G. TREATMENT DESIGN
There are three phases of treatment in the EBCIJDC program.

PHASE I – The first phase of the program will require a minimum of thirty six (36) hours of treatment to be completed during a ninety (90)-day period. During this phase, the participant will be assisting the Treatment Specialist in the design of the individual’s treatment plan. The plan will be feasible and will outline goals and objectives. Each participant will attend at least one (1) weekly individual session focusing on the concepts of addiction, relapse, and recovery. Each participant will attend at least two (2) group sessions weekly. Each participant will have at least two (2) random drug screens weekly. The Treatment Specialist will provide verification of treatment attendance weekly to the Juvenile Court Counselor. The goals for each juvenile in Phase I are to become stabilized, become familiar with the treatment program, receive education regarding addiction and other issues, and acknowledge the need for assistance with their issues. In order to progress to Phase II, the participant must:

1. Complete at least twenty four (24) meetings with the Juvenile Court Counselor,
2. Have at least three weeks (six consecutive) of clean drug screens,
3. Complete at least thirty six (36) hours of treatment,
4. Have attended at least six (6) review hearings with the Judge,
5. Have at least three consecutive weeks of uninterrupted attendance in school (during the school year), and
6. Complete any other goals, objectives, assignments or requirements the Team or the Judge has deemed appropriate for the individual participant during Phase I.

PHASE II – The second phase of the program will require a minimum of thirty six (36) hours of treatment to be completed during a ninety (90)-day period. During this phase, individual and group treatment sessions, random drug screens, meetings with the Juvenile Court Counselor, review hearings with the Judge, and daily attendance in school will continue as in Phase I. In addition, the participant will be required to utilize the Youth Center at least two (2) times weekly and to perform twenty (20) hours of volunteer work. This work must be performed either in a public forum or for an elder or disabled person who is in need of assistance and must not benefit an individual or private business.
The goals for each participant during this phase are to continue progress in their treatment plan, demonstrate a stable program of recovery, re-identify their triggers, develop coping methods for dealing with their triggers, and develop a general plan of relapse prevention. Additional services may be offered during this phase, which may include stress management, anger management, educational planning, and other life skills.

In order to progress to Phase III, the participant must:

1. Complete at least twelve (12) meetings with the Juvenile Court Counselor,
2. Have at least three (3) weeks (six consecutive) of clean drug screens,
3. Complete at least thirty six (36) hours of treatment,
4. Have attended at least three (3) review hearings with the Judge,
5. Have at least three (3) weeks of uninterrupted attendance at school (during the school year),
6. Have utilized the Youth Center at least twenty four (24) hours,
7. Complete at least twenty (20) hours of volunteer work, and
8. Complete any other goals, objectives, assignments or requirements the Team or the Judge has deemed appropriate for the individual participant during Phase II.

PHASE III – The third phase of the program will require a minimum of thirty six (36) hours of treatment to be completed during a ninety (90) – day period.

During this phase, individual and group treatment sessions, random drug screens, meetings with the Juvenile Court Counselor, review hearings with the Judge, utilization of the Youth Center and volunteer work will continue as in Phase II. Youth Center hours and volunteer work will increase as others decrease. Juvenile Services will also offer any assistance needed during this phase to insure that an education plan is formulated. The participant will be screened for drugs weekly during the last six weeks of this phase.

The goals for each participant in this phase are to have a definite, successful recovery program in place, a clear understanding of relapse dynamics and warning signs, and an established set of goals for continued recovery and maintenance of sobriety.

In order to graduate, the participant must:

1. Complete at least three (3) meetings with the Juvenile Court Counselor,
2. Have at least six (6) consecutive weeks of clean drug screens,
3. Complete at least thirty six (36) hours of treatment,
4. Have attended at least three (3) review hearings with the Judge,
5. Have at least three (3) weeks of uninterrupted attendance in school (during the school year),
6. Have utilized the Youth Center for at least thirty six (36) hours,
7. Complete at least thirty (30) hours of volunteer work, and
8. Complete any other goals, objectives, assignments, or requirements the Team or the Judge has deemed appropriate for the individual participant during Phase III.

