

INTRODUCTION TO JUVENILE DRUG COURT

You have been arrested for a crime and have been identified as a person who may abuse drugs or alcohol. You are being offered an opportunity to participate in a community based *Juvenile Drug Court Program*. This program is designed to help you eliminate the use of drugs and alcohol.

This handbook is designed to answer questions, address concerns and provide over-all information about the *Juvenile Drug Court Program*. As a participant, you will be expected to follow the instructions given in *Juvenile Drug Court* by the Judge and comply with the treatment plan developed for you by your team. This handbook will detail what is expected of you as a *Juvenile Drug Court* participant and reviews general program information. All participants are encouraged to share this handbook with family and friends.

CONSIDER YOUR FUTURE

All participants in *Juvenile Drug Court* have been charged with a delinquent act. The case against you may result in an adjudication (being found guilty of a delinquent offense), or adjudication withheld for that delinquent act. You should be aware that an adjudication or adjudication withheld disposition might have an impact upon your life beyond the immediate punishment you may receive as a result of this case. Your ability to obtain professional licenses or enter into educational programs are examples of issues that may be impacted by this delinquency action. **Entering and successfully completing *Juvenile Drug Court* through the Diversion Program will result in your having no record of an adjudication or adjudication withheld for the delinquency case referred to *Juvenile Drug Court*.** This in turn may increase the possibility that you will be able to pursue personal and professional goals in your future and should be considered in making the decision to enter into *Juvenile Drug Court*.

PROGRAM DESCRIPTION

The primary goal of *Juvenile Drug Court* is to provide intensive substance abuse treatment to juveniles that have been arrested and have been assessed as abusing drugs or alcohol. There are both voluntary and involuntary components of the Juvenile Drug Court Program.

The voluntary Juvenile Drug Court Diversion Program includes court supervision, and comprehensive treatment for non-violent juvenile delinquents and their families. This *Juvenile Drug Court Program* is a pre-dispositional Program. Upon successful completion of the program, the court will dismiss or the State Attorney's Office will Nolle Prose the presenting charges against the participant.

The involuntary, Juvenile Drug Court Adjudication Withheld Program, includes court supervision, and comprehensive treatment for non-violent juvenile delinquents and their families, who are not eligible for diversion placement due to their nature/history of arrests or their refusal to participate in the Juvenile Drug Court Diversion Program.

Juvenile Drug Court Program is intended to serve youth ages 13-17 who normally would be placed on probation with the Department of Juvenile Justice (DJJ). It is the goal of this Program to implement early intervention with drug and alcohol abusers. This is a rehabilitation program, which includes regular court appearances before a designated *Juvenile Drug Court Judge*. Treatment includes drug testing; individual, family, and group counseling; and regular involvement in community based support groups or similar, structured activities. Program participants will be assisted with obtaining education and skill assessments and will be provided the opportunity for vocational training, education and job placement services. The Program length, determined by each participant's progress, will be a minimum of nine to twelve months.

Entry into the *Juvenile Drug Court Program* may be voluntary, or involuntary. The Public Defender or Private Counsel will advise you of your choices. While in the *Juvenile Drug Court Program* you will be required to comply with specific terms and conditions. You will be assigned a Juvenile Drug Court Counselor who will provide supervision and enforcement of the terms and conditions of the Juvenile Drug Court Program. Supervision may include unannounced home visits and random drug screens.

The Judge will make final determination of entry into the Program with recommendations from the State Attorney, Public Defender or Private Counsel, Department of Juvenile Justice, The

School District of Monroe County, and other *Juvenile Drug Court* stakeholders. Once the presiding judge has signed your *Juvenile Drug Court* Placement Order, the terms and conditions of the agreement become a standing *Court Order* and failure to comply with them may cause sanctions to be imposed on you.

Benefits to Adolescent and Family from Participation in the Juvenile Drug Court Program

Your individual goals include developing a drug-free life style, recognizing possible negative consequences of continued use, and verbalizing and strengthening your motivation to change. Abstaining from all use will provide you with opportunities to learn about yourself while drug-free, and will discourage substitution of the use of one drug or negative behavior for another. You will learn how to use many positive coping activities to deal with problems, interpersonal conflicts, negative mood states, and peer and social pressures to use. You will also learn how to anticipate and challenge thoughts, cravings and urges to use.

