

Douglas County Behavioral Health Court



Behavioral Health Court Participant Handbook

BHC Participant Handbook
Revised October 18, 2022

Welcome to Douglas County Behavioral Health Court

The Douglas County Behavioral Health Court Team would like to welcome you into our program. As a participant in the Behavioral Health Court, you will need to follow the rules given in court by the Judge and the treatment plan developed with your treatment providers. This handbook will explain what is expected of you, and what you can expect from Behavioral Health Court. If you have further questions about the Behavioral Health Court, you should ask your case manager, attorney or supervision officer.

What is Behavioral Health Court (BHC)?

The BHC is for Douglas County residents arrested and charged with criminal offenses in Douglas County meets the criteria for having a mental health disorder and this disorder contributes to the defendant's criminal behavior. The BHC works to divert people from criminal court and to connect them with services in the community. The BHC requires participants to follow the program rules. These rules are in place to help participants avoid new crimes. The BHC team includes: The Judge, treatment providers from DCCCA and Bert Nash, Pre-Trial release officers, members of the District Attorney's office, defense attorneys, and others. The BHC Team works with you to build skills and techniques to help you avoid criminal involvement in the future. **The BHC Team wants you to be successful!**

What do I have to do?

The BHC Treatment Team will work with you to create a treatment plan based on your needs. Your treatment plan addresses your mental health treatment, drug and alcohol treatment, housing, medical, education, and/or employment goals. Your treatment plan is designed just for you. It is developed to meet your needs and your interests and goals. In order to participate in the BHC, you must agree to follow a treatment plan. The plan acts as a contract between you, the treatment provider, and the Court. By working together, we hope to help you maintain a healthy, productive and crime-free life. To participate in the BHC, you will have to appear before the BHC Judge on a regular basis. The Judge, with input from the BHC Team, will make all the decisions regarding your participation in, and progress through, the program.

How long will I be in BHC?

The amount of time you participate in BHC depends on your case and the progress you make in the BHC. There is no fixed period of time for completing the BHC. Most participants will be in the BHC for at least one year. While you are participating in the BHC, the Judge and the BHC Team will closely follow your progress.

If you are terminated from the BHC for not following the program rules, or you voluntarily leave the program, your case will be returned to a regular criminal court docket.

How can the BHC work for me?

Services: Your case is presented by your attorney to the BHC team. The final determination to enter the BHC program is determined by the Judge, the DA, the BHC Team, and you. Once accepted into the BHC, you may receive some of the following services: case management, individual and/or group therapy, medication management, benefits counseling and assistance, housing assistance, employment services, and educational opportunities.

Recognition of progress: As you progress through phases of the program, your success will be publicly recognized by the Judge and BHC Team.

Benefit to your criminal charges: Every case is unique. You will likely be in a better legal position after graduation from BHC. If you successfully complete the BHC program, your charges will be expunged. If you remain involved with your treatment and follow the conditions that have been set for you, you will be successful in the BHC. Your success depends on you following the treatment plan developed with and for you by the BHC team.

Opportunity: Involvement in the BHC provides you many opportunities. You will be connected with services, receive treatment, and move forward in your life. The BHC can offer you the opportunity and support to help you meet your goals.

Graduation: The BHC Team discusses your proposed graduation date as you reach Phase IV of the program. All participants must complete all phases of the BHC Program to graduate. Completion of the program typically takes at least one year (see the Appendix for a description of each phase).

The length of time it takes to graduate depends on your progress in the program. In order to graduate, you must demonstrate consistent engagement in treatment, follow the conditions of supervision as directed, be free of non-prescribed drugs and alcohol, complete the BHC phase requirements, and remain arrest free.

Your graduation from the BHC is recognized as a very important event. Your family and friends are invited to celebrate your accomplishment and wish you well as you begin a new chapter in your life.

What are the rules of BHC?

Come to court as scheduled: You must come to court on a regular basis. The Judge learns about your progress in treatment and supervision plans at your court appearances. The Judge will ask you about your progress and discuss with you any problems that you may have had since your last court date. You may have to come to court on Thursday every week, but as you progress in the program, you will come to court less often.

Follow your Treatment Plan: Your treatment plan may include any of the following:

- Case management and therapy services
- Regular appointments with a doctor
- Participation in a day treatment or intensive outpatient program
- Taking prescribed medications
- Participation in treatment
- Transitional housing
- Participation in support groups, and/or
- Getting involved in productive activities (work, school, volunteering)

Case Management Services: You may be assigned a case manager. Your case manager will help you receive the services you need in the community. Your case manager will provide information to the court on your progress. As a BHC participant, you will have to sign a form so your case manager can share this information with the court.

Treatment Programs: The Court may order you to attend treatment programming that meets your needs. Your involvement in these services is crucial to your success in BHC. You must go to all treatment appointments and follow the recommendations of your treatment providers. The BHC Team receives

information from your treatment provider about your attendance and participation in treatment.

