

Billings Adult Misdemeanor Treatment Court

Policies and Procedures Manual



Mission Statement

The mission of the Billings Adult Misdemeanor Treatment Court is to protect our community by identifying and treating addicted, non-violent substance abusing offenders and those afflicted with mental health disorders in a more efficient way through the Criminal Justice System. Using improved communication and collaboration among area stakeholders, we intend to reduce alcohol and drug abuse in the community, lower recidivism rates, lessen the financial impact on society, and help those identified to lead productive lives as law-abiding citizens.

The Treatment Team utilizes a cooperative, comprehensive, structured and centralized system of multi-disciplinary community providers to meet the needs of adults where chemical dependency issues have precipitated court involvement and to provide these individuals with a comprehensive program of drug/alcohol treatment and related ancillary services.

TABLE OF CONTENTS

MISSION STATEMENT.....	1
I. INTRODUCTION.....	4
A. STATEMENT OF EMPOWERMENT.....	5
B. 10 KEY COMPONENTS OF TREATMENT COURTS.....	5
II. BAMTC PROGRAM DESIGN:.....	6
A. CLIENT'S DRUG USE.....	7
B. TREATMENT COURT FEES.....	7
III. STANDARDS AND PRACTICES.....	8
A. ELIGIBILITY CRITERIA.....	8
B. ELIGIBLE MISDEMEANOR OFFENSES.....	8
C. CONFIDENTIAL INFORMANTS.....	9
D. ADDITIONAL CONSIDERATIONS.....	9
E. REFERRAL AND SCREENING.....	9
F. COURT APPOINTED ATTORNEY AND PROSECUTION.....	10
G. CHEMICAL DEPENDENCY EVALUATION.....	10
H. DATE FOR COURT OBSERVATION.....	11
I. CONTINUED SCREENING PROCESS.....	11
J. WELCOME!.....	11
IV. OPERATIONAL STANDARDS-PERSONNEL.....	12
A. COLLABORATION.....	12
B. CULTURAL DIVERSITY.....	12
C. SELECTION OF TEAM MEMBERS.....	12
D. TEAM MEMBER TRAINING.....	12
V. COURT ROOM STANDARDS.....	13
A. COURT ROOM CLERK.....	13
B. DRESS CODE.....	13
C. CELL PHONES, BAILIFF'S, AND COURT OFFICERS.....	13
D. CLIENT BEHAVIOR.....	13
E. TREATMENT COURT CONFIDENTIALITY.....	13
F. COURT OBSERVER POLICY.....	14
VI. INCENTIVES AND SANCTIONS.....	15
A. INCENTIVES.....	15
B. SANCTIONS.....	15
C. TABLE OF INCENTIVES AND SANCTIONS.....	15 & 16
VII. TREATMENT STANDARDS.....	17
A. EVIDENCE-BASED PRACTICES.....	17
B. INTEGRATED TREATMENT FOR CO-OCCURRING DISORDERS.....	17
VIII. ADDITIONAL EVIDENCE-BASED PRACTICES.....	18
A. TRAUMA INFORMED CARE.....	18
B. CASE MANAGEMENT.....	18
C. CULTURAL COMPETENCE.....	18
D. MEDICATION ASSISTED THERAPY.....	18
E. RESIDENTIAL TREATMENT III.1.....	19
F. JAIL-BASED TREATMENT II.5.....	19

IX. PROGRAM STRUCTURE AND DESIGN.....	20
A. PHASES.....	20
1. PHASE I.....	20
2. PHASE II.....	20
3. PHASE III.....	21
4. PHASE IV.....	21
B. GRADUATION REQUIREMENTS.....	22
C. ALUMNI/MENTOR GROUP.....	22
D. OPT-OUT PROVISION.....	22
E. TERMINATION.....	22
X. DRUG TESTING AND MEDICATION POLICIES.....	24
A. SAMPLE COLLECTION/CHAIN OF CUSTODY.....	25
B. MEDICATION POLICY.....	26
C. OTC.....	26
D. PHYSICIANS.....	26
E. PRESCRIPTION MEDICATION.....	26
F. TOBACCO, CAFFEINE AND POTENTIAL FALSE POSITIVES.....	27
XI. BAMTC MEMBERS AND THEIR ROLES.....	28
A. JUDGE.....	28
B. COORDINATOR.....	29
C. PROSECUTOR.....	30
D. ASSISTANT DEFENDER/DEFENSE COUNSEL.....	30
E. PROBATION OFFICER.....	31
F. TREATMENT PROVIDER.....	32
G. PROGRAM EVALUATOR.....	33
H. COURT ADMINISTRATOR.....	33
I. COURT ROOM CLERK.....	34
J. LAW ENFORCEMENT.....	34
K. ALUMNI-FORMER GRADUATE.....	34
1. ALL TEAM MEMBERS.....	35
XII. BAMTC STEERING COMMITTEE.....	36
A. ORIENTATION FOR NEW STEERING AND TEAM MEMBERS.....	36
XIII. DEFINITIONS USED IN BAMTC.....	37
XIV. CASE MANAGEMENT INFORMATION SYSTEM (DCCM).....	39
A. SECURITY LEVELS.....	39
B. CONFIDENTIALITY REGULATIONS.....	39
C. FILE .MANAGEMENT.....	39
D. COLLABORATION WITH SINGLE STATE AGENCY AND DRUG COURT ADMINISTRATION.....	40
XV. PERFORMANCE ASSESSMENT AND DATA.....	41
A. PROGRAM AND OUTCOME EVALUATION.....	41
B. PROCESS EVALUATION.....	41
C. PERFORMANCE MEASUREMENT.....	42

I. Introduction

The Billings Municipal Drug Treatment Court (BAMTC) is designed to provide an alternative to the traditional method of adjudicating. The treatment court itself is comprised of three tracks of offenders: DUI, Drug and Mental Health. Each track of BAMTC is led by Judge Sheila R. Kolar and supported by a team of professionals from the legal, law enforcement and treatment agencies.

BAMTC is designed to facilitate the rehabilitation of adults accused or convicted of misdemeanor offenses who have significant substance abuse problems and/or mental health disorders. Clients are carefully screened and must meet stringent eligibility criteria. They are required to address their chemical dependency issues, resolve their legal obligations and obtain employment and/or further their education. Participants are monitored by a probation officer and undergo frequent, random alcohol and drug testing. BAMTC is not a haven for those who manufacture or distribute drugs. These types of offenses are not eligible for the program. It neither provides a “quick fix” nor allows clients to avoid responsibility for their actions and behaviors.

The goal of BAMTC is to assist misdemeanor offenders in addressing their cd issues and learn to become law-abiding, functional members of society. By doing so, they no longer drain the resources of Billings and surrounding communities.

BAMTC relies heavily upon the cooperation of community stakeholders. Even though the Steering Committee and the team include many entities within the Billings community, there may be individuals and agencies who share goals that are common to those of the program. Additional assistance is always welcome and there is a standing invitation to all community stakeholders to join us in this endeavor.

Keys to the success of this program are:

- Placement into BAMTC as soon as possible after arrest. The crisis of arrest and incarceration make mental health offenders and addicts’ great candidates for intervention. Expeditious placement increases the chances for success. BAMTC’s range of placement is between 10-14 days after the initial screening.
- Solidarity of BAMTC Team members to ensure the Judge is able to use incentives and re-directing of participants effectively.
- Long-term treatment for participants. Substance abuse and mental health disorders often inflict damage over several years; the treatment response must also be long-term, at least 12-16 months in duration.
- Isolating and treating not only substance abuse/mental health disorders, but also other problems a participant faces. Underlying causes of abuse and criminal thinking must be identified to fully assist a recovering addict or mental health disorder; such as past trauma, poor life skills or non-medicated illness.

- Sanctions and incentives. Relapse and sporadic progress are to be expected, therefore progressive incentives and graduated consequences are integral components of the BAMTC program.
- An understanding by each team member and each team member's department head as to his or her roles and responsibilities. An MOU is signed by the BAMTC members to ensure each department committed to the Treatment Court is represented.