Your family will be included in treatment. Families will also learn how to improve overall family functioning through improved communication and relationship building. Parent's effectiveness in dealing with substance abuse and the behaviors associated with use will improve. Family problem-solving skills will be refined and the family structure strengthened.

Your individual goals are to begin a drug-free lifestyle, improve family communications, and successfully complete all program requirements.

Juvenile Drug Court Supervision

You will be required to appear in *Juvenile Drug Court* on regularly scheduled dates. At each court appearance Team members such as your Juvenile Drug Court Counselor, the Department of Juvenile Justice, additional Treatment Providers, and the School Representative may provide progress reports of your urine screen results, your participation in counseling, attendance, school information, curfew violations, and any other pertinent information. Your individual and family's experiences and progress will be reviewed. If you are doing well, you will be encouraged to continue your success by working with the *Juvenile Drug Court Team*. *You may be eligible for special incentive awards.*

If you violate the conditions of your Juvenile Drug Court Agreement Orientation and Rules, (FOR EXAMPLE: POSITIVE OR MISSED TESTS; FAILURE TO ATTEND INDIVIDUAL AND/OR GROUP COUNSELING AND /OR FAILURE TO ATTEND SCHOOL OR TO OBTAIN APPROPRIATE EMPLOYMENT; FAILURE TO BECOME INVOLVED IN AN APPROVED STRUCTURED ACTIVITY; AND/OR FAILURE TO REPORT TO THE JUVENILE PROBATION OFFICER, ETC.), the Judge may impose Sanctions. (See **SANCTIONS**). You waive the right to a hearing before the Judge can impose any intermediate sanctions. If you are dismissed from the program, your charges will returned to the juvenile docket for an Adjudicatory Hearing.

If you fail a drug screen, miss a scheduled counseling session or probation visit or otherwise violate any terms of your supervision, you may be directed by the Juvenile Drug Court Counselor to appear in court and you must follow this directive. In addition, failure to appear in Court on the date and time scheduled could result in a Pick-Up Order or an Order to Show Cause.

New arrests could result in being terminated from the *Juvenile Drug Court Program*. Other violations which may result in termination or sanctions include: demonstrating a lack of program participation by failing to comply with program requirements; failure to follow instructions of the Juvenile Probation Officer and violence or threats of violence directed at the *Juvenile Drug Court Team* or other clients. The *Juvenile Drug Court Judge* will make the final decisions regarding termination from the program based upon evidence presented.

JUVENILE DRUG COURT

Agreement Orientation & Rules

As a *Juvenile Drug Court* participant you will be required to abide by the following rules:

Case # _____

This agreement is entered into this day, _____, by the Child and his/her _____ Parent or Guardian, who agree that:

1. The Child meets the criteria and is qualified for admission to the Juvenile Drug Court Program (hereinafter The Program); and it is in the child's best interest to enter into this Agreement.
2. The Child shall participate in The Program for a period of twelve (12) months, which may be reduced by (2) two months if the Child exhibits positive performance in all phases, and be reduced by (1) one additional month if the Child participates in sports, employment, church, or another healthy activity, as determined by the Court.
3. The Child, along with the Parent or Guardian, shall appear in open court, when and as ordered by the Court. Failure to appear in court shall constitute a violation of the terms of this Agreement and the Child acknowledges that he/she may then receive an appropriate sanction.
4. The Child shall:
 - a) Enter and successfully complete the Juvenile Drug Court Program consisting of assessment, intervention, weekly individual and group sessions, in addition to multiple urine screens.
 - b) Comply with all program requirements and those imposed by the Juvenile Drug Court Judge.
 - c) Advise his/her JPO and the Juvenile Drug Counselor of changes in address, telephone number, employment, education or treatment activities.
 - d) Truthfully answer all inquires and follow instructions of his/her counselor and hereby grant permission for the counselor to visit his/her home, place of employment, school or other location for the purpose of providing adequate supervision.
 - e) Participate in such other programs and or evaluations as are established for him/her by the Juvenile Drug Court Judge.
 - f. Submit to physical and psychological examination and obtain counseling and or treatment if the Juvenile Drug Court Judge deems such is necessary.
 - g) Attend school full time, or strive to obtain a GED and hold a full-time job of not prevented by disability.
 - h) Make restitution, if necessary, as directed by the Court.
 - i) Refrain from violating any federal, state and local laws. In the event of a criminal arrest while in the program, you may be subject to automatic dismissal.
 - j) Associate only with law-abiding persons.

5. Client shall not:

- a) Use or possess alcohol or any illegal drugs
- b) Own, have in his/her possession, or attempt to purchase a firearm or any type of illegal weapon.
- c) Leave the county or state without permission of his/her JPO or the Court

6. Special conditions:

You may be subject to a curfew and or house arrest if directed by the Court.

7. The parents of Legal Guardian agree to:

- a) Support their child while he/she is in the program.
- b) Ensure that their child has means (e.g. transportation, time etc.) to attend all individual, group, and family and AA/NA sessions.
- c) Attend and regularly participate in all, group and family sessions as directed by the Program.
- d) Comply with any and all intervention and or treatment recommendations made by the Juvenile Drug Court Judge.
- e) Submit to urinalysis if required to do so by The Program.

8. The Client understands and agrees that any violation of this Agreement (to include testing positive for alcohol or illegal drugs) could result in him/her being placed in the Juvenile Detention Center, termination from The Program, committed to a DJJ Program, or any other sanctions deemed appropriate by the Judge.

By signing below, both the Client and Parent/Legal Guardian acknowledge their understanding of the requirements for Juvenile Drug Court and further agree to comply with all the terms of this agreement.

If we fail to comply with the above Agreement Orientation & Rules, we understand that pursuant to Florida Statute 985.231, we may be found in contempt of Court, and fined and/ or be held in a secure facility. Youth diverted from the Juvenile Justice System could be terminated from the diversion program, and prosecuted.

FAILURE TO APPEAR: WHEN A CHILD SIGNS A WRITTEN NOTICE TO APPEAR AND FAILS TO RESPOND TO THE NOTICE, AN ORDER TO TAKE INTO CUSTODY SHALL BE ISSUED PURSUANT TO FLORIDA RULES OF JUVENILE PROCEDURE 8.0(g). ADULTS WHO SIGN SUCH NOTICES AND FAIL TO APPEAR MAY BE SUBJECTED TO CONTEMPT PROCEDURES, PURSUANT TO FLORIDA RULES AND JUVENILE PROCEDURE 8.150.

JUVENILE DRUG COURT TREATMENT PROCEDURES

Your treatment will be provided through a team approach with the combined resources of the *Juvenile Drug Court Team* and the assigned *Juvenile Drug Court* Treatment provider. Following an assessment of you and your family, a recommendation will be made for treatment. The primary treatment approach of *Juvenile Drug Court* is through outpatient treatment. Participants who are not in compliance with outpatient requirements regarding their counseling may be required to enter residential treatment. Outpatient treatment is comprised of the following components:

Treatment Plans

You, your family and the treatment provider constitute the hands-on treatment team. Together, they will develop a treatment plan. The plan will act as a guide for the entire treatment program. The plan contains goals, methods selected for meeting those goals, and target dates for achieving the goals. The plan will be revised and updated by you, your family, the counselor, and the treatment team as you progress through program phases.

Drug Testing

Drug testing will be conducted through the entire Program, a minimum of once a week. The *Juvenile Drug Court Judge* and the *Juvenile Drug Court Counselor* will have access to all drug test results including any failure to test. The Judge may order a drug test at any time. You may be tested at any court appearance. The *Juvenile Drug Court Counselor* will review your overall performance in the Program and may recommend an extended stay in a treatment phase, that you be returned to a prior phase or be expelled from the program. Tampering with the urine test or refusal to be tested will be deemed a positive test and may result in expulsion from the program (includes flushes, diluting, using someone else's urine, etc.) or other sanctions. A positive or "dirty" test may result in sanctions.

Counseling

Counseling is comprised of 3 essential elements: individual, family and group. As part of the treatment plan, participants and families will be required to actively participate in all of these types of counseling. Counseling is designed to develop or strengthen a variety of skills, some of which include self awareness, self-discipline, problem solving, healthy communication styles, strengthening active parenting skills, and the creation of effective family rules. Attendance and active participation in counseling sessions will be reported to the Team as part of the progress report. Attendance is expected and mandatory. Prior permission must be obtained for an excused absence. Excused absences may involve additional written work or other therapeutically appropriate assigned tasks. Unexcused absences by you and/or family members will be reported to the Judge as part of the progress report and may result in the imposition of sanctions.