G. Program Policies

1. Orientation: Each participant will meet with the Juvenile Court Counselor. The Juvenile Court Counselor will explain the EBCJJDG in depth to the participant and the parents and answer any questions they might have. Any necessary paperwork will be completed at this meeting. The Juvenile Court Counselor will determine if there are any assessments that need to be completed including physical exams for those who have used IV drugs, females who may be pregnant, or those who have not had a physical exam for over a year.

2. Assessment: Each participant will be assessed for substance use/abuse prior to being accepted in the program. There may be other assessments required of participants based on the individual’s history of use, family dynamics, mental state, or any other issue which is known to the Team.

3. Treatment Specialist: Each participant will receive individual and group counseling as is called for in the individual treatment plan. If the participant is required to have more counseling the Treatment Specialist will notice the participant and set an appointment. If the participant desires more counseling the participant shall contact the Treatment Specialist for an additional appointment.

4. Treatment Plan: The Treatment Specialist will meet with the participant after a substance abuse assessment is completed in order to formulate an individual treatment plan. This plan will be formulated with the counselors at the admitting treatment center if a participant is required to complete inpatient treatment prior to entering or during the Drug Court Program. The treatment plan will be reviewed prior to the participant advancing to each progressive phase of the program or earlier in the event that the plan is not feasible due to change of circumstances in the participant’s family, personal life, or community.
5. **Attendance for Treatment:** Each participant is required to attend treatment sessions on time and not leave early. All attendance will be reported to the Team and to the Judge during review hearings. The participant will be required to provide reasonable excuses or the Court will assign sanctions or additional requirements as is necessary. Absences will be excused if the participant obtains prior approval from the Juvenile Court Counselor or the Treatment Specialist. Travel out of town and the jurisdiction of the Court must be approved by the Juvenile Court Counselor.

6. **Program Suspension:** A participant may be suspended from the program for several reasons. These reasons include the following and any other significant reasons the Team deems necessary in each individual situation.

   A. Less than acceptable attendance.
   B. Failure to appear for any assessment or evaluation arranged by the program,
   C. Phase I – Two unapproved absences from scheduled treatment,
   D. Phase II – One unapproved absence from scheduled treatment,
   E. Phase III – Any unapproved absence from scheduled treatment,
   F. Truancy without a doctor’s statement,
   G. Missing any appointment with the Juvenile Court Counselor, and
   H. Failure to comply with the required utilization of the Youth Center or to complete the required volunteer work.

   Once a participant is placed on suspension, they will not be allowed to participate in the program until the next review hearing. The Judge will receive an updated attendance report at the hearing and will hear the Team’s recommendation for termination, sanction or additional requirements.

7. **Assignments:** Assignments may be given as homework or as a sanction and must be completed at the appointed time.

8. **Tobacco Products:** Smoking or use of smokeless tobacco products is illegal for our target population and will not be tolerated.

9. **Dress and Hygiene:** Participants will be required to dress appropriately for all program activities. If a participant’s hygiene is poor, a staff member will discreetly meet with that participant to explain the importance of good hygiene.
10. **Weapons:** No weapons of any type will be allowed at any program activities. Possession of a weapon at an activity may be grounds for immediate expulsion from the program. There may also be additional charges depending on the situation.

11. **Language and Behavior:** Each participant will refrain from vulgarity, profanity, racism, sexism, romanticizing of past use, or any other offensive, inciteful, or inappropriate language and will be held accountable for use of this type of language. Insults, physical gestures, threats, or otherwise offensive or abusive acts will not be tolerated.

12. **Gang Activity:** Gang colors, signs, graffiti, writing or any other item affiliated with gang activity is prohibited and may be grounds for termination. This applies at all times during participation in the program.