Medications: It is very important that you take the medications that your prescriber/doctor orders for you. Medications are an important tool for managing your health. The BHC team knows that some medications have side effects and it can take time for a doctor to find the best medicines for you. If you have trouble with your medications, tell your doctor as soon as possible. Your doctor may be able to make changes to your medications.

Drug and alcohol treatment: The BHC Team knows that drug and alcohol use can affect the safety, well-being, and mental health of our BHC participants. Participants are expected to maintain a drug, to include marijuana, and alcohol-free lifestyle. You will be drug tested randomly throughout your involvement with the BHC program.

Housing: Your housing should help support your treatment progress. If your treatment plan includes living in supported housing, you must follow the rules of that housing program.

Travel: You must have permission from the Court to travel out of state, but travel will normally be approved unless there is a reason to deny it. If appropriate to your circumstances, you may also be required to have permission from the Court or your supervision officer to travel out of Douglas County.

Rewards & Sanctions

Rewards: Rewards are used to encourage positive behavior and progress in treatment, including, but not limited to:

- Arriving for court hearings, treatment, and appointments as scheduled
- Following the Judge's recommendations
- Following your treatment plan and being involved in your treatment
- Remaining free of drugs and alcohol

Rewards may be given by the Judge to encourage participants to be successful in the program. Possible rewards include, but are not limited to:

- Verbal praise
- Applause in court
- A handshake from the judge
- A certificate of achievement
- The opportunity to apply for early advancement to next phase
- Graduation
- Additionally, the Behavioral Health Court utilizes the following rewards:

Weekly ALL-STAR:

Most weeks the BHC team will pick an All-star. This can be someone who is doing well in Behavioral Health Court. At the beginning of court, the Judge will announce the All-Star and describe the accomplishments of the All- Star.

Monthly Basket Winner:

Participants who are 30 days' sanction free and compliant will have their name put in the monthly drawing. All participants who met the criteria will have a chance to win the monthly basket in the random drawing.

Tickets:

Tickets are used in the BHC Store and are earned in three ways:

1. **Showing up for court:** The number of tickets a participant receives will depend on their current BHC phase. Participants in a higher phase do not have appear in court as often, due to not needing as much supervision, therefore they receive more tickets when they appear in court. Phase 1 = 1 ticket, Phase 2 = 2 tickets, Phase 3 = 3 tickets, and Phase 4 = 4 Tickets
2. **Percentage of treatment and meetings:** Participants will be given 0-5 tickets in court based on the percentage of treatment and meetings the participant attended since their last court date. 100% = 5 tickets, 51-99% = 3 tickets, 26-50% = 2 tickets, 0-25% = 1 ticket, and 0% = 0 tickets.

3. **Meeting weekly goal:** The Judge gives ticket(s) for a participant meeting weekly goal(s). Additional tickets could be given in court if the Judge feels the participant has gone above and beyond and more tickets are deserved.

In court, the Judge will tell participants how many tickets they have received. That number is added to the number of tickets they currently have in their bank at the BHC store. The tickets can be used to purchase items at the BHC store located in the Adult Services Office or for other privileges designated by the BHC team. The store has many different items priced at different “prices”. Participants can spend all of the tickets or save them to get an item that has a higher ticket price at a later time.

Sanctions: It is understood people sometimes do not follow the conditions required of them. There are consequences for poor decisions while involved in the BHC.

The following events may result in the Judge applying a sanction:

- Missed treatment appointments
- Missed appointments with case manager and Pre-Trial release officer
- Missed court appearances
- Not taking medications as prescribed
- Not following the rules of treatment or the terms of your housing contract
- Threats of violence
- Use of illegal drugs or alcohol
- Not following conditions of supervision
- Leaving your treatment program or supervised housing
- New criminal offenses
- Being dishonest
- Failure to take responsibility or be accountable for your actions

Sanctions may be applied by the Judge to help you learn from your mistakes and to be successful in the program. Possible sanctions include, but are not limited to:

- Verbal Disappointment from Judge/BHC Team
- Writing assignment-apology letters or an essay for next court date
- Journaling (can record-if limited writing skills)
- Life skill assignments or classes (budgeting/time management, job application/interviews, meal prep, etc.)
- Jury box observation (BHC or other proceedings)
- Coming to court more often
- Called last on court date
- Team round-table (feedback from multiple viewpoints)
- Imposed curfew and or other community restrictions
- Increased drug testing
- Increased reporting to Pre-Trial release officer
- Random home visits by surveillance officer
- Phase demotion in program
- Electronic monitoring
- Community service
- Intensive reporting
- Termination from the BHC program

What else is expected of me?

Treat others with respect: You should respect the feelings of others who participate in BHC. You are expected to be respectful to the BHC Team and program staff. Verbal or physical threats made towards anyone will NOT be tolerated. This kind of behavior will be reported to the Court and sanctions may be imposed.