Supportive Activities:

Attendance will be encouraged for you and your family in community based supportive self-help groups and activities throughout the treatment program. The therapeutic value of this requirement is to provide you with additional community resources and to create bonds with positive activities and individuals within the community. You will be provided with information regarding time and location of a variety of activities and support groups. You will be provided with participation and reaction forms to complete at each activity. These forms must be provided to the therapist on a weekly basis. Attendance at events focusing on recovery (i.e., AA/NA/Ala-teen , sponsorship workshops, picnics, etc.) though optional, are strongly encouraged.

MONROE COUNTY JUVENILE DRUG COURT TREATMENT PROGRAM

There are three treatment phases in this *Juvenile Drug Court Program*. Each phase lasts for a minimum length of time. The Program stresses family participation with your child throughout the course of a Program, which will last a minimum of nine months. Family participation will include family therapy and family & adolescent groups. In addition, you will be required to actively participate in individual and group therapy, submit to drug tests, and provide proof of involvement in community based structured activities. The three treatment phases are structured to provide decreasing levels of therapeutic contact over time, while maintaining close monitoring by the *Juvenile Drug Court Team* to ensure that you and your family are progressing in achieving the treatment goals.

The program is designed to join with your family and support them throughout their participation in the program. At times, you may need to return to a prior treatment phase if your performance indicates a need for increased therapeutic contact. In addition, the *Juvenile Drug Court Counselor* may support a determination for a higher level of care (residential or day treatment program).

This program is designed for adolescents who meet the American Society of Addiction Medicine's Level I (outpatient) or Level II (intensive outpatient) treatment criteria.

Monroe County Drug Court Treatment Protocol

Goals for treatment in the initial phase include developing an alliance with you and your family, reducing anxiety and resistance to change, improving communication, developing and refining the family's focus and increasing motivation for change. You and your family will also learn about the physical and psychological effects of the drugs you have been using.

Phase 1

4 months

Age determined curfew

Monthly Court Appearances

Parent/adolescent group weekly

Individual weekly

Family session to be determined

Structured Activity weekly/Educational Component

Urine 2 per week

CRITERIA FOR PHASING UP- TO PHASE II

- 1) Completion of the Phase I assignments/ Journal, and associated reading
- 2) Completion of 16 individual sessions
- 3) Completion of 16 adolescent, and 16 parent groups
- 4) Development of family support network and engagement in the adolescent's treatment
- 5) Clean U/A's last 60 days

Goals for treatment in Phase II are to develop and implement your individual and your family's plans for change, to change the presenting behaviors that are causing trouble for you and your family, and to build and strengthen your family's relationship skills, including communication and parenting.

Phase 2

3-4 months

Age determined curfew

Monthly Court Appearances

Parent/adolescent group weekly

Individual weekly

Family session to be determined

Structured Activity weekly/Educational Component

Urine 2 per week

Criteria for Phasing Up – to Phase III

- 1) Completion of the Phase II assignments/ Journal, and associated reading
- 2) Completion of substance use/criminal acts autobiography (min. 5 pages)
- 3) Completion of 12-16 individual sessions
- 4) Completion of 12-16 adolescent, and 12-16 parent groups
- 5) Continuation of family support network and engagement in the adolescent's treatment
- 6) Clean U/A's

Phase 3

3-4 months

Age determined curfew

Monthly Court Appearances

Parent/adolescent group weekly

Individual weekly

Structured Activity weekly/Educational Component

Random Urines

Criteria for Completion of Phase III (Graduation)

- 1) Completion of the Phase III assignments/ Journal, and associated reading
- 2) Completion of refined "Lifestyle Changes Plan" and submission to the Drug Court Counselor
- 3) Completion of letter of farewell to the primary drug of choice and submission to the Drug Court Counselor
- 4) Family reports of increased communications between family members, reduction of conflict, improved family problem solving skills and improved trust between family members.
- 5) Families will have established a supportive network with other families.
- 6) Participants will report increased involvement in positive community based activities.
- 7) Clean U/A's

DRUG COURT INCENTIVES

You will have the opportunity to earn a variety of different incentives as you progress through the phases of the program. While all incentives are determined on an individual basis, a sample of some incentives utilized include:

1. Gift Certificates
2. Tickets to a variety of different events held throughout the county
3. Tickets to different local attractions throughout the area
4. Other incentives are also considered on an individual case-by-case basis
5. Reduction of program time up to 3 months

INTERMEDIATE SANCTIONS

If you fail to comply with the requirements of the *Juvenile Drug Court Program*, the *Juvenile Drug Court Judge* may order one or more of the following without any hearing:

1. Increased Drug Testing
2. Writing of an Essay on a *Juvenile Drug Court* related topic
3. Earlier Curfew
4. Increased Court Appearances
5. Community Service
6. Electronic Monitoring and/or Home Detention
7. Incarceration in the Detention Facility
8. Extended Term of the *Juvenile Drug Court Program*
9. Any other appropriate sanctions at the discretion of the presiding Judge, with recommendations from the *Juvenile Drug Court Counselor*.

