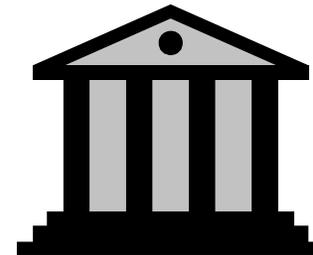


**State of Michigan
25th Circuit Court**



**Marquette County
Drug Court Handbook**



**Honorable Jennifer A. Mazzuchi
Drug Court Judge
234 W. Baraga Avenue
Marquette, MI 49855
Phone (906) 225-8205
Fax (906) 225-8216**



TRANSITIONAL PHASE:

Phase V: Minimum 90 days

Meeting with probation officer as scheduled
Monthly attendance at Drug Court review hearing
Monthly attendance at treatment support group
Continued verified attendance at two 12 step meetings weekly
PBT's and drug screen upon request

Graduation comes after successful completion of the program. You must complete all program requirements. You must demonstrate how Drug Court has positively influenced your life. Graduates are honored and receive certificates.

*** GRADUATION REQUIREMENTS ***

Must have at least 180 current, continuous, sober/clean days.

Complete required treatment and Support Group sessions.

Complete mandatory required 12-step meetings

Have a 12-step sponsor

Pay all program fees and satisfy all court costs and fines.

Be employed in/out of the home or in school full time or combination of work/school.

Be a productive member of the community.

Satisfactory completion of all Drug Court phases.



MAINTAINING CHANGE

Phase IV: Minimum 90 days

Random PBT's (by request or color call)
Random urine screens (by request or color call)
Meeting with probation officer as scheduled
Monthly meeting with case manager
Monthly attendance at Drug Court review hearing
Monthly attendance at Drug Court support group
Random home visits by police officer
Continued verified participation at two 12 step meetings
Maintain Healthy Living Plan
Must have 90 days of sobriety to move into Phase IV



Welcome to the Marquette County Drug Court. This is a team approach to a very serious personal and social problem. The Probation Officer, Prosecutor, Defense Lawyer, Treatment Providers, Case Manager, as well as myself, are all here to do our jobs so that **you** can maintain your sobriety.

You can do this if you follow some simple rules:

Be Honest. We can work through almost any problem together if you are truthful with us.

Don't whine! Really. This program is about accountability and personal responsibility. Sobriety does not come easily for anyone.

Show up on time for appointments and hearings. Ultimately, this program is about self-respect and respect for others.

Don't give up! We realize this program is difficult. Anything in life worth having requires effort and personal sacrifice.

There are a lot of people supporting you—the Drug Court Team, as well as other participants in the program. We look forward to working with you toward your successful completion of this program and a clean, sober and enjoyable life.

Jennifer A. Mazzuchi, Judge
25th Circuit Court

Acknowledgment: This handbook, and many aspects of our Sobriety Court, are patterned after the 86th District Court's Sobriety Court program in Traverse City. A special thanks for allowing this, and for helping with the planning and implementation of our court, is owed to Judge Michael J. Haley and his treatment court team.



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GIVING BACK TO THE COMMUNITY
Phase III: Minimum 90 days

- Random PBT's (by request or color call)
- Random urine or saliva Screens (by request or color call)
- Meeting with probation officer as scheduled
- Monthly meeting with case manager
- Monthly attendance at Drug Court review hearing
- Monthly attendance at treatment support group
- Continued attendance at two 12 step meetings with verification
- Implement Healthy Living Plan
- Fines and costs are paid as scheduled
- Must have 90 days of sobriety to move into Phase IV
- Random home visits by police officer
- Substance abuse treatment to include:
 - One group activity every other week and individual appointments scheduled as needed. Requirements for group or individual activities may increase if determined necessary by the treatment team.



HEALTHY LIVING PLAN

Phase II: Minimum 90 days

Random Drug Screens (unless otherwise directed)

After 90 days of successful screens you will be placed on a random system. This is known as “color call.” You will be assigned a color. You must call a specified number between 5am and 8am every day. If your color is called you must report by 8 am for a drug screen that day.