Refrain from drug and alcohol use and activities: Change is not easy but is necessary in order to progress and live a healthy crime-free life. Whatever your treatment goals may be, the use of drugs and alcohol will reduce your ability to make positive changes. The BHC is committed to working with you to reduce the emotional and physical damage created by using drugs and alcohol. Continued

use of either drugs or alcohol is not part of the BHC program and may lead to your termination from the BHC.

Follow the Law: Breaking the law may result in the team dismissing you from the program.

Pay restitution: If restitution has been ordered by the court, then you will be required to pay the amount prior to graduation.

Douglas County

BHC-Phases

The Douglas County Behavioral Health Court is a four phase program. Each phase is organized around the central purpose (i.e., Stability, Maintenance, Wellness and Healthy Choices/Lifestyles). Each phase involves activities and expectations to help participants progress in that area. Progress is evaluated regularly by the BHC Team. Participants are expected to be in the BHC Program for at least one year.

At the beginning of the program, more treatment opportunities and accountability reviews are expected. As participants progress through phases, they assume more self-determination and accept more personal responsibilities. A key component of all phases is honesty; as participants are expected to be truthful and accountable with the Behavioral Health Court Team throughout the process.

Phase I: (2 months minimum) the purpose of this phase is to establish a partnership with participants towards a shared goal of **Stability**. This phase emphasizes helping participants obtain/sustain housing, create routines to assist in daily activities and begin mental health treatment. If indicated, substance abuse treatment may also be required.

- Treatment includes regular, frequent individual and group therapy sessions on a weekly basis
- Weekly court appearances
- Weekly reporting to the BHC Adult Supervision Officer
- Random Drug Urinalysis testing
- Expected to take psychiatric medications as prescribed and abstain from drugs and alcohol. (14 consecutive days of sobriety and Med. Compliance are required) to be considered for Phase II
- Must be sanction-free for 2 weeks (compliance with all BHC program conditions)

Phase II: (2-3 months minimum) the purpose of this phase is to **Maintain** stability established in Phase I. Participants are expected continue to develop strengths and supports. This phase emphasizes continuance in mental health and substance abuse treatment, maintenance of stable housing, progress

towards employment or education, continuing compliance with supervision requirements and no new arrests.

- Continued individual and group therapy, as determined by treatment provider
- Bi-Weekly court appearances
- Bi-Weekly reporting to BHC Adult Supervision Officer
- 30 days of medication compliance and sobriety (required to go to Phase III).
- Random Drug Urinalysis testing
- 30 days' sanction free

Phase III: (2-4-month minimum) the purpose of this phase is to support the participant in moving from maintenance to **Wellness** through a process of defining goals and solidifying wellness practices into one's daily routines. Additionally, during this phase, participants develop a plan to complete court obligations (payment of restitution, courts fees, or community service). Ideas for "service projects" are proposed by the participant for the team approval.

- Participants continue with treatment plan as directed, being fully engaged in the process
- Monthly court appearances
- Monthly reporting to BHC Adult Supervision Officer
- Random Drug Urinalysis testing
- 60 days of medication compliance and sobriety
- 30 days' sanction free
- Participants are expected to be using mental health services and complying with psychiatric recommendations

Phase IV: (3-month minimum) the purpose of Phase IV is for the participants to begin giving back to the community as a way of consolidating and deepening the gains they have made. This phase is about **Healthy Choices** and living a **Healthy Lifestyle**.

With input and approval from the BHC Team, participants will complete a service project of their choosing. The service project is an opportunity for the participants to share their talents and skills to make a positive contribution to the community. Completion of Phase IV is contingent upon satisfaction of the service project requirements and maintenance of wellness practices established in Phase III.

- All expectations from Phase III remain in place
- Monthly court Appearances
- Monthly reporting to BHC Adult Supervision Officer
- Medication compliance-entire phase (90 days)
- Sobriety-entire phase (90 days)
- 30 days' sanction free
- All pending court matters (restitution, court fees, or community service) resolved
- Completed "Service Project"
- On-going wellness plan developed between participant and their relationships/outside supports

Graduation:

The participant graduates from the Behavioral Mental Health Court Program. The BHC Team and any family members are invited to attend the ceremony to honor the hard work and success of the graduate.

*Participants must be ***30 days Sanction Free***, have ***90 days of Sobriety and medication compliance, and a fully completed "service project"*** in order to be eligible for graduation after phasing up to Phase IV.

Expungement:

If you successfully complete the requirements and graduate from Behavioral Health Court, you are eligible to ask the Court to have your charges expunged. Expungement means that the records of your arrest and criminal charges are removed from public records, with a few exceptions.

Important Name & Numbers:

My Attorney:

Name:

Telephone:

My case manager:

Name:

Address:

Telephone:

My Pre-Trial release officer:

Name:

Address:

Telephone: