

Planning the Wellness Court:

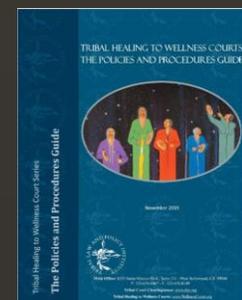
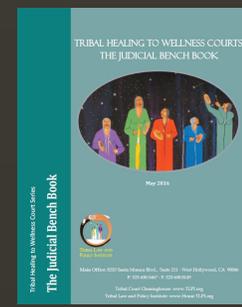
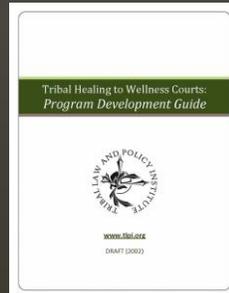
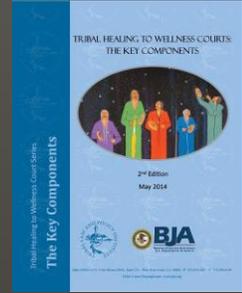
*Mapping the Policies and Procedures
and Other Key Considerations*



Lauren van Schilfgaarde
Tribal Law Specialist
Tribal Law and Policy Institute



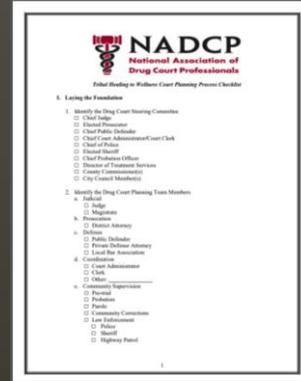
Some Resources:
The Tribal Healing to Wellness Court Publication Series



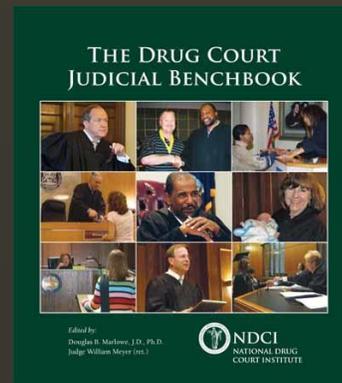
- THWC: The Key Components, 2nd ed.
- THWC: Program Development Guide (2002)
- THWC: The Policies and Procedures Guide
- THWC: The Judicial Bench Book



Some Resources: *Adult*



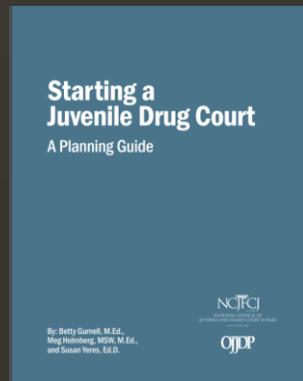
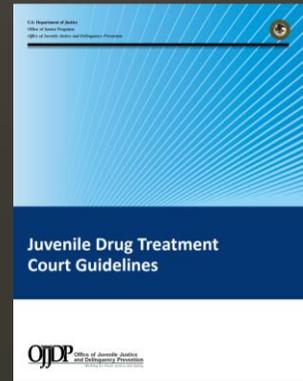
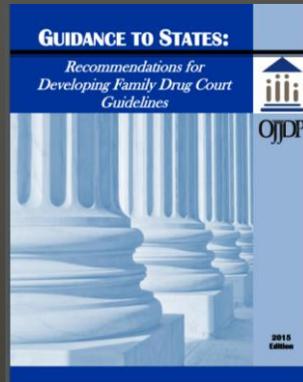
• NADCP Tribal HWTC Planning Process Checklist



• NDCI: The Drug Court Judicial Benchbook



Some
Resources:
*Family and
Juvenile*



- Guidance to States: Recommendations for Developing Family Drug Court Guidelines
- Juvenile Drug Treatment Court Guidelines
- Starting a Juvenile Drug Court: A Planning Guide



Getting Started

Governance Structure



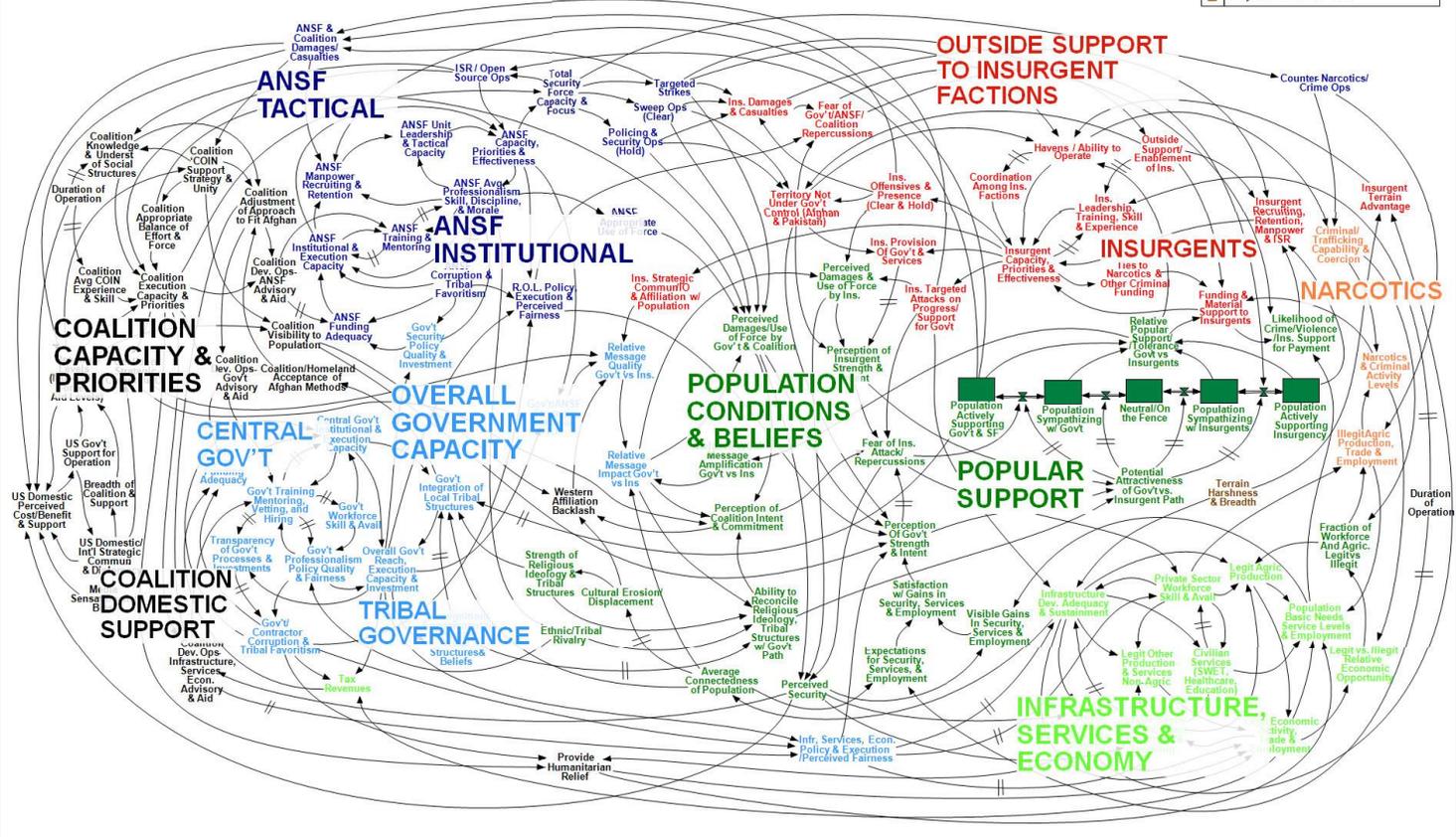
Who is on our team?
 Who answers to whom?
 How do we work together?

