

DANE COUNTY TREATMENT COURT PARTICIPANT HANDBOOK



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Welcome to the Dane County Treatment Court

This handbook outlines what's expected of you during your time in the program. We encourage you to share it with family and friends who support your recovery. This handbook is your guide to understanding the requirements of the Treatment Court program.

Mission Statement

The mission of the Dane County Treatment Court is to improve public safety by reducing reoffending through coordinated, effective, and accountable treatment for substance use disorders, along with supportive services for individuals struggling with substance use.

Eligibility

To be eligible for the program, you must:

- Be facing a felony-level, drug-related charge.
- Have a charge that is non-violent and does not involve weapons.
- Be a resident of Dane County and over 18 years old.
- Have a diagnosed need for substance use disorder (SUD) treatment and be willing to participate.
- Be identified as having a high risk of reoffending, determined by your COMPAS score.
- Commit to participating in behavioral change programs and services

Program Structure

The Dane County Treatment Court Program lasts a minimum of 12 months and consists of 5 phases. During the program, you are expected to:

- Attend scheduled court reviews and case management meetings.
- Engage in treatment at the recommended level of care.
- Submit to random drug and alcohol tests twice a week.

Your progress will be reviewed regularly by the Treatment Court Judge and a multidisciplinary team, which includes a program coordinator, case managers, probation agents, and representatives from legal and clinical services.

Court reviews are held on Thursday mornings at 9:00 AM in Room 6D of the Dane County Courthouse. Advancing through program phases requires meeting benchmarks such as consistent attendance, negative drug test results, and progress in treatment and case management goals. Reviews become less frequent as you advance through the program phases, starting with weekly court appearances and ending with monthly reviews in the final phase.

Program Conditions

To graduate from the program, you must meet specific conditions, including:

- Consistently participating in treatment.
- Remaining abstinent from drugs and alcohol.
- Completing required behavioral interventions.

If you meet these conditions by the 12-month mark, you will graduate. If not, your participation may be extended or, in some cases, terminated from the program.

Case Management Appointments

You will be assigned a case manager who will:

- Help connect you with resources in the community.
- Track your progress and report to the Treatment Court team.

You must attend weekly meetings with your case manager, lasting at least 20 minutes. It is important to be arrive to your appointments on time. If you have any barriers such as childcare, transportation, or something else please discuss this with your case manager. We will assist you to the best of our ability in addressing these barriers.

During these meetings, you are encouraged to openly discuss your goals, challenges, and progress in recovery. Your case manager will update the Treatment Court team on your progress and may check in with others involved in your treatment, such as your employer or counselor. You'll need to sign release forms to allow this communication.

Important: Information shared during Treatment Court proceedings is public, but your private treatment details will only be disclosed as needed to support your progress. Be sure to provide proof of any medications prescribed to you.

Rescheduling Appointments:

If you can't make a scheduled appointment with your case manager, you must provide at least 24 hours' notice. While rescheduling may not always be guaranteed, exceptions can be made for emergencies. If an emergency occurs, you must provide documentation within 48 hours to avoid a program violation for missing the appointment.

Treatment and Case Planning

Every participant will receive an assessment to create an individualized treatment and case plan. This plan will guide you throughout the program and will be updated as needed. The Treatment Court team will focus on helping you reach the goals in your plan.

Based on your assessment, you may be referred to:

- Outpatient treatment
- Intensive outpatient care
- Day treatment
- Residential programs
- Withdrawal management

Both individual and group counseling may be recommended. If you don't have insurance, you'll be encouraged to apply. You must actively participate in your treatment and sign release forms so your providers can update your case manager on your progress.

Note: You must complete all treatment and follow any discharge recommendations before you can graduate from the program.

Alcohol/Drug Testing

You will be tested for drugs and alcohol at least twice a week. The testing schedule is random.

At intake, you will be assigned a color, which is used to notify you of testing. Call the testing number daily to see if your color is selected. If it is, you must complete testing that day.

- **Unauthorized substances** include alcohol, illicit drugs, and prescription medications not approved by the court, except in emergencies.
- **Tampered or diluted** test substances will be treated as noncompliance and may result in sanctions.
- **Contested** positive results will be sent for laboratory confirmation, and a chain of custody will be documented.
- **Observed Testing:** A staff member of the same gender will observe the collection of your test specimens.
- **Noncompliance:** Failing to provide a test sample or attempts to dilute samples will result in sanctions.

Court Appearances

Once you agree to participate in the Treatment Court Program, you will set up an intake appointment with your case manager. You'll return to court the following Thursday for your first court review to discuss your progress and address any questions you have.