Random urine screens (by request or color call)

Meeting with probation officer as scheduled

Meeting with case manager 2 times a month

Attendance at Drug Court review hearing 2 times per month

Monthly attendance at Drug Court support group

Attend at least two 12-step meetings weekly with verification

Develop a Healthy Living Plan with case manager (addressing housing, education, employment, volunteer work, relationships, physical/mental health, recreation and spirituality)

Random home visits by police officer

Continued compliance with payment schedule

Substance abuse treatment to include:

One group activity per week and individual appointments scheduled as needed. Requirements for group or individual activities may increase if determined necessary by the treatment team.

Must have 90 days of sobriety to move to Phase III



* INTRODUCTION *

Welcome to the Marquette County Drug Court. You enter the program by pleading guilty and being sentenced to the Drug Court program. As a person whose problems stem from substance abuse, this program is especially designed for you. When you enter this voluntary, intensively supervised treatment program, you will need to be motivated to work toward changing your lifestyle and becoming free from alcohol & drugs. Do not enter this program unless you know that you need to change and that you need help to do it.

Change does not happen overnight. It takes time, patience and a lot of hard work. We will expect a lot of you. It will be difficult and frustrating. Always remember that the best things in life are often the things we’ve worked the hardest for.

Many people entering this program wonder, “How long will it take me to get done?” Well, you’re the one in control of that in many ways. Your progress through the program depends heavily on your level of commitment and compliance. There are five phases and each phase is, at minimum, 3 months long. Each phase has requirements and milestones. If you fulfill all the requirements and have no violations, you will move through each phase in 3 months and complete the program in 15 months. However, if there are any violations or issues of noncompliance each phase may be extended thereby extending the overall program duration.

By choosing to come into Drug Court you will receive little or no jail time upfront, but the maximum can be imposed if you fail in the program. License sanctions may be imposed by the Secretary of State. Also, you will be sentenced to at least 24 months of probation. You will be required to fulfill that obligation regardless of when you complete the Drug Court Program. For example, if you graduate from the program in 15 months you will be on “traditional” probation for the remaining 9 months of your order; if it takes you 20 months to get through the program you’ll be on probation for the last 4 months and so forth.

This program is accessible regardless of race, religion, sex, ethnic origins, sexual orientation, marital status, age or physical and/or mental disability.



* PROGRAM RULES *

We believe that if you follow four simple rules you will succeed in the program.

1. **BE HONEST.** Of all the rules, this is often the most difficult. The program staff and the Court expect you to be honest in all areas of your life. Do not attempt to falsify records, conceal alcohol/drug use, tamper with or dilute your urine or engage in any other unlawful behavior. Eventually, you will get caught.
2. **DON'T WHINE!** Effort is necessary to complete this program. It will be necessary to make sacrifices to successfully complete this program and embark on a better life.
3. **SHOW UP.** Be on time for groups, meetings and court.
4. **DON'T GIVE UP!** This program requires perseverance and you will face many personal challenges. Remember, the reward of a better life is worth the investment.

* THE DRUG COURT TEAM *

The key to the success of the Drug Court is the **Team** approach. The Drug Court Team consists of the Judge, Prosecutor, Defense Counsel, Probation Officer, Treatment Providers, Case Manager and YOU. Each case is reviewed on a regular basis by the team members prior to review hearings.



STABILIZATION AND TREATMENT

Phase I: Minimum 90 days

Urine and/or saliva screens up to 7 days per week

Random urine screens

Meeting with probation officer as scheduled

Meeting with case manager 1 time per week

Attendance at Drug Court review hearing 2 times per month

Monthly attendance at treatment support group

Attend at least two 12-step meetings weekly with verification

Obtain AA or NA sponsor with verification

Random home visits by police officer

Begin to make regular payments towards fines and costs

Attend Another Chance group and complete requirements

Must have 90 days sobriety to move to Phase II

Substance abuse treatment to include:

Two group activities per week and individual appointments scheduled as needed. Requirements for group or individual activities may increase if determined necessary by the treatment team.

*More intensive levels of service (intensive outpatient, partial hospitalization or residential) may be used if appropriate and may satisfy some of the above criteria at the discretion of the court.



or other detention without a hearing.

I hereby waive the requirement of the filing of an order to show cause or bench warrant for probation violation before the court can impose any immediate sanctions.

I fully understand the waiver and freely and voluntarily agree to the terms contained herein, and, if represented by an attorney, have discussed it with him/her.

I _____ agree to the terms set by the Drug Court, and understand that if I do not follow the Drug Court rules, I will be terminated from the program. I have received a copy of this document and the Marquette County Drug Court Participant Handbook and agree to its terms and conditions. I also understand that full compliance may result in the early completion of, and discharge from, my probation.

I understand and agree that information, where necessary, about my participation in a substance abuse assessment, and any and all follow up substance abuse treatment as well as my results on PBT and urine screens may be disclosed in the judge's chambers or in open court, which is a public forum, and may also be disclosed in public files. I understand that the information about my drug and alcohol abuse information is confidential and is protected by federal law and that Federal Regulations (42 CFR Part 2 of Public Act 258) prohibit the disclosure of said information without my specific authorization. I hereby understand the federal law and authorize the release of the foregoing information.

Defendant Signature

Defense Attorney Signature

Date

Date



*** TREATMENT ***

Drug Court Participants must have a substance abuse assessment before entering the treatment program. The assessment determines the required treatment. There is very little tolerance for missed counseling appointments. If you do not believe you need treatment, you do not belong in the Drug Court. The Court will be communicating on a regular basis with your counselor and case manager to discuss progress and attendance. The Drug Court reserves the right to alter your treatment to better suit your needs.

*** REVIEW HEARINGS ***

Participants in the Drug Court are required to attend Drug Court Review Hearings every two to four weeks. The judge, prosecutor, attorneys, probation officers, treatment providers, case manager, other drug court participants, family members and friends are invited to attend these hour-long hearings. The judge will review your progress with you, your case manager and probation officer, and will determine what rewards, sanctions or adjustments may be appropriate. You are encouraged to ask the judge any questions and voice any concerns you may have about your treatment program. You will be given written notice of your next report day and the next review hearing. It is your responsibility to keep track of your court dates. You will not receive additional notices in the mail.



*** REPORT DAYS ***

Participants in the Drug Court are expected to report to their probation officer and case manager on their assigned report days AND ON TIME. You should come prepared with proof of 12 step meeting attendance and any other verification that is requested. If you have changes in your life such as address, room-mates, employment, etc., you need to inform your probation officer and case manager immediately.

*** COSTS RELATED TO THE PROGRAM ***

A payment plan can be established with the Court until all fines, costs and restitution are paid in full. However, you may be expected to pay for preliminary breath tests (pbt) and drug tests/urine screens at the time of testing. Treatment cost will vary depending on your income and the agency providing your treatment.

Remember, the offense you committed may have or would have resulted in some significant jail time and you would have been billed for the cost of your incarceration in addition to the fines, costs, restitution and cost of counseling or treatment.



*** 25th CIRCUIT DRUG COURT AGREEMENT ***

People of State of Michigan

vs

Case Number

Defendant

Whereas, the purpose of the Drug Court is to provide assistance to me to address my substance abuse problem.

Whereas, a great deal of time, effort and money will be expended for my benefit.

Whereas, The Drug Court is a treatment-based non-adversarial process designed to support my sobriety.

Whereas, I have been offered and have accepted the opportunity to participate in this program.

I HEREBY VOLUNTARILY AGREE TO THE FOLLOWING:

To attend and complete any treatment program, including 12-step meetings, that I am referred to by the court, and to be supervised by persons designated by the Court. I will obey all rules of the treatment program and pay all required fees.

To submit to urine, breath, and other drug testing as ordered by the court, further to cooperate during random home visits by probation/police officer/case manager, including breath testing and cursory searches of my person and home.

To appear on time for any and all court dates, treatment meetings or other scheduled appointments as ordered by the court.

I will be rewarded for having done well in the program, given different levels of the program to achieve and strive for, and other incentives.

To comply with my probation order, and pay all fines and costs in a timely manner.

I agree to keep the court and treatment providers informed of my current address and phone number(s) and to report any change within two (2) days.

I am not to use or possess alcohol or any mood altering substance while participating in the program. *Furthermore, I understand that I must have prior permission from court staff before consuming any medication.*

The court may impose immediate sanctions for non-compliance with conditions of the program, which may include incarceration in the county jail



PHONE NUMBERS

Marquette General Behavioral Health Systems
Outpatient: (906) 225-3160 / Inpatient: (906) 225-3330
Great Lakes Recovery Centers: (906) 228-6545
Bell Behavioral Hospital/Services: (906) 249-9002
CDR Northcare/Pathways: (906) 225-7222
Pathways Mental Health Services: (906) 225-1181
Catholic Social Services: (906) 227-9119
Michigan Works: (906) 226-6578
Lutheran Social Services: (906) 226-7410
Women’s Center: (906) 225-1346
AA Number: (906) 249-4430/1-800-993-3670
Sponsors: _____

25^h CIRCUIT COURT OFFICE

Judge Mazzuchi (906) 225-8205

PROBATION OFFICER

Kevin Mattord (906) 225-8229

DRUG COURT CASE MANAGER

Lori Johnson (906) 360-7472



*** EMPLOYMENT AND/OR SCHOOL ***

The Judge may require you to obtain/maintain employment or enroll in a vocational/educational program. Drug Court requires that clients without a high school diploma pursue a general equivalency diploma (GED) or complete high school.

If you lose your job while in the program, you will be given a time frame in order to secure another job. While searching for employment, you may be required to participate in job training, community service or the county work crew. You are permitted to change jobs while in the program; however, you must notify your case manager prior to the change.

Drug Court staff will routinely verify employment through phone contact with the employer or copies of paychecks stubs. We strongly encourage you to notify your employer of your participation in the Drug Court program including required court appearances and group sessions.

*** MEDICATION ***

You may not take any medication, prescribed or otherwise, without prior approval from the Case Manager. Do not assume that a medication is acceptable just because it is prescribed. If you test positive for something that the Case Manager did not approve, you may face consequences, including discharge from the program.



*** PBT'S & URINE SCREENS ***

Participants in Drug Court are expected to take drug screens and/or PBTs several days per week. You may also be required to check in for face-to-face contact with a member of the team. After the first ninety days of the program, the frequency of screening may decrease. You also will, at all times during the program, be subject to random PBT's and urine screens as directed by the court, a probation officer, case manager, any police officer, or your treatment counselors. You may be required to pay for some PBT's and drug screens.

If you miss a PBT or urine screen it is mandatory that you call your probation officer. This will generally be dealt with at the next review hearing; however, under certain circumstances the judge may decide to address the violation immediately.

You are responsible for finding out of the rules of the testing site. Most testing sites will instruct you not to consume anything orally for a period of time prior to a PBT or saliva drug screen. You are never to use any substances (such as mouthwash) or medications (such as cough syrup) which contain alcohol. You must have prior permission from the court before consuming any medication. If you test positive, you are to notify your probation officer immediately.

URINE SCREENS In order to participate in Drug Court you must be able to provide a urine screen on a random basis. **NO EXCEPTIONS.** All urine screens will be witnessed. A variety of drugs can be detected by the lab. You must provide a list of all prescribed medications to your probation officer. You cannot take controlled substances, even if they are prescribed, without permission from the case manager.

Dilute Urine Screens: any attempts to dilute your urine with fluids or other products will be detected and will be treated as a positive (dirty) urine screen.



*** DISCHARGE ***

You may be terminated from the program for a variety of reasons including:

- You petition the court for voluntary termination;
- You exhibit violent behavior or threats of violent behavior towards self or others;
- You display inappropriate, disruptive or non-compliant behavior;
- You fail to satisfactorily participate in program requirements;
- You are charged with another criminal offense (this is decided on a case by case basis);
- You fail to show for review hearings or report days;
- Repeated violation of program rules;
- Repeated dilute, missed or dirty urine screens/PBT's; or,
- The judge determines, in his or her sole discretion, that any other just cause exists.