Afghanistan Stability / COIN Dynamics

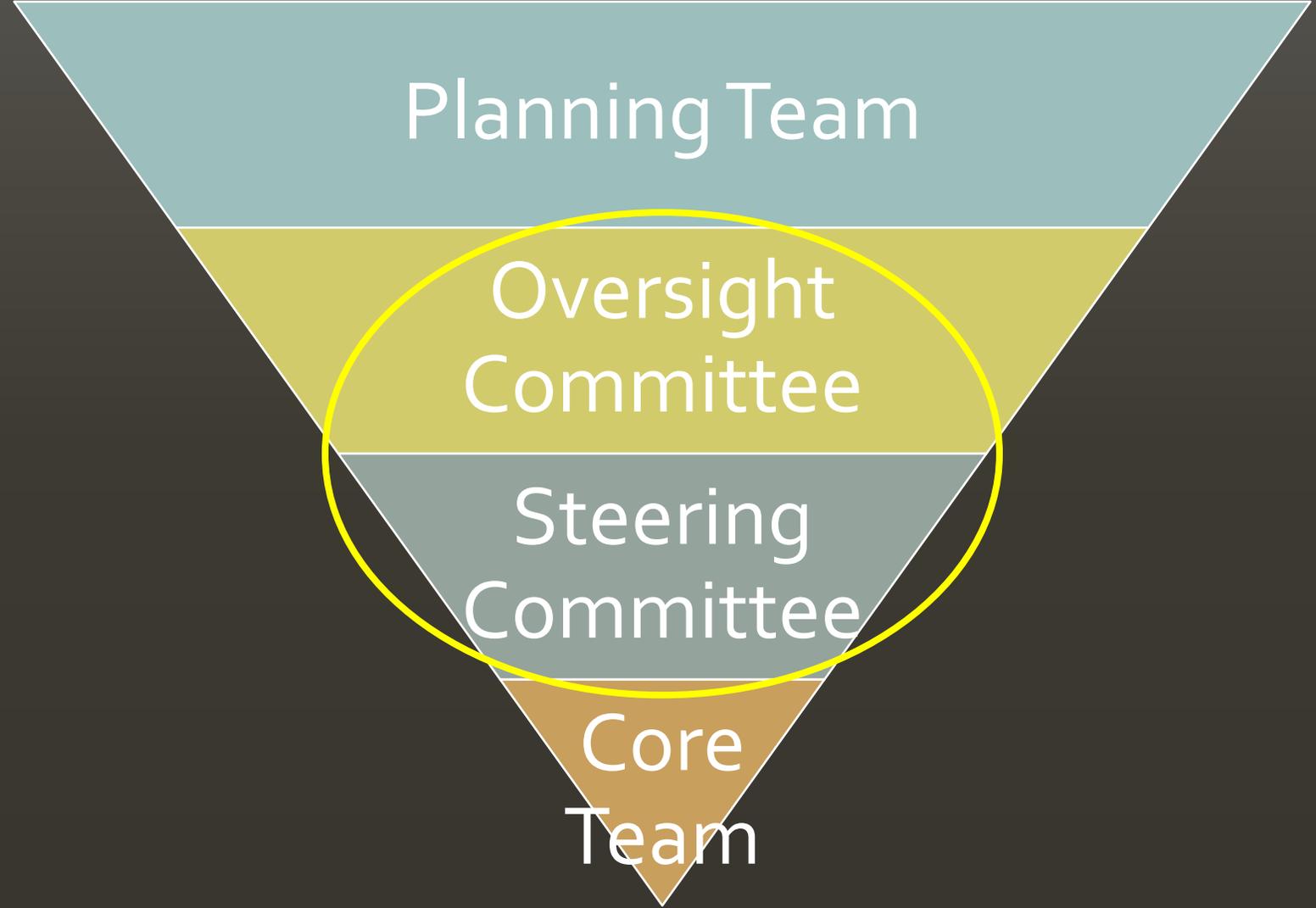
Legend:

- Population/Popular Support
- Infrastructure, Economy, & Services
- Government
- Afghanistan Security Forces
- Insurgents
- Crime and Narcotics
- Coalition Forces & Actions
- Physical Environment

Significant Delay (indicated by a double slash //)



Collaboration: Our Teams



Governance Structure

- Oversight Committee: The top agency officials who can direct senior managers and change their own agencies' policies if needed
 - Meet 2-4x/year
- Steering Committee: Senior managers who can meet more regularly with supervisory authority
 - Meet 4x/year to monthly
- Core Team: Agency representatives who regularly interact with participants
 - Meet 2x/month - weekly

Steering/ Oversight Committee

- Members must have authority to make decisions on behalf of their agencies
- Members must have sufficient time to participate in meetings (*especially for planning*)
- An administrative staff should be assigned to coordinate committee activities

The Core Team

- Judge
 - Attorneys
 - Prosecution
 - Defense Counsel
 - Children's Attorney
 - Coordinator
 - Community Supervision
 - Probation
 - Law Enforcement
 - Case Manager
- Treatment
 - Private providers
 - Public Health
 - Mental health
 - Evaluator
 - Cultural Advisor
 - Social Services/Child Welfare
 - Other Service Providers
 - Housing
 - Vocational Training
 - Family Counseling
 - Medical and Dental



Define the Problem



How is substance abuse affecting your community?

Arrest and Court Data - 2016	Gender		Age					
	Male	Female	12-14	15-17	18-24	25-30	30-40	40+
Arrests for Drug Possession								
Arrests for Drug Trafficking and Sales								
Arrests for theft with drug involvement								
Arrests for DUI/DWI								
Arrests for minor in possession								
Violations of probation for substance use								
Violations of probation for drug sales								
Violations of probation for theft with drug involvement								



How is
substance
abuse
affecting
your
community?

Substance and Treatment Data- 2016

# referred to treatment by court	
# referred to treatment by other sources	
# referred to treatment who have dropped out or failed	
# referred to treatment who have not participated	
# referred to treatment more than once	



What does
the data say?

- Is there growth in drug-related crime?
- How many child welfare cases stem from substance abuse?
- Is there an increase in a particular drug?
- Are there existing programs?
- Do we know the level of risk of our populations?



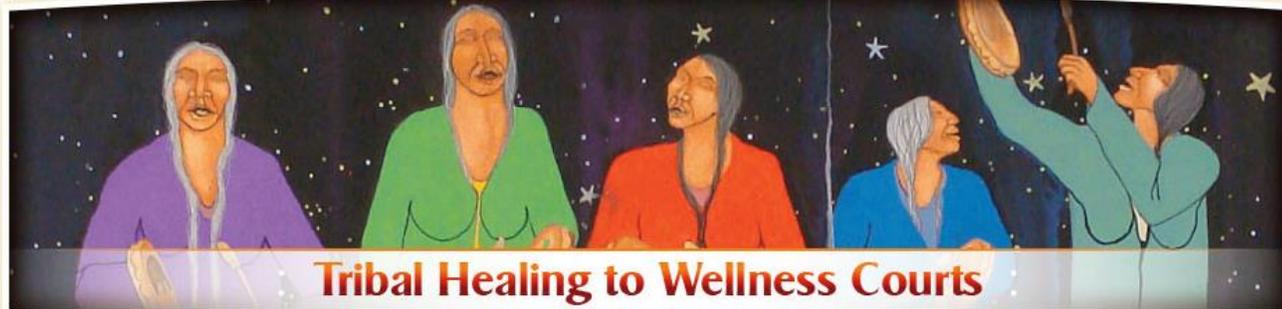
The background of the slide features a photograph of several birds perched on the branches of a tree. The image is partially obscured by a semi-transparent olive-green rectangular overlay that covers the left and central portions of the frame. The birds are visible in the upper and right sections of the image, set against a bright, slightly overcast sky.