CLIENT RIGHTS

397.501 **Rights of clients.**--Clients receiving substance abuse services from any service provider are guaranteed protection of the rights specified in this section, unless otherwise expressly provided, and service providers must ensure the protection of such rights.

(1) **RIGHT TO INDIVIDUAL DIGNITY.**--The individual dignity of the client must be respected at all times and upon all occasions, including any occasion when the client is admitted, retained, or transported. Substance abuse clients who are not accused of a crime or delinquent act may not be detained or incarcerated in jails, detention centers, or training schools of the state, except for purposes of protective custody in strict accordance with this chapter. A client may not be deprived of any constitutional right.

(2) **RIGHT TO NONDISCRIMINATORY SERVICES.**--

(a) Service providers may not deny a client access to substance abuse services solely on the basis of race, gender, ethnicity, age, sexual preference, human immunodeficiency virus status, prior service departures against medical advice, disability, or number of relapse episodes. Service providers may not deny a client who takes medication prescribed by a physician access to substance abuse services solely on that basis. Service providers who receive state funds to provide substance abuse services may not, provided space and sufficient state resources are available, deny a client access to services based solely on inability to pay.

(b) Each client in treatment must be afforded the opportunity to participate in the formulation and periodic review of his or her individualized treatment or service plan to the extent of his or her ability to so participate.

(c) It is the policy of the state to use the least restrictive and most appropriate services available, based on the needs and the best interests of the client and consistent with optimum care of the client.

(d) Each client must be afforded the opportunity to participate in activities designed to enhance self-image.

(3) **RIGHT TO QUALITY SERVICES.**--Each client must be delivered services suited to his or her needs, administered skillfully, safely, humanely, with full respect for his or her dignity and personal integrity, and in accordance with all statutory and regulatory requirements.

(4) **RIGHT TO COMMUNICATION.**--

(a) Each client has the right to communicate freely and privately with other persons within the limitations imposed by service provider policy.

(b) Because the delivery of services can only be effective in a substance abuse free environment, close supervision of each client's communications and correspondence is necessary, particularly in the initial stages of treatment, and the service provider must therefore set reasonable rules for telephone, mail, and visitation rights, giving primary consideration to the well-being and safety of clients, staff, and the community. It is the duty of the service provider to inform the client and his or her family if the family is involved at the time of admission about the provider's rules relating to communications and correspondence.

(5) **RIGHT TO CARE AND CUSTODY OF PERSONAL EFFECTS OF CLIENTS.**--A client has the right to possess clothing and other personal effects. The service provider may take temporary custody of the client's personal effects only when required for medical or safety reasons, with

the reason for taking custody and a list of the personal effects recorded in the client's clinical record.

(6) RIGHT TO EDUCATION OF MINORS.--Each minor client in a residential service component is guaranteed education and training appropriate to his or her needs. The service provider shall coordinate with local education agencies to ensure that education and training is provided to each minor client in accordance with other applicable laws and regulations and that parental responsibilities related to such education and training are established within the provisions of such applicable laws and regulations. Nothing in this chapter may be construed to relieve any local education authority of its obligation under law to provide a free and appropriate education to every child.

(7) RIGHT TO CONFIDENTIALITY OF CLIENT RECORDS.--

(a) The records of service providers which pertain to the identity, diagnosis, and prognosis of and service provision to any individual client are confidential in accordance with this chapter and with applicable federal confidentiality regulations and are exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Such records may not be disclosed without the written consent of the client to whom they pertain except that appropriate disclosure may be made without such consent:

1. To medical personnel in a medical emergency.
2. To service provider personnel if such personnel need to know the information in order to carry out duties relating to the provision of services to a client.
3. To the secretary of the department or the secretary's designee, for purposes of scientific research, in accordance with federal confidentiality regulations, but only upon agreement in writing that the client's name and other identifying information will not be disclosed.
4. In the course of review of records on service provider premises by persons who are performing an audit or evaluation on behalf of any federal, state, or local government agency, or third-party payor providing financial assistance or reimbursement to the service provider; however, reports produced as a result of such audit or evaluation may not disclose client names or other identifying information and must be in accord with federal confidentiality regulations.
5. Upon court order based on application showing good cause for disclosure. In determining whether there is good cause for disclosure, the court shall examine whether the public interest and the need for disclosure outweigh the potential injury to the client, to the service provider-client relationship, and to the service provider itself.

