatient services, outpatient services, relapse prevention, and supportive living services. Participants must complete three phases of case management and treatment services to be considered for successful discharge from drug court. A summary of each phase is included as an **attachment** to this manual.

C. Chemical Testing

Each drug court participant must submit to urine drug screens and/or breathalyzer tests as required on a scheduled and/or random basis at the direction of his/her drug court case manager. Drug screens are administered by schedule, randomly and for cause. Participants must pay for urine drug screens as part of their involvement in drug court. Urine drug screen fees are not included in the drug court user fee. Urine drug screens fees are paid to the Hamilton County Clerk. The cost of a standard 8-panel test ranges from \$12.00 to \$22.00 per screen. Each participant is given a minimum of one reduced screen (\$12.00) per month. The cost for Etg testing is \$42.00 per screen (including an 8-panel test) and suboxone testing is \$52.00 per screen (including an 8-panel test and confirmation). Additional drug testing is available at additional costs to the participant. A comprehensive list of these costs is included in our phase description.

Urine drug screens will be collected by properly trained probation department staff persons who will follow a properly documented chain of custody. All urine screen collections will be observed. Samples will be sent to Witham Toxicology Lab, daily via courier. The following substances will be included in the panel:

Class	Screen Cutoff Level	Confirmation Cutoff Level
Amphetamines/Methamphetamine	500 ng/ml	500 ng/ml
Barbiturates	200 ng/ml	100 ng/ml
Benzodiazepines	200 ng/ml	75 ng/ml
Cocaine	150 ng/ml	75 ng/ml
Opiates	300 ng/ml	150 ng/ml
Phencyclidine	25 ng/ml	10 ng/ml
THC/Cannabinoids	20 ng/ml	10 ng/ml
Methadone	300 ng/ml	150 ng/ml

Creatinine*	20 mg/ml	NONE
Urine Alcohol	20 ng/dl	20 ng/dl

*Creatinine levels are tested to detect possible adulteration due to excessive water intake. Sample testing at a creatinine level of 20 ng/ml or below will be considered a positive result and are subject to sanction.

All screens are run once using the immunoassay method. GC/MS confirmation testing is conducted in all cases of presumptive positive screens for all substances. The only exceptions to testing include alcohol screenings, as these are confirmed by Gas Chromatography (GC) vs. GC/MS. Etg (ethyl glucuronide) and Ets testing are also offered if requested by the drug court case manager. All presumptive positive screens per this testing are confirmed by a LC/MS/MS process. This testing has a 500 ng/ml confirmation cutoff available for an additional charge to the client.

The Hamilton County Drug Court utilizes a color-coded random screening system, which is explained in an **attachment** to this manual. A participant is assigned a color by the phase they are currently participating in. They are required to call into the drug screen line on a daily basis to find out if they are required to report for screening on that day. Each participant receives a copy of the drug screen line reporting instructions and a copy of the Urine Drug Screen Violation Sanctioning Guidelines at the time of their admission to the program. Both of these forms are **attachments** to this manual. A participant's signature is required on the sanctioning guidelines form.

D. Court Appearances

Drug court participants must attend regularly scheduled review hearings as ordered by the court. Hearings regarding participant progress shall be held in open court weekly. A participant is required to attend one (1) status court hearing per week during Phase I; at least two (2) status court hearings per month during Phase II of the program and at least one (1) status court hearing per month during the third and final phase of the program. Failure to attend a scheduled court appearance may result in the court issuing a warrant for the participant's arrest. *All drug court team members are expected to attend the weekly court hearings.*

All court sessions will be recorded in accordance with Indiana Criminal Rule 5. The Hamilton County Superior Court Six staff will ensure the Hamilton County Clerk maintains a chronological case summary for each case in accordance with Indiana Trial Rule 77 (B).

E. Sanctions and Incentives

The Hamilton County Drug Court team will implement the use of graduated incentives and sanctions for the purpose of modifying participant behavior. Sanctions and incentives will be administered by the drug court judge and may be based upon recommendations from the drug court team. Possible incentives may include, but are not limited to, verbal praise and group

recognition, vouchers for free drug screens, gift certificates, additional privileges while in HCCC programming, phase advancements, decreased court appearances or certificates of recognition. Sanctions may include, but are not limited to, work crew assignments, community service work, commitment to jail, work release or home detention, increased court appearances, increased drug testing, essay writing or imposed or increased curfew. The drug court case managers shall record all sanctions and incentives issued in the participant's record.