Brief the Team

What is a Healing to Wellness Court?

6. Assessing the Drug Court Planning Team for Key Knowledge
 - a. All Planning Team Must Develop Competencies in the Following Areas:
 - The Promise of Drug Courts
 - The Ten Key Components of Drug Court
 - Differing Drug Court Models
 - The Science of Addiction and Psychopharmacology
 - Cultural Competency and Proficiency
 - Deciding on the Target Population(s)
 - Assessing for Criminogenic Risk and Needs
 - Clinical Screening and Assessment
 - The Science of Substance Abuse Treatment: What Works
 - Addressing Co-Occurring Mental Health and Health Disorders
 - Addressing Relapse
 - Best Practices in Effective Community Supervision
 - Best Practices in Effective Drug Testing
 - Sharing Client Information: Confidentiality and Ethics
 - Preparing for a Drug Court Status Hearing
 - The Drug Court Courtroom
 - Addressing Client Behavior: Incentives and Sanctions
 - Measuring Performance
 - Research and Evaluation
 - Management Information Systems
 - Developing a Sustainable Court Program

Wellness Courts.org



Healing to Wellness Court Webinar Series

Our Healing to Wellness Court Webinar Series offers online training in a variety of Wellness Court topics, from the basics of Wellness Courts, to training in particular team member roles, to updates on upcoming federal funding opportunities for Wellness Courts. All webinars are recorded and available for download, along with the accompanying PowerPoint slides.



Webinar: Holistic Treatment of Substance Use Disorders: MAT and Beyond

This is the third session in a three-part on-demand webcast series entitled Medication Assisted Treatment in Context. Originally filmed on September 14, 2016 in Mt. Pleasant, Michigan. This final installment of the series focuses on using MAT within an integrated health treatment model and how to use MAT in regards to monitoring, pain management, and with other medications. **Learning Objectives:** 1. Describe the different MAT monitoring practices and why they are needed (CHES Area of Responsibility 1.6.1, 1.6.4) 2. Identify that MAT can be part of a holistic solution to substance use disorders (1.6.1, 2.1.1) 3. Define the challenges of managing pain for patients on MAT

(1.6.4) **Sponsors:** This webcast was provided by the Michigan Public Health Training Center at the University of Michigan School of Public Health. The Michigan PHTC is a part of the Region V Great Lakes Public Health Training Collaborative and the Public Health Learning Network. This training was provided in partnership with the Saginaw Chippewa Tribal Court, Nimkee Memorial Wellness Center, Saginaw Chippewa Indian Tribe Behavioral Health, McLaren Central Michigan, and the Tribal Law and Policy Institute.



Webinar: Substance Use Disorders As A Public Health Issue

This is the second session in a three-part webcast series entitled Medication Assisted Treatment in Context, originating on August 24, 2016 at the Nimkee Memorial Wellness Center in Mt. Pleasant, MI. This session will include an overview of substance use disorders, specifically focusing on opioid misuse, and will provide a discussion of the need to approach prevention and treatment from multiple perspectives. **Learning Objectives:** 1. Describe how addiction affects the brain (CHES Area of Responsibility 1.4.1, 1.4.2) 2. Recognize the current issue of substance use disorders within tribal communities, specifically in Michigan (1.4.1, 1.4.2) 3. Identify opportunities and resources for action

around substance use disorders in Michigan (2.1.3, 6.1.2) **Sponsors:** These activities are provided by the Michigan Public Health Training Center at the University of Michigan School of Public Health. The Michigan PHTC is a part of the Region V Great



www.TreatmentCourts.org

TREATMENT COURTS ONLINE

The National Training System for Treatment Court Practitioners

[Login or create an account](#)



ROLE OF THE JUDGE

See a preview about the role of the judge on the drug court team. The video features Judge Robert Ziemian and Judge Jo Ann Ferdinand.

[more ...](#)

COURSES



ADULT DRUG COURT



JUVENILE DRUG TREATMENT COURT



VETERANS TREATMENT COURT



HEALING TO WELLNESS COURT



TREATMENT COURTS ONLINE

The National Training System for Treatment Court Practitioners

My courses ▾

Home > All Courses > Healing to Wellness Court > **Healing to Wellness Court Lessons**

Healing to Wellness Court: Lessons

Below are lessons designed to enhance healing to wellness court practitioners' knowledge and skills in a variety of subject areas. Each lesson is accompanied by Power Point slides, a user evaluation, and a certificate of completion.



National Drug Court Resource Center



National Drug Court
Resource Center

Justice Programs Office at
American University
Research • Policy • Practice



RESOURCES

FIND A DRUG COURT

COLLABORATIVE PARTNERS

EVENTS

ABOUT

Enter keywords and search

Archived Webinars

[Hispanics and Latinos in Drug Courts: Cultural Strategies to Enhance and Sustain Recovery](#) - May 5, 2017

With material presented by Diana Padilla, Program Manager for NDRI, and Joseph R. Madonia, former Director of the Brooklyn Treatment Court, this interactive webinar includes a question and answer session at its conclusion.

[Women in Treatment Courts](#) - February 22, 2017

Hon. William G. Schma and Valerie Moore conducted an interactive webinar session entitled, "Women in the Treatment Courts." While drug treatment courts have significantly fewer women in their programs than men, they have been developing specific tracks designed to serve the needs and interests of women.

[Selecting and Using Risk Assessment Tools in Problem Solving Courts](#) - December 6, 2016

The BJA Drug Court Technical Assistance Project at American University conducted an interactive webinar session presented by Dr. Sarah Desmarais, Associate Professor and Coordinator of the Applied Social and Community Psychology Program at North Carolina State University that covered risk assessment tools. This webinar will provide a brief introduction to the history of risk assessment, followed by a description of the characteristics and content of contemporary risk assessment instruments used in U.S. correctional settings, including their strengths and limitations.

[The Role of Prosecutors in Drug Treatment Courts](#) - November 15, 2016

This webinar was presented by Mike Loeffler, Esq. and Judge Christine Carpenter and covered balancing all prosecutorial roles from planning through implementation of the drug court, developing clear eligibility criteria for participants, the appropriate role of the prosecutor regarding being a program "gatekeeper," and working as a team player and participant advocate while ensuring public safety.

[Veterans Treatment Courts: 2015 Survey Results](#) - November 16, 2017

The Justice Programs Office, a center in the School of Public Affairs, at American University (JPO at AU) is pleased to present the Veterans Treatment Courts: 2015 Survey Results. As part of the services provided by the U.S. Department of Justice, Bureau of Justice Assistance's (BJA) Adult Drug Court Technical Assistance Project, JPO at AU conducted a survey to provide a snapshot of the range of policies, practices, and services in operating VTC programs.

[Sustaining Your Treatment Court: Using a 501\(c\)\(3\) to Fundraise](#) - November 3, 2016

This webinar will was presented by Judge William G. Schma, formerly of the Kalamazoo County Circuit Court, and Tracy



Family Drug Court Learning Academy



Children and Family Futures

[Contact](#)

[Donate](#)

[Subscribe](#)



[Home](#) [About](#) [Expertise](#) [Projects](#) [Presentations](#) [Resources](#)

Google™ Custom Search

Family Drug Court Learning Academy Series - Planning Community

What is the Family Drug Court (FDC) Learning Academy?

The FDC Learning Academy offers web-based training events to assess the needs, implement program improvements, evaluate performance, and sustain FDC programs. Launched in 2010, the Learning Academy consists of three learning stages or “learning communities” - *Planning Community, Early Implementation, and Enhanced Community.*

The webinars are offered to FDC teams and individuals at no cost.

What is the Planning Community?

We invite you to participate in the first of three Learning Academy Webinar series. This series, the Planning Community, is composed of five webinars that provides the necessary framework for a multi-disciplinary team to develop, implement and sustain a Family Drug Court.

Module One: Mission and Underlying Values - June 15, 2010

Module Two: Principles of Collaborative Practice - July 8, 2010

Module Three: Screening and Assessment - August 3, 2010

Module Four: Engagement and Retention - September 8, 2010

Module Five: Information Sharing and Data Systems - October 19, 2010

25371 Commercentre Dr., Suite 140 • Lake Forest, CA 92630 • (714) 505-3525 • Toll-Free (866) 493-2758 • [Contact Us](#)
Copyright © 2017, Children and Family Futures • [Contact Webmaster](#) • [CFF Login](#)



National Council of Juvenile and Family Court Judges

National Council of Juvenile and Family Court Judges

Juvenile Drug Treatment Court Guidelines Webinar Series

April 4, 2017

The Juvenile Drug Treatment Court (JDTC) Guidelines have been released! The Guidelines are based on current research and will serve as the framework for JDTCs now and in the future. The Guidelines, which are research-based, represent the next evolution of JDTC courts and will be a vital tool.

Join us for the three-part series to explore the Guidelines in these interactive online webinars as we discuss and learn about:

- Current state of juvenile drug court research
- How the Guidelines build off of the 16 Strategies in Practice
- How teams can begin to move their practice

[Guidelines Overview to the Juvenile Drug Treatment Court \(1/25/2017\)](#)

This introduction to the Guidelines will include an overview of key objectives and Guideline statements.

Supplemental materials:

- PowerPoint presentation
- Transcript
- Poll results
- Juvenile drug treatment court guidelines

The screenshot shows a slide from a webinar. The title is "Overview: The Juvenile Drug Treatment Court Guideline". The slide content includes the OJJDP logo and the text: "What led to the Development of the JDTC Guidelines? Part 1: Research on Adolescent Substance Use and Juvenile Courts". It lists several bullet points: "Substance use disorders (SUD) are prevalent among adolescents, with over 1 million adolescents identifying a SUD in 2014.", "While risk-taking and experimentation may be a part of normative adolescent development, SUDs and co-occurring mental health issues can have particularly damaging consequences for the developing adolescent brain.", "Youth with substance use disorders also often come in contact with the juvenile justice system.", "In 2013, 19% of delinquency cases in juvenile courts involved youth with substance use disorders.", "Substance use disorders are prevalent among youth with mental health issues, and vice versa." The slide also features a play button icon in the center.

Due Process Court	WMDCP
1. Event oriented, i.e., did a certain crime happen as alleged: Historically, this is the jurisprudential link between the criminal courts and the community.	1. Process oriented, i.e., does the offender have a drug/alcohol addiction and can treatment benefit the offender? This type of process is considered in far more limited types of criminal charges.
2. Offense-specific	2. Behavior-specific
3. The determination of guilt and imposition of sentence is essentially the end of the criminal law process.	3. The determination of addiction and referral to drug court is essentially the beginning of the process.
4. The process is identical for all equally accused persons. Quite often, punishment is mandated to be identical as well. The offender's family is rarely considered in this process.	4. The offender is central to the process and quite often the treatment is individualized. The offender's family and community are viewed as an ingredient in the overall treatment decisions.
5. Judicial interaction exists only with the representatives of the parties.	5. Court team interaction exists directly with the offender.
6. Responsibility equals atonement and punishment. The relationship of the offender to the community is one where, as a result of the adjudication of guilt, the offender is removed from or placed in a condition that protects or shield the community from the offender.	6. Responsibility equals behavioral changes leading to restoration of holistic health. The offender is viewed as a part of the community. As the offender will generally be treated while an outpatient in the community, behavioral change is designed to reduce conflict by reducing addictive behavior.

7. When there is post adjudication monitoring, it is generally designed to uncover violations and therefore done primarily for enforcement of probation terms.	7. There is always extensive post adjudication monitoring. It is always designed to reinforce treatment.
8. The judge is neutral agent among various competitors.	8. The judge is an active participant in a partnership between the offender, the treatment providers, and the court.
9. The legal history supporting this system is approximately 400 years old; change is	9. The legal history that supports this system is 10 years old; change is relatively



Consider:
*Some
background
information*

- Adolescent Development
- Strengths-Based Approaches
- Engaging the Family
- Cultural Proficiency
- Trauma-Informed Care
- Mental Health and Co-Occurring Disorders
- Substance Abuse, Addiction, and Pharmacology
- Substance Abuse Treatment Approaches
- Gender-Appropriate Approaches



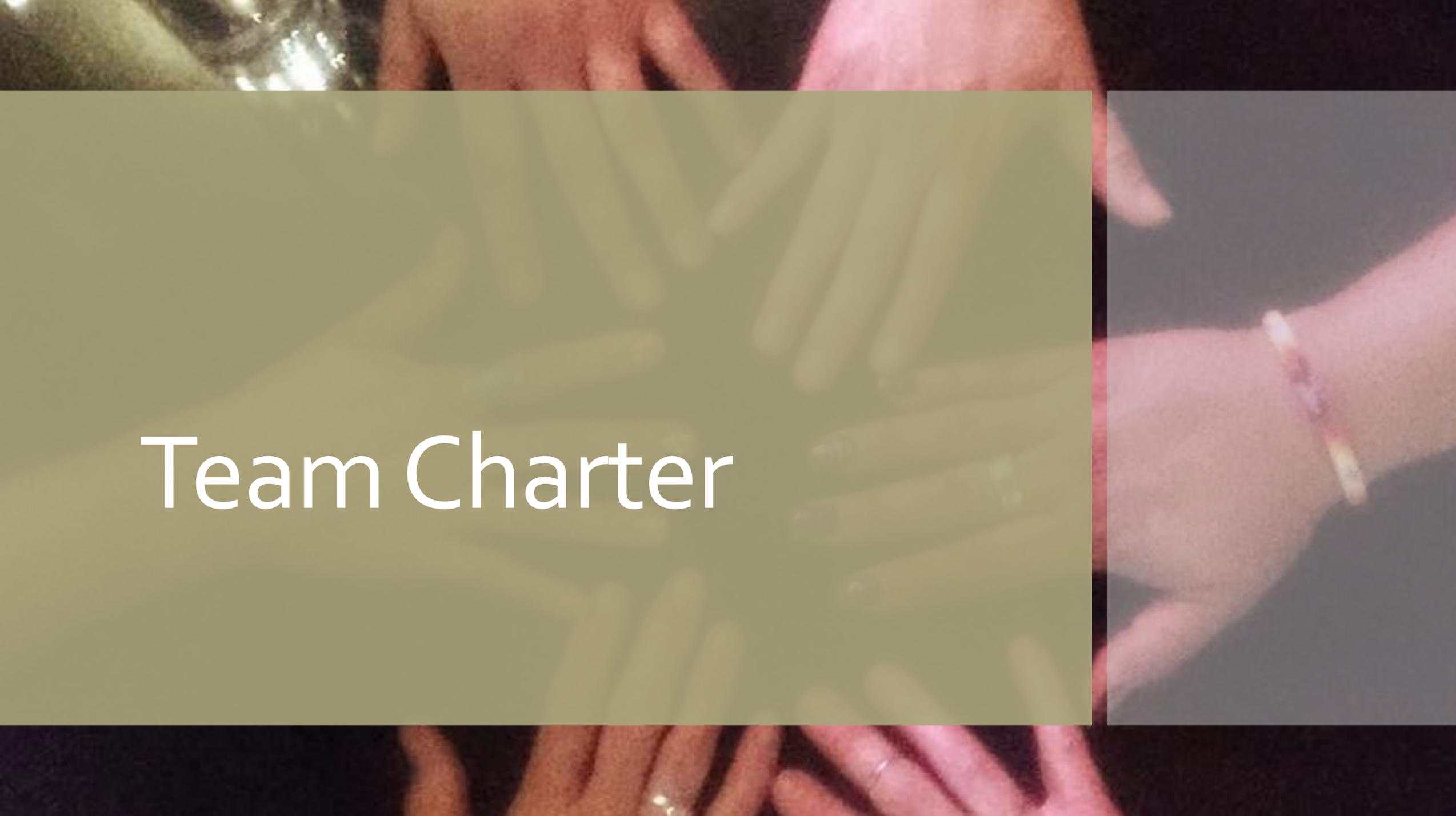


Visit a Wellness Court

 A Note-Taking Guide for Court Observation

Court Environment	Observations
Physical setting (size of room, number of people in courtroom, location of team, etc.)	
Interaction between or among...	Observations
Judge and participants, families, team	
Team members and each other, judge, participants, families, service providers	
Judicial style	Observations
Directs, or seeks information	
Level of formality	



A collage of hands reaching up, with a semi-transparent green overlay on the left side containing the text "Team Charter". The hands are of various skin tones and are positioned in a way that suggests unity and teamwork. The background is dark, making the hands stand out. The green overlay is a solid color and covers the left half of the image. The text "Team Charter" is written in a white, sans-serif font and is centered within the green area.

Team Charter

Team Charter

- What will be the “roles” on our team, and how will roles be assigned?
- What method of decision-making will we use?
- What “ground rules” will we follow in our work together?
- When conflicts arise, what process will we use for resolving them?
- When, where, and how often will we meet?
- When new members join the team, how will we integrate them into our work?

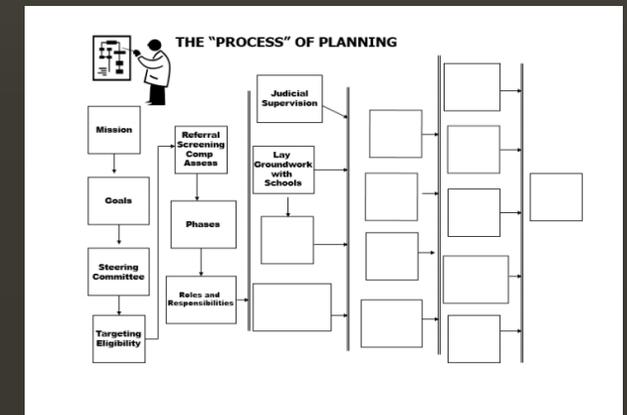


Map the Planning Process



Map the Planning Process

- Work backwards from your desired start date
- Which steps will be done by the whole team? Subcommittee? Individuals?
- Who will facilitate the planning process?
- How often can the team meet? For how long?



Mission Statement Example

The mission of the Healing to Wellness Court is to reduce crime and drug use through therapeutic interventions and intensive judicial supervision of adults, thereby improving family functioning and community safety.



Goals

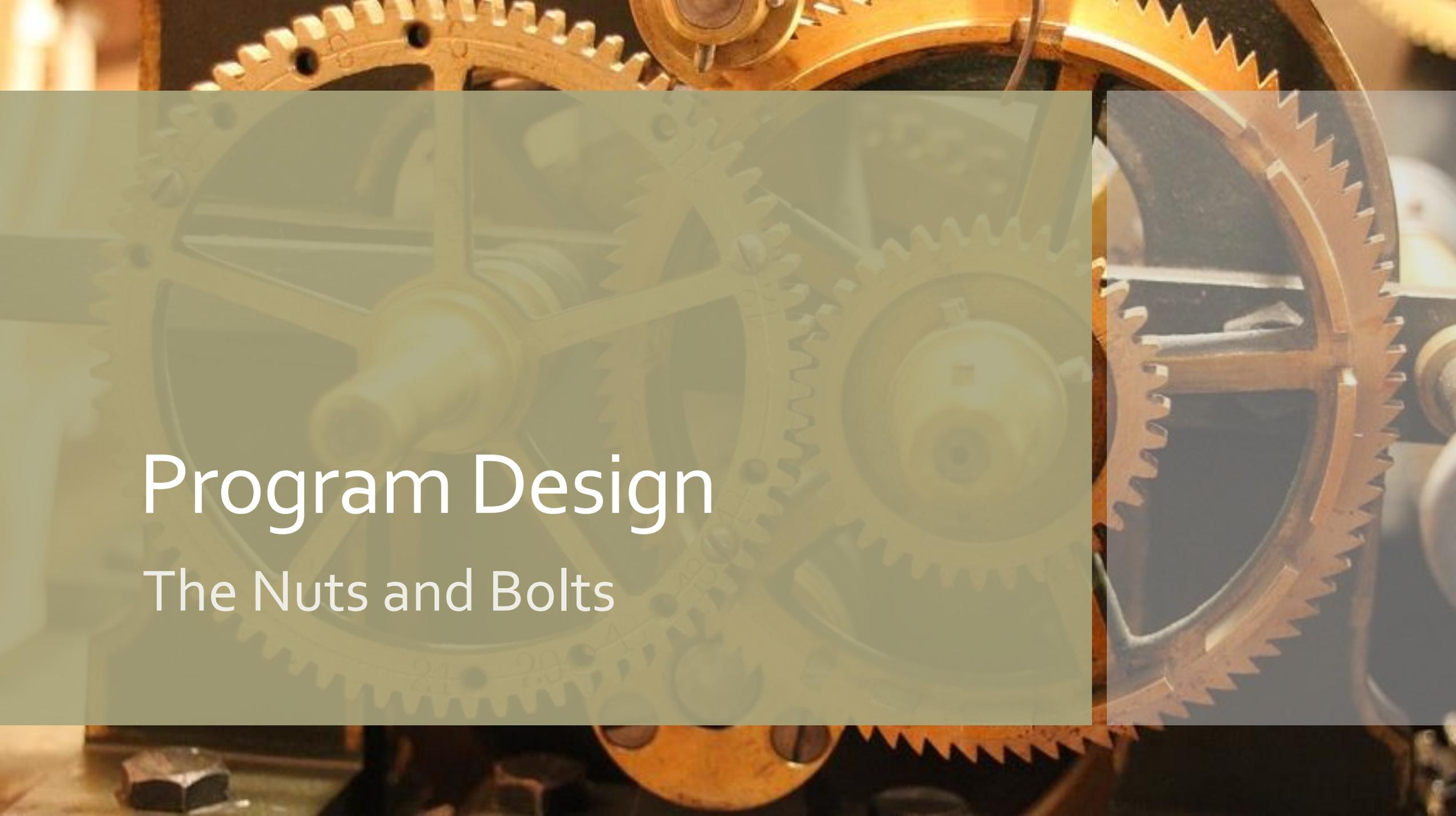
Process Goals

- Reach capacity
- Retain participants in the program
- Graduate participants
- Provide programs and services identified in service plans
- Serve defined target population

Outcome Goals

- Reduce recidivism
- Reduce substance use
- Improve education and employment
- Strengthen family structure



The background of the slide is a close-up photograph of a mechanical watch movement. It features several brass gears of various sizes, some with intricate cutouts, and a network of thin metal levers and pivots. The lighting is warm, highlighting the metallic textures and the precision of the engineering. A semi-transparent green rectangular overlay covers the left and center portions of the image, serving as a background for the text.

Program Design

The Nuts and Bolts

Target Population and Eligibility Criteria

- Target Population: Consider
 - The nature of issues facing the community
 - Current gaps in services
 - Any tribal priorities or initiatives
- Eligibility Criteria
 - Eligible entry point (narrow or wide)
 - Statutory considerations
 - Funding restrictions



Eligibility Criteria

- *Prognostic risk* – risk of failing to respond to standard interventions
- *Criminogenic need* – clinical disorders or function impairments, that, if ameliorated, reduce the likelihood of recidivism

Eligibility Criteria

- Legal Trigger
 - Level of crime
 - Type of crime
 - Civil dependency case
- Drug Use and Abuse History
- Criminal background
- Residency
- Mental health and health issues
- Probation/Parole status/revocation

Court Model

Criminal

- Pre-Plea Diversion
- Post-Plea
- Deferred Sentencing
- Probation
- Probation Revocation
- Reentry

Family

- Integrated
- Parallel

Process for Referral, Screening, and Assessment

- Legal Screening
 - Who? Prosecutor, Defense Counselor, Coordinator
- Points of Entry
 - Arrest
 - Bail
 - Pre-Trial Review
 - Initial Court Appearance
 - Pre-Sentencing Hearing
 - Probation Revocation Hearing
 - Family: Consider ASFA Timelines
 - Petition

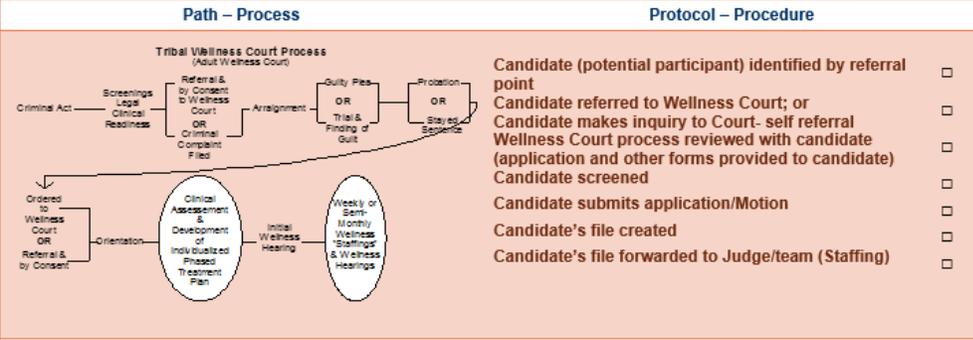


Referral

HEALING TO WELLNESS COURT PROCESS/PROCEDURE BENCH CARD

12

Successful identification and recommendation of potential participants require prompt, plentiful, and informed referral points and legal procedures, which are followed by user-friendly application and review processes.



ACTION

JUDGE'S RESPONSE – RESPONSIBILITIES

Candidate Identified & Referred to Wellness Court	<ul style="list-style-type: none"> <input type="checkbox"/> Ensure Wellness Court maintains up-to-date referral rules and requirements, and are readily available to all parties. <input type="checkbox"/> Review with team and Court staff the referral process periodically to assure consistent referral practice. <input type="checkbox"/> Maintain up-to-date referral forms, and make sure all referral points are provided in the Court's referral forms. <input type="checkbox"/> Direct Court staff and team members to gather data that details referral timeline (# of days between steps).
Candidate Inquiry From Referral Or Self-Referral; Application Provided	<ul style="list-style-type: none"> <input type="checkbox"/> Review 1st contact process with Court staff and team to support consistent practice. <input type="checkbox"/> Develop and maintain check list of items to be discussed with candidate in 1st formal Wellness Court introduction. <input type="checkbox"/> Require staff or team member to be available to screen candidates during or after 1st contact. <input type="checkbox"/> Develop and maintain a check list for all key parts of the Wellness Court application to assist in review. <input type="checkbox"/> If team member referral or Tribal Court Transfer, encourage that candidate be legal and clinical screened prior to visit.
Application submitted	<ul style="list-style-type: none"> <input type="checkbox"/> Review application with check list. <input type="checkbox"/> Confirm eligibility: review results of legal and clinical screening. <input type="checkbox"/> Review plea documents/orders and other support materials with application to gain insight into the candidate. <input type="checkbox"/> Confirm candidate was made aware of rights/responsibilities of Wellness Court participation (change of rights).
Staffing	<ul style="list-style-type: none"> <input type="checkbox"/> Present candidate file to team at staffing for review, or introduce new participant admitted by motion/order. <input type="checkbox"/> Review with team any issues or concerns of candidate's eligibility and participation in Wellness Court. <input type="checkbox"/> Confirm the total number of participants in Wellness Court each meeting. <input type="checkbox"/> Acknowledge verbal notices of team member referrals.

Record, Research & Rule References

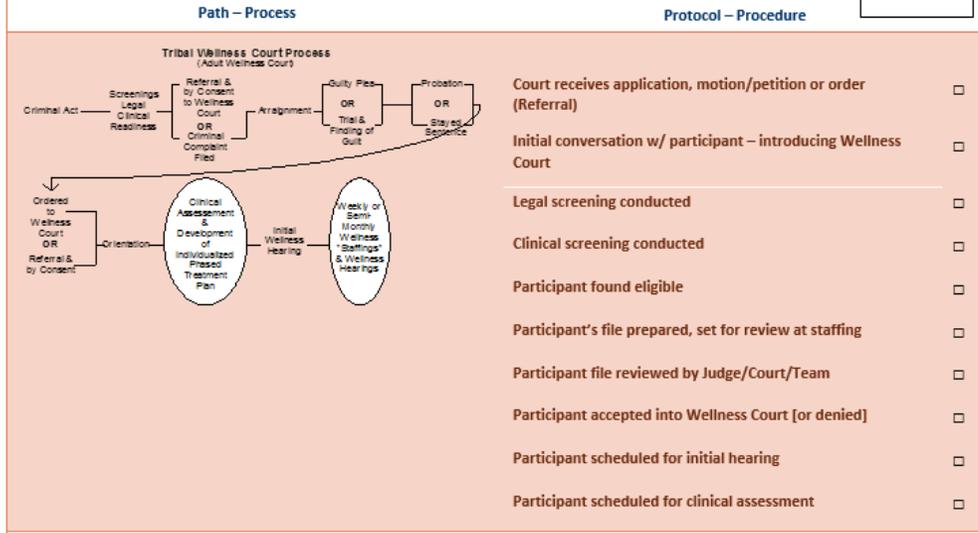
<u>Data Points & Performance Measures</u>	<u>Wellness Court Policies & Procedures</u>	<u>Court Rules</u>
# of referrals made by government/private parties per qtr.		
# of referrals initially screened eligible candidates per		

Eligibility & Acceptance

HEALING TO WELLNESS COURT PROCESS/PROCEDURE BENCH CARD

13

Clear and concise eligibility criteria of the target population promote fluid referral and screening processes, and facilitates decision-making on who to accept.



ACTION

JUDGE'S RESPONSE

		Eligibility Criteria
Court Coordinator	<ul style="list-style-type: none"> <input type="checkbox"/> Processes/forwards Motions/Requests to Transfer to the Judge/Team <input type="checkbox"/> Assures file contains requisite documents/forms <input type="checkbox"/> Practices consistent case management 	
Prosecutor	<ul style="list-style-type: none"> <input type="checkbox"/> Reviews Motions/Requests To Transfer <input type="checkbox"/> Files Response to Motion timely 	
Public Defender Defense Counsel	<ul style="list-style-type: none"> <input type="checkbox"/> Files Motion/Request to Transfer <input type="checkbox"/> Files Response to Motion Timely <input type="checkbox"/> Assures Defendant/Participant is fully informed of the rights and responsibilities of Wellness Court 	<ul style="list-style-type: none"> <input type="checkbox"/> Reviews Motions/Requests to Transfer
Probation	<ul style="list-style-type: none"> <input type="checkbox"/> Reviews Motion/Request to Transfer if Motion includes Supervisory Support/Services <input type="checkbox"/> Files Response to Motion timely 	



Clinical Screening and Assessment

- **Screening:**
 - Determine presence and severity of substance abuse
 - Select a tool
 - Identify facilitator: case managers, pretrial services, probation, treatment provider
- **Assessment:**
 - Examine scope and nature of substance use; develop treatment plan
 - Select a tool (addresses biological, psychological, and sociological factors)
 - Identify facilitator: qualified counselor, psychologist, etc.





Structuring Your Program

Phases

1. Stabilization
 - Complete clinical assessments
 - Attend treatment
 - Obtain housing
2. Abstinence
 - # of days sobriety
 - Community service
3. Prosocial
 - Obtain employment/education
4. Aftercare Preparation
 - Alumni association meetings

Consider: drug testing and court appearance frequency, peer-support meetings, program fees, curfew, pro-social activities



Phases of Treatment

Pre-Programing: Committee Group Interview, Team Acceptance, Possible In-Patient/Extensive Out-Patient Treatment before admittance

PHASE I (Yellow)(Spiritual) Honesty	PHASE II (Red) (Emotional) Humility, Respect		PHASE IV (White) (Mental) Wisdom, Truth
Learning Level (Detoxification & Beginning Treatment)	Accepting Level (Stabalization & Treatment)	Willing Level (Maintenance & Treatment)	Succeeding Level (Aftercare)
Phase Graduation Requires: CleanTests, Meeting Attendance Requirements, 25% Court Costs & Fines Payed, Wellness Projects Complete, 8 Successful Weeks, Team Recommendation	Phase Graduation Requires: CleanTests, Meeting Attendance Requirements, 50% Court Costs & Fines Payed, Wellness Projects Complete, 10 Successful Weeks, Team Recommendation	Phase Graduation Requires: CleanTests, Meeting Attendance Requirements, 75% Court Costs & Fines Payed, Wellness Projects Complete, 12 Successful Weeks, Team Recommendation	Phase Graduation Requires: CleanTests, Meeting Attendance Requirements, 100% Court Costs and Fines Payed, Wellness Projects Complete, 14 Successfully Weeks, Team Recommendation
8 successful weeks a + b + c = successful week	10 successful weeks a + b + c = successful week	12 successful weeks a + b + c = successful week	14 successful weeks a + b + c = successful week
Wellness Projects Status Hearings 4x/month	Wellness Projects Status Hearings 4x/month	Wellness Projects Status Hearings 2x/month	Wellness Projects Status Hearings 2x/month
PBT's Daily Drug Test 2x/week Minimum 1hr/week physical activity	PBT's Daily Drug Test 2x/week Minimum 1hr/week physical activity	PBT's Daily Drug Test 1x/week Minimum 1hr/week physical activity	PBT's Daily Drug Test Random 1hr/week physical activity
Case Management & Supervision Individual Counseling (2x/week) Educational, Cognitive Behavioral	Case Management & Supervision Individual Counseling (1x/week) Educational, Other Methodology	Case Management & Supervision Individual Counseling (as needed) Educational, Other Methodology	Case Management & Supervision Individual Counseling (as needed) Maintenance, Other Methodology
Self Help Meetings 4x/week	Self Help Meetings 3x/week	Self Help Meetings 3x/week	Self Help Meetings 2x/week
Daily Morning Pryer/Meditation	Daily Morning Pryer/Meditation	Daily Morning Pryer/Meditation	Daily Morning Pryer/Meditation
Step 1	Steps 2 & 3	Steps 4-7	Steps 8-12
			Develop & Implement Aftercare Plan
			Graduation
			Steps 10-12

Roles and Responsibilities of the Core Team

CORE COMPETENCIES GUIDE ADULT DCPI TRAININGS

Sample Tribal Wellness Court Wording

Menominee Indian Tribe of Wisconsin

"Menipaniw "There is a Good Road" Menominee Tribal Wellness Courts – Policies and Procedures Manual" (October 2013)

Staff Responsibilities

Purpose: The purpose of this policy is to define the roles and responsibilities of the Menipaniw Court Team members.

1. **Team** – The entire staff serves as the facilitator of treatment by resolving issues, helping to overcome problems impeding treatment, and resolving any other difficulties. In addition, the team oversees the case processing aspect and is actively involved in the program, as well as providing the leadership, authority, and management capacity to enable the Menipaniw to operate. Each member of the team appears in court in each

134

Chapter 3: Team and Committee Roles and Responsibilities Section B: Team Roles and Responsibilities

week with the participants. Each member of the team has one vote and majority rules in aspects with the exception of legal matters. In addition, each member of the team has the below listed responsibilities:

- A. **Menipaniw Court Judge** oversees the weekly court appearances by participants and imposes any sanctions that have been voted on by the team at the weekly staffing of participants.
- B. **Menipaniw Court Prosecutor** explains the Menipaniw Court to prospective participants and participates generally and specifically in the referral process with the Prosecutor and the Intake/Counselor in determining the eligibility of participants.
- C. **Menipaniw Court Public Defender** explains the Menipaniw to prospective participant and participates generally and specifically in the referral process with the Prosecutor and the Intake/Counselor in determining the eligibility of participants. Once the participants have been terminated or successfully complete the program, the court defender has no further responsibility to them.
- D. **Menipaniw Court Intake/Counselor** screens prospective participant by

Judicial Supervision

Frequency of court?

Structure of hearings?

Structure of staffings?



TRIBAL HEALING TO WELLNESS COURTS:
THE JUDICIAL BENCH BOOK



May 2016



TRIBAL LAW AND
POLICY INSTITUTE

Main Office: 8235 Santa Monica Blvd., Suite 211 - West Hollywood, CA 90046
P: 323.650.5467 - F: 323.650.8149

Tribal Court Clearinghouse: www.TLPI.org
Tribal Law and Policy Institute: www.Home.TLPI.org

Tribal Healing to Wellness Court Series
The Judicial Bench Book

Case Management and Community Supervision

- Determine supervising agency
- Develop practices
 - Frequency of contacts
 - Home visits
 - Searches
 - Surveillance
 - Bar and restricted area sweeps
 - Office visits
- Drug Testing Protocol
 - Determine agency
 - Determine drug test type
 - Urine, Silva, Breath, etc.
 - Frequency of testing
 - Randomization
 - Process for collection
 - Drugs to be tested
 - Response to tampering



Incentives and Sanctions

- Immediate
- Certain
- Fair
- Appropriate intensity
- Goal oriented
- Graduated
- Individualized
- Therapeutically sound

Behavior Sanctions

Infraction	Sanction		
	Minor Sanctions (1-2 Occurrences)	Moderate Sanctions (2-3 Occurrences)	Major Sanctions (3 or More Occurrences)
Lying	5 Pts	10 Pts	15 Pts
Inappropriate/Disrespectful/Disruptive Attitude or Behavior	5 Pts	10 Pts	15 Pts
Use of Inappropriate language or gestures	5 Pts	10 Pts	15 Pts
Inappropriately Dressed at Court/Activities/Events	3 Pts	5 Pts	10 Pts
Negative Behavior with Police with Admission	2 Pts	3 Pts	5 Pts
Negative behavior with Police without Admission	5 Pts	10 Pts	15 Pts
Missed Court Ordered Appointment/Activity	5 Pts	5 Pts	10 Pts
Unfulfilled Employment/School Requirement Absent Evidence of Good Faith Effort	2 Pts	3 Pts	5 Pts
Unsuccessful termination from inpatient treatment facility or other treatment related facility	5 Pts	10 Pts	15 Pts
Conviction of Non-serious Offense (Class III, IV or V criminal offense/comparative) or Class C traffic offense/comparative	3 Pts	5 Pts	10 Pts
Conviction of serious Offense (Class I or II criminal offense/comparative) or Class A or B traffic offense/comparative -- except use of illegal substance via program UA	AUTOMATIC DISMISSAL FROM PROGRAM		
Threatening Behavior against Participant, Staff, Committee Member or their Family	AUTOMATIC DISMISSAL FROM PROGRAM		



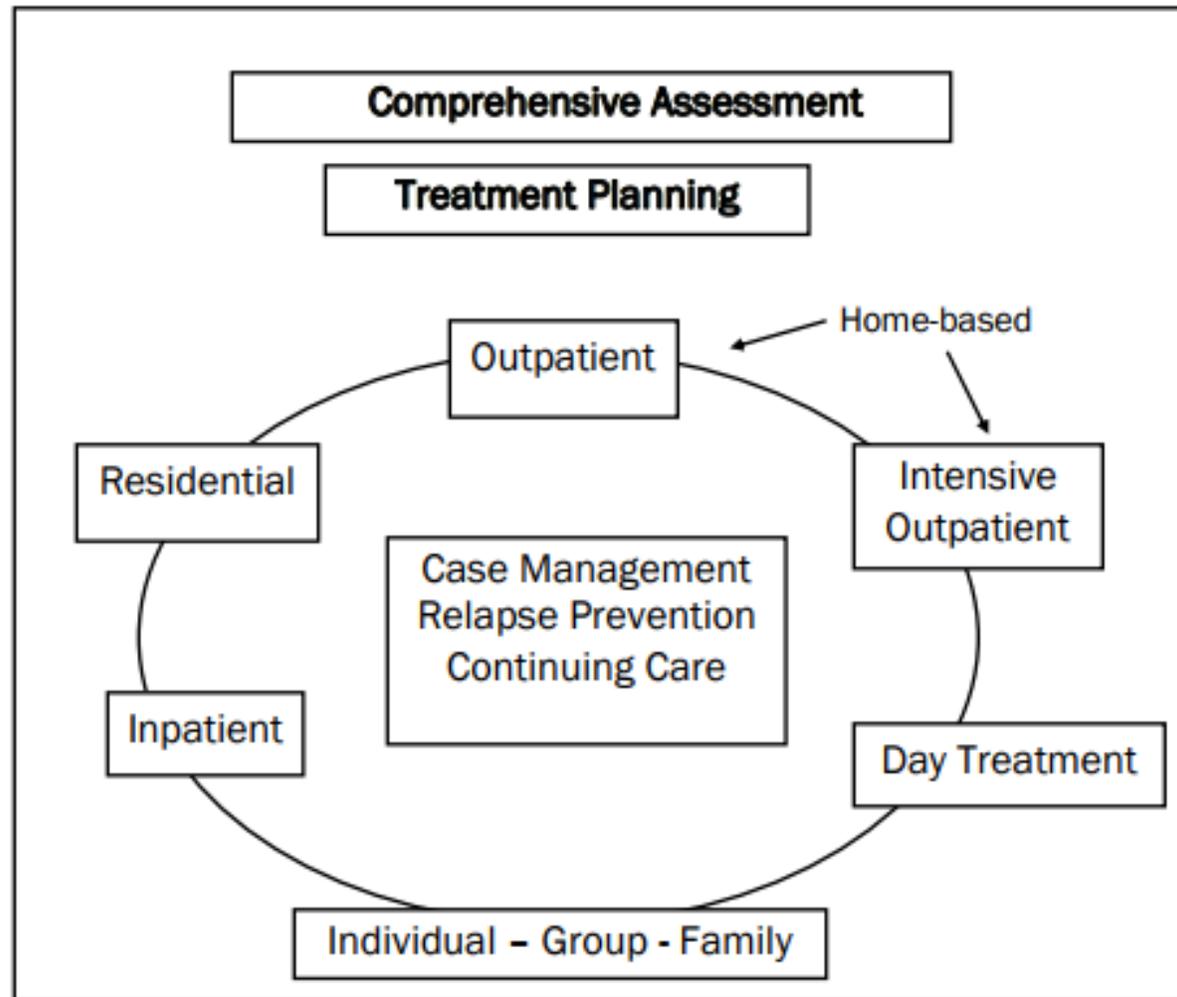
Participant Orientation

- Participant Handbook
- Needed Forms
 - Confidentiality Waiver
 - Referral agreement
 - Participant contract



Treatment Services and Resources

Continuum of Treatment



Continuum of Treatment

- Types of evidence-based treatments
 - Cognitive behavioral therapy
 - Motivational enhancement therapy
 - Medication-Assisted Treatment
 - Relapse Prevention
 - Aftercare/continuing care

Confidentiality

- Develop a communication plan between providers
- Review each team member agency's ethics regulations
- Develop confidentiality waivers/releases of information



THANK YOU



The Tribal Law and Policy Institute is a Native American non-profit organized to design and deliver education, research, training, and technical assistance programs which promote the enhancement of justice in Indian country and the health, well-being, and culture of Native peoples.

www.home.tlpi.org

www.WellnessCourts.org

www.WalkingOnCommonGround.org

