

MEMORANDUM OF UNDERSTANDING
Rock County Family Recovery Court Judge and Parents' Attorney

This Memorandum of Understanding (hereinafter "MOU") is made by and between the Judge assigned to preside over the Rock County Family Recovery Court and the attorney who has been retained to represent the participants in the Rock County Family Recovery Court (hereinafter "Parents' Attorney").

Attached to this MOU is the Memorandum of Understanding for the Rock County Family Recovery Court (hereinafter "FRC MOU"). The parties accept and incorporate the FRC MOU into this MOU and agree to abide by the terms of FRC MOU.

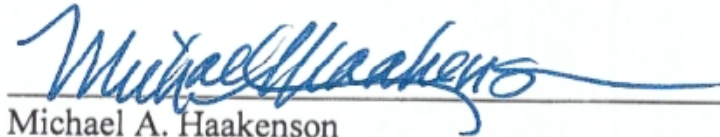
The Parents' Attorney's Role and Responsibilities are:

The Parents' Attorney represents each participant in the program. They are a member of the team. As such, they shall ensure the Family Recovery Court (hereinafter "FRC") program is fair, consistent, and in compliance with recognized standards on the operation of treatment courts. They will also ensure the rights of a parent are not abridged and advocate for the parents. The Parents' Attorney will participate in staffings, FRC hearings, and all meetings of the FRC program team and oversight committee. Further, the Parents' Attorney will support the parents' participation in the program by encouraging the parents to fully engage in it. The Parents' Attorney will review with the parents the programs requirements/conditions and advise the participants of their legal rights, legal options, and possible outcomes within the program. They will also answer basic legal questions of participants and possible participants who are not represented by other counsel.

The Parents' Attorney shall be compensated at the rate of \$100 per hour for a total of up to three (3) hours per week unless it is week with an FRC administrative meeting. For that week, the Parents' Attorney may bill up to five (5) hours for that week. The Parents' Attorney shall submit an itemized billing statement at least once a month to the Family Recovery Court Judge who shall review it and then submit it to the Rock County Clerk of Court. The Clerk of Court shall issue payment to the Parents' Attorney and seek reimbursement from the Rock County Human Services Department.

Memorandum of Understanding
Rock County Family Recovery Court Judge and Parents' Attorney

Dated this 6th of December, 2024.



Michael A. Haakenson
Judge, Rock County Family Recovery Court

Dated this 6th of December, 2024.



Makayla Johnson
Parents' Attorney

MEMORANDUM OF UNDERSTANDING
Rock County Family Recovery Court Program

SECTION I
MISSION STATEMENT AND OBJECTIVES

This memorandum of understanding is made by and between the Rock County Family Recovery Court (FRC) Program, State of Wisconsin Circuit Court, Rock County Corporation Counsel, Rock County Human Services, Rock County Administration, CASA, State Public Defender's Office, Professional Services Group, Guardians ad Litem, and the WI Department of Corrections, Division of Community Corrections.

- A. The represented agencies agree to the following mission statement:

Rock County Family Recovery Court aims to be trauma informed and culturally sensitive while working collaboratively to support parents in recovery, provide accountability, with the ultimate goal to establish safe, healthy, and drug free homes for children.

- B. Each represented agency agrees to support and endorse the mission and goals of the Rock County FRC in order to create a Rock County where children can live safely with their parents in homes that are free from the effects of drug addiction.
- C. Collaboration between the represented agencies is an integral part of the Rock County FRC and is essential in achieving success.
- D. In order for the FRC to succeed, it requires the collaboration and buy-in from each of the represented agencies. Recognizing that each individual agency operates under its own mandates, every effort to collaborate and reach consensus will be made with regard to FRC issues.
- E. Each represented agency agrees to the following:
1. Adhere to the FRC Policies and Procedures Manual and Participant Handbook.
 2. Be familiar with and adhere to all federal and state confidentiality laws applying to personal health information and substance abuse treatment information. These laws include 42 C.F.R. Part 2 and HIPAA.
 3. Attend and participate in staffings to help determine treatment progress, update individual treatment plans, and make joint decisions concerning compliance with FRC rules and recommend subsequent incentives, sanctions, and treatment adjustments.
 4. Assist in writing and reviewing FRC documents, as requested.
 5. Attend and participate in formal docket hearings.