A. Statement of Empowerment

It is the underlying treatment philosophy of BAMTC that participants are best served when the treatment team and service providers work **WITH** offenders in accessing services, but do not complete the tasks for them. A participant's long-term successes are dependent on their ability to be self-sufficient and to be empowered, not to be enabled and sheltered from decisions in their services.

B. 10 Key Components of Treatment Courts

The National Association of Drug Court Professionals (NADCP) through the assistance of the U.S. Department of Justice has drafted the publication *Defining Treatment Courts: The 10 Key Components* for specialized courts and Drug Courts. BAMTC understands the importance of these components and has adopted them and utilizes the appropriate components for each track of the treatment court.

II. BAMTC Program Design

BAMTC has improved the criminal justice processing of targeting addicts and mental health offenders and to assist them to become sober, productive, law-abiding citizens. Every community stakeholder is invited to unite in an effort to reduce substance abuse and impede mental health illnesses among non-violent offenders.

- BAMTC has fostered communication and collaboration among criminal justice entities, substance abuse and mental health treatment providers, education officials, social services and interested community stakeholders.
- BAMTC has constructed a completed case-processing plan from program entry to graduation.
- 80-90% of eligible offenders referred to BAMTC receive substance abuse evaluations within 14 days of arrest.
- 80% of clients receive court intervention within 14 days of arrest.
- 100% of BAMTC participants receive intensive court supervision including regular hearings, tracking of progress, and progressive sanctions for failures.
- At least 85% of participants receiving services will reduce the frequency of alcohol and drug use as measured by urinalysis testing results.
- 65-70% of participants complete the program successfully.
- 100% of participants who successfully graduate have a long term relapse prevention plan.
- A program rate of 65% will be maintained in BAMTC.
- The average time participants remain in BAMTC is 12-16 months.
- 85% of participants successfully complete inpatient or outpatient substance abuse treatment.
- 100% of the clients who complete the program will be employed upon graduation or furthering their education.
- 50% of the graduates with less than a high school degree will earn a GED.
- 80% of the clients who complete the program will participate in the mentor/alumni group for up to six months.

- No more than 5% of the participants who graduate from the program will be rearrested within six months post graduation.
- No more than 10% of the participants who graduate from the program will be rearrested within one year post graduation.
- 80% of the clients will be retained for at least nine months and 65% of clients for 12 months.
- To increase saving to the taxpayer by reducing costs to the criminal justice system by 10%.
- The number of days in jail for BAMTC clients will be reduced by 20% compared to the control group.

By employing the services of an independent researcher to provide process and outcome evaluation, BAMTC will determine if goals are achieved.

A. Client's Drug Use

Drug Court Team Members have agreed to limit the use of positive urinalysis results and client admissions of drug use and have with treatment responses or consequences within the scope of the BAMTC program as opposed to being the impetus for new law violations. The intent is to change the client's substance abusing behavior as opposed to burying the defendant with additional charges. This recognizes addicted people relapse. Use of illegal substance is in no ways condoned by the program. The contrary is true. Habitual substance abuse is an acceptable reason for the Judge to expel a client from the program. Nonetheless, the intent is to retain the addict in substance abuse treatment.

B. Treatment Court Fees

All BAMTC participants are required to pay a minimum program fee as mandated by the BAMTC Judge. DUI and Drug Court participants will be required to pay \$30.00 per week and Mental Health Court participants will be pay \$15.00 per week. All fees used to offset the costs of probation and drug testing costs. All program fees must be paid in the full to fulfill the requirements for graduation unless otherwise ordered by the BAMTC Judge. If clients are unable to afford the program fee the Coordinator will assist the client in arranging community service in lieu of the program fee. One hour of community service equals \$8.00.

III. Standards and Practices

A. Eligibility Criteria

BAMTC targets adults who have involvement with the Billings Municipal Court and have unresolved charges or revocations related to substance abuse and or mental health disorder. The treatment court uses the listed criteria to determine eligibility:

- Defendant is 18 years of age or older
- Defendant meets DSM-IV criteria for drug/alcohol dependence or receives diagnosis of AXIS I
- Defendant is able to understand and willing to comply with Participation Agreement and Informed Consent
- Defendant is willing to participate in Billings Municipal Drug Treatment Court
- Treatment Team approval
- Offenders, including first time offenders, with misdemeanor charges alleged to have occurred within city limits of Billings, Montana where the primary reason for being in the criminal justice system is related to significant substance abuse or mental health illness
- Non-violent criminal history as described by Federal Guidelines
- Reside within Yellowstone County, Montana

B. Eligible Misdemeanor Offenses

- Driving While Under the Influence of Drugs or Alcohol
- Partner or Family Member Assault
- Possession of Dangerous Drugs
- Possession of Drug Paraphernalia
- Assault
- Theft
- Obstruction
- Forgery
- Unsworn Falsification
- Deceptive Practices

If the defendant meets one of more of the following criteria, defendant will be **ineligible** for participation in BAMTC:

- Defendant is not a resident of Yellowstone County, Montana
- Defendant has been convicted of a deliberate homicide or murder, kidnapping, robbery, felony assault or other violent felonies, and sex offenses
- Defendant has another charge pending for which they would be deemed

ineligible

- Prior conviction of drug trafficking
- Defendant has a medical or psychiatric condition causing a degree of impairment or instability such that it would interfere with program participation and functioning

C. Confidential Informants (CI)

In as much as the activities associated with being a “CI” who works for law enforcement is contrary with the goals of a BAMTC participant, a person actively engaged with law enforcement as a CI is not eligible to be a participant. A person who has been a CI in the past, but is not actively engaged, is indeed eligible to participate in the program. Law enforcement is requested to assist the program following this provision.

D. Additional Considerations

If defense or another team member identifies any of the additional considerations that are listed below, the defendant may not be eligible to enter the program.

- Individual has severe mental health issues that would likely prevent them from participating in or benefiting from the program’s regimen.
- Individual is prescribed and using mood altering, medical marijuana card holder or narcotic medications. Such a candidate may become eligible if they were to consult with their physician and have an alternative prescribed.
- Individuals with medical conditions that require immediate attention.

E. Referral and Screening

The referral and screening process is a joint effort by the treatment team. The defendant meets with designated members during the process to identify whether the defendant meets participation criteria, with the team reviewing the defendant’s screening file to determine final eligibility. It is the program’s goal to screen potential defendants and determine eligibility within 7-14 days of the initial screening.

- Potential defendants are identified by prosecuting attorney, defense counsel, judge, law enforcement or other community stakeholders and referred to the BAMTC coordinator. If the referral is an outside agency, a electronic referral will be generated and sent to the coordinator.
- The coordinator with the assistance of the referral source, initiates contact with the potential defendant to discuss the program. If the defendant is interested, the coordinator sets an appointment to begin the screening process (Initial Interview).
- Initial Interview. Defendant meets with the coordinator to further explain the program, including the phase description, and to answer any questions. A screening/intake form is completed along with signed releases of information.

This allows the coordinator to share information to the team including: contact information, family information, legal status, criminal history, education, employment and financial status, medical and psychiatric history and person's who know the potential participants recent activities. If there is no information obtained through this process that would exclude the "screenee" from the treatment court, the coordinator then assists the potential participant with setting up appointments with defense counsel and a cd eval/mental health evaluation along with treatment court observation. To ensure the "screenee" does not forget where and when appointments are set, an appointment sheet is provided.

- After all the appropriate releases are signed, the coordinator is responsible for providing reports and information necessary to treatment team members involved in the screening process prior to their scheduled appointments with defendants.

F. Court Appointed Attorney and Prosecution

The Court will maintain a defense attorney who will be the recognized attorney for BAMTC unless there is a conflict of interest. In the case of a conflict, the currently assigned attorney is asked to continue representation of the potential defendant. The purpose of this meeting is to discuss the legal issues of the program and the participation contract. After meeting with the defendant, the attorney will contact the coordinator with recommendations for acceptance/decline.

Simultaneously, the prosecutor works closely with the defense attorney in negotiating appropriate plea agreements which focus on both accountability and on treatment and rehabilitation. Having been trained in treatment court philosophies and practices, the BAMTC prosecutor and defense counsel appropriately communicate with one another and the team regarding offender case status, and participate in team discussions regarding any matter which may result in participants receiving sanctions or incentives.

G. Chemical Dependency (CD) and Mental Health Evaluations

The purpose of this meeting is for the defendant to meet with a Licensed Addiction Counselor (LAC) to determine the current diagnosis of the defendant and appropriate level of care for treatment using ASAM criteria. The Court will order the defendant to participate at that level in order to remain in BAMTC. The results of the evaluation must be reviewed by the Court prior to acceptance into BAMTC. The Treatment Court will use Rimrock Foundation and Mental Health Center as the providers for chemical dependency evaluations and mental health treatment. Further, the Team agrees to utilize the results of these evaluations (even if there is a recent evaluation from another agency) to determine the level of treatment necessary for a defendant. After evaluating the defendant and within two working days, the LAC will contact the coordinator with verbal results/recommendations. A complete written evaluation will be submitted to the program within one week from the time of the evaluation.

H. Date for Court Observation

It is required that prospective defendants observe a court session so they may make an informed decision of entering BAMTC.

I. Continued Screening Process

When the defendant has attended all scheduled appointments and if the defendant meets eligibility as determined by the chemical dependency evaluation, the team will discuss the status of the defendant and if they will enter into the program. The judge will review the court case and submit her decision on final eligibility to the coordinator.

J. Welcome!

A formal hearing will be held before the Judge to review the signed Participation Contract and Informed Consent. The Judge will welcome the defendant to the program, briefly discussing the defendant's responsibilities. Directly after the defendant's first formal court appearance, the coordinator will provide an orientation packet to the participant. During the orientation, the coordinator informs the participant of rules of behavior, self-help meetings and verification slips, a fee contract, bus pass with schedule and routes (if needed), medication policies, participant handbook and binder with all necessary materials to aid in the participant's success.

IV. Operational Standards-Personnel

A. Collaboration

All personnel and entities collaborating with BAMTC have agreed to cooperate with the Steering Committee/team and to include the appropriate 10 Key Components, the Goals and Objectives, MOU's, Participant Handbook, and Program Manual.

B. Cultural Diversity

BAMTC operates under the premise that a culturally diverse program is a greater benefit to the community and its citizens. All personnel and entities will operate in a manner that reflects an understanding of culturally diverse issues.

In order to ensure culturally sensitive treatment to Native American clients, Indian Health Board (IHB) will provide screening and diagnostic services, intensive outpatient groups, aftercare and relapse prevention counseling and referrals to physicians for this population.

C. Selection of Team Members

Each entity represented on the BAMTC team will attempt to select individuals and alternates (back-ups) who are committed to BAMTC's mission and goals. Each entity should strive to keep an assigned member and alternate for the length of time that is beneficial to team continuity. The importance of the team functioning in an effective and efficient manner cannot be overstated.

D. Team Member Training

The BAMTC team understands that ongoing training and education is crucial to ensuring that the court's goals and objectives are being met. Each team member has attended NDCI sponsored discipline specific training, and attends a minimum of one national drug court-related training activity annually, generally located at various sites around the country. They also attend local, state and regional training sessions whenever possible.

Monthly team meetings, planned by the treatment court coordinator, are held monthly outside of the court sessions. These meetings include a wide range of topics based upon requests by team members and issues that may surface. All team members are required to be present.

V. COURT ROOM STANDARDS

A. Court Room Clerk

The Courtroom Clerk shall keep the Judge aware of administrative procedures that affect BAMTC. The Courtroom Clerk shall ensure all BAMTC cases are processed in an efficient manner, and manage the Court docket. The Courtroom Clerk's duties include, but are not limited to: scheduling defendant court dates, completing jail orders and/or commitment forms as issued by the Judge, completing the issuance of bench warrants, and keeping track of paperwork that is generated on a daily basis. This position will also be responsible for taking brief minutes to include when individuals appear in court.

B. Dress Code

BAMTC clients are expected to dress appropriately for Court. Men must wear pants of appropriate length and fit, a shirt and shoes. Women must wear pants or skirts of appropriate length, a modest top and shoes. Tight and/or low-riding pants, see-through blouses, mini-skirts, "crop tops", tube tops, bathing suit tops and halter tops are examples of unacceptable attire. Clothing bearing drug or alcohol related themes, or promoting or advertising alcohol or drug use are not allowed. No gang colors or attire shall be worn in court. No sunglasses, bandanas or hats are to be worn inside the courtroom. Also, no bare feet or flip flops are acceptable into the courtroom. The intent of this dress code is to promote clients to respect themselves and the Court. The program's focus should not be how a client dresses as much as it should concentrate on the client's progress toward meeting goals that involve a law-abiding, drug-free lifestyle. Team members are held to higher standards than clients.

C. Cell Phones, Bailiff's & Court Officers

While in the courtroom, clients and Team members are required to turn their cell phones off or on vibrate. A Court Officer will be present in the Courtroom and is responsible for maintaining order and control. It is the Bailiff's and coordinator's responsibility to inform all individuals in the courtroom that cell phones must be turned off or on vibrate. The Bailiff will be responsible for scanning, checking backpacks, and ensure participants do not bring in drinks or food.

D. Client Behavior

While in court, individuals are expected to remain seated and quiet until called upon. The Judge will be addressed with respect. Unless approval to leave is given, participants will remain for the entire proceeding. No children shall be allowed in Court without receiving prior permission from the Coordinator. Congratulations, support, and cheering are encouraged in the courtroom in recognition of everyone's successes.

E. Treatment Court Confidentiality

BAMTC respects the privacy of all participants. All treatment related documents, in accordance with Federal, state and local law will be maintained to ensure that the privacy and identity of the individual is protected. Every effort is made to ensure their identity is protected by not using a participants name in research or evaluation activities. Because Treatment Court is open to the public, we cannot predict whether or

not how the news media may use identities and cannot prevent them from disclosing it or other information which is public record. However, if the media requests an interview, participants may refuse to talk about their experience in treatment court and will be left to the participants' discretion.

F. Court Observer Policy

The very nature of the treatment court requires that information of a highly sensitive and confidential nature is often shared both in team meetings and in court sessions. As a result, members, adjunct members, and court observers are required to sign confidentiality agreements that outline the kind of information being shared, who is allowed to have this information and legal ramifications should confidentiality be broken. In addition, defense attorneys and service providers outside the team will be allowed to sit-in for their case, but will be excluded from staffing for any additional cases.

It is the determination of the treatment team that court observers and adjunct members must renew their confidentiality agreement every session they attend and team members must renew their agreement every year.

VI. Incentives and Sanctions

A. Incentives

BAMTC uses incentives with participants in an effort to assist them in leading law-abiding, drug-free lifestyles. Incentives are used to encourage participants to accomplish goals they have established for themselves. Team members are encouraged to find reasons to encourage them as well. Participants are also encouraged to be creative when recommending possible incentives.

B. Sanctions

The use of graduated sanctions is necessary to change client behavior in meaningful ways. When applied appropriately, sanctions may keep an individual from unnecessarily spending time in jail. The threat of sanctions is expected to assist BAMTC participants in becoming successful. As a result of substance use, many addicts have lost respect for themselves and have lost the support of their family and friends. Therefore, the use of sanctions can motivate participants to succeed. Team members are encouraged to recommend sanctions, which conform to BAMTC's goal of promoting law-abiding, drug-free lifestyles.

The following tables are comprised of suggestions for sanctions/incentives throughout a defendant's participation in BAMTC. It is intended primarily for providers to assist in consistency with sanctions/incentives and to provide **guidelines** for the use of these tools.

Table 1

SANCTIONS	INCENTIVES
Day in Jury Box	Verbal praise, compliments from the Judge
Penalty Box	Fishbowl drawings
Observe other court proceedings	Handshakes and/or hugs
½ day in court	Grocery store donations
Court: Stay to end of court	Haircuts/vouchers
Team round-table with client	Makeup sessions
Increase UA/BA	Grocery vouchers
Weekend Jail (work detail)	Car repairs (brakes/tires)
Short-term jail sentence	Restaurant gift certificates
Increase time in phase or track	Candy
Verbal and or written apologies to judge and group	Applause/Special Recognition
Speak to public (church/school groups)	Graduation Certificates
Essays – what were triggers, how to avoid	Phase Certificates
More frequent testing	Less court appearances
Fines	Graduation
Curfew/check-in time	Kudos
Return/forfeit coupons/certificates	Sobriety tokens
Lengthen time in program	Movie Passes
Take away driving privileges	Recovery Games
Admonishment from Judge	Gift Cards

SANCTIONS	INCENTIVES
Community service	Serenity stone
Pick up trash on roadside	Candy
Clean animal shelter/police stables	Fruit
Work on habitat for humanity house	Toiletries
Unpaid clean-up detail	Birthday Cards
Work Crew	Cookies/Cake
50/50	Pizza
Ankle Bracelet	Books
Silence Contract	Fast Food Vouchers
Place in geographically remote residential treatment	Travel Permit
Increased supervision	Family Praise
Increased court appearances	Phase Graduation
Observations of sentencing	Grant or increase travel privileges
Geographical restrictions	Group positive feedback
Peer Review	Coupons to local establishments
Round table w/ team	Care package
Back Phasing	Passes for special events
Role reversal or self imposed sanctions	Acknowledgement of clean time
Journaling	Health Club memberships
Enforced relocation of home	Bus passes
Home Visits	Out of state travel
daily one-on-ones with probation	Free legal advice
Staying Through Last Call	Pictures that document progress
Termination	Recognize former graduates
Ride along with law enforcement	Earned chips
Keep, write, complete calendar and return calendar to court	Gym passes
Open apology to group	Opportunity to mentor
Tough physical labor	Essential oils
	Lift curfew
	Less PO contact
	Standing ovation
	Express line in court
	Positive Text Messaging
	Donuts/Juice
	Bike
	Gift Certificates
	Turkeys
	Groceries
	Removal of Electronic Equipment

****Sanctions/Incentives are always at the Treatment Team's discretion and can be altered at any time to meet the individual needs of the participant.***

VII. Treatment Standards

A. Evidence-Based Practices

BAMTC uses evidence-based best practices including motivational enhancement therapy, which is offered to all wait-listed offenders and to offenders who are considering whether they wish to enter treatment court. This modality has proven to be highly successful in engaging substance abusers and assisting them in developing a readiness to change.

The treatment court staff has been trained in motivational interviewing and use these strategies when screening and assessing offenders, as well as during the course of group and individual therapy to resolve ambivalence and assist participants in the necessary process of change. Based upon the work of Miller and Rollnick (Motivational Interviewing: Preparing People to Change Addictive Behavior) and the supporting work and research on stages of change by Prochaska, DiClemente et al, motivational interviewing has been found to be more effective in gaining a commitment to behavioral change than any other individual therapy modality.

Family treatment is also employed as a modality for all treatment court participants during treatment. This includes multiple family group therapy sessions, as well as individual/family therapy sessions and marital/relationship therapy sessions by a licensed family therapist for Substance abuse as a systemic issue in families has long been recognized, and the need for family treatment has been well researched. Some studies have indicated that when families are treated along with the substance abuser, treatment outcomes for the addict are improved by as much as 45%.

Contingency Management (CM) is used by BAMTC and is extended to the continuing care population identified in this application. The effectiveness of CM has been demonstrated by numerous studies. Brown Digest reported recently on a double blind study of CM in conjunction with Cognitive Behavioral Therapy (CBT) for cocaine addicts. The conclusion was that CM was more effective than CBT in producing and maintaining abstinence. Clean drug screens and compliance with treatment plans are rewarded in BAMTC with tokens, coupons, and social affirmation both in treatment court and during the course of treatment.

B. Integrated Treatment for Co-occurring Disorders

An integrated approach is superior to a parallel or sequential approach to treatment for people diagnosed with co-occurring mental illness and a substance use disorders. In an integrated treatment model, individuals participate in concurrent and coordinated clinical treatment of both mental illness and substance use disorders, provided by the same clinician or treatment team often in a single agency. Integrated treatment reduces alcohol and drug use, homelessness, and the severity of mental symptoms. Though people with co-occurring disorders often drop out of treatment, SAMSHA's Collaborative Demonstration Program for Homeless had retention rates as high as 74% in its programs that offered integrated treatment, and these individuals did best when their treatment was combined with other services such as housing, legal services and income support.

VIII. Additional Evidence-Based Practices

A. Trauma-Informed Care

BAMTC services include the Seeking Safety cognitive behavioral modality for traumatized patients in chemical dependency treatment settings. Trauma research indicates the symptoms and residual effects of trauma can be mediated by here and now techniques without subjecting patients to relive past trauma. By providing this type of manualized treatment, a wider range of staff are able to provide the program. This treatment is offered in gender-specific groups.

B. Case Management

Traditionally utilized in other mental health settings, case management has only recently been incorporated into addiction treatment as the field begins to move toward a disease management model of care. BAMTC meets the bio-psychosocial needs of offenders by offering case management and understands the importance of a life skills curriculum. Case management services have been shown to increase retention in treatment and improve outcomes because of its emphasis on addressing the client's life skills void concurrently with substance abuse treatment.

Case management also assists the treatment team in assuring that issues of language, ethnicity, culture, disability, and literacy are directly addressed and not allowed to pose barriers either to treatment or necessary community-based services. In addition, medication assistance, government services, and other life skills are addressed through case management.

C. Cultural Competence

The need for cultural competence is clearly indicated for BAMTC clients, 30% of whom are Native American. The basic tenants of cultural competence—accepting differences, recognizing strengths, and respecting choices—are critical to providing appropriate services to people who have problems with addiction. Racial, ethnic and cultural differences can determine how individuals define their problems, how they express them, whether or not they seek help, from whom they will accept help, and the treatment strategies they prefer.

Successful systems integration is based on all the knowledge a community has at its disposal about the population to be served. The integrated treatment and partnering agencies' approach by blending this evidence-based practice presupposes culturally competent staff and culturally diverse partnerships.

D. Medication Assisted Therapy [MAT]

While this form of therapy refers to any treatment for a substance use disorder that includes pharmacologic intervention as part of a comprehensive substance abuse treatment plan, the use of the term in this application refers specifically to the use of medications to alleviate craving and to assist in the detoxification of individuals with opiate addiction. In the United States, MAT has been demonstrated to be effective in the treatment of alcohol-dependence with drugs such as naltrexone and acamprosate and opioid dependence with naltrexone and buprenorphine.

E. Residential Treatment III.1

BAMTC also utilizes inpatient facilities in the Billings community. The participants must be subject to the rules, regulations and practices of that program, including financial obligations.

F. Jail-Based Treatment II.5

Participant's who are high risk/high need, pose a threat to the community, or have an elevated probability of absconding will be placed into BAMTC's level, Jail-Based Treatment. Individuals are housed at the county jail for at least 90 days and are transported Monday-Friday, 8:30-4:30. After completing this modality, participants are released and placed into II.1 Intensive Outpatient Treatment.

IX. Program Structure/Design

A. Phases

In order to provide participants and the Treatment Team with an outline of expectations for progression through BAMTC, the program utilizes a three-four phase matrix. Each phase is structured with clear objectives. Advancement from one phase to another is determined at the discretion of the Judge and based upon the condition that the participant has met the requirements of each phase. Each individual phase is based upon the individual's rate of progress. The duration of the program will not be less than one year of treatment and court supervision.