(b) The restrictions on disclosure and use in this section do not apply to communications from provider personnel to law enforcement officers which:

1. Are directly related to a client's commission of a crime on the premises of the provider or against provider personnel or to a threat to commit such a crime; and
2. Are limited to the circumstances of the incident, including the client status of the individual committing or threatening to commit the crime, that individual's name and address, and that individual's last known whereabouts.

(c) The restrictions on disclosure and use in this section do not apply to the reporting of incidents of suspected child abuse and neglect to the appropriate state or local authorities as required by law. However, such restrictions continue to apply to the original substance abuse client records maintained by the provider, including their disclosure and use for civil or criminal proceedings which may arise out of the report of suspected child abuse and neglect.

(d) Any answer to a request for a disclosure of client records which is not permissible under this section or under the appropriate federal regulations must be made in a way that will not affirmatively reveal that an identified individual has been, or is being diagnosed or treated for

substance abuse. The regulations do not restrict a disclosure that an identified individual is not and never has been a client.

(e)

1. Since a minor acting alone has the legal capacity to voluntarily apply for and obtain substance abuse treatment, any written consent for disclosure may be given only by the minor client. This restriction includes, but is not limited to, any disclosure of client identifying information to the parent, legal guardian, or custodian of a minor client for the purpose of obtaining financial reimbursement.

2. When the consent of a parent, legal guardian, or custodian is required under this chapter in order for a minor to obtain substance abuse treatment, any written consent for disclosure must be given by both the minor and the parent, legal guardian, or custodian.

(f) An order of a court of competent jurisdiction authorizing disclosure and use of confidential information is a unique kind of court order. Its only purpose is to authorize a disclosure or use of client identifying information which would otherwise be prohibited by this section. Such an order does not compel disclosure. A subpoena or a similar legal mandate must be issued in order to compel disclosure. This mandate may be entered at the same time as, and accompany, an authorizing court order entered under this section.

(g) An order authorizing the disclosure of client records may be applied for by any person having a legally recognized interest in the disclosure which is sought. The application may be filed separately or as part of a pending civil action in which it appears that the client records are needed to provide evidence. An application must use a fictitious name, such as John Doe or Jane Doe, to refer to any client and may not contain or otherwise disclose any client identifying information unless the client is the applicant or has given a written consent to disclosure or the court has ordered the record of the proceeding sealed from public scrutiny.

(h) The client and the person holding the records from whom disclosure is sought must

be given adequate notice in a manner which will not disclose client identifying information to other persons, and an opportunity to file a written response to the application, or to appear in person, for the limited purpose of providing evidence on the statutory and regulatory criteria for the issuance of the court order.

(i) Any oral argument, review of evidence, or hearing on the application must be held in the judge's chambers or in some manner which ensures that client identifying information is not disclosed to anyone other than a party to the proceeding, the client, or the person holding the record, unless the client requests an open hearing. The proceeding may include an examination by the judge of the client records referred to in the application.

(j) A court may authorize the disclosure and use of client records for the purpose of conducting a criminal investigation or prosecution of a client only if the court finds that all of the following criteria are met:

1. The crime involved is extremely serious, such as one which causes or directly threatens loss of life or serious bodily injury, including but not limited to homicide, sexual assault, sexual battery, kidnapping, armed robbery, assault with a deadly weapon, and child abuse and neglect.

2. There is reasonable likelihood that the records will disclose information of substantial value in the investigation or prosecution.

3. Other ways of obtaining the information are not available or would not be effective.

4. The potential injury to the client, to the physician-client relationship and to the ability of the program to provide services to other clients is outweighed by the public interest and the need for the disclosure.