6. Attend and participate in administrative meetings and advisory board meetings.
7. Present information and/or participate in on-going cross-training to remain knowledgeable about the behavioral health field, drug testing and drug trends, laws, cultural issues and bias, behavior modification for target population and overall best practices in the Family Treatment Court model.
8. Contribute to the team's efforts in community and peer education in the efficacy of family treatment courts as well as assist with local resource acquisition.
9. Follow state and national standards for family treatment courts.
10. Whenever possible, attend treatment court conferences and trainings if funding is available.

SECTION II PRINCIPAL AGENCY ROLES AND RESPONSIBILITIES

Family Recovery Court Judge:

The Rock County Circuit Court agrees to provide a Judge who will preside over the FRC. The Judge will preside over the court proceedings and lead staffings. During court sessions, the Judge will motivate participants towards success in their treatment while holding them accountable for their actions. The Judge will promote collaborative, non-adversarial and power-sharing relationships between FRC team members.

Corporation Counsel:

The Corporation Counsel represents the interest of the County in court proceedings. The Representative will help identify potential participants and review them for eligibility. The Representative will actively participate in the staffing of cases and interact in a non-adversarial manner with FRC team members while ensuring the Department's rights are not abridged. The Corporation Counsel Representative will assist with case related decision-making and advocate for compliance with all applicable statutes.

Rock County Human Services Department—Coordinator, Case Management, CCS and Data Analyst

Coordinator: The Coordinator will administer and coordinate the day-to-day operations of the Rock County FRC. The Coordinator will assist in providing general oversight to the treatment court to include meeting attendance, data collection, grant reporting and administration of the budget, program support, and community outreach. The Coordinator will screen potential clients for eligibility and provide regular reports to team members on participant progress. The Coordinator will serve as liaison between the Judge of Juvenile Court and other departments, elected officials, courts, attorneys, and the public to ensure efficiency for the Family Recovery Court program. The Coordinator will ensure the recovery court policies and procedures are updated annually and followed during program operations, as well as ensure all team members follow confidentiality regulations.

Case Management:

As a member of the Rock County FRC team, Case Managers will be responsible for maintaining individual files on participants, compiling statistical data as necessary, and providing supportive services to participants as developed by other team members. Case Managers will meet with participants at least once per week in the early phases of the program and less frequently as they successfully work towards completion of the program. Some of these contacts will be home visits and some will be office visits. Case Managers will monitor participants' compliance with phase requirements and return conditions. Case Managers will be responsible for assisting and providing participants with linkages to appropriate collateral services, such as substance use, mental health, general health, employment, education, social services, etc. Case Managers will work with treatment providers to insure participants are enrolled in their recommended treatment programs. Case managers will prepare bi-weekly reports on Recovery Court participants for submission to the FRC team for review. Other duties may be assigned as they relate to the FRC as required.

Comprehensive Community Services (CCS):

CCS is a community based mental health and substance abuse treatment program. The service array includes: screening and assessment, service planning, service facilitation (case management), diagnostic evaluation, medication management, physical health monitoring, peer support, skill development and enhancement, employment related skills training, psychoeducation, recovery support services, psychotherapy, and substance abuse treatment. It works from strength-based, recovery oriented, and person-centered models. CCS will open and service people in FRC as they are eligible for CCS and agreeable to services. CCS understands the importance and balance of treatment recommendations and meeting people where they are at in their recovery as it relates to having people write their own treatment plan while being in compliance with court orders. CCS will coordinate with FRC staff so that treatment delivery is provided in a trauma-informed manner. CCS will also support the substance abuse assessment process at the onset of being court ordered to FRC by using the ASAM.

Behavioral Health:

The Rock County Counseling Center, substance abuse grants, and Comprehensive Community Services programs and funding sources will work together to deliver screening, assessment, planning, and treatment services in conjunction with Family Recovery Court. These treatment services operate within strength-based, recovery oriented, and person-centered models. Behavioral health staff will help determine which programs and funding sources for which people qualify. In addition, Behavioral Health will identify a continuum of care for participants while advocating on behalf of the client and for the integrity of the Court. Rock County may also contract with other treatment service providers, who would be responsible for providing additional treatment to participants.

Data Analysis and Internal Program Evaluation:

An HSD data analyst, will provide data analysis and support for internal program evaluation purposes. This includes consultation on data entry and tracking procedures, review of data quality, and reporting and evaluation of program effectiveness for FRC decision-making purposes.

CASA:

CASA focus is the best interest of the child. The CASA representative conducts an individual investigation of the case and reports to the court. The representative will participate in all FRC team meetings, staffings and assist in the determination of participant eligibility.