1. Phase I: Initiation/Stabilization Phase

Minimum length: 60-90 days
Testing Random: UA/BA/SCRAM/ETG
Individual counseling: one time a week
Self help meetings: three times a week
Court appearances: weekly
Probation office visits as needed (at least weekly)
Attend Treatment as assigned
○ ***(Inpatient-Jail-Based-Day Treatment-Intensive Outpatient)***

- Find sponsor within the first three weeks of program
- Contact sponsor at least one time each week
- Clean & sober for at least 4 weeks
- Bring support person to family night
- Continue or find employment or enroll school
- Substance free activities
- Maintain compliance
- Set up budget with Treatment Case Manager
- Begin time payments on fees/fines/restitution
- May need to attend Seeking Safety
- Complete case management evaluation

2. Phase II: Continuing Care

Minimum length: 90 days
Testing Random: UA/BA/ETG
Individual counseling: two times a month
Self help meetings: three times a week
Court appearances: bimonthly or monthly
Probation office visits as needed
Treatment Sessions two times a week
○ ***(Aftercare and Relapse Prevention)***

- Maintain sponsor and contact at least one time a week

- Maintain home group
- Clean and sober for at least 12 weeks
- Review Treatment progress for transition
- Bring sponsor to sponsor night
- Continue employment and/or education
- Consumer Credit Counseling
- Attend Life Skills
- Attend Healthy Sexuality
- Attend any specialty courses as required...parenting, prime for life, anger management etc...
- Sober leisure activities
- Apply for provisional license & interlock (if applicable)
- Maintain compliance
- Remain current on fees/fines/restitution
- Alumni/Mentor group
- Complete 10 volunteer hours

3. Phase III: Stabilization

Minimum length:	90 days
Testing Random:	UA/BA/ETG
Individual counseling:	one time a month
Group counseling:	one time a week
Self help meetings:	three times a week
Court appearances:	Monthly
Probation office visits	as needed
Treatment plan:	one time a week
<i>(Relapse Prevention)</i>	

- Maintain Sponsor and one time a week contact
- 18 weeks clean and sober
- Full-time employment or further education
- Continue to develop activities that are drug/alcohol free
- Complete 20 hours volunteer service
- Address and resolve all legal matters outside of Billings Municipal Court
- Alumni/Mentor group

4. Phase IV: Mentor Phase

This phase is based on “as needed” for participants who have had a life changing event happen before graduation and have successfully completed their treatment plan.

Length of program: As needed

Testing Random: UA/BA/ETG
Individual counseling: two times a month
Self-help meetings: four times a week
Court appearances: As needed
Treatment plan: As needed

- Maintain Sponsor and contact onetime per week
- Full-Time Employment
- Continue to develop activities that are drug/alcohol free
- May be asked to do presentations in support of Treatment Court
- Mentor new participant

B. Graduation Requirements

A participant will be eligible for graduation upon approval of the team. To graduate, the participant will be required to complete their treatment program through the Stabilization Phase, have at least 90 days of sobriety, working or going to school full-time, living in a stable, drug-free environment, have completed their 30 hour volunteer project and present their relapse prevention plan to their group and to the treatment team.

C. Alumni/Mentor Group

Following graduation, BAMTC has an open-door policy for court sessions and are encouraged to attend as wanted or needed. In addition, available is the alumni/mentor group which wraps services around graduates after they no longer have the structured environment of treatment court. The group is facilitated by the coordinator and meets one time a month. Meetings are open chaired by alumni and participants in phase II and III are required to attend the group in lieu of relapse prevention the week of the alumni/mentor group. To keep it centered around a sober leisure activity and build camaraderie, BAMTC hosts “fun” activities such as bowling, movies, inspirational speakers, and community service.

D. Opt-Out Provision

There is an “opt-out” provision for BAMTC participants. If a client wishes to withdraw from the program, they may do so voluntarily. Following withdrawal from the program, the client’s case will be reinstated and will proceed to appropriate disposition.

E. Termination

Termination from the program occurs if a participant does not complete the program requirements as determined by the team. The factors included in termination are as follows:

- Failure to participate in treatment
- Continuous failure to complete all program requirements
- Tampering with drug testing.
- Being excessively positive for drug testing and the team has exceeded their ability to treat the participant (max benefits)

Termination of the participant will automatically occur for one of the following charges if probable cause is determined on the face of the affidavit:

- Drug sales, including trafficking.
- Multiple DUI or DUI offense causing property damage or personal injury.
- Possession of firearm or other prohibited weapon.
- Violent crimes such as assault, partner or family member assault, robbery, and sexual offenses.

X. Drug Testing and Medication Policies

A key component of monitoring participants in BAMTC is random drug testing which assists in ascertaining abstinence from substances. Results of this testing are directly linked to the court's discretion to provide sanctions or incentives. Testing also aids in the team's decision to modify treatment or provide ancillary services to support the defendant in meeting the goal of sobriety and healthy community involvement.

It is the goal of the BAMTC to adhere to a "zero tolerance/abstinence" policy. In accordance with this, testing is done randomly and in a manner consistent with national guidelines for (SAMSHA) accredited/certified testing providers. The objectives and criteria of this service, regardless of the agency providing the service, are:

- To provide BAMTC participants with a consistent sample providing "call-in" time and clear guidelines for compliance/non-compliance. Included in this protocol is maintaining a procedure for weekend and holiday testing.
- To provide testing results in a timely, consistent, and uniform manner, allowing for appropriate and consistent response in treatment guidelines including sanctions/incentives.
- To establish protocol for immediate response should a test sample be positive for alcohol/drugs or adulteration. Including protocol for utilizing the MRO-Medical Review Officer.
- To establish protocol and a forum for addressing concerns specifically related to participants and/or the drug testing agency's policies.
- All participants of BAMTC have the opportunity to call the U/A hotline anytime after 4:00am. Participants are provided with their own UA/BA number and are responsible to provide a specimen no later than 10:00am. If he/she appears after 10:00 am or cannot provide, this will be considered non-compliant and will be counted as a missed UA/BA.
- The probation officer is responsible for reporting results, compliance or non-compliance, and responds to questions or requests from BAMTC.

The defendant will be considered non-compliant for any of the following:

- Failure to contact the probation officer following the referral from the coordinator to register and obtain testing information.
- Failure to call the UA hotline to ascertain if a sample is required.
- Failure to appear and provide a sample if the designated number is scheduled on any given date.
- Failure or inability to provide a sample once at the providing agency. A participant will have until 10:00am to provide regardless of what time they arrive

to provide their sample. If someone is unable to provide when they arrive, they will be allowed to wait in the testing facility for whatever time is left prior to the 10:00am deadline. If they are still unable to provide at that time, they will be considered non-compliant.

- Tampering with a sample or with the collection of a sample including intentional dilution.
- Failure to provide an adequate sample for testing to allow for temperature verification and confirmation of a sample if necessary
- A positive urinalysis test or breathalyzer
- A positive test will result with a sanction
- If a test is marked “positive”, the participant may request for a confirmation to an appropriate lab at their own expense.
- The initial test will be administered immediately following the participants sentencing.
- All participants are tested randomly 2-4 times/week. However, they are unaware of the number of tests which they will be required to provide.

****These compliance standards are provided to the defendant both verbally & in writing at the time of their acceptance into Drug Treatment Court***

Should a sample be adulterated the designated contact from the providing agency will contact the Treatment Court Coordinator immediately with this information. The Coordinator will be responsible for contacting the designated member(s) of the treatment team to notify them of the result and to arrange for appropriate intervention.

A. Sample Collection/Chain of Custody

Although the specific protocol for testing and sample collection will be established by the providing agency, it is the policy of the Treatment Court to utilize providers who are certified collectors and who utilize a SAMSHA (NIDA) certified lab. In accordance with those guidelines, the following minimum testing protocols must be utilized:

- Random testing schedule
- Verification with picture ID
- Verification of documentation at time and date of testing
- Request of information and documentation by testing staff of all current medications being taken by the participant
- Request for information and documentation by testing staff of all current medical conditions and illnesses that might affect testing results
- Participant will be instructed to leave all purses, packages, backpacks and extra outer clothing outside the provide area
- Observed testing with same-sex staff
- Utilization and completion of SAMSHA-certified required verification forms/reports and transport materials if necessary
- Clear reports to BAMTC including name of defendant, date and time of testing, substances tested, results and when appropriate, MRO confirmation report

****It is understood that all information disclosed to the testing staff by any Treatment Court participant is protected by Federal Confidentiality rules [42CFR, Part 2]. Federal rules prohibit further disclosure of information unless expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42CFR, Part 2. Any testing agency utilized by BAMTC will agree to abide by the federal regulations in communications with the participants.***

B. Medication Policy

Introduction of certain over-the-counter (OTC) medications and narcotics in individuals can result in severe physiological, psychological and legal consequences. Even though the general population may need to take a narcotic or OTC, BAMTC believes the answer to most medical issues is not found in the form a narcotic and requires participants to follow this policy. The medication policy is provided and clarified at the time of orientation.