F. Graduation Requirements

Drug court participants are eligible for successful discharge from the drug court when they have completed all of the requirements established by the participation agreement, treatment plan, and other court ordered activities. The drug court judge will make the final determination as to whether a participant has successfully completed the conditions of drug court. Participants who successfully complete all drug court requirements may avoid the imposition of an executed sentence previously stayed or they may be successfully discharged from probation.

G. Termination

Drug court participants who are arrested for new offenses committed while they are participating in drug court, and persons who fail to comply with the participation agreement, treatment plan, and other court ordered activities may be terminated from drug court after a due process hearing conducted by the drug court judge. The drug court judge will order execution of all or a part of the previously imposed but stayed portion of the participant's sentence, or will revoke probation and order imposition of some or the participant's entire suspended sentence upon termination. If the participant, before the termination hearing is conducted, requests a separate disposition hearing upon termination and before the execution of sentence is imposed, and that the disposition hearing be conducted by a judge other than the drug court judge, the case will be transferred back to the court in which the case was originally filed, or to the court in which the defendant was originally sentenced, for disposition and imposition of sentence by the judge of that court, after the due process termination hearing in drug court.

Hamilton County Drug Court termination proceedings include the following participant rights:

1. Written notice of alleged violation(s);
2. A hearing in open court before the drug court judge or another judicial officer;
3. Representation by counsel;
4. Disclosure of the evidence against the participant;
5. An opportunity to be heard and present evidence;
6. Confrontation and cross-examination of witnesses; and
7. A determination that the participant violated one or more conditions of the participant's participation agreement or case management plan by a preponderance of the evidence.

V. CASE MANAGEMENT

A. Case Management Services

Drug court participants shall attend all scheduled case management appointments for the purpose of monitoring compliance with drug court requirements, referral to treatment, and other rehabilitative services. The case manager is responsible for facilitating and coordinating each participant's access to services and monitoring compliance with the program requirements. The case manager will develop a case management plan based upon the participant's risks and needs identified by the IRAS assessment tool. A copy of this case management plan is provided as an **attachment** to this document. Any modifications, additions, deletions, etc. to the case management plan will be documented in the participant's electronic case record. Each participant will be given a copy of the case management plan.

B. Documentation

The drug court case manager(s) shall maintain a chronological record of the participant's involvement in drug court activities. This is to include appointments, court appearances, urine drug screens, progress in treatment, sanctions, incentives, and other relevant information. The case manager(s) shall also document all contact with the participant and any contact with an individual or agency directly regarding a participant. This electronic documentation includes the case manager(s) name and date it was entered. In addition to computerized documentation, the case manager must maintain a file for each participant. The file must contain the following information or documents: participant intake information; documentation of orientation; a risk and needs assessment; case management/treatment plan, copies of referral to mental health or ancillary service providers; properly executed consent for release of information forms; a copy of the Hamilton County Drug Court Participation Agreement; and chemical test results. The case manager or C.A.R.E. Program assessment staff member who conducts the clinical eligibility screening shall also document the results of the clinical screening. Each entry shall contain the date and initials of the drug court or C.A.R.E. Program staff person making the entry.

C. Monitoring

The drug court case manager(s) shall monitor the progress of each participant in satisfactorily completing the treatment plan, participation agreement and other drug court requirements. These case managers must be able to determine compliance or non-compliance with drug court related activities and will communicate with the treatment providers as necessary via telephone, fax, e-mail, and drug court team meetings. Drug court case manager(s) shall update the court on each participant's progress during scheduled drug court team meetings. Case managers shall provide recommendations to the drug court judge regarding sanctions, incentives, successful discharge, and termination. The case manager or probation field team officer conducts home and employment visits with the assistance of a Hamilton County law enforcement officer. The Hamilton County Drug Court refers participants to Hamilton County Community Corrections as necessary for work release or electronic monitoring

services and maintains in constant communication with these corresponding officers. Progress notes or any applicable correspondence received from referral agencies will be forwarded to the case manager on a monthly basis at minimum (per Referral Agreement guidelines) and entered chronologically into the case record, with the hard copy being forwarded to the case file.