University of Wisconsin-Whitewater:

Dr. Paul D. Gregory, associate professor at UW-Whitewater, will serve as the Rock County FRC's independent evaluator. He will create evaluation designs, conduct process and outcome evaluations, conduct other various evaluation reports as needed, and assist program staff in various grant-writing endeavors.

Rock County Administration:

The Rock County Justice System Manager will work with the FRC team and advise the team on best and evidence-based practices, attend team meetings as necessary, act as liaison between Rock County and the FRC, act as a neutral third-party to resolve any team or system issues, and assist with grants and other funding issues. The Justice System Manager will also assist in assuring the FRC is in compliance with administration and programmatic requirements and adherence to project implementation plans.

Wisconsin Department of Corrections:

The Wisconsin Department of Corrections, Division of Community Corrections will act as a member of the FRC team by providing at a minimum of one probation and parole agent or supervisor per court. When individuals are in the FRC and on supervision with the Department of Corrections, the Department of Corrections will:

1. Provide community supervision of participants and maintain a supervision file for each Specialty Court participant, in compliance with the requirements of the Department of Corrections' policies and procedures and Wisconsin State Law, including following confidentiality regulations.
2. Be guided by Evidence Based Practices when making decisions pertaining to the supervision and treatment of DCC offenders participating in the FRC. (Wisconsin Treatment Court Standard 1)
3. Prohibit agents or supervisors from engaging in the role of Court Coordinator for the FRC. The Court Coordinator maintains the overall management of the FRC Program. This includes administrative assistance to the FRC Judge, coordinating the selection and admission of the FRC participants, coordinating FRC team agendas and staffing program participant compliance. The Coordinator maintains documentation on paper and electronic files regarding the collection of random urinalysis tests, treatment compliance and coordinates collaboration between all of the participating agencies involved in the FRC.

4. Refer participants to community resources if available and, when appropriate and in consultation with the FRC team, maintain collateral contacts to follow participant progress.
 5. Provide drug/alcohol testing as part of normal standards of supervision. Extensive and random AODA testing specific to the FRC will be the responsibility of that court. Agents or supervisors can assist with this task on occasion; however, will not exceed one AODA test per week on any given participant. (Wisconsin Treatment Court Standard 13)
 6. Provide input for decisions regarding incentives and sanctions and impose incentives and sanctions where appropriate and in accordance with Department of Corrections' policies and procedures, Wisconsin State Law and Evidence Based Practices. (Wisconsin Treatment Court Standard 14)
 7. Attend treatment team meetings and FRC at a maximum of one team staffing/ FRC session per week and one special team or advisory board meeting per month. As the participant progresses forward in the FRC phases, it is expected the agent's or supervisor's responsibilities for that participant will be reduced along with the classification and contact standards for the individual participant. This may be subject to change based on staffing and availability.
 8. Provide updates on participants' adjustment to supervision with the Department of Corrections.
 9. Identify potential candidates for alternatives to revocation.
 10. Coordinate with law enforcement and other agencies as needed.
- Participating agencies of the Specialty Court agree to the following:
1. DOC resources and supervision tools will only be available to FRC participants who are on active supervision with the Department of Corrections.
 2. The FRC shall not employ a person who is on active probation, parole, extended supervision, lifetime supervision or an inmate who is supervised by Intensive Sanctions for any position where the primary duties and responsibilities involve contact or work with offenders/inmates OR involves access to offenders/inmates' records or funds.
 3. This MOU implies no fiscal responsibility for DOC. Other than in-kind services of DOC's representatives, no DOC funds may be expended, pledged, contracted for, or spent without the approval of DOC Administration. DOC will have the right to annually review its participation and any financial commitments made.

Public Defender's Office:

The State Public Defender's Office's will act as a member of the FRC Team. The public defender assigned to the FRC Program is not representing each program participant. He/she is a member of the team. As such, the SPD representative will strive to ensure that the FRC Program is fair, consistent, and in compliance with recognized standards on the operation of treatment courts. The SPD representative will participate in staffings, FRC itself, and all meetings of the FRC Program Team and oversight committee. Further, the SPD representative may answer basic (non-case related) legal questions of participants and potential participants who are not represented by counsel.