(8) RIGHT TO COUNSEL.--Each client must be informed that he or she has the right to be represented by counsel in any involuntary proceeding for assessment, stabilization, or treatment and that he or she, or if the client is a minor his or her parent, legal guardian, or legal custodian, may apply immediately to the court to have an attorney appointed if he or she cannot afford one.

(9) RIGHT TO HABEAS CORPUS.--At any time, and without notice, a client involuntarily retained by a provider, or the client's parent, guardian, custodian, or attorney on behalf of the client, may petition for a writ of habeas corpus to question the cause and legality of such retention and request that the court issue a writ for the client's release.

(10) LIABILITY AND IMMUNITY.--

(a) Service provider personnel who violate or abuse any right or privilege of a client under this chapter are liable for damages as determined by law.

(b) All persons acting in good faith, reasonably, and without negligence in connection with the preparation or execution of petitions, applications, certificates, or other documents or the apprehension, detention, discharge, examination, transportation, or treatment of a person under the provisions of this chapter shall be free from all liability, civil or criminal, by reason of such acts.

UNIVERSAL INFECTION CONTROL EDUCATION FOR EMPLOYEES AND CLIENTS

GOAL:

To educate employees and clients, directly or by referral to community health agencies.

This education should include the means of transmission of communicable diseases, and the universal methods of infection control.

PURPOSE:

Employees and clients should know about community public and private providers available to provide them with the information they need to make informed choices about contemporary health hazards and how to protect themselves and others from exposure.

COMMENTARY:

There is a vast amount of information about various health hazards available from a variety of sources. The information provided is often specialized and specific to a particular area of interest or concern.

*Employees and clients, as with the general public, have particular areas of interest and concern regarding their health. Their interest in having specific information about specific health hazards may best be served by referring them to agencies likely to have information and services germane to those areas of interest and concern.

*The goal of the agency is to provide employees and clients with information about those resources.

PROCEDURE:

In some areas, the agency is charged with providing or offers employees and clients direct information or training.

*All new clients participate in group sessions in which they are given information about sexually transmitted diseases such as, tuberculosis, hepatitis, HIV-AIDS, and other communicable diseases. They are provided with referrals and encouraged to discuss their concerns with Drug Court staff privately if they either have a communicable diseases or concerns about the issue. This activity is documented in HATTS under education provided by the Drug Court.

*New employees are informed of the health risks associated with working in the Drug Court setting, sign a statement of understanding that acknowledges this risk, and are provided with a list of the precautions the agency has taken to reduce the risks.

*Additionally, new employees receive training, required by law, in various communicable diseases. This training takes place soon after employment begins and at stipulated intervals thereafter. All training is documented and filed in the employees' personnel records.

References: FL Statute Ch 65D30(10) and (11), FL Statute Ch 381.0035

TO REPORT SUSPECTED CASES OF ABUSE, ABANDONMENT, NEGLECT OR
EXPLOITATION OF CHILDREN OR VULNERABLE ADULTS, THE INFORMATION MAY BE
CALLED TO

1-800-9-ABUSE,

OR

1-800-962-2873

INFORMATION MAY ALSO BE SUBMITTED BY FAX TO

1-800-914-0004

IT IS PREFERRED TO SEND THE INFORMATION TO THE CENTRAL REGISTRY BY FAX AS
THE COMPLETED FAX FORM THEN GOES INTO THE CLIENT'S CASE RECORD AND
DOCUMENTS THAT THE INFORMATION WAS REPORTED
FLORIDA DISTRICT SUBSTANCE ABUSE & MENTAL HEALTH PROGRAM OFFICE

(305)377-5029

FAX (305)377-5144

FLORIDA STATEWIDE ADVOCACY COUNCIL

SERVICE AREA 14

(Miami/Key West)

Luis Laboy

401 NW Second Avenue

Room N-812

Miami, Florida 33128

(305) 349-1320

S/C 452-1320

FAX (305) 349-1320

FAX S/C 452-1320

CLIENT GRIEVANCE PROCEDURES

Any client may file a grievance for any reason with cause.

Grievance system

1. Grievance Forms and envelopes are available through the counselors and the administrative staff.
2. Completed Grievance Forms are submitted in a sealed envelope, to the administrative staff.
3. The Quality Assurance Committee reviews grievances within fourteen (14) business days.
4. Client is notified in writing within 28-business days of the action to be taken as a result of the grievance.
5. A client may appeal the decision of the Quality Assurance Committee within 90 days.
6. In the case of appeals, the original grievance is submitted to the 16th Judicial Circuit Criminal Court Administration for review within 7 days.