The Hamilton County Drug Court does not initiate or accept transfer cases from other drug court programs.

D. Treatment Plans

The drug court case manager shall obtain a written copy of the treatment provider's treatment plan for each participant. The case manager shall provide a copy of the treatment plan to the participant or verify that the treatment plan includes the participant's written acknowledgement that the participant has received a copy. Compliance with the designated treatment plan shall be monitored through communications with the treatment providers. The treatment plan shall be updated when deemed appropriate. All treatment plan updates shall be included in the participant's record.

VI. FACILITIES

A. Location and Compliance with Health and Safety Codes

The Hamilton County Drug Court Office is housed within the Hamilton County Probation Department located in the Hamilton County Judicial Center at One Hamilton County Square, Suite 29, Noblesville, Indiana. The Hamilton County Drug Court complies with all federal, state, and local health and safety codes. Elevator, fire and health inspections are conducted as required. Inspection certificates are filed in the office of the county commissioners.

B. Security and Storage of Records

Drug court case management records are stored within the drug court computer system (Odyssey case management and supervision models and the GAVEL case management system) and within locked filing cabinets. Records are to be kept in locked file cabinets to which only authorized staff has access. Treatment and compliance information is maintained within case management records. Closed files are maintained in either locked filing cabinets within the probation department or the basement of the Judicial Center within a locked storage cage. The Hamilton County Clerk's Office maintains an official court file for the purpose of storing official court orders and other public record information.

VII. FISCAL MANAGEMENT

A. Fiscal Accountability

The Hamilton County Drug Court in association with the Hamilton County Auditor has implemented an accounting system with the capability to ensure financial transactions are thoroughly documented in a uniform and consistent manner. A fund has been established (#361 under fees and transactions 361.000.0601) by the Hamilton County Auditor to handle such transactions.

B. Drug Court Budget

The Director of Probation Services shall prepare a proposed department budget on an annual basis prior to budget hearings, which will incorporate the Drug Court budget. This proposed budget will be reviewed and approved by the judiciary and presented to the Hamilton County Council. The County Council has final approval of all county budgets. The drug court budget is monitored by the drug court coordinator and drug court judge.

C. Administration and User Fees

Participants in the Hamilton County Drug Court are assessed a one-time \$100.00 Administration Fee upon their admittance into the program, which covers the cost of assessment and eligibility screenings. This fee is waived if the individual has had a C.A.R.E. program assessment within the last six (6 months). In addition, each participant is assessed a monthly user fee of \$50.00 per each month they are enrolled in the program, beginning their second month of participation in accordance with IC 33-23-16-23. The Hamilton County Drug Court has a total user fee cap of \$750.00, therefore a participant's user fee balance shall never exceed this amount. Participants must pay the user fee in full prior to successful discharge from drug court. The court has adopted a local rule establishing the assessment and collection of the drug court user fee and a fee schedule pursuant to IC 33-23-16-23. These are included in this manual as **attachments**. Participants in the Hamilton County Drug Court may also be assessed fees for services provided by the Hamilton County Department of Probation Services and/or Hamilton County Community Corrections, such as chemical testing or work crew fees. Fees collected may only be used for expenses related specifically to the drug court program. Money a certified drug court receives from a county user fee fund must be used to fund drug court services in compliance with IC 33-37-8-5.

D. User Fee Fund

The Hamilton County Council makes appropriations from the user fee fund. The Hamilton County Auditor maintains the drug court user fee fund and provides the Director of Probation Services and the drug court coordinator with a monthly report of income, disbursement and fund balance. The Director of Probation Services and/or the Probation Department Office Administrator is responsible for monthly reconciliation of the fund. The drug court judge is responsible for ensuring all disbursements from the user fee fund are in accordance with IC

33-19-8-5. Alternative sources of funding through public and private grants can be pursued to supplement the costs of the program.

E. Fee Collection Procedures

The Hamilton County Clerk collects the drug court user fee. Partial payments are accepted. Receipts are issued to participants when payments are made. The Hamilton County Clerk will deposit drug court user fees with the Auditor monthly and then provides the Director of Probation Services with a monthly report of the deposits. The Hamilton County Clerk has adopted effective cash handling procedures, an accounting system that comply with the requirements of the State Board of Accounts and one which prevents theft of funds and remains in compliance with IC 33-23-16-23. Chemical testing fees shall be deposited in a separate account from the user fee fund.