13. **Drug/Alcohol Screens:** The EBCIJDC will require random, visually supervised urine screens and breath analysis during each phase of the program. Results of each drug screen will be documented in the juvenile’s file and reported to the Team and the Judge prior to each review hearing. The first drug screen will take place at the orientation session with the Juvenile Court Counselor. The Court Counselor will provide each participant with detailed instructions prior to beginning screening.

14. **Visitors:** No visitors will be allowed in treatment sessions in order to protect each participant’s confidentiality.

15. **Immediate Termination:** If a participant alters a drug screen, commits physical violence, verbally or physical threatens another participant, participates in gang activity, deals drugs, or is suspended from school permanently or voluntarily quits school they may be immediately terminated from the program with the approval of the Team and the Judge.

16. **Zero Tolerance Policy:** The Zero Tolerance Policy may be invoked by the Team and the Judge as a sanction throughout the program if the participant is deemed non-compliant with treatment, has several consecutive positive drug screens, or any other reason deemed appropriate by the Team and the Judge. This policy requires participants to comply with the following:
   - No positive, altered or missed drug screens
   - No selling or possession of illegal substances/alcohol or use of non-alcoholic beer or wine
   - No missed treatment sessions
No late appearances for any scheduled meeting, hearing or treatment
Additional appearances before the Judge as determined
No absences or late appearances in school.
This policy will remain in place for at least sixty (60) days, graduation or until the Juvenile Court Counselor requests removal and reinstatement of the regular program. Any participant terminated under this policy will immediately be sent back to Juvenile Court to have the original disposition activated.

II. STAFF RESPONSIBILITIES

A. Juvenile Drug Court Judge

The EBCIJDC Judge will assist in resolving juvenile justice issues, overcoming impediments in the treatment process and progress, and resolving other difficulties. The Judge will process information about the participant’s treatment progress, sentence, conditions of the program, legal status, pending charges, and any other information in order to make decisions in the participant’s best interest. The Judge will preside over review hearings. The Judge will use authority, leadership and managerial skills when reviewing the participants’ progress. The Judge will act as a member of the EBCIJDC Team in all decision and policy meetings as well as in general review meetings for each participant.

B. Juvenile Court

A juvenile who has been screened, assessed, and deemed a suitable candidate for Drug Court will be presented to the Team. If the Team agrees that the juvenile is suitable, the Juvenile Court Counselor will follow the regular methods of processing the juvenile through Juvenile Court as regulated by the EBCI Tribal Juvenile Code. The Juvenile Court Counselor will confer with the Prosecutor in regards to the transfer prior to Juvenile Court. After adjudication and disposition, the Juvenile Court Counselor will make a request of the Juvenile Court Judge to transfer the juvenile to the Drug Court for supervision. A participant will have paperwork completed within ten (10) working days after the Juvenile Court Judge orders the transfer to Drug Court.
C.  **Juvenile Court Counselor – Probation Officer (JCC)**

The JCC serves as a contact point between the participants and the Court as well as a central point for tracking all of the participants' records, reports, and paperwork. The JCC will:

- Assess juveniles to determine suitability and eligibility for the EBCIJDC
- Present juvenile names to the Team for approval
- Confer with the prosecutor, defense and other court personnel in order to facilitate transfer of juveniles to the EBCIJDC
- Explain the EBCIJDC to candidates and parents
- Recommend juveniles to the Juvenile Court for transfer
- Schedule first appearance in EBCIJDC upon transfer
- Insure that all paperwork is processed properly
- Distribute handbooks to participants
- Review the EBCIJDC program and update relevant material as appropriate
- Maintain all records for individual participants and monitor submittal of reports from other service providers
- Track all participants in treatment, school attendance, meetings, drug screens, volunteer work, Youth Center utilization and attendance in review hearings as well as any other required activities
- Evaluate the juvenile to determine assessments needed and refer to appropriate counselors for assessment
- Work directly with the EBCIJDC Judge to recommend sanctions and incentives as well as changes in individual’s program with the Team’s recommendations as a guideline
- Insure each participant’s compliance by closely monitoring daily activities

D.  **Juvenile Prosecutor**

The Prosecutor will participate generally in the referral process. The Prosecutor will participate in Team meetings as time allows. The Prosecutor will not be present in review hearings.

