

# The Washtenaw County Mental Health Treatment Court

15<sup>th</sup> Judicial District Court

Ann Arbor, Michigan



## Participant's Handbook

01/2022



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## WELCOME

Welcome to the Washtenaw County Mental Health Treatment Court. The Mental Health Court is a four-phase program that was created to focus on therapeutic treatment for an adult offender whose mental illness contributed to his/her crime.

The program uses a team approach to address your needs through mental health treatment, substance abuse treatment (if necessary), and case management. Intensive probation and judicial supervision are also an important part of this program. If you have been charged with a criminal offense and you suffer from a serious mental illness, you may be eligible for the Mental Health Court

Eligible persons, called 'participants', are moved from the normal judicial process to a treatment-based system, which includes resources that traditional probation supervision does not offer. The Court wants to create a supportive community to help you succeed in the program. A team of dedicated professionals is available to assist you throughout this process. Members of the team will work with each participant to create a person-centered treatment plan, taking into account individual needs, goals and our available resources. Mental Health Court is VOLUNTARY and CONFIDENTIAL. You make the choice to participate once you are found legally eligible.

## THE MENTAL HEALTH COURT



The Mental Health Treatment Court's goal is to assist you in creating and completing an individualized treatment plan. The program's goal is to help you develop and maintain the coping skills needed to stabilize your mental health and live your life with reduced problems. The team consists of:

**Presiding Judge** -The Presiding Judge is the judicial authority of the court. The Presiding Judge leads the treatment team, provides strategic plans and guidance, and enforces compliance with all treatment recommendations of the team.

**Mental Health Treatment Court Coordinator**- The Coordinator runs the day-to-day operations of the court. The Coordinator ensures compliance with all applicable laws, administers the state reporting database, assists in screening applicants, ensures grant compliance, identifies available resources, coordinates all

team efforts, maintains effective communication among team members and with the care providers, and makes recommendations to the Presiding Judge.

**Mental Health Treatment Court Probation Officer** -The Probation Officer is your primary point of contact, and you will see him most often. The Probation Officer tracks compliance with all court orders, monitors drug and alcohol screening, provides resources, and makes recommendations to the Presiding Judge.

**Treatment Providers and Case Managers – Community Mental Health (CMH), Dawn Farm, and the Shelter Association of Washtenaw County**

Community Mental Health provides treatment and case management services for the Court. After acceptance into the Mental Health Court, you will undergo a psycho/social mental health assessment (if you are not already a CMH consumer). CMH has a team specifically dedicated to Mental Health Court participants, which is responsible for recommending and providing treatment and therapy. In addition, the CMH treatment team monitors all Court participants' mental and physical health and makes recommendations to the Court as needed. CMH has a representative at each team meeting and court hearing who can assist all participants in getting connected to services

Dawn Farm offers Substance Use assessments and therapy. The Court requires a Substance Use Assessment once you are accepted. Dawn Farm has a representative at each team meeting and can provide assistance in getting connected to services such as residential, transitional or outpatient treatment.

Shelter Association of Washtenaw County- Assists with emergency housing needs and case management.

**Defense Counsel** -The court appointed defense attorney attends all team meetings and court review hearings. She is responsible for advising you of your rights and responsibilities upon admission to the Mental Health Court. Defense Counsel provides any legal advice or assistance during the initial admission process. In addition, this attorney will provide you with legal advice and representation for any violation hearings (should they occur) during your time in the Mental Health Court.

**Assistant Prosecuting Attorney**-The Assistant County Prosecutor attends all team meetings and court review hearings. The prosecuting attorney will be responsible for ensuring the Mental Health Treatment Court complies with all legal policies, procedures, and adherence to the Victim's Rights Act when enforcing sanctions. For those with State cases, the Assistant County Prosecutor interacts with defense counsel (in a non-adversarial manner) to achieve the best outcome for participants of the Mental Health Court. For those with City cases, the Assistant City Attorney fills this role.

**Representatives from National Alliance on Mental Illness (NAMI) Washtenaw County**- NAMI of Washtenaw County provides volunteers who attend all court review hearings. These volunteers are on hand to meet with you as needed. NAMI can provide peer resources, support groups for you (and your family), and educational opportunities.

