



GETE-GITI-GAANING
Healing to Wellness Court
OSHKI-MAAJII
(HTWC)

POLICIES AND PROCEDURES MANUAL



Adopted May 1, 2023

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SECTION 1. HTWC GENERALLY

1.1 **Targeted Population.** The Healing to Wellness Court will target enrollment and participation of adults 18 years and older, who have current non-violent criminal charges that are drug and/or alcohol related, who are members of the Lac Vieux Desert Tribe or a member of another federally recognized tribe that live within the jurisdiction of the Lac Vieux Desert Tribal Court.

1.2 **Goals and Objectives.**

- Reduce recidivism (rearrest) and criminal conduct in the Participant's life and community;
- Reduce the number of separated and struggling families within the community due to incarceration, substance use, unemployment, and other contributing factors;
- Re-integrate community members who have substance use disorders and provide them the teachings and tools to become productive members of their families and tribal community;
- Increase the safety and awareness within the community related to substance use;
- Increase self-sufficiency of persons and families within the community;
- Increase the benefit, and reduce the cost, to the Lac Vieux Desert Tribe and community as it relates to traditional judicial processes, crime deterrence, law enforcement, and safety; and
- Increase and improve traditional cultural practices and traditions, especially as it has to do with healing and wellness of the Participant, their family, and the community as one.

1.3 **Program Model.** The HTWC Program is designed to provide individuals the opportunity to address their addictions and move beyond criminal behavior. The Program is voluntary, with entrance generally occurring post plea. The program is abstinence based and intensive. Requirements include mandatory substance abuse treatment, random drug and alcohol screenings, consistent in-person contact with the Wellness Court Officer, frequent and on-going appearances before the Judge, case management meetings, attendance at support or self-help groups, employment, pursuit of educational opportunities, participation in pro-social and cultural activities, community give-back hours, and payment of restitution and program fees, to name a few.

The Healing to Wellness Court Program is typically a minimum of 12 months and is divided into four (4) phases. Movement from phase to phase is contingent on the completion of phase requirements, Participant compliance, reaching case plan goals, and recommendation or approval by the HTWC Team.

**Healing To Wellness Court Participants may be referred to as "participant", "candidate", or "probationer" throughout HTWC documents.*

SECTION 2. ROLES AND RESPONSIBILITIES OF HTWC TEAM MEMBERS

2.1 Team Composition and Duties; General

a) The HTWC Team is comprised of representatives of different departments of the Lac Vieux Desert Community. Each department has agreed to work together to help Participants on their path to healing/wellness/recovery. The roles of each department are set forth in a Memorandum of Understanding and below. The Team makes decisions collaboratively and cooperatively for the best interest of the Participant.

b) The Team is responsible for the day-to-day supervision and treatment of Participants. The HTWC Team is led by the Judge and meets twice per month, or as deemed necessary, to discuss the status of each Participant and each Program candidate, and submits its recommendations, if applicable, to the Judge. The Wellness Court Officer will serve as the Secretary of the Team and prepare and/or submit all reports and recommendations promulgated by the HTWC Team.

2.2 The HTWC Team is comprised of:

a) **Tribal Court Judge:** The Tribal Judge is the key leader for the HTWC Program. He will supervise and reinforce the Participant's treatment and progress by reviewing the reports from the HTWC Team during closed session, as well as any input from the Participant during their hearing. The Judge is optimistic for each Participant's ability to succeed and will encourage compliance and accountability through the use of incentives and sanctions. The Judge has all final authority.

b) **Tribal Prosecuting Attorney:** The Tribal Prosecuting Attorney will review the Program candidate's case and advise the HTWC Team if the candidate meets the eligibility criteria. If a candidate is eligible and voluntarily willing to participate in the HTWC program then the candidate will enter into a binding plea agreement, and the Court will hold the plea and sentence in abeyance.

c) **HTWC Administrator:** The HTWC Administrator (sometimes referenced as the "Coordinator") oversees fiscal and contractual obligations including grant administration which includes grant reporting/program fiscal responsibilities, is responsible for coordination of services between the various departments within the LVD Community and surrounding areas, procures and adapts computerized information to meet office support and management needs for record keeping, reporting and correspondence, oversees the HTWC budget and purchasing as needed. The Administrator schedules meetings, maintains data collection for statistical reporting, enters data into and maintains the administrative records related to the HTWC, which includes data collection for statistical reporting, monitoring of Participant's progress in the Program, and reviews and suggests revisions to Policies & Procedures as necessary. The Administrator will be an acting cultural liaison as well as main point of contact for the Tribal Council, community agencies, and contacts related to the Program and its maintenance. To link and monitor

services with treatment providers (case managers, counselors, and other health/wellness service providers), as well as consultation with tribal community spiritual leaders on the cultural and traditional practices necessary and appropriate to incorporate into the management plan. The Administrator is also the direct supervisor of the Wellness Court Officer.

d) **Wellness Court Officer:** The Wellness Court Officer monitors compliance with each case management plan (also referred to as a case file, Master Healing to Wellness Plan, or Treatment Plan) and provides intensive case management services to HTWC Participants. Under the advisement of the Administrator, the Wellness Court Officer shall develop a Master Healing to Wellness Plan (MHTWP) for each Participant, (also referred to as a “case file” or “case plan”). Each plan shall be comprehensive, goal-oriented, individualized, reviewed in regular intervals, and include cultural, educational, and vocational goals. Responsibilities and duties include: Completion of program-appropriate screening and assessment; providing Participant orientation that clearly outlines the expectations of the program; obtain appropriate consents and releases; management of case plans based on agreements between the HTWC Team and Participants; regular review and update the Master Healing To Wellness Plans, make referrals as needed, and is the acting Secretary of the Program. The Wellness Court Officer manages the supervision and scheduling of the alcohol and drug screenings, community/home/job site visits, and enforces the policies and program requirements.

The Wellness Court Officer will make field contacts to verify Participant’s residence, schooling and/or employment. During a home visit, the Wellness Court Officer will walk through Participant’s residence to verify compliance with the HTWC conditions and may contact, inquire, and discuss with Participant’s family members, teachers, mentors or other members of the community to evaluate participant’s progress on a strictly confidential basis.

e) **Law Enforcement:** Law Enforcement will assist the HTWC Team with enforcing curfews, drug and alcohol screenings, violations and sanctions, home visits, and any other actions deemed necessary for the safe and proper enforcement of the Program, its participants, and the LVD community.

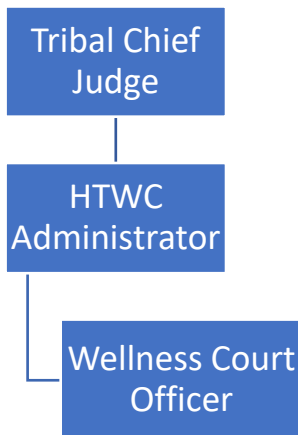
f) **Lac Vieux Desert Health Center:** The LVDHC will play a critical role in the functioning and success of the HTWC Program. LVDHC will provide the initial, in depth, assessment(s) and evaluation(s) to determine suitability of Participants for the Program as well as the clinical needs for behavioral health services, such as substance abuse services and/or mental health services. The Primary Care Providers as well as other medical or care departments of the LVDHC shall provide services and care for Participants as deemed necessary and appropriate for their healing to wellness journey based on their individualized plan and Program goals or requirements.

g) **Social Services:** The Social Services Department will help with the services within their scope of practice to assist the Participant through their healing & wellness journey as needed, necessary, or recommended.

h) **Honorary HTWC Team Support Members:** Honorary support members of the HTWC Team are important to the structure, goals, and success of the HTWC Program and its Participants. Honorary members could be a Lac Vieux Desert Tribal Council member/representative, a tribal elder with long term sobriety, a community member with long term sobriety, community give-back hours supervisor, self-help group leader, and could include any cultural or spiritual leader or mentor.

2.3 Supervisory Structure.

The Healing to Wellness Court staff will be supervised by the Tribal Chief Judge.



2.4 Team

Sessions.

Biweekly (or as deemed necessary) closed sessions will be held to discuss the progress of the HTWC Participants. Notices for the sessions will be given to the Team by the HTWC Administrator or Wellness Court Officer at least seven (7) days prior to the meeting date. Special sessions may be held as needed.

SECTION 3. ADMISSION GUIDELINES

3.1 **Eligibility.** Eligibility includes targeted populations that meet the following criteria:

- a) Is at least 18 years of age;
- b) Any non-violent offender over whom the Tribal Court has criminal jurisdiction may be eligible for participation in the Healing to Wellness Court.
- c) Has committed and/or is charged with a non-violent offense where a drug or alcohol disorder is an underlying factor, such as, but not specific or limited to:

- i. Transport/Intent to Sell/Maintaining a Drug House/Distribution of Drugs
 - ii. Possession and/or use of prohibited drugs
 - iii. Breaking and Entering/Home Invasion
 - iv. Vandalism/MDOP
 - v. Trespass
 - vi. Theft
 - vii. Disorderly Conduct
 - viii. DUI
 - ix. Dangerous or reckless driving
- d) Ability to comprehend and comply with the Program requirements.

3.2 **Exceptions.** An individual who meets all eligibility requirements, except being subject to a criminal charge, may be considered for admission by the Team into the Program if the individual voluntarily admits himself/herself to the HTWC Program and is approved by the Team.

3.3 **Violent Participant Prohibition.** The HTWC Program receives federal-funding and must comply with the “Violent Participant” exclusion. For purposes of this document and based on the LVD Healing to Wellness Court Code, a “Violent Offender” is defined as an individual who meets either of the criteria below:

- A. Is currently charged with an offense involving:
- (1) The death or serious bodily injury to any individual; or
 - (2) the carrying, possessing, or use of a firearm or other dangerous weapon, whether or not the carrying, possessing, or use of the firearm or other dangerous weapon is an element of the offense; or
 - (3) criminal sexual conduct of any degree.
- B. Has one or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily injury.

SECTION 4. ENTRY INTO THE HTWC PROGRAM

4.1 Referral for the HTWC Program is initiated by the Tribal Prosecutor after a recommendation is made. The Tribal Prosecutor will review a candidate's criminal history and the current incident report or case file and make a preliminary determination of eligibility. The Tribal Prosecutor shall then notify the Healing to Wellness Court Administrator, Wellness Court Officer, and Judge that he/she is considering a potential candidate and the candidate will be referred to meet with the Wellness Court Officer and/or the HTWC Administrator to do an informational orientation and a preliminary eligibility intake.

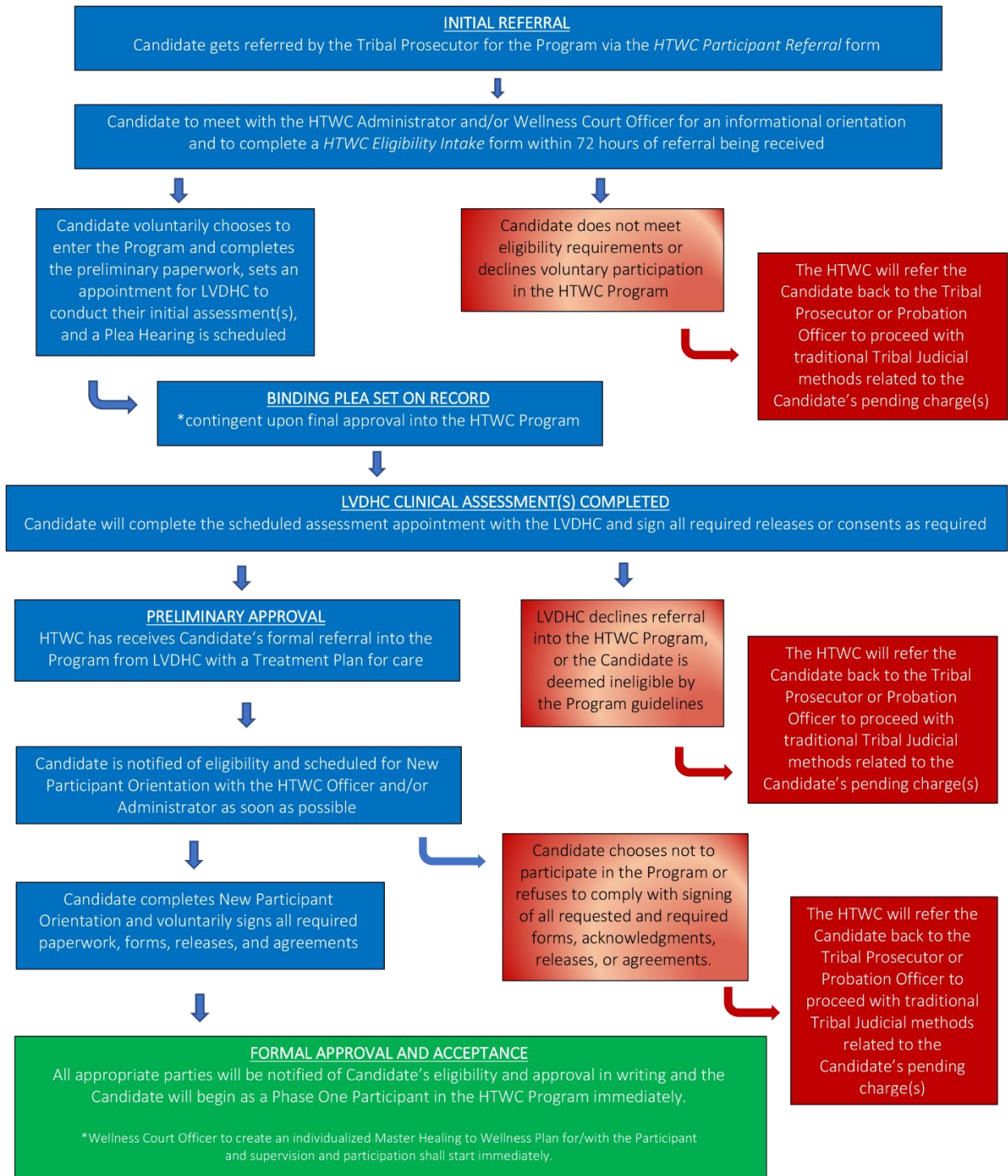
4.2 Once the preliminary determination of eligibility has been made and the candidate has met with the HTWC Administrator and/or Wellness Court Officer, has been provided the information about the Program, and has agreed to voluntarily participate, the Tribal Prosecutor may initiate entry into the HTWC Program through either of the following:

a) **A binding plea agreement in a criminal case.** The Judge, candidate or his/her defense counsel, and the Tribal Prosecutor should agree to a sentence to the HTWC Program although all final authority is at the discretion of the Tribal Court Judge. Once a binding plea agreement has been reached, the participant will be assessed for full Program eligibility pursuant to Section 4.3 through Section 4.5 below. If the Participant is determined to be ineligible for HTWC enrollment, the case will be returned to the criminal court for disposition. The binding plea will then be void.

b) **A referral for participants charged with a Violation of Probation.** The Tribal Prosecutor or Tribal Court Judge may refer a defendant to the HTWC Program following a probation violation any time prior to sentencing on the violation. Similar to an original sentence to the HTWC as described above, candidates referred to the HTWC for a probation violation will be assessed for eligibility as a condition of their acceptance and will follow the same steps for assessing eligibility and voluntary admittance into the Program. Eligibility shall be based on the original criminal charge(s) and not on the probation violation.

4.3 Eligibility and Intake Process.

FLOW CHART Healing To Wellness Court Eligibility and Intake Process



4.4 Screening Candidates. The Wellness Court Officer will complete a Healing To Wellness Court Eligibility Intake to be kept on file and which consists of the following questions:

- a) Is the candidate currently charged with a violent offense as defined by Section 3.3 above?
- b) Is the candidate currently charged with an offense that is alcohol or drug related and/or an alcohol or drug related disorder is an underlying factor of their criminality?
- c) Is the candidate a duly enrolled member or eligible for enrollment with the Lac Vieux Desert Band of Lake Superior Chippewa Indians or any other federally recognized tribe and subject to the jurisdiction of the LVD Tribal Court?
- d) Is the candidate eighteen (18) years or older?
- e) Has the candidate completed a substance use disorder evaluation and mental health screening with a LVDHC care provider? (Addiction Severity Index, a/k/a ASI) If so, the results. If not, please provide the date and time of the scheduled appointment.

Once deemed eligible on said criteria, and the Participant agrees to voluntarily participate in the HTWC Program, they will get a binding Plea on record with the Court and proceed to the assessment stage with the Lac Vieux Desert Health Center Behavioral Health Department if they have not completed it yet.

4.5 Assessment Tool. The assessment tool used for the Program will be the ASI (Addiction Severity Index). This assessment tool is used to determine the Participant's addiction severity and/or clinical needs. Providers at the Lac Vieux Desert Health Center will determine the Participant's DSM-V diagnosis and recommendations will be made for the Participant's level of care, which may include inpatient or outpatient treatment.

- a) The ASI (Addiction Severity Index) is currently being used at the LVDHC Behavioral Health department but may be used in addition to or with any other diagnostic or assessment tool as the LVDHC deems appropriate.
- b) The ASI (Addiction Severity Index) is the current assessment tool being used at the LVDHC Behavioral Health department but at any time may be discontinued and another acceptable method, tool, curriculum, or protocol may be used to determine a Participant's DSM-V diagnosis at their discretion.
- c) The Wellness Court Officer will assist the Participant in scheduling their assessment with the LVDHC upon preliminary determination of eligibility and voluntary acceptance of Participant into the Program. The appointment shall be scheduled promptly, and the Participant is required to attend based on the availability of the provider(s).

4.6 Lac Vieux Desert Health Center Behavioral Health Department. As an integral part of the HTWC Team the LVDHC Behavioral Health Department shall submit their curriculum to the HTWC Administrator for approval.

SECTION 5. PROGRAM INITIATION, RULES & REGULATIONS

5.1 Intake - Generally.

a) Upon referral to the HTWC, the Participant will be required to complete an initial eligibility intake and informational orientation with the Wellness Court Officer and/or HTWC Administrator. An official diagnostic assessment/intake with the LVDHC Behavioral Health department will be done. The initial screening and orientation is intended to ensure that the candidate understands the requirements of the program and to allow the HTWC Team to gather information to develop an introductory treatment plan.

b) During Phase One, Participant will be required to undergo a physical examination, HIV, tuberculosis, and Hepatitis C testing.

c) Upon formal acceptance into the Program, the Participant shall complete any additional assessments and interviews necessary to allow the Wellness Court Officer and/or Administrator to develop a comprehensive, individualized Master Healing To Wellness Plan which may include, but is not limited to, inpatient treatment, outpatient treatment, stabilization treatment, monitoring, individual and group counseling, substance abuse education, family counseling, relapse prevention, specialized treatment tracks, life skills, ongoing education, employment, cultural groups, and regular attendance at other therapeutic support groups or programs as recommended.

d) **Participant Agreement and Releases.** For a Participant to be eligible for the program, the Participant must complete and sign all necessary intake paperwork, including but not limited to, LVDHC Behavioral Health Client Authorization For Release Of Information, Participant Agreement and Waiver of Rights, HTWC Authorization and Release of Information Including Medical, Behavioral Health, Alcohol, and Substance Abuse, Alcohol and Drug Screening Agreement, Phase Fee Agreement, Curfew Agreement, Chemical Free Home Agreement, and any others as requested by the Wellness Court Officer, Administrator, or Judge. Failure to agree to execute all necessary forms will result in the Participant being ineligible for the HTWC Program. Revocation of such agreements and releases shall result in revocation/termination from the Program.

5.2 Program Rules and Regulations.

a) Prohibited Acts

i. Participants shall not violate any city, state, Tribal or federal law. Any arrest or contact with police must be reported to the Wellness Court Officer within twenty-four (24) hours by the Participant.

- ii. Participants shall not commit any acts of violence or threats of violence or engage in belligerent behavior.
 - iii. Participants shall not possess (constructive or otherwise), use, sell, distribute, have under their control, or in their residence any drug paraphernalia or controlled substance except as prescribed by a licensed physician, and approved by the HTWC Team. Participants are responsible for providing supporting documentation from a licensed Physician.
 - iv. HTWC is abstinence based and that includes THC/marijuana. Although alcohol and other controlled substances are 'legal', they are also a mind-altering substances which excludes them from being acceptable for use while participating in the HTWC Program. THC/Marijuana possession or use is also prohibited on the basis of Federal Law. (K2 "Spice" or Kratom are two examples of mind altering substances that are prohibited.)
 - v. Participants shall not use or possess any alcoholic beverage, nor shall they be present in an establishment where the primary purpose is the sale of alcoholic beverages. This includes but is not limited to a pub, tavern, casino, event on private property (i.e. birthday party, wedding, graduation party), festival, concert, Golf Course Clubhouse or Pro-Shop, or otherwise, without submitting a written request in advance and receiving a written approval from the Wellness Court Officer.
 - vi. Participants shall not attend any program requirement while in the possession of any weapon, of any form, including firearms or knives.
 - vii. Participants shall not refuse to comply with any reasonable Program requirement, request, order, or direction from any Team member or the Wellness Court Officer.
 - viii. Participants shall not miss any scheduled program/counseling appointments, status hearings, court appearances, alcohol or drug screens, or self-help meeting without proper notification.
- b) **Required Acts.** HTWC Participants shall abide by the following requirements:
- i. **Status Hearing Attendance.** Participants must appear at all Status Hearings as scheduled. Only in documented emergencies with prior approval from the Wellness Court Officer, Administrator, or Judge can a participant be excused from these proceedings. Lack of transportation shall not be considered a valid excuse for nonattendance.
 - ii. **Maintain Contact with the Wellness Court Officer as directed.**

- iii.** Chemical Free Home. All participants enrolled in the HTWC Program shall reside in a drug and alcohol-free residence. Everyone that lives in the Participant's residence must agree to random home visits by the Wellness Court Officer or a Team member as required through Program participation, as well as maintaining a drug and alcohol-free residence. All household residents must sign an acknowledgment of these rules and an understanding of the nature of such. Non-compliance can be grounds for denial or revocation or termination of the Participant from the HTWC Program.
- iv.** Employment and/or Education Requirement. All Participants must provide documentation confirming their employment status, hours scheduled and worked. If not employed then the Participant will be required to obtain employment, enroll in a GED program, vocational training, and/or further education per the Master Healing To Wellness Plan of the Participant. Employment and education must be verifiable and acceptable to the HTWC Officer, Team, and/or Judge.
- v.** Community Give-Back Requirements. Participants will be required to do community give-back through the duration of the Program. This shall be a requirement of all Participants and may also be used as a sanction or part of the Participant's Master Healing To Wellness Plan. The Wellness Court Officer or Administrator must approve the community give-back site/duties prior to the Participant beginning the activity. It is the Participant's responsibility to track hours completed and get them signed off on and reported back to the Wellness Court Officer as instructed.
- vi.** Attend Scheduled Mental Health and Substance Disorder Counseling Sessions. Participants must attend all scheduled mental health and substance disorder counseling sessions, or appointments. In the event a Participant is unable to attend a scheduled session, the Participant will, after receiving approval to miss the session from the Wellness Court Officer, call the proper contact person to reschedule the appointment as directed to do so. Lack of transportation shall not be considered a valid excuse for nonattendance.
- vii.** Attend Cultural and Recreational Activities that Promote Sobriety.
- viii.** Attend Recovery and Support or Self-Help groups. Participants are required to attend such groups as outlined in each phase of the Program. Participants should attend all meetings on separate days throughout the week so that support contact is spread through the week. If a Participant attends more than one meeting per day, it will be considered one meeting. Verification of such attendance must be logged and signed off on and provided to the Wellness Court Officer as requested.
- ix.** Curfew. A curfew of 10:00 p.m. until 6:00 a.m. daily will be in effect throughout Phase 1 and Phase 2 of the HTWC Program. A curfew of 11:00

p.m. until 6:00 a.m. will be in effect throughout Phase 3, and a curfew of 12:00 a.m. until 6:00 a.m. will be in effect throughout Phase 4. These curfews apply to all Participants until the HTWC Officer provides written approval otherwise. Exceptions will be made for conflicts in employment scheduling and or cultural activities (i.e., sweats, drumming, powwows). Possible removal of curfew will depend on the participation and progress of the Participant. Permission may be granted by the Wellness Court Officer to alter a Participant's curfew in the event of an emergency. An emergency is defined as a medical or safety issue that requires immediate attention. It is the Participant's responsibility to seek permission for a curfew change as soon as possible when an emergency occurs. The participant will be notified if the curfew is changed, and written approval must be kept on the Participant during the specified time as evidence of approval.

- x.** Drug and Alcohol Screening. The Administrator, Wellness Court Officer, any healthcare provider (including behavioral health), or Law Enforcement Officer may randomly screen the Participant for drugs and/or alcohol. A positive test, failure to report for a screening, or refusal to provide a sample shall be considered a violation of HTWC rules and regulations. An adulterated test, attempt to adulterate a test, or denial of a positive screening result with a positive confirmation are also considered a violation.
- xi.** Maintain the confidentiality of all other HTWC Participants and/or anonymity of other self-help or support group participants or attendees.
- xii.** Submit to any rehabilitative, medical, or psychological program as directed by the Court, any HTWC Team member, or as required in the HTWC Policies and Procedures.
- xiii.** Submit all required documents, reports, paperwork, or logs as required by the Court, HTWC Administrator, or Wellness Court Officer.
- xiv.** Keep the Court informed of his or her current address and phone number. A Participant may not change his or her address or phone number without first notifying the Court through the Wellness Court Officer in writing.

5.3 Out of Area Travel. If a participant wishes to leave the vicinity of the Lac Vieux Desert Reservation and Watersmeet Township, a Participant must:

- a) Obtain a "Request for Approval" form from the Wellness Court Officer and complete it at least one week prior to the date(s) travel is requested. All requests must be approved by the Wellness Court Officer, or his designee, before travel privileges will be granted.
- b) In case of an emergency that requires a Participant to leave the area with less than seven (7) days' notice, the Participant must complete the "Request for Approval" and

submit it to the Wellness Court Officer, or his designee. The Participant shall explain within the request the emergent nature of the travel and why the request could not have been made in the timeframe required by Section 5.3(a) above. All Emergency Request for Leave must be approved by the Wellness Court Officer, or his designee, before travel privileges will be granted. Documentation of the emergency shall be submitted to the Wellness Court Officer upon request.

c) In the case of an emergency that requires a Participant to leave the area with less than seven (7) days' notice, and the Wellness Court Officer cannot be contacted, the Participant is required to immediately contact the HTWC Administrator and request approval. Documentation of the emergency shall be submitted to the Wellness Court Officer, or designee upon request.

d) Upon return, the Participant shall submit to an alcohol and drug screen. In cases where the Participant is permitted to be out of area for a period of more than 72 hours, they shall submit to daily PBT and drug screens through an outside assisting agency to appropriately monitor sobriety, as a condition of the requested travel approval. If there is any expense associated with this, the participant is solely liable for such screening costs and payment.

5.4 Bars/Casino/Golf Facility Prohibition. All participants are prohibited from entering any bar or gaming operations/facilities (i.e. Casino, golfing facility, pub, or tavern, etc.) which serves alcohol. If a participant works at a gaming facility or other place that has, as a primary purpose, the selling or serving of alcoholic beverages, individual exceptions are available if written request is reviewed and approved by the Wellness Court Officer or Team.

5.5 Drug and/or Alcohol Screening Positive Test; Prescription Medication

a) Drug and alcohol screenings are a major component of the Program. The screenings are used to determine substance use and to monitor the Participant's compliance and progress.

b) Screenings are conducted on a frequent basis. The Participant will be drug and alcohol screened throughout the entire Program as mandated by each phase or as requested by a HTWC Team member. Screenings could be at both a scheduled time as well as on a random basis and may occur any day of the week, at any time of the day or night. Results will be obtained by or reported to the Wellness Court Officer and maintained in the Participant's case file.

c) For protection of the Participant, use of any schedule I or II prescription must be brought to the Wellness Court Officer for approval along with verification by the prescribing doctor. Prior to receiving a prescription, it is the responsibility of the participant to inform the physician of the Participant's involvement in the Program. Medication will not be automatically approved for use by the Wellness Court Officer simply because it is prescribed. *This includes marijuana/THC

SECTION 6. FINES, FEES, AND COURT COSTS

6.1 Fines, Fees, and Court Costs

- a) Each Participant will be required to pay a \$125 fee per Phase. Participants will not be able to move to the next Phase until this fee is paid in full.
- b) Community give-back hours or a specific recovery assignment may take the place of the Phase Fee if the Participant is experiencing financial hardship. Approval of community give-back hours or a specific recovery assignment will be made by the HTWC Judge after a specific finding of financial hardship.
- c) Any fees related to incarceration, electronic monitoring, or monitoring outside the HTWC jurisdiction shall be the sole responsibility of the Participant. All fees owed by the Participant shall be paid in full by the date(s) directed by the Wellness Court Officer.

SECTION 7. INCENTIVES AND SANCTIONS

7.1 Incentives/ Sanctions Generally. The HTWC Program utilizes a variety of rewards to recognize and reinforce progress and applies a range of sanctions to address and attempt to modify destructive behavior, as well as monitor compliance with the Program. Sanctions and incentives are administered in a graduated manner to direct Participants towards compliance and to guide them on their healing to wellness journey.

- a) Sanctions will be applied when a Participant fails to comply with the terms of the Healing to Wellness Court Policies and Procedures Manual, the Healing to Wellness Court Handbook, Participant Agreement and Waiver of Rights, and all other documents as presented and acknowledged by the Participant. Since sanctions are most effective when applied immediately, a Participant will be required to report in person at the next scheduled hearing, unless noticed to appear for an Emergency Hearing, or other notice has been given, to address his or her non-compliance. Sanctions may include:
 - Warnings and admonishments by the Judge during a status hearing
 - Increased frequency of status hearings
 - Increased frequency of drug and alcohol testing
 - Increased frequency of self-help groups or meetings
 - In-patient treatment program
 - Community give-back hours
 - Increased supervision and meetings with the Wellness Court Officer
 - Tether or other electronic monitoring system
 - A setback in sobriety days or phase
 - Monetary fines or fees

- Recovery assignments (i.e. journal entry, do a presentation, do an online webinar or training, speak at a function or meeting, etc.)
- Escalating periods of incarceration
- Revocation and termination from the Program and referral to the Tribal Prosecutor for sentencing on criminal charges
- Other sanctions as recommended by the HTWC Team or Judge

b) Incentives are given when a Participant is meeting his/her program requirements, tests clean, exhibits good behavior, and graduates through the phases of the Program. Behavior that results in an incentive will be addressed at status hearings. Incentives include, but are not limited to:

- Encouragement and praise from the Judge
- Ceremonies and/or certificates of progress
- Decreased frequency of status hearings
- Decreased frequency of drug and alcohol testing
- Restoration of lost privileges
- Graduation ceremony
- Tangible rewards such as gift cards, household items, or cultural items
- Other incentives as recommended by the HTWC Team or Judge

c) Emergency Hearing for Violation or Non-Compliance. As necessary, the HTWC will hold Emergency Hearings when a Participant is non-compliant or violates the Program requirements and a hearing is necessary to address a Participant's serious violation with immediate sanctions and/or detention. The Wellness Court Officer will report all serious non-compliance or violations to the Judge and Tribal Prosecutor. An Emergency Hearing will be held as soon as practicable at the Court's notice. *Law Enforcement has authority to immediately detain any participant caught violating the terms of the Program at their discretion.

d) In situations where a violation has occurred that does not call for immediate detention by Law Enforcement, members of the HTWC Team/Prosecutor will recommend sanction(s) to the Judge, if outside the scope of the listed sanctions in Section 8.

SECTION 8. VIOLATIONS AND SANCTIONS

8.1 DRUG AND ALCOHOL SCREENINGS

A violation of this Section includes, but is not limited to:

- A positive result
- A denial of a positive result with a positive confirmation by another test or lab
- An adulterated sample or the attempt to adulterate a sample, including a diluted sample
- A missed screening upon notification or a pre-scheduled screening
- A refusal or the "inability to provide a sample" within 60 minutes of request/attempt
- Unauthorized or misuse use of prescription and/or over-the-counter medication(s)

- *If a Participant denies a positive screening result, a second screening will be conducted immediately. If the Participant denies a second positive screening result, the screening sample will be sent for confirmation testing at an approved laboratory at the Participant's expense.*

1st Violation: reset of sobriety days and recovery assignment as assigned by the Judge

2nd Violation: reset of sobriety days, 24 hours in jail, and additional self-help group/meeting attendance requirements

3rd Violation: reset of sobriety days, 48 hours in jail, and additional self-help group/meeting attendance requirements

4th Violation: reset of sobriety days, 72 hours in jail, \$50 fine, additional self-help group/meeting attendance requirement, 10 hours community give-back hours, and a recovery assignment as assigned by the Judge

5th Violation: reset of sobriety days, 7 days in jail, \$100 fine, additional self-help group/meeting attendance requirement, 15 hours community give-back hours, and a recovery assignment as assigned by the Judge, in addition electronic monitoring may be ordered

6th Violation: reset of sobriety days, set back a phase, 14 days in jail, additional self-help group/meeting attendance requirement, \$125 fine, 20 hours community give-back, and a recovery assignment as assigned by the Judge, in addition electronic monitoring may be ordered

7th Violation: revocation of eligibility and termination from the HTWC Program – criminal charges reinstated

8.2 DRUGS AND/OR ALCOHOL POSSESSION

A violation of this Section includes, but is not limited to:

- Possession of a prohibited substance. Possession includes the substance being on the Participant directly or within their property or reach (i.e. purse, bag, locker, car, garage, fishing shack they are in, etc.) whether they are sober/using or not
- In their residence as a violation of the Chemical Free Home Agreement and/or Adult Resident of Participant Chemical Free Home Agreement
- At a restricted location where drugs and/or alcohol are present (i.e. casino, bar, tavern, pub, wedding event, concert, graduation party, golf course bar, etc.)

1st Violation: reset of sobriety days and recovery assignment as assigned by the Judge

2nd Violation: reset of sobriety days, recovery assignment, and additional self-help group/meeting attendance requirements

3rd Violation: reset of sobriety days, 48 hours in jail, and additional self-help group/meeting attendance requirements

4th Violation: reset of sobriety days, set back a phase, 7 days in jail, and additional self-help group/meeting attendance

5th Violation: revocation of Program eligibility and termination from the HTWC Program – criminal charges reinstated

8.3 UNSUCCESSFUL DISCHARGE OF INPATIENT CARE

If at any time a Participant chooses to leave an inpatient care facility as deemed necessary by a HTWC Team member (i.e. psychiatric care unit, rehab facility, half-way house, or alike) without authorization, or they are terminated from that Program and discharged/kicked out as unsuccessful then they shall be sanctioned as follows:

1st Violation: 7 days in jail and a reset in sobriety days

2nd Violation: revocation of eligibility and termination from the HTWC Program – criminal charges reinstated

8.4 FAILURE TO APPEAR

A violation of this Section includes, but is not limited to: Failure to appear or cancelation of attendance without authorization for the following:

- An appointment with the Wellness Court Officer or Administrator
- A Status Hearing
- A scheduled meeting or appointment with the Tribal Prosecutor, Social Services, or another member of the