Guardian ad Litem (GAL):

The GAL ensures that the child's interests are protected. The GAL attends the FRC team meeting and assures the interest of his/her ward is represented. If a change in visitation or

services is being requested during the FRC team meeting and the GAL is not able to give an immediate recommendation, the GAL will complete an investigation within a week and be prepared to give their recommendation at the next FRC team meeting. If a child is not receiving the services that he/she needs, the GAL will bring it up in the FRC team meeting. The GAL advocates for the best interest of the child and seeks permanency quickly and safely.

Professional Services Group:

Professional Services Group will accept referrals from the Family Recovery Court for medication management, outpatient mental health therapy, parenting and supervised visitation as well as provide timely updates to the Family Recovery Court treatment team for those services. The Vice President will also serve on the Family Recovery Court Administrative Team and the Advisory Committee.

**SECTION III
POINTS OF INTEREST AGREED UPON BY EACH AGENCY**

A. Family Recovery Court Advisory Board

All FRC team members' agencies agree to be represented in this group. This group will be responsible for providing input in modifying and amending this agreement. They will address problems and issues as identified and provide guidance on policy and program modifications.

B. Confidentiality

The parties to this Agreement understand that the confidentiality of participants' alcohol and drug treatment records are protected under Federal regulations: Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2 and the HIPPA Privacy Rule, 45 CFR 160, 162, and 164. The parties agree to comply with all confidentiality requirements.

All parties agree that the assigned representative for each agency shall attend all scheduled FRC staffings and advisory board meetings. They shall maintain the confidentiality of the details and content of the treatment team and advisory board discussions. No FRC team member shall disclose this confidential information to any third person absent agreement by the majority of the FRC team members or pursuant to court order. No agency, advisory board, or treatment team members shall disclose confidential information regarding participants without the consent of such participant and approval of the FRC team.

C. Agreement Modifications

Any individual agency wishing to amend/modify this agreement will notify the FRC team. The issue(s) will be decided by consensus (if possible) or by simple majority.

D. Hold Harmless

Any individual agency will indemnify and save harmless the State of Wisconsin and Rock County, Wisconsin and all of their officers, agents and employees from all suits, actions, or

claims of any character brought for or on account of any injuries or damages received by any persons or property resulting from the operations of the contractor, or of any of its contractors, in prosecuting work under this agreement.

E. Nondiscrimination / Affirmative Action

In connection with the performance of work under this MOU, each individual agency agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01(5), Wis. Stats., sexual orientation as defined in s. 111.32(13m), Wis. Stats., or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the individual agency further agrees to take affirmative action to ensure equal employment opportunities.

F. Cancellation

All parties subject to this MOU reserve the right to cancel this MOU in whole or in part without penalty due to non-appropriation of funds or for failure of the individual agency to comply with terms, conditions, and specifications of this MOU.

G. Termination of Agreement

Individual agencies contemplating termination of their participation in this agreement shall first notify Justice System Manager of their concern. The Justice System Manager will attempt to resolve the problem through the Family Recovery Court team to ensure continuation of the specialized court. If unable to resolve the problem, the individual agency or department can exercise its right to terminate this agreement by notifying all other agencies in writing a minimum of 90 days prior to such termination.

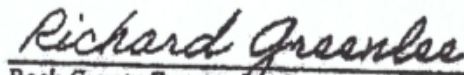
H. Term of Agreement

This MOU will be automatically renewed for subsequent years unless terminated by an individual agency as indicated under Section III, G. Termination of Agreement.


State of Wisconsin Circuit Court

July 8, 2020

Date


Rock County Corporation Counsel

July 8, 2020

Date

Katherine Luster
Rock County Human Services Department

7/17/2020

Date

Kevin D. Carr
State of Wisconsin Dept. of Corrections

3/1/2021

Date

[Signature]
University of Wisconsin-Whitewater

Feb. 8, 2021

Date

Josh Smith
Rock County Administration

July 8, 2020

Date

[Signature]
CASA

July 13, 2020

Date

Electronically signed by Faun Moses #1008974
State Public Defender's Office

July 8, 2020

Date

Chris Salovey
Professional Services Group

July 13, 2020

Date

[Signature]
Guardian ad Litem

July 31, 2020

Date

Jennifer L. Nash Elliott
Guardian ad Litem

August 4, 2020

Date

[Signature]
Guardian ad Litem

10-8-2020

Date

[Signature]
Guardian ad Litem

12/21/20

Date

[Signature]

2/5/21

CAL

[Signature]
SHANE W. FALK
GAL

2/7/21

[Signature]
Makayla Johnson
Parent's Atty.

12/6/24