Clients are notified in writing within 30-business days of the action to be taken as a result of the grievance.

A master file of all grievances received and a log of their respective activity and outcomes are kept by the Director of Quality Assurance.

CRITERIA FOR GRADUATION

- ∴ Complete all Court Ordered Requirements

- ∴ Maintain abstinence during the last 90 days of participation

- ∴ Complete one or more of the following:
Remain in or complete school; obtain a GED; participate in a vocational or academic training program; or obtain full-time employment.

- ∴ Maintain consistent attendance at all court appearances and treatment team appointments.

- ∴ Maintain a stable living arrangement and healthy interpersonal relationships as determined by the treatment team.

- ∴ Develop a definitive aftercare plan.

- ∴ Fulfill goals as stated in the individual treatment plan.

GRADUATION

Once you have successfully completed the criteria for all phases as described in the Treatment Phases Section, you will be required to discuss your progress toward the goals you initially set and why you believe you have met the graduation criteria. The *Juvenile Drug Court Counselor* will make a recommendation for advancement for each phase as well as commencement from the Program. The *Juvenile Drug Court Judge* will have the final decision regarding advancement and graduation from the Program, with recommendations from the *Juvenile Drug Court Counselor*. Upon graduation, families will be invited to join participants in Court as the Judge congratulates them on successfully completing the *Juvenile Drug Court Program* and achieving their goal to establish a drug free life. The Court will dismiss or the State Attorney's Office will Nolle Prose the presenting charges against the participant placed in the Juvenile Drug Court Diversion Program, or provide participants placed in the Juvenile Drug Court Adjudication withheld Program an Order of Completion .

Confidentiality

Participant's identity and privacy will be protected consistent with State and Federal laws. In response to these regulations, policies and procedures have been developed which guard your confidentiality. Your parent or guardian will be asked to sign a waiver authorizing the transfer of information among all agencies listed on the Consent to Release of Information form.

Education/ Vocation and Employment Programs

Recovery from substance addition means developing self-sufficiency and becoming a productive and responsible member of the community. During the treatment program, you will be in school or involved in an educational or vocational training program or maintain fulltime employment. The [Juvenile Drug Court team](#) will work to assist participants in obtaining an assessment of their needs and skills and will refer them to the proper agencies for education, training, and job placement.

Social Services

Upon your entry into the [Juvenile Drug Court Program](#), the [Juvenile Drug Court Counselor](#) will assess needs for housing, transportation, family and general living needs, and when appropriate, refer them to a local, state or county agency for assistance.

Conclusion

The *Juvenile Drug Court Program* has been developed to help you achieve total abstinence from illicit and illegal drugs and all criminal activity. The Program is designed to promote self-sufficiency and to maintain you in your community as productive and responsible members of society. The Juvenile Drug Court Diversion Program is voluntary. Placement in the Juvenile Drug Court Program as a special condition of Juvenile Probation is an involuntary placement. The Judge, the *Juvenile Drug Court Counselor* and the Treatment Team are present to guide and assist you, but the final responsibility is yours. You must be motivated to make this change and commit to a drug free life.

We hope this Handbook has been helpful to you and answered most of your questions. If you have additional questions or concerns about the *Juvenile Drug Court Program*, please feel free to contact your attorney or the Public Defender's Office.

Monroe County Juvenile Delinquency Drug Court Team

Office of the State Attorney
Key West, Fl 305/292-3400
Marathon, Fl 305/289-2593
Plantation Key, Fl 305/852-7170

Office of the Public Defender
Key West, Fl 305/294-2501
Marathon, Fl 305/289-6015
Plantation Key, Fl 305/853-3232

16th Judicial Circuit Drug Court Program
Key West, Fl 305/292-3462
Marathon, Fl 305/289-2853
Plantation Key, Fl 305/853-7341

The School District of Monroe County
Transitional Counselor
305/293-1549 ext 410

Administrative Office of the Courts
Jane Muir-Isherwood, Drug Court Coordinator
Sixteenth Judicial Circuit
1315 Whitehead St.
Key West, Fl 33040
Office: 305/ 292-3463
Fax: 305/ 294-7911

Department of Juvenile Justice
Key West, Fl 305/292-6737
Marathon, Fl 305/289-3726
Plantation Key, Fl 305/664-0662