E.  **Public Defender**

The Public Defender will participate in the referral process by conferring with the JCC before the transfer is requested. The Public Defender will not be present in review hearings.
An attorney will serve on the Team as an advisor in Civil Rights and other legal issues.

F. Treatment Specialist – (TS)

The TS is the treatment provider and is required to be present in all review hearings and all Team meetings. This presence serves two purposes, it provides information used as a basis for judicial decisions and serves as a method of deterring a participant from giving false information during a review hearing. The TS is also responsible for formulating an individual treatment plan for each participant. The TS will conduct and/or coordinate all treatment meetings of each participant. The TS will work closely with the JCC and will provide weekly reports on each participant to the JCC.

G. Court Coordinator – (CC)

The CC will facilitate the collection and organization of relevant information by receiving, recording and maintaining all documents, records and reports of the EBCIJDC. The CC will also be responsible for maintaining records required for grant compliance and reporting to the granting agency any information required including financial status reports, progress reports, and statistics. The CC will also oversee and approve any expenditures of the EBCIJDC which are grant related.

H. Juvenile Clerk

The Clerk will maintain all official documents in individual court files for each participant. The Clerk will also be a member of the Team. The Clerk will keep all records of review hearings.

I. Family

The participant’s family is required to provide a supportive, caring, and nurturing environment. This is essential to the participant’s success and eventual graduation as well as future continued sobriety. The family may also be required to attend counseling, treatment, parenting classes or participate in services that are necessary to promote and insure the participant’s continued success.
J. Cherokee Central Schools/Student Assistance Program (SAP)

The participant’s school will provide attendance records, contact reports, performance, special education evaluations, and any other pertinent records to the JCC upon request.
The SAP will provide group sessions during the school day to those who are determined in need of those services including grief and loss, caring, self-help, and many others. These services will be coordinated with the TS.

K. EBCIJDC Team

The EBCIJDC Team includes the Juvenile Court Counselor, Treatment Specialist, Juvenile Clerk, Judge, Juvenile Intake Counselor, Juvenile Services Director, an Attorney, and a Juvenile Police Officer. The Prosecutor also participates as time permits. The Team is expected to grow as the number of participants grows and as the community starts to support the EBCIJDC.
E.B.C.I. JUVENILE DRUG COURT

Who is eligible for entrance into Drug Court?
- Non-violent offender
- Charge involves drugs or alcohol or the participant has an underlying drug or alcohol issue
- Participant has a substance abuse history with limited treatment
- There is no serious risk to the community
- There is no chronic mental health diagnosis
- Post adjudication referral

Entrance to Drug Court

Juvenile Court

Probation Violation

DRUG COURT

State Referral

PHASES:
Phase 1 - Education
- 2 meetings with the probation officer each week
- 2 random drug screens each week
- 3 treatment sessions - 2 group and 1 individual - each week
- 2 meetings with the judge each month
- Daily contact with the Student Assistance Program at school
- Daily attendance in school

To enter Phase 2 - 93 points are required.

Phase 2 - Relapse Prevention
- 1 meeting with the probation officer each week
- 1 random drug screen each week
- Treatment - same as in Phase 1
- 1 meeting with the judge each month
- SAP - same as in Phase 1
- School attendance - same as in Phase 1
- Utilize the Youth Center 2 times each week
- Volunteer work

To enter Phase 3 - 213 points are required.

Phase 3 - Maintenance
- 1 meeting with the probation officer each month
- 1 random drug screen each month
- Treatment - same as in Phase 1 and 2
- 1 meeting with the judge each month
- SAP - same as in Phase 1 and 2
- School attendance - same as in Phase 1 and 2
- Utilize the Youth Center 3 times each week
- Must complete 30 hours of volunteer work

To graduate - 327 points are required.
INCENTIVES

✦ The original charge will be resolved when the participant graduates from the program.
✦ Activities offered occasionally will be recreational for the participants.
✦ Recognition of achievements throughout the program for the participants.
✦ Participants earn points as they perform various requirements and may move through the program at the pace that they choose, according to their performance and effort.