C. OTC

Participants are encouraged to resolve ailments through alternative methods to using medications. Prior to using any OTC meds, individuals are required to discuss it with their counselor and probation officer. Participants may not take medications that contain ephedrine, pseudoephedrine, phenylpropanolamine or alcohol. In addition, they are encouraged to read the label or ask the pharmacist for OTC that does not contain the above listed ingredients. OTC medications allowed for pain management include: Aspirin, Ibuprofen, Acetaminophen, Aleve and Motrin. Participants taking their medication should read and follow the directions on the label.

D. Physicians

Participants are encouraged to receive medical treatment from a qualified medical doctor as needed. They are required to disclose their substance abuse history to their physician and are provided with a *Notice to Physician* card which identifies them as a participant of BAMTC with substance abuse. To help the issue of "Doctor shopping" or allowing individuals to use multiple physicians, RimRock Foundation permits BAMTC to utilize their FT physician on site and can be used at the discretion of the court.

E. Prescription Medication

Participants must take prescriptions as specified and register the medications with their counselor and probation officer prior to taking the medication or as soon as possible. This stipulation will be moot in a life threatening situation.

A screenee of BAMTC will not be permitted to enter the program if they are using a narcotic or mood altering prescription or possess a medical marijuana card. Under the supervision of their doctor, the individual may become eligible if they stop using the medication or if the doctor replaces the script with a suitable non-narcotic that will not test positive during testing.

If a participant must take a prescription that will test positive on a drug test for a limited period of time, their clean time will be suspended while they are taking the medication.

Maintaining sobriety is most difficult for an addicted individual when they must take mood-altering medications, even for a short period of time.

F. Tobacco, Caffeine and Potential False Positives

Participants are encouraged not to use either tobacco or caffeine; however, they are drugs from which they are not barred from consuming legally. All participants are made aware that certain energy drinks, poppy seeds and muscle enhancements may cause false positives in drug testing and are not allowed to indulge in while in BAMTC.

XI. BAMTC Team Members and Their Roles

The BAMTC Team meets on a weekly basis to staff the progress of individual participants and screenings. At this level, the team is responsible for providing direct support to the participants, which demands collaboration from each member and integration into the justice system. The treatment team is responsible for mapping the progress of the participant and reporting back to the team.

The meeting is led by the judge but input from all members is encouraged and required. Any member of BAMTC can raise issues or share concerns regarding any participant or screening. Final say and decisions on matters will depend on the issue and the agency with the most expertise; however, the judge can and will make final determinations.

The Treatment Team also meets monthly for cross-training and to discuss policies and procedures of BAMTC.

The Treatment Team consists of a judge, coordinator, probation officer, a representative of the treatment provider, alumni, defense counsel, courtroom clerk, prosecutor and law enforcement. Other professionals who provide direct treatment/services to the participant may also be invited to join staffing.

The role of each team member is specified below:

A. Judge:

- The effective leadership and direction of a single Judge shapes the success of the Treatment Court program.
- The Judge participates fully as a team member, committing herself to the program mission and goals and works a lead partner to ensure success.
- The Judge initiates the planning process by bringing together the necessary agencies and stakeholders to evaluate current court processes and procedures and collaborates to coordinate innovative solutions. Her position allows her to lead the facilitation and coordination of the Court's objectives and goals, allowing each Team member to participate fully in the design and implementation of standards and practices.
- The Judge is knowledgeable about addiction and is aware of the impact that substance abuse has on the court system, the lives of offenders and their families and the community at large. She offers and participates in regular cross-training of Team members with community representatives and assists in creating community interest in and support for the Treatment Court.
- The Judge leads the team to educate the community on program goals and standards and develops community resources to address client's ancillary needs.

- The Judge develops a working relationship with the program client, monitors his or her progress and addresses personal and ancillary issues without losing the aura of judicial authority. The Judge is the primary force in keeping the Treatment Court client motivated and determined to complete his or her program.
- The Judge benefits participants by allowing them to view both positive and negative feedback directed toward Treatment Court peers.
- The Judge maintains the responsibility of keeping a non-adversarial atmosphere in the Drug Court to help ensure that all Team members keep the Treatment Court goal of rehabilitation and accountability a top priority.

B. Coordinator:

- Participates fully as a Team member, committing himself or herself to the program mission and goals and working as a full partner to ensure success.
- Coordinates and participates in BAMTC pre-hearings, hearings, team meetings and Steering Committee meetings.
- Manages daily operations and filing systems. Creates dockets, prepares reports for staffing meetings and assures timely dissemination of compliance information.
- Identifies BAMTC problem areas and recommends possible solutions.
- Participates in performing statistical analysis and program evaluation of BAMTC.
- Participates in the collection of data and the maintenance of the Management Information System used by BAMTC.
- Assists in developing the team resource strategy to acquire funding, assists in preparing grant applications and builds linkages by supporting team in community outreach and lobbying activities.
- Monitors grant deadlines and requirements.
- Creates supporting materials and disseminates them to stakeholders and service providers.
- Creates and distributes marketing materials.
- Creates and disseminates program materials to participants.
- Conducts initial and follow-up screenings of Treatment Court candidates.
- Assists in compiling, writing, editing and updating the Treatment Court policy and procedures and program manuals.

- Informs BAMTC Team members of Treatment Court-related news and training opportunities.
- Periodically evaluates BAMTC operations using the appropriate Ten Key Components of Courts and communicates his or her findings to the Treatment Team.

C. Prosecutor:

- Participates fully as a Team member, committing himself or herself to the program mission and goals and working as a full partner to ensure success.
- Appears in court weekly to represent the City in all Treatment Court pre-hearings and hearings
- Participates in weekly staffing meetings, advocating in a non-adversarial manner for effective sanctions and incentives for program compliance or lack thereof.
- Ensures community safety concerns by maintaining eligibility standards while participating in a non-adversarial environment focusing on rehabilitation and accountability.
- Immediately screens possible clients and makes referral to the coordinator to determine eligibility.
- Discusses Treatment Court referrals with the appropriate Deputy City Attorney; files plea agreement specifying Drug Court.
- Participates in regular cross-trainings to ensure knowledge of gender, age and cultural issues and addiction so that he or she may apply that knowledge appropriately.
- Files necessary legal documents
- Acts as a spokesperson for the Treatment Court program, contributing to and participating in the education of the community, peers, colleagues and the judiciary.

D. Assistant Public Defender/Defense Counsel:

- Participates fully as a Team member, committing himself or herself to the program mission and goals and working as a full partner to ensure success.
- Participates in the assessment of candidates for eligibility and coordination with City Attorney intake to immediately identify possible candidates.
- Evaluates the offender's legal situation and ensures that the client's legal rights are protected.
- Effectively advises each client of their legal rights, legal options, treatment options, program conditions and sentencing outcomes while developing a relationship with the client that promotes the client's long-term best interests.
- Appears in court weekly to represent the client in all Treatment Court pre-hearings and hearings.

- Participates in weekly staffing meetings, advocating in a non-adversarial manner for effective sanctions and incentives for program compliance or lack thereof, and promoting a sense of a unified team presence.
- Participates in regular cross-trainings to ensure knowledge of gender, age and cultural issues and addiction so that he or she may apply that knowledge appropriately.
- Encourages the client to be truthful with the judge and treatment staff, informing each client that she will be expected to speak directly to the judge, not through an attorney.
- Files necessary legal documents.
- Reviews arrest warrants, affidavits, charging documents and other relevant information and reviews all program documents including waivers and written agreements.
- Acts as a spokesperson for the Drug Court program, contributing to and participating in the education of the community, peers, colleagues and the judiciary.