Before each appearance, the Treatment Court team—consisting of the prosecutor, public defender, program coordinator, and Judge—will review a report on your progress, including:

- Drug and alcohol test results
- Treatment attendance
- Participation in support groups
- Employment, school, or legal issues
- Housing, health, or family concerns

Court appearances are mandatory unless the Judge excuses you. If you have an emergency and cannot attend, you must notify both your case manager and the court. Missing a court session without proper notice will result in a warrant for your arrest. Repeated absences may also lead to termination from the program as determined by the Treatment Court Team.

Rules and Expectations for Court

While in court, you are expected to:

- **Be on time.**
- **Be prepared.** Bring any required documents, such as assignments, community service forms, or verification of support group attendance.
- **Act appropriately.** Disruptive or inappropriate behavior will not be tolerated and may lead to termination from the program. This includes leaving court without permission, making threats, or acting disrespectfully toward staff, participants, or counselors.
- **Do not bring children to court.**
- **Turn off all electronic devices.** Phones or other devices may be confiscated if used during the session.
- **Only water is allowed in court.** No other drinks, food, or gum unless you have specific permission.
- **Dress appropriately.**
- **Be respectful.** Pay attention to other participants during court.
- **Do not schedule other appointments during court.**

Fees and Restitution

There is no program participation fee. However, if restitution has been ordered in your case, you must make consistent progress in paying it off. Failure to do so may result in an extension of your Treatment Court agreement.

Incentives and Sanctions

The Dane County Treatment Court Program is designed to encourage positive behavior and hold participants accountable for any noncompliance. Incentives are used to reward your progress, while sanctions are applied to address violations of program rules or expectations. Incentives and sanctions are determined using a structured approach based on the program's behavior matrix. This ensures fair and consistent application tailored to your individual circumstances.

This section will cover behavior and achievement while in the program. It is important to know what will happen when you make progress or when you engage in noncompliant behavior, relative to the Treatment Court Program requirements. This section is designed to clearly let you know the expectations.

Incentives

When you demonstrate positive behavior or reach important milestones, you may be eligible for a range of incentives. These are intended to acknowledge your progress and keep you motivated throughout your recovery journey. Examples of positive behavior include but are not limited to attending all scheduled court hearings, maintaining sobriety, completing treatment steps, and adhering to all program requirements.

Types of Incentives:

1. **Verbal Praise and Acknowledgement**
 - Positive feedback from the Judge or Treatment Court Team during court appearances. This recognition can boost morale and reaffirm that your efforts are noticed.
2. **Reduction of Program Requirements**
 - Fewer scheduled court appearances or case management meetings. For example, if you consistently show progress, your meeting frequency with your case manager may be reduced.
 - Less frequent drug and alcohol testing when you demonstrate consistent sobriety.
3. **Travel Privileges**
 - Permission to travel out of Dane County for work, family events, or vacations, which would otherwise require prior approval. This may be granted after a period of sustained compliance.
4. **Gift Items and Tokens of Recognition**
 - Small rewards like gift cards, certificates of accomplishment, or program-branded items (e.g., T-shirts, water bottles) as a tangible recognition of your success in the program.
5. **Phase Advancement**
 - Moving through the program's stages or phases more quickly, with earlier eligibility for graduation.
6. **Public Recognition**
 - Public acknowledgment of your success, which could include recognition during a court session or a feature at a program graduation ceremony.
7. **Expanded Privileges**
 - Potential for extended curfews, fewer restrictions on your activities, or additional freedoms based on sustained compliance.

Sanctions

If you fail to comply with the rules or expectations of the program, sanctions will be applied as a form of accountability. The goal of sanctions is to help you get back on track and reinforce the importance of program requirements. Sanctions are matched to behavior and will consider your overall participation in the program.

Types of Sanctions:

1. **Increased Court Appearances**

- You may be required to attend court more frequently to report directly to the Judge and the Treatment Court Team. These increased check-ins help monitor compliance and provide additional oversight.
- 2. **Increased Drug and Alcohol Testing**
 - Random testing may be required more frequently. For instance, if you miss a scheduled test or submit a positive test, the frequency of testing will likely increase.
- 3. **Community Service**
 - You may be required to complete a set number of community service hours. The court will specify the type and location of the service, and failure to complete the assigned hours will lead to additional sanctions.
- 4. **Behavioral Interventions**
 - Attendance at additional therapeutic interventions such as relapse prevention classes, anger management, or other behavioral health services may be required based on the nature of noncompliance.
- 5. **Curfew Restrictions**
 - You may be placed under a curfew, limiting your movements to approved locations (e.g., home, work, treatment facility) between specific hours of the day. Failure to follow curfew will result in further sanctions.
- 6. **Written Assignments or Essays**
 - You may be assigned reflective writing tasks (e.g., an essay on the importance of sobriety or personal accountability). These assignments encourage self-reflection on your behavior and program goals.
- 7. **Increased Supervision or Reporting Requirements**
 - Your case manager may require more frequent check-ins, home visits, or progress reports from other service providers (e.g., employers, treatment providers).
- 8. **Jail Time (For Serious or Repeated Violations)**
 - In cases of serious or repeated noncompliance, you may be required to serve a short jail sentence. Jail sanctions are usually applied for new criminal activity, repeated drug/alcohol use, or tampering with drug tests. This is intended to show the seriousness of the behavior and how it might impact your program participation.
- 9. **Program Length Extension**
 - Your participation in the program may be extended beyond the initial nine months. For example, if you miss appointments, fail drug tests, or otherwise do not meet progress benchmarks, you may be required to remain in the program for additional months.
- 10. **Termination from the Program**
 - If your noncompliance is severe or persistent (e.g., committing a new felony offense, consistent failure to participate in treatment, or refusal to abide by program rules), you may be terminated from the Treatment Court Program. Termination would result in your case returning to the traditional criminal justice system for prosecution.

How Incentives and Sanctions⁸ are Determined

Incentives and sanctions are decided by the Treatment Court Team based on your behavior and progress. The team considers several factors before applying sanctions, including the severity of the violation, your overall history in the program, and whether you have previously been sanctioned for similar behavior.

The goal of both incentives and sanctions is to support your recovery, promote compliance with the program, and ensure public safety. The team wants to see you succeed and will work with you to address any challenges that arise.

Graduation Criteria

To graduate from the Treatment Court Program, you must meet the following criteria:

- There is no program participation fee. However, you must pay any court-ordered restitution or fees associated with your case in full to graduate from the program.
- Complete treatment as recommended, including any discharge requirements.
- Comply with the terms of your plea agreement, including restitution payments if ordered.
- Make sufficient progress toward your goals as outlined in your case plan.
- Submit a graduation application to your case manager, which must be approved by the Treatment Court team.
- Remain drug- and alcohol-free for the required period, based on your program phase.

Termination Process

You may leave the Treatment Court Program at any time, but it's strongly recommended that you consult with an attorney before making this decision.

The State may file a motion to terminate your participation in the program for the following reasons:

- Committing a felony, a violent misdemeanor, or any offense involving weapons or drug delivery.
- Tampering with drug or alcohol tests.
- Dishonesty or deceitful behavior.
- Behavior that endangers the safety of others.
- Driving while intoxicated.
- Failing to make progress in the program within a reasonable time.
- Repeated violations of program rules or legal obligations.
- You may also be administratively terminated if you are absent from the program for 90 days without court approval, leading to your case being returned to the traditional criminal justice system.

If the State files a motion to terminate, a hearing will be scheduled within four weeks. You have the right to legal representation at this hearing and may present evidence in your defense. If you need a public defender, you must reapply through the State Public Defender's Office:

17 South Fairchild Street, 2nd Floor, Madison, WI 53703
608-267-1777

Absence from the Program:

If you are absent from the Treatment Court Program for 90 days without court approval, you may be administratively terminated without a hearing. In this case, your case will be returned to traditional prosecution.

Final Decisions:

Decisions made by the Treatment Court team regarding termination are final and cannot be appealed.

Treatment Court Contact Information

Case Manager: _____
Contact Number: _____

Probation Agent: _____
Contact Number: _____

Treatment Provider: _____
Counselor Name: _____
Contact Number: _____

Color for UA Testing: _____
Color line Number: _____

Treatment Court Program Handbook Acknowledgement Sheet

I, _____ have read/or have had read to me, the Treatment Court handbook and have had the opportunity to ask questions. I agree to follow the guidelines outlined in this handbook and my Treatment Court Program Conditions. I agree to hold on to this handbook as a reference while involved in the program.

Participant Signature

Date

Case Manager Signature

Date

Treatment Court Partner Agencies

City of Madison Police Department Dane County Circuit Court
Dane County District Attorney's Office Dane County Sheriff's Office
Dane County Department of Human Services University of Wisconsin – Dept. of Family
Medicine WI State Public Defenders Office
WI Department of Corrections
JusticePoint