BROWN COUNTY FAMILY RECOVERY COURT INFORMATION HANDBOOK





Welcome to the Brown County Family Recovery Court

This handbook is intended to:

Provide an overview of the program

Answer your questions

Address concerns

Mission statement

The mission of the Brown County Family Recovery Court is to support the recovery of parent(s) from substance dependence, to enhance the overall functioning of the family unit as a whole, and to improve safety, well-being, and permanence for children.

Participants in the Family Recovery Court (FRC) program are expected to follow the instructions given in court by the Judge and follow the Case Plan that is developed with the assigned case manager. This handbook explains what is expected of participants and what one can expect from the Treatment Court.

Entering and successfully completing a Treatment Court program may result in important legal benefits in criminal cases (if applicable), which will be explained by your attorney. This program can support you in your personal and professional goals and should be considered when you decide to enter the court. Most importantly, this court can help you successfully reunify with your children and create a safe and healthy living environment for them.

If you have any questions about this handbook or about the Brown County Treatment Courts, ask your case manager, probation officer (if you have one) or your attorney.

What is Family Recovery Court?

Family Recovery Court (FRC) is designed to break cycles of substance use disorders by providing timely, family-centered substance use treatment and supportive services to the substance dependent parent(s) with the ultimate goal of improving the safety, well-being, and permanence for their children.

Family Recovery Court, as part of the child welfare system, has developed a court-based collaboration to include a Judge, Brown County Health and Human Services Child Protection, Corporation Counsel, parent's attorneys, probation and parole, law enforcement, substance use disorder/mental health treatment specialists, and other team members with the shared purpose of providing intense supervision, monitoring, and support to help parents succeed in their recovery, comply with services, become drug and alcohol-free, and be able to safely parent their children.

This is a voluntary program which requires court appearances, regular appointments with a case manager and probation agent (if applicable), random drug testing, and treatment for identified areas of need. The program lasts, on average, 12 to 18 months. A core component of the FRC involves tracking the participant's behavioral change and engagement in recovery by using a system of phases. There are four phases: Phase 1 addresses the parents' receptiveness to substance use treatment, emphasizing a drug-free lifestyle. Phase 2 challenges the parent to confront the reasons for his/her addiction and develop mechanisms for coping with stressful situations. Phase 3 focuses on the parent's changes in behavior, becoming self-sufficient with a focus on community resources such as vocational, educational, and employment, referrals. Phase 4 focuses on the transition to independent, safe parenting without monitoring by the FRC. The speed of progression through phases varies, depending on the participant's progress in recovery and elimination of safety concerns for their children. FRC utilizes incentives and response to negative behaviors as appropriate, based on the performance and progress of each parent.

Eligibility Requirements

To be eligible for FRC, a parent must meet the following criteria:

1. Child removed from primary caregiver or under an in-home safety plan due to identified substance use issue.
2. CHIPS Petition(s) Filed
3. Cases involving significant physical abuse and all sexual abuse toward the children by the parent(s) or guardian identified as a potential FRC participant shall be excluded.
4. Has at least one prior child protection assessment or CPS court action in any jurisdiction
5. If any criminal charges, current offense is non-violent
6. Families currently involved with child protection may be considered within one year of the filing of the CHIPS petition, or one year from failed reunification if it is determined the parent(s) could benefit from the FRC.
7. Has never been found guilty, nor had adjudication withheld for any violent felony offense as defined in 941.291(1)(b) or similar crimes in any state
8. Does not have prior/current convictions involving use of dangerous weapon
9. Does not have prior/current sex offenses, stalking, arson, or kidnapping offenses.

Application Process

All potential participants are required to complete an application. They can complete this with their attorney, Child Protection Case Manager, or on their own. Applications are turned in to Brown County Corporation Counsel for a legal screen to be completed. If the applicant passes the initial legal screen it is sent to the District Attorney's office to complete a more in-depth legal screen. If both legal screens are passed, the FRC Case Manager will proceed with an assessment. The assessment process includes an interview, obtaining any relevant Releases of Information (ROI) to obtain previous treatment records, a mental health screen (MHSF-III), an AODA screen (TCU-Drug Screen 5), a Readiness to Change screen (URICA), and an Adverse Childhood Experience (ACE) Assessment. A more in-depth AODA Assessment with a Certified AODA provider will also be requested to obtain the appropriate treatment recommendations.

Once the assessment is completed the FRC Case Manger will provide it to the team and the team will review and discuss acceptance. Applicants will be notified of team

decision and reasoning. If applicable, the District Attorney's office will contact applicants' attorneys to discuss the proposed disposition/sentencing of the applicant.

Program Requirements

Family Recovery Court Team members will work with each participant to create a Case Plan based on individual needs and goals which will include sobriety, housing, education, employment, financial benefits, mental and physical wellness, parenting, and life skills support.

To participate in a Family Recovery Court, one must agree to follow the rules laid out in the contract, which is a shared commitment between the participant and the members of the Family Recovery Court team.

Participants appear before the Family Recovery Court Judge on a regular basis and as outlined in the program phases. Participants must be on time for the court hearing and be courteous and respectful of all people in the courtroom.

Along with the rules laid out in the participant contract, all participants are required to agree to and follow through with the following expectations:

- Sign the Waiver of Confidentiality and Agreement for ex-parte Communication. Ex-parte communication happens when the judge talks about a participant and their case without the participant or their attorney present.
- **Be completely honest in all communication with the Court.** It is understood that this may be challenging; however, honesty is a cornerstone of the Family Recovery Court Program.
- Complete an Alcohol and Other Drug Abuse (AODA) assessment and recommended. If a treatment provider believes a participant needs a higher level of care, the participant is expected to participate in treatment as deemed necessary.
- Abstain from using drugs or alcohol and be willing to cooperate with random and frequent drug testing
- Cooperate with the Family Recovery Court Case Manager and follow case management plan.

- Abide by Court-Ordered Conditions for the return of your children
- Participate in community support meetings.
- If prescribed methadone, Suboxone, Subutex, Sublocade or Vivitrol, participants must take medications as prescribed by their physician.
- Inform treating physicians of recovery status
- Attend and be on time for all court sessions, supervision sessions and treatment sessions as scheduled and stay for the entire meeting.
- Understand that providing drugs or alcohol to other participants could result in immediate dismissal from the program.
- Must not associate with people who use or possess drugs or alcohol.
- Must not have contact with other participants in the program outside of court and/or treatment without prior approval

Enrollment

Once accepted into FRC, the team will work to coordinate timely sentencing on any criminal charges pending (if applicable). The FRC Judge will issue the sentencing and will order that the participant comply with FRC. They may be sentenced to Imposed Time allowing the Judge to issue jail as a sanction to negative behaviors or not complying with the court order or FRC Treatment Plan. All CHIPS cases with be transferred to the FRC judge's calendar and new hearing notices will be generated.

Prior to sentencing (if applicable) or enrollment the participant shall review and sign the Participant Document with their attorney, so they are fully aware of the expectations and rules of the FRC program. Once the Contract is signed the participant will be expected to participate in all aspects of the program.

Appropriate Forms

1. **Application**
2. **Agreement of Ex Parte Communication**
3. **Consent for Disclosure**
4. **Participant Contract**

Team Members

Brown County Circuit Court Judge: Honorable Thomas Walsh

Family Recovery Court Case Manager: Samantha Reynolds

Child Protection Supervisor: Samantha Warden

Criminal Justice Services: Manager-Mark VandenHoogen, Supervisor-Laura Hettmann

Brown County Corporation Counsel: Hannah Stewart

District Attorney: David Lasse

Public Defender: Britteny Koenig

Probation and Parole: Brooklyn Maass

Law Enforcement: Detective Cassie Pakkala

AODA Provider: Allison Poritz, Oneida Behavioral Health

Mental Health Provider: Veronica Thomson, CABHU

Child Protection Ongoing Worker: Madison Witt

Family Support Specialist: Chelsea Ribando

Court

The FRC Team will meet Thursday's at 12:00pm for a staffing to discuss the participants' case plans. Weekly reports from the FRC Case Manager should be provided to the FRC Team at the time of staffing. The progress report will include information from the applicable report period regarding drug testing results, attendance, participation and cooperation with treatment, interaction, and visitation with child(ren), updates on progress in any family programming, as well as any identified barriers to increased visitation and/or reunification. The FRC Judge speaks with participants in the FRC session at 1:00pm each Thursday to address their engagement in the program and progress toward meeting the dispositional goals of their cases.

Confidentiality-The FRC Team meetings and court hearings are confidential and all participants, team members and/or observers of the FRC team meeting will be required to sign a confidentiality agreement. Statements made by participants in the peer led

facilitation group and the FRC team meeting shall remain confidential and may not be used as evidence against the participant in any criminal, juvenile or civil proceeding. Team members may share information outside of the Thursday team meeting with other team members to effectively respond to a participant's behavior or needs. A participant's acceptance into the program, progress through the phases, and discharge status may be shared in a case regarding termination of parental rights or transfer of guardianship. Participants must understand that information regarding their progress in the program will be shared if their case reaches termination of parental rights.

CHIPS Case Hearings:

If a participant's children are in out-of-home care, every six months FRC participants and their family will have a Permanency Plan hearing to address the family's progress towards the child's permanency, meeting the dispositional goals, the parent's engagement in the program and the family's needs and successes. Any other hearing that may be requested or required for the CHIPS case will be scheduled with the FRC Judge.

Supports

Starting in Phase II, participants must attend two community meetings weekly, in addition to regular treatment programming. Verification of attendance must be provided to the Case Manger weekly. Participants will also have to find a sponsor/mentor. We know that finding a sponsor is a very personal and serious decision, and it may take time to find a suitable sponsor. That is why attending the community meetings is so important and will assist with building connections with a healthy, stable recovery support system. This support system will help develop healthier relationships and find activities within the community to help participants live in recovery.

Acceptable community meetings include:

• NA/AA/CA/Al-Anon/CODA Meetings/DAA • Faith-Based Community Meetings • S.M.A.R.T. Recovery Meetings • United WE C.A.N. family group meetings • Church Groups • Support Groups (for example: Mental Health, Domestic Violence) • Parenting Groups (For Example: Parent Cafes)	• Sweat lodge, longhouse, Cultural Heritage, Wellness Group • Mentor, outside support groups, workshops/seminars on issues related to wellness • Celebrate Recovery • Wellness Groups (meditation, yoga) • Recovery Coach/Meeting with sponsor

If there are other groups, healthy social activities, or volunteer opportunities that participants would like us to consider, inform the case manager and the team will take them into consideration.

Program Phases

Family Recovery Court uses a four-phase approach to progress through the program. Individual phase requirements are as follows:

Phase One	
Objectives	Intake, assessment, and orientation; meet with case manager; develop your Case Plan; attend group and/or individual therapy sessions; meet immediate needs
Minimum Length of Phase	30 days after Plea in CHIPS case OR 30 days from acceptance/sentencing to the program
Expectations	• **Minimum of 15 consecutive days clean random drug screens** • Attend court sessions *weekly* • Comply with random drug testing • Participation in all scheduled family interactions • Meet with FRC Case Manager on a weekly basis • Complete weekly time management record • Meet with Probation Officer as required • Complete all required assessments, including but not limited to AODA, mental health, parenting • Begin recommended treatment, including but not limited to inpatient treatment, outpatient groups, therapy and classes • Begin to explore 2 community support groups and report back to case manager about which you are interested in • Create a sobriety plan • Create a housing plan • Have an identified employment or education plan (do not need to be employed or enrolled in school) • Start abstinence from all illegal drugs or alcohol • Comply with CHIPS Dispositional Order
Advancement	• Satisfactory treatment progress • Satisfactory compliance with all program requirements • Honesty • Program Team Approval

Phase Two	
Objectives	Continue Case Plan

Minimum Length of Phase	3 months/90 Days
Expectations	• **Minimum of 45 consecutive days clean random drug screens.** • Attend court sessions twice monthly • Comply with random drug testing • Participation and engagement in all scheduled family interactions. • Comply with services ordered or recommended in the CHIPS dispositional order, progress towards meeting those goals • Meet with FRC Case manager at least twice a month • Complete weekly time management record and account for 40 hours of structured time per week. • Attend and participate in all treatment as recommended by service provider, including but not limited to inpatient treatment, outpatient groups, therapy and classes or outside meetings • Attend at least 2 community support groups weekly • Obtain a Sponsor/Support Person • Meet with Probation Officer as required (if applicable) • Demonstrate skills learned in treatment, groups, or classes into everyday behavior • Recognize the need for assistance in treatment and parenting and rely on assistance • Begin developing an aftercare plan for completion of treatment • Develop initial budget/payment plan • Follow educational/employment plan • Follow sobriety plan • Follow housing plan • Participate in Family Team Meeting if requested
Advancement	• Satisfactory treatment progression or completion • Satisfactory compliance with all program requirements • Honesty • **Application for advancement** completed and accepted by the team

Phase Three	
Objectives	Wellness, pursuit of education and/or vocational goals, connect with the community at large

Minimum Length of Phase	4 months/120 days
Expectations	• **Minimum of 60 consecutive days clean random drug screens** • Attend court sessions once a month • Comply with random drug testing • Participation in all scheduled family interactions. • Meet with FRC Case Manager once a month • Continue to attend two community support groups weekly • Complete weekly time management record and account for 40 hours of structured time per week. • Comply with services ordered in the CHIPS dispositional order progress towards completing these • Attend and participate in all treatment as recommended by service provider, including but not limited to inpatient treatment, outpatient groups, therapy and classes or outside meetings • Meet with Probation Officer as required • Obtain/maintain employment or education • Follow housing plan • Attend and participate in Family team meeting if requested • Consistent contact with your clean supports/sponsor • Continue to develop an aftercare plan for completion of treatment. • Continue to demonstrate ability to cope with parenting while maintaining sobriety using healthy support systems and coping skills • Maintain realistic budget • Follow Sobriety plan
Advancement	• Satisfactory treatment progress or completion • Satisfactory compliance with all program requirements • Honesty • Establish pro-social behaviors • **Application for advancement** completed and accepted by the team

Phase Four	
Objectives	Transition from Program while maintaining wellness and positive community connections

Minimum Length of Phase	4 months/120 Days
Expectations	• **Minimum of 100 consecutive days clean random drug screens.** • Comply with random UA testing • Meet with FRC Case Manager at least monthly • Maintain stable housing and employment • Attend Court every other month • Meet with Probation Officer as required • Maintain consistency/participation in treatment after-care • Comply with all CHIPS dispositional order goals and demonstrate the behavioral changes learned utilizing those services • Complete recovery plan- WRAP Packet • Continued participation in community support groups and any other recommended treatment
(Advancement) GRADUATION	• Successful completion of all program requirements • Application for graduation completed and accepted by the Team

On your graduation day, you will be invited to share with the Judge and team how life has changed for you since you started the program. The Judge will present you with a certificate of completion and will recognize your accomplishments. Participants are able to invite whomever they wish to join you to celebrate your success.

Drug Testing

A major goal of the program is achieving and maintaining sobriety. Maintaining sobriety will be shown by having clean random drug screens, and no missed or refused drug screens. Participants are required to appear at the testing site during operation

hours to complete the drug screen. Missed or refused drug tests are presumed to be positive. *The participant's most recent negative test will be considered the participant's sobriety date*. Positive, dilute, missed, or refused tests will affect a participant's ability to pass through the phases. The participant will have the opportunity to acknowledge a relapse but will still be expected to test.

By agreeing to participate in FRC, the participant is agreeing to commit to sobriety, refusing to use any illegal or addictive substances, and to avoid any substances that would cause a false positive. By agreeing to this policy, the participant agrees that any confirmed positive test will be conclusive evidence of drug use.

<u>Testing Procedure:</u>

- All drug screens are random
- The Participant must call daily to confirm whether they will need to test.
- Must show valid ID at collection site
- The collection will be observed by a same sex staff member
- If a participant disputes the initial results of the test, confirmation testing of the results will be requested.
    a. The confirmation testing laboratory must be approved by SAMSHA.
    b. A GC/MS test will be used to confirm positive results.
    c. All drug tests that resulted in a positive screen will be sent for confirmation if the participant denies use of that drug.
- Tampering with drug/alcohol testing in any way may result in immediate termination. Examples of tampering may include but are not limited to the use of any foreign substances, pills, powders meant to modify the result of the test.

All substances below, if not prescribed to a participant and approved by the FRC Case Manager, are deemed prohibited and will create a positive drug screen result; this list is not exhaustive.

Amphetamines Adderall, Dexedrine
Barbiturates

Butalbital, phenobarbital, Pentothal, Seconal, and Nembutal
Benzodiazepines Alprazolam, chlordiazepoxide, clorazepate, diazepam, halaepam, lorzepam, oxazepam, prazepam, quazepam, Estazolam, flurazepam, temazepam, triazolam, midazolam, Valium, Xanax, Halcione, Ativan, Rohypnol, Klonopin and Clonazepam
Cannabis/Marijuana/CBD
Cocaine
Depressants Rohypnol, Ambien, Sonata (sedative-hypnotic medications), Meprobamate, methaqualone (Quaalude), GHB
Dextromethorphan (cough suppressor
GHB, Xyrem, GBL (gamma butyrolactone), BD (betanediol)
Hallucinogens Hallucinogenic mushrooms, LSD, MDMA, ecstasy, Kratom, Peyote, Mescaline, Psilocybin
Hydrocodone Hycomine (hydrocodone and antihistamines) Vicoprofen (hydrocodone and aspirin) Vicodin, Lorcet, Lortab (hydrocodone with acetaminophen)
Hydromorphone
Inhalants Glue, lighter fluid, cleaning fluids, paint
K2 or Spice
Ketamine
Methamphetamine
Morphine
Opioid Heroin, Fentanyl, Methadone, Morphine, Codeine, Vicodin, OxyContin, Opium derivatives, Opium, Oxycodone, Percodan, Roxicet
Steroids
Stimulants Khat ,Diet aids (Didrex, Bontril, Preludin, Fastin, Adipex P, lonomin, Meridia), Bath Salts, Designer Cathinones, Synthetic Stimulants, Mephedrone, Methylone and MDPV

Rewards and Sanctions

There are responses for your conduct while you are a participant in Family Recovery Court.

Rewards are received for doing well in meeting your goals and are awarded on a case-by-case basis, as determined by the Family Recovery Court Team. "Doing well" means:

- Arriving on time for court hearings and scheduled appointments
- Following the Judge's recommendations/orders
- Following your Case Plan
- Being actively engaged in court and your plan
- Practicing and developing accountable behaviors
- Negative drug screens

Sanctions are consequences for negative behavioral choices or for not following the commitments to the program. Sanctions are intended to keep participants on track, encourage positive choices and help lead to success in the program. Reponses are given in order of increasing seriousness. The following behaviors may result in the Judge ordering one or more responses.

- Being dishonest or lying
- Missed court appearances, appointments
- Infractions of rules of treatment including verbal threat of violence
- Other failures to follow your Case Plan
- Noncompliance/Discharge from Treatment
- Continued substance abuse
- Refusing to drug test
- Failure to follow conditions of probation.
- New criminal offenses

Termination from Treatment Courts

Participants may be terminated from the FRC for non-compliance with sobriety and documented failure or refusal to participate in the recommended treatment or when a participant is not compliant with his/her case plan.

During Phase I of the program, a participant may be terminated if he/she has **five consecutive weeks of positive drug screens or he/she never engages in a substance use treatment program.** During any subsequent phases of the program, a participant may be terminated for **consecutive weekly positive drug screens, lack of treatment participation or failure to attend FRC sessions for four weeks while not having contact with any member of the FRC Team.** A participant will be **automatically terminated if it is learned they have provided substances to another participant or act in a way that puts another participant or team member in danger.**

Removal from the FRC does not have any impact on the participant's AODA treatment or the underlying CHIPS case, but it may impact those who were sentenced to the program through criminal charges. Participants may be removed from the FRC and still be successful in their efforts to reunify with their children.

Termination Procedure:

Any member of the FRC Team may motion to terminate a participant from the Program. Upon another FRC Team member declaring a second to that motion, the Treatment Court Judge will inform the Participant of the termination motion and allow the Participant to speak to this. The FRC Case Manger will also meet with the Participant and complete a Termination Summary that will be given to the participant and the FRC team the following week. The FRC team (without the presence of the Judge) will discuss the reason for termination and will vote whether termination is appropriate. If it is determined that a participant should be terminated, the Judge will inform the participant.

If it is determined that the participant should not be terminated, or at any part through the program phases, the FRC Team may choose to implement a Last Chance Contract, notifying the participant of specific tasks, goals, or behaviors that must be completed in an identified period of time to remain in the FRC Program.

Termination Appeal Process:

Participants will be given the option to have a "Termination Hearing" to be set before a Treatment Court Judge as soon as possible. If requested, the Termination Hearing will be on the record in open court and participants may be able to have legal

representation. *The rules of evidence do not apply in the "Termination Hearing."* If the Judge finds to a reasonable certainty, by the greater weight of credible evidence, that a participant violated the FRC rules that constitute grounds for termination and there is no reasonable alternative to termination, the participant will be removed from the program. If a participant abandons the program, a letter will be sent to his/her last known address or emergency contact outlining that they have a set time frame to turn themselves into a Law Enforcement or Probation representative. If they do not turn themselves in within that time frame, this will be considered their waiver of the right to attend a Termination Hearing. If participants don't have a valid last known address the same timeframe applies from the time that they abandon the program.

Family Recovery Court Contact List

Main Contact Number: 920-448-6001

Judge Thomas Walsh	FRC Judge	Judicial Assistant 920-448-4112

Mark VandenHoogen	CJS Manager	Mark.Vandenhoogen@browncountywi.gov 920-391-4849
Kevin Brennan	Health and Human Services-Children's Youth and Family Manager	Kevin.Brennan@browncountywi.gov
Laura Hettmann	CPS/FRC Supervisor	Laura.hettmann@browncountywi.gov 920-391-4749
Samantha Reynolds	FRC Case Manager	samantha.reynolds@browncountywi.gov 920-448-4550

LOCATION

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