E. Probation Officer:

- Participates fully as a Treatment Court Team member, committing himself or herself to the program mission and goals and working as a full partner to ensure success.
- Participates in weekly staffing meetings, providing progress reports, making recommendations and identifying supervision and ancillary service needs.
- Advocates for effective sanctions or incentives for program compliance or lack thereof.
- Provides coordinated and comprehensive supervision to minimize client manipulation and splitting of program staff. Coordinates continuum of care through regular contact with the treatment provider.
- Develops effective measures for drug testing and supervision compliance report that provide the team with sufficient and timely information.
- Conducts field visits, office visits and treatment visits.
- Primarily responsible for the collection of urinalysis samples.
- Determines if client is engaging in criminal activity and reports same to court.
- Assists in compiling and collecting Treatment Court information for statistical analysis.

- Coordinates with ancillary entities, including health and mental health services, victims' services, housing, entitlements, transportation, education, vocational training, job skills training and placement to provide a strong foundation for recovery.
- Prepares sentencing-related documents as required by the Judge.
- Maintains compliance with all Department of Corrections policies and procedures.
- Acts as a spokesperson for the Drug Court program, contributing to and participating in the education of the community, peers and colleagues.
- Participates in regular cross-trainings to ensure knowledge of gender, age and cultural issues and addiction so that he or she may apply that knowledge appropriately.

F. Treatment Provider:

- Treatment providers' responsibilities entail administrative activities, clinical supervision and counseling services.
- Participates fully as a Treatment Court Team member, committing himself or herself to the program mission and goals and working as a full partner to ensure success.
- Participates in weekly staffing meetings, providing progress reports, making recommendations and advocating for effective sanctions and incentives for program compliance or lack thereof.
- Ensures that clients are screened and evaluated for substance abuse in a timely manner. The assessment will include medical history, employment history, criminal history, educational history, drug abuse history and psychosocial evaluation. May also include mental health assessment.
- Provides immediate notification to Drug Court Coordinator of clients who do not meet Treatment Court criteria.
- Makes appropriate referrals to residential treatment with coordination through the Probation Officer.
- Develops program materials appropriate to the client population.
- Develops appropriate treatment plans, continuing care plans and aftercare plans.
- Make appropriate referrals to community resources and notifies team members.
- Conducts group, individual, and family treatment.
- Provides written and verbal progress reports.

- Provides written termination report within 15 days that will specify reason for termination. Provides immediate notification of unsuccessful terminations
- Ensures that all files are maintained in accordance with program policies and procedures, and federal and state requirements for outpatient and continuing care programs.
- Maintains confidentiality of records and ensure professional and ethical standards of practice.
- Attends in-service training and continuing education conferences.
- Provide all statistics as required by the grant.
- Provide and participate in cross-training relating to addiction, alcoholism, and gender, age and cultural issues.
- Acts as a spokesperson for the Treatment Court program, contributing to and participating in the education of the community, peers, colleagues and the judiciary.

G. Program Evaluator:

- Contribute to planning and operation team meetings to ensure that all Treatment Court components are measurable and quantifiable.
- Conducts regular team interviews.
- Creates and maintains a data collection and operating system.
- Continuously provide feedback to the team on progress towards goals and trends to enhance the ability of the Team to act immediately when noncompliance occurs.
- Monitors team protocols and procedures.
- Completes required grant paperwork.
- Acts as a spokesperson for the Treatment Court program, contributing to and participating in the education of the community, peers, colleagues and the judiciary.
- Hold annual focus groups with participants
- Provides bi-annual evaluation reports to ensure the team is meeting all goals of programming.

H. Court Administrator:

- Oversees payment of invoices.
- Maintains financial information and manages the program's budget.

- Applies for grant reimbursements.
- Monitors grant timelines to ensure compliance.
- Assists in the preparation of reports, surveys and summaries for the Bureau of Justice Assistance per Grant guidelines.
- Responsible for the preparation of Requests for Proposal for service providers.
- Assists in the preparation of grant applications.

I. Billings Municipal Court Courtroom Clerk:

- Operates recording system and inputs log notes for proceedings.
- Issues written court orders.
- Keeps court minute entries
- Maintains Billings Municipal Court case file in clerk's office
- Provides back-up for the Drug Court Program Coordinator
- Attends weekly staffing and court hearings

J. Law Enforcement (LEO):

- Attend weekly staffing and court hearings
- During staffing, LEO run checks on participants for any law enforcement contact. This ensures participants are honest when they are appearing in treatment court.
- Ensure appropriate offenders are referred to BAMTC- no predators, violent offenders or sex offenders are admitted into treatment court
 - Normally officers are aware of offenders who have had prior criminal offenses or contact that may flag them to be ineligible for treatment court.
- Build relationships with participants in BAMTC. Many participants and their families relate LEO to punitive punishment.

K. Alumni-Former Graduate:

- Attend staffing and court on a bi-monthly-monthly basis
- Chair mentor/alumni group at monthly meetings
- Organize and coordinate sober leisure activities with program coordinator
- Assist in facilitating community service projects with participants
- Advocates for effective sanctions or incentives of participants

1. All Drug Court Team Members:

- Perform as a “Team” in a non-adversarial approach to make recommendations regarding client and program progress in a manner that effectively achieves the program’s goals.
- Meet weekly at staffing meetings to provide input to the Judge regarding client progress and the application of incentives and consequences.
- Attend weekly Drug Court hearings.
- Assist in program development issues.
- Assist in identifying, coordinating and participating in training opportunities.
- Assist in creating and modifying treatment court policies, procedures, manuals and publications.
- Locate and recommend utilization of ancillary community resources.
- Assist in the collection of Treatment Court Program data.
- Identify and train individuals to act as back up staff when needed.
- Act as ambassador and information conduit from Treatment Court to other staff within each member’s own entity.
- Participate in speaking engagements to community-based organizations as necessary in order to forge positive relationships between the program and the community.
- Make decisions regarding the client’s continued enrollment in the program based on performance in treatment rather than solely on the legal aspects of the case.
- Monitor quality of treatment services.
- Collaborate in a flexible, positive manner to develop an effective and efficient program

XII. BAMTC Steering Committee

The BAMTC Steering Committee offers valuable guidance and advice as the program works to establish and maintain a strong community-based program. It is comprised of agency representatives and public officials committed to further developing and enhancing the goals and objectives of the program. The Steering Committee meets bi-yearly. The Judge and the coordinator develop the meeting's agenda. Steering Committee members wishing to add to the agenda must submit their items to the coordinator the week before the meeting. The coordinator is also responsible for providing members with the necessary paperwork for any agenda items.

Members include one or more representatives from the following agencies:

- Billings Municipal Court Judge
- Billings Police Department
- Defense Counsel
- Indian Health Board (Substance Abuse Treatment Provider)
- Mental Health Center
- Rimrock Foundation (Substance Treatment Provider)
- Court Coordinator
- Yellowstone County Sheriff's Department
- Alternatives, Inc.
- Community Solutions, Inc.
- City Prosecutor

The Judge and Court Coordinator preside over the Steering Committee meetings encouraging open discussion on program policy matters from professional perspectives. This type of forum is essential to the program's success, as these meetings not only provide guidance for the program, but each member is able to provide appropriate input and educate the others about the various programs and resources available to the community as well as to identify gaps in services.

A. Orientation for New Steering and Team Members

It is required that new team or steering committee members review the policy and procedure manual thoroughly. Should questions arise, these can be discussed with the coordinator

XIII. Definitions Used in BAMTC

Activity census: A list of program clients attending a particular treatment sponsored activity such as a group counseling session, individual counseling, family counseling, life skills class, support group, etc...At a minimum the log will include the participant's name, drug of choice, program phase, date and name of session, and counselor's name.

Screenee/candidate: When a defendant is referred to the program coordinator as a possible client for the BAMTC program.

Community Service: An activity completed by a participant for an approved non-profit organization whereby the community benefits. Community service work can be given as a sanction for non-compliance or be a requirement of a participant.

Family Counseling: A therapeutic treatment session for program clients and their families/significant others. The treatment provider is expected to encourage frequent and consistent participation.