VIII. PERSONNEL MANAGEMENT

A. Personnel Policies

Hamilton County Drug Court follows the departmental policies and procedures of the Hamilton County Department of Probation Services. Policies and procedures for staff are outlined in the Hamilton County Employee Handbook, including information regarding employment procedures, rules for professional conduct, grievance procedures, wages, benefits, etc. A copy of the personnel handbook is provided to each employee during an orientation with the county's human resources department. All staff members are also required to adhere to the Code of Judicial Conduct and CSAMS Code of Ethics and will sign an acknowledgement statement that each has been read. This statement will remain on file in their personnel record, located in the office of the drug court coordinator.

Procedures and standards for hiring and/or termination of all staff within the drug court program are at the discretion of the Judges of the Hamilton County Circuit and Superior Courts and the Director of Probation Services.

B. Employment Procedures

The Director of Probation Services shall appoint the drug court staff and necessary probation staff to operate the drug court. Such staff shall serve at the pleasure of the drug court judge. Case managers and volunteers shall report directly to the case management supervisor. The drug court coordinator is responsible for documenting credentials and qualifications of all staff, volunteers, contractors, referral sources, and consultants by obtaining copies of credentials and documenting contact with references.

C. Job Descriptions

The drug court shall maintain on file job descriptions for all staff positions and volunteers to include:

- Job title
- Qualifications and credentials
- Duties and responsibilities
- Reporting and supervisory responsibilities
- A criminal records check conducted prior to each staff member's employment with the Hamilton County Drug Court

Copies of staff job descriptions are included in the personnel files for each staff person.

D. Drug Court Staff Requirements

The drug court coordinator and the case management supervisor must each meet one (1) of the following set of criteria within the first year of employment with the Hamilton County Drug Court:

- a. A baccalaureate degree in criminal justice or a human services field from an accredited college or university, five (5) years of full-time paid experience in criminal justice or a human services field; OR
- b. Was employed as a problem-solving court coordinator before July 1, 2010.

The drug court case manager(s) and each assessment staff member performing clinical eligibility screening must meet one (1) of the following set of criteria within the first year of employment:

- a. A baccalaureate degree in criminal justice or a human services field from an accredited university or college OR
- b. Was employed by a problem-solving court as a case manager or a assessment staff member performing intake and referral or risk assessment before July 1, 2010.

The Hamilton County Drug Court coordinator and case manager(s) are required to attend and complete a staff orientation program approved by the Indiana Judicial Center's Problem-Solving Courts Committee within the first year of hire with the problem-solving court if they were employed on or after July 1, 2011. In addition, the coordinator and case manager must provide annual documentation of twenty (20) hours of continuing education which is job-specific in nature and approved by the drug court judge. As noted below, such documentation will be kept in each staff person's personnel file. The drug court coordinator will provide a report of earned continuing education hours for each staff member on an annual basis to the Indiana Judicial Center as well as notifying the Indiana Judicial Center if a staff member has failed to earn the required continuing education hours.

Any volunteer who performs one (1) or more job duties for the Hamilton County Drug Court (as defined in Section 3) must meet the qualifications in subsection (b) or (c) of this section, as applicable.

E. Personnel Files

Each staff member of the Hamilton County Drug Court shall have a personnel file that contains the following:

- Documentation of degree(s)
- Date of hire and job title
- Job description, including documentation of minimum job qualifications for the position
- Credentials
- Verification of qualifications
- Licensure, if applicable
- Performance evaluations
- Salary and position changes
- Documentation of staff development activities, including verification of accrued continuing education hours required
- Criminal records check (for staff working with juveniles)

Personnel files are kept in the office of the Director of Probation Services and/or the drug court coordinator.

F. Staff Development

All new staff shall be provided with an employee orientation or “New Employee Checklist” that includes state, county, court, program, and job specific requirements and information. Each employee will develop an annual staff development plan with their direct supervisor. That plan will include:

- Orientation for entry level staff
- In-service and continuing education activities
- Training to assist in achieving professional status

A copy of both the “New Employee Checklist” and the staff development plan are included as **attachments** to this manual.

5/24/12