SANCTIONS

Drug Screens
✦ 1st positive drug screen – 1 day in detention
✦ 2nd positive drug screen – 1 week in detention
✦ 3rd positive drug screen – 2 weeks in detention
✦ 4th and subsequent positive drug screen – 2 weeks in detention and possible expulsion from the program

Treatment
✦ 1st meeting missed without a valid excuse – 1 day in detention
✦ 2nd meeting missed without a valid excuse – 2 days in detention
✦ 3rd and subsequent missed meeting – amount of detention for each will be equal to the total number of meetings missed during the total time of participation in the program.
The Drug Court Team will determine the validity of the excuse in each case.

Other Sanctions
Other sanctions for noncompliance with the program may include increased counseling, being placed in a previous phase, loss of points, expulsion from the program or any other sanction as the Drug Court Team may deem appropriate.
V. HUALAPAI TRIBAL COURT (Peach Springs, Arizona)

Sentencing Order
IN THE TRIAL COURT OF THE HUALAPAI NATION, STATE OF ARIZONA

HUALAPAI TRIBE, )
   Plaintiff; ) CR980206

v. )

Defendant. )

SENTENCING ORDER

On February 16, 1998 at 2045 hours the Defendant was charged with the offense of Permitting Child's Life Health or Morals To Be Imperiled, Section 6.41 of the Hualapai Law and Order code for conduct allegedly to have occurred at #634 Canyon View Drive in the community of Peach Springs, Arizona. On February 17, 1998 the Defendant appeared in Court for Arraignment and entered a plea of Guilty to the charge stated above. At arraignment the Court scheduled a Sentencing Hearing for the next day after hearing the recommendations of the Tribal Prosecutor and statements made by the Defendant on her own behalf; and The Defendant has a lengthy Criminal record of alcohol related charges and convictions as well as matters related to the care and custody of her children. THEREFORE, the Hualapai Trial Court, ORDERS THE FOLLOWING:

- The Defendant shall become a Ward of the Wellness Court for a period not less than six months. The Defendant shall abide by all the rules and requirements set forth below or face further penalties and punishment pursuant to Disobedience to a Lawful Order of Court or Contempt of Court. This is in effect Probation for 6 months.
- If not already completed, the Defendant shall undergo the Hualapai Health Department's Bio/Social Evaluation (including the S.A.S.S.I.) by March 6, 1998. The Defendant shall enroll in counseling with the Health Department to discuss the Inventory's findings and to engage in Alcohol Abuse counseling for a period not less than six months, at intervals not less than once per week. The Health Department shall file a report to the Court no later than March 13, 1998 regarding the Defendant's dependency on alcohol and/or other drugs, including any recommendations that may promote Wellness of the Defendant.
- A Wellness Plan shall be developed for the Defendant/Inmate by the Defendant's Primary Counselor and/or Wellness Team (appointed by the Judge, no later than March 31, 1998. Said Plan shall cover the entire six month period).
- The Defendant shall attend Parenting Training Courses offered at the Family Learning Center beginning March 4, 1998 until August 30, 1998
- The Defendant is ordered to serve 100 hours of Community Service by August 30, 1998.
- The Defendant must appear for Alcohol Education-Wellness Class on each month as scheduled by the Health Department for six months. No requests shall be granted to miss these classes. The Defendant shall plan her schedule accordingly.
- The Defendant shall appear in the Court every Thursday morning at 8:30 a.m. for Wellness Court Convocation, where she can show the Court that she is meeting the requirements of this Order and making efforts to
The Defendant must attend A.A. Meetings (at least twice a week) for the entire six months and bring proof of her presence at these meetings to the Court, signed by the leader of the meeting, at every Wellness Court Convocation.

DATED THIS 18TH DAY OF FEBRUARY, 1998

Judge, Hualapai Tribe

cc: file
Prosecutor
Defendant
Law Enforcement
(all probation requirements apply)