Group Counseling: A substance abuse counseling session involving only participants and a LAC who facilitates. Sessions will last a minimum of two hours with no more than 10 participants at any given time. In an effort to maximize program effectiveness, groups will be conducted on the days and times that are deemed necessary by the team to include evenings. Qualified clinicians must use evidenced based treatment modalities that have been proven to be effective such as those named in by the NADCP/NDCI.

Status Hearings: A judicial review that involves the participant and team to review the progress of individuals in BAMTC. This includes the opportunity for participants to converse with the Judge and for the court to formally apply incentives and sanctions.

Individual Counseling (1:1): Counseling session facilitated by a LAC with one individual. The duration of the session will be no less than 30 minutes. Issues discussed may include: needs assessment, treatment plans, continuing care plans, stopping substance abuse, impaired functioning, criminal thinking errors, and family/social relationships.

Life Skills Class: These classes are designed to assist participants to readily function in society. Topics include but are not limited to proper hygiene, employment skills/interviewing, parenting, nutrition, and personal finances.

Moral Recognition Therapy (MRT): This cognitive behavioral approach designed to address anti-social personality disorders and substance abuse issues.

Participant: An individual who has been formally sentenced into BAMTC and receive services through contracted parties.

Relapse support: A specialized form of clinician led group sessions. The intent is to focus on the day to day issues that participants face. Understanding that they will soon be gaining a greater degree of independence upon graduation, relapse support differs from relapse prevention by focusing on how individuals apply the tools they have obtained in earlier phases.

Restorative Justice Activities: A Treatment Team approved activity involving the participant that results in the victim or community being more closely restored to the same state as before the initial offense occurred.

Staffing: A weekly team meeting which takes place prior to status hearings and includes the discussion of any participant's scheduled to be in court that day. Discussion may include progress in treatment, sobriety days, case management issues and compliance meetings with probation officers. Also included are defendants who may be eligible for BAMTC and are in the screening process.

Team Meetings: At the discretion of the coordinator, monthly meetings are held to discuss events and changes of BAMTC policies.

Self-help Meetings/Slips: These are required ancillary services that incorporate a 12 step recovery plan. A home group is typically where a participant attends on a regular basis.

Sponsor: This is an individual of same sex who has 2-3 years of sobriety that the participant selects to be their mentor and assists them on their road to recovery by "working the steps".

XIV. Case Management Information System (DCCM)

BAMTC utilizes the Drug Court Case Management System (DCCM) to manage, track, and calculate statistics of participants. The Montana Drug Court Case Management Information System (DCCM) is a tool designed to facilitate the daily operations of drug courts on a state wide basis.

DCCM is designed to manage all client information from initial intake to program completion. It is designed to store client level data as well as to produce summary information needed by the judge and treatment team to facilitate decision making regarding client progress within the program.

A. Security Levels

Integrity of data stored within DCCM system is maintained through two levels of security. The first level, at the physical location of ACT Innovations, is maintained through a secure server and maintained by technical support staff. The second level of security is accomplished by monitoring who has access to the system. The coordinator serves as the administrator and is responsible for assigning usernames and passwords for all team members as well as providing security oversight. Each individual's role and responsibilities within the treatment court determines the level of access needed, which is granted by the coordinator. Each individual does have the right to change their login password.

B. Confidentiality Regulations

All court client records, including treatment records, are protected by State and Federal confidentiality statutes and regulations. DCCM has been designed to comply with all of these requirements, including Title 42 of the Code of Federal Regulations and the protections offered by the Health Insurance Portability and Accountability Act (HIPAA). BAMTC signed a provision pertaining to disclosure of client information based on CFR 42, Part 2. This agreement also states that BAMTC must abide by the requirements of HIPAA as it relates to the protection and privacy of client identifying information. Certain client identifiers, such as name, social security number, and case number are stored in DCCM. This information is afforded the same confidentiality protection as the client's substance abuse or other medical treatment records.

42 CFR Part 2 sets forth strict rules for ensuring confidentiality of treatment records. These rules apply not only to people employed at treatment facilities but also to law enforcement and court officials, as well as any other interested third-party. Violation of 42 CFR Part 2 by anyone is a federal crime.

C. File Management:

The BAMTC coordinator is responsible for maintaining defendant files for the program. Original BAMTC documents and paperwork are secured in a locked filed cabinet in the coordinator's office. Hard-copy files include (but are not limited to) information related to screening documentation, CD evaluations, treatment progress, psychological evaluation reports, court reports, roadmaps, weekly status reports, and weekly court outcome copies. BAMTC computer files are password protected. Defendant files are kept for five years after the date of

termination or graduation. After five years, official defendant files and all BAMTC information will be destroyed. Those files kept by individual Treatment Team members will follow their individual agency or professional protocols.

D. Collaboration with Single State Agency and Drug Court Administration
Jeffrey Kushner, Coordinator of Montana Drug Courts with the Office of the Montana Supreme Court Administrator, regularly visits BAMTC and provides oversight and consultation. A monthly meeting is held via video technology between the SSA and all other State Drug Court Coordinators to discuss various topics or issues impacting Montana's Treatment Courts.

XV. Performance Assessment and Data

A. Program and Outcome Evaluation

All BAMTC treatment services provided by Rimrock Foundation are included in Rimrock's Continuous Quality Improvement (CQI) program, in which a quality monitoring committee meets not less than quarterly to monitor and evaluate the efficiency, effectiveness and quality of the services being provided. A series of quality indicators has been established for BAMTC services with the thresholds assigned. The committee reviews the results of data collection not less than quarterly and determines whether thresholds are achieved appropriately. If a service fails to meet a threshold, the committee meets with the treatment staff and begins a process of corrective actions, which will in turn be monitored to determine their success. The CQI program also includes outcome evaluation based on surveys administered at the time of intake/admission, at discharge and at six and twelve months post-discharge.

Participant satisfaction is measured throughout the BAMTC treatment process through feedback instruments, lecture evaluations and significant event forms. These forms are reviewed daily by the treatment supervisor and results reported to Rimrock's CQI committee. A client satisfaction survey is also administered upon discharge from treatment services and upon final discharge from BAMTC. Families are surveyed following their participation in the family sessions of treatment, and these results are tabulated and shared with the CQI committee, BAMTC team and program staff.

The BAMTC Program Evaluation includes both process and performance measurement (program output and short-term outcomes). The process evaluation focuses on the implementation and operation of the program. The performance measurement portions of the evaluations focuses on client progress, program responses and the influence of this program on behavioral outcomes. Both individual level (e.g. client variables) and jurisdictional level (e.g. legal, political, and social characteristics of the jurisdiction) will be considered in this conceptual framework.

B. Process Evaluation

The identification of a target population for the BAMTC program is based upon two general criteria, including both legal and clinical considerations. These criteria are established by consulting Montana law and the research related to the effectiveness of treatment for particular types of offenders. The process evaluation measures the extent to which the participants in the program match those criteria. Additionally, using data as it is collected the evaluation provides feedback to the team regarding the performance of clients based upon age and other relevant demographic variables, as well as criminal history and substance abuse variables to assist the team in refining the target population, if necessary. Further evaluation is conducted on the issues of assessment, treatment service delivery, supervision services and judicial responses (i.e. the behavioral model). The process evaluation piece is ongoing throughout the course of the program with the evaluator using a variety of methods to determine areas of concern and strengths within the program and providing or helping to identify appropriate technical assistance should concerns arise. The methods employed include observation,

structured interviews and focus groups, data collection and analysis, and secondary research.

C. Performance Measurement

As is often the case with treatment court programs, successes are measured using a set of criteria established by the literature and the program. Initially, this criterion focuses on the program goals of client sobriety, retention, recidivism, and services received. Measures of these constructs are then related to a matched comparison group to determine if there is a relationship between these outcomes and the BAMTC, as well as the nature of that relationship. This information is fed back into the system with a goal of creating a long-term plan for a self-correcting organization. The analysis aids the program to determine which types of clients are best suited for the program, which portions of the program were most linked with positive outcomes, and which clients did better with which services (Marlowe and Monchick, 2006).