## PROGRAM RULES & EXPECTATIONS

### As a Mental Health Court participant, you are expected to:

- Be honest with every person you encounter in this program.
- Totally abstain from the use of illegal drugs, marijuana, alcohol, and any prescriptions **not** currently prescribed.
- Complete Mental Health, Substance Use, and Needs assessments **within 14 days** of entry into the Mental Health Court.
- Complete an Action Plan for each Phase.
- Submit to all required drug and alcohol testing as directed by the Judge, the probation officer, and treatment providers -- do not attempt to tamper with or falsify drug and alcohol test results.
- Appear on time for all treatment appointments, substance abuse testing, meetings with probation, and court sessions.
- Always follow all conditions of your probation.
- Keep the Mental Health Court informed of any changes to your current address and phone number.
- Stay away from people who use or possess drugs, and not to be present while others are using drugs or alcohol.
- Commit no additional criminal offenses while on probation.
- Report any contact with law enforcement to your probation officer within 24 hours.
- Attend all required assessments and follow the treatment plans and recommendations developed by the court and treatment providers.
- Remain compliant with all psychiatric and therapy appointments.
- Take medication as prescribed.
- Pay fines, costs, and restitution (if applicable) and complete assigned community service.

## ADMISSION

Admission into the Washtenaw County Mental Health Treatment Court is a privilege, not a right. It is **voluntary**. You must demonstrate commitment to the program and to your recovery. This program requires discipline and hard work; however, you will receive support. The Mental Health Court Team is dedicated to helping you achieve your goals.

## MINIMUM ELIGIBILITY REQUIREMENTS

- Participants of the Mental Health Court must be diagnosed with a serious mental illness that has contributed to their current legal problems. If the participant has a co-occurring diagnosis, the mental illness must be primary.
- Must not be a violent offender- A "Violent offender" is an individual who is currently charged with or has pled guilty to an offense involving the death of, or a serious bodily injury to, any individual, whether or not any of these circumstances are an element of the current offense.
- Must have been convicted of or pled guilty (or no contest) to a misdemeanor.
- Must not have **ever** been charged with criminal sexual conduct in any degree.

- Willing to voluntarily participate and commit to the requirements of the court and treatment plan.
- Participant must not present a danger to the community.
- Participant must sign a Release of Information Form (Appendix B)
- Participant must sign a Participant Agreement (Appendix D)

MEDICAL MARIJUANA CARDHOLDERS- PLEASE NOTE: This program utilizes the services of Washtenaw County Community Mental Health (WCCMH). It is the position of WCCMH that marijuana interferes with psychotropic medications and can enhance psychotic symptoms. Therefore, with very few exceptions, no marijuana usage is allowed while a participant is being supervised in the Mental Health Court.

## **PROGRAM LENGTH**

The Mental Health Treatment Court program is 18-24 months in length. The program consists of four (4) phases, each with its own Action Plan. The Action Plan is your guide to completing the goals of each Phase. Your time in each Phase will depend upon how effectively you comply with treatment, drug testing, appointments, and meeting the goals of each Action Plan. Each participant is required to submit an application to move to the next Phase ('Phase Up').

## **PHASES**

### **Phase 1**

- Complete substance use/mental health assessments
- Complete a Needs Assessment
- Meet with Mental Health Court Probation Officer once per week
- Comply with random Drug Testing 3-4 times per month
- Attend Court Review sessions 2 times per month (every other week)
- Complete Phase 1 Action Plan (assistance is available)
- Continue to follow all orders and recommendations of the Mental Health Court Judge and Probation Officer

\*Phase 1 lasts a minimum of 45 days, depending on your progress.

### **Phase 2**

- Meet with Mental Health Court Probation Officer once per week
- Continue random Drug Testing as instructed
- Attend Court Review sessions 2 time per month
- Complete Phase 2 Action plan (assistance is available)
- Attend all scheduled appointments – probation AND treatment
- Take all medications as prescribed
- Make regular payments of all fines, costs, fees, and restitution

- Remain free of illegal drugs, non-prescribed drugs, marijuana, and alcohol
- Continue to follow all orders and recommendations of the Mental Health Court Judge and Probation Officer
- Engage in required community service as instructed (if applicable and able)
- Must be compliant with all court AND treatment plans and have a minimum of 30 consecutive days sobriety to advance to Phase 3

\*Phase 2 lasts a minimum of 120 days, depending on your progress.

### **Phase 3**

- Meet with Mental Health Court Probation Officer every other week
- Random Drug Testing as directed by Mental Health Court Judge and Probation Officer
- Complete Phase 3 Action Plan (assistance is available)
- Attend Court Review sessions 1 time per month
- Attend all scheduled appointments – probation AND treatment
- Take all medications as prescribed
- Continue with treatment as directed by the court and treatment providers
- Make regular payments of all fines, costs, fees, and restitution (if applicable and able)
- Remain free of illegal drugs, non-prescribed drugs, marijuana, and alcohol
- Continue to follow all additional orders and recommendations of the Mental Health Court Judge and Probation Officer
- Must be compliant with all court AND treatment plans and have a minimum 45 days of consecutive sobriety, to advance to Phase 4

\*Phase 3 lasts a minimum of 180 days, depending on your progress.

### **Phase 4**

- Meet with Mental Health Court Probation Officer every other week, or as directed
- Random Drug Testing as directed by Mental Health Court Judge and Probation Officer
- Attend Court Review sessions 1 time per month
- Attend all scheduled appointments- probation AND treatment
- Continue with treatment as directed by the Court and treatment providers
- Take all medications as prescribed
- Complete payment of all fines, costs, fees, and restitution (if applicable and able)
- Remain free of illegal drugs, non-prescribed drugs, marijuana, and alcohol
- Complete Community Service
- Continue to follow all additional orders and recommendations of the Mental Health Court and Probation Officer
- Must be compliant with all court AND treatment plans and have a minimum 95 days of consecutive sobriety to graduate

Complete Recovery Life Plan and Graduation application during this Phase (assistance is available). This is the final Phase of the program; Phase 4 lasts a minimum of 180 days. Once completed, you will be considered for Graduation.

**To successfully graduate from the Mental Health Treatment Court, the following MUST be completed:**

- Remain sober for 95 consecutive days
- Submit a completed Recovery Life Plan
- Submit the Graduation application
- Fines, costs, and all fees must be paid in full (if applicable) and community service completed

### REVIEW HEARINGS

All participants must attend court every two to four weeks, depending on Phase. At the hearing, the Presiding Judge will address each participant individually and make inquiries about recovery, treatment, personal life, work, goals, etc. The Presiding Judge may also give additional instructions, award incentives, and give sanctions. Please note: failure to appear as scheduled may result in a bench warrant and/or detention in jail until an appearance before the Presiding Judge can be arranged. If you are unable to attend the review hearing, notify the probation officer immediately via phone at 734-794-6761 x47577 or via email [PChase@a2gov.org](mailto:PChase@a2gov.org). **You must have a valid provable reason to be excused from a review hearing.**



### INCENTIVES

The Presiding Judge is aware that Mental Health Court can be an adjustment and a challenge. It is hard work. Participants who have been compliant or have done something positive are rewarded using incentives. These may include, but are not limited to: applause, decreased Court appearances, decreased drug testing, entry into a gift drawing, a gift card, permission to travel, Phase promotion, and decreased probation reporting requirements.



### SANCTIONS



Sanctions are given during review hearings when there is non-compliance or a violation of probation/court rules. Sanctions may include, but are not limited to: verbal warnings or reprimands, increased substance abuse testing, community service, increased court appearances, jail work program, letter of apology, essay, extension of probation, increased probation reporting requirements, increased self-help sessions and (rarely) jail.

### **MEDICATION POLICY**

Treatment providers that are not connected to the Mental Health Court may prescribe medication to during your time in the treatment court. If the medication is a narcotic (or potentially addictive), the risk of substance abuse must be evaluated on an individual basis. The participant and the medication will be evaluated on a case-by-case basis under, but not limited to, the following guidelines:

- You must provide copies of all prescriptions to the Mental Health Court Probation Officer.
- Narcotic or addictive medications may be limited or prohibited.
- Some over-the-counter medications may be limited or prohibited.
- Violations of the Mental Health Court's Medication Policy may result in sanctions or termination from the program.

### **PAYMENT OF FINES, COSTS AND FEES**

When a participant is sentenced into the Mental Health Court, the sentence usually includes court fines, costs, and possibly restitution. All participants must pay all fines, costs, and restitution in full **before graduation**. We know this may be a financial hardship if you wait until the end of probation to pay a large lump sum. The Court can assist in setting up a payment plan of small, regular payments over the course of the probation term.

If your case was transferred to the 15th District Court from a different court, fines/costs and restitution must be paid to the transferring (original) Court. Any probation oversight fees must be paid to the 15th District Court.

### **DRUG AND ALCOHOL TESTING**

ALL participants are tested for drugs and alcohol through the entire treatment process. The Mental Health Treatment Court Team will have access to all drug and alcohol testing results. The Presiding Judge and Probation Officer can order you to submit to a drug or alcohol test at any time. Tampering with a drug test or any alcohol testing device given to you may result in termination from the program and possible criminal penalties.

You are responsible for everything that goes into or on your body. If you are unsure about a particular product or medication, please do not hesitate to ask the Probation Officer. Prohibited substances include, but are not limited to:

- Cough/cold medication containing alcohol (NyQuil, Robitussin, most cough syrups, etc.)
- Perfumes, body sprays, or lotions containing alcohol
- Mouthwash containing alcohol
- “Non-alcoholic” beer
- Alcohol
- Food containing alcohol
- Illegal drugs
- Marijuana
- Food/substances containing Marijuana
- Prescription medication NOT prescribed to you
- Medication not prescribed to you currently (no old medications)

Any positive drug or alcohol tests resulting from the use of the above substances can be treated as a violation by the Presiding Judge and may result in a sanction. Violations in Mental Health Court may result in violation of a participant’s probation in other jurisdictions.

### **TREATMENT PLANS**

The treatment plan is the basis of probation. **You will be responsible for following through with ALL appointments and services ordered by the CMH and Dawn Farm treatment teams and Presiding Judge. If you are receiving therapy from a provider other than CMH, you are required to provide proof of attendance and will be given a Treatment Log Sheet; you must present the sheet at each Probation appointment.** The treatment team(s) continually assesses what level of therapy will best meet individual needs of Court participants. Failure to comply with any requirement of the treatment plan can result in a sanction. Treatment plans are subject to change at any time to enhance effectiveness.

### **CONFIDENTIALITY**

Your identity and privacy will be protected in accordance with Michigan and federal law. In order to participate in this program, you will be asked to sign a Release of Information Form (see Appendix B) that includes a Consent of Disclosure of Confidential Information. This disclosure of information is for the purpose of accessing reports relating to your mental health. The Release allows the Court to receive

information about your treatment status from treatment providers. You may revoke the Release; however, it is grounds for dismissal/termination from the Mental Health Court.



## GRADUATION

Once you have successfully completed all court requirements, treatment goals, and the Recovery Life Plan, you may apply for graduation. Once the application is approved, a graduation ceremony will be held during the next available review hearing. Graduating participants are presented with a Certificate of Completion, graduation card, and a gift card to celebrate the accomplishment of successful completion of the program. Refreshments are also provided for the occasion.

In order to graduate successfully, a participant must meet the minimum following criteria:

- Compliance with all treatment recommendations
- Maintain an acceptable level of sobriety (to include no positive or unexcused missed drug or alcohol tests 95 days prior to graduation)
- Complete all required community service hours or jail work program days
- Complete payment of ALL fines, costs, and restitution to the Mental Health Court and any transferring courts
- Complete the Recovery Life Plan and Graduation Application with Case Manager and/or Probation Officer

## TERMINATION

Although all participants enter the Mental Health Treatment Court **voluntarily**, you may be terminated from the program by the Court. Termination generally occurs after multiple sanctions have been ordered by the Court, the participant remains non-compliant, and has had several probation violations.

Examples of non-compliance can include, but are not limited to:

- Conviction of a new crime
- Repeated positive or missed drug/alcohol screenings
- Tampering with drug/alcohol monitoring devices
- Failing to attend review hearings and/or court ordered appointments
- Leaving residential/treatment facility without authorization
- Failing to follow treatment plans/recommendations
- Ongoing dishonesty
- Violating the confidentiality rights of current, past, or present participants.

## **CONCLUSION**

The Washtenaw County Mental Health Treatment Court was created to help its participants return to the community as productive and responsible members, with tools to handle their mental illnesses more effectively. The Judge, Court staff, and treatment team members are all here to guide you, but the final responsibility and pride in accomplishment is yours.

We hope this handbook has given you a clear picture of the program and its expectations. If you have additional questions or concerns about the Washtenaw County Mental Health Treatment Court, please call Karen Finney, Court Coordinator or Patrick Chase, Probation Officer.



## Important Numbers

Mental Health Treatment Court Probation Officer:	Patrick Chase (734) 794-6761 x47577 <a href="mailto:PChase@a2gov.org">PChase@a2gov.org</a>
Mental Health Treatment Court Coordinator:	Karen Finney (734) 794-6761 x47542 <a href="mailto:Kfinney@a2gov.org">Kfinney@a2gov.org</a>
Washtenaw County Community Mental Health (CMH):	Lisa Schmidtke (734) 660-0779 <a href="mailto:peeperd@washtenaw.org">peeperd@washtenaw.org</a>
Mental Health Treatment Court Defense Counsel:	Public Defenders' Office (734) 222-6970
Dawn Farm (Substance Abuse Treatment):	(734) 484-8725 (734) 669-8265 Spera Detox
Community Corrections:	(734) 973-4520 Main Line (734) 973-4605 Drug Test Line
NAMI Washtenaw County	(734) 994-6611
Shelter Association of Washtenaw Co.	(734) 662-2829

## **Washtenaw County Mental Health Treatment Court Participant Pledge**

I recognize that my mental health and sobriety must be my first priority, every day.

I will be honest with myself and others.

I will be accountable for my actions.

I will be of service to others and the community.

I will respect the Washtenaw County Mental Health Treatment Court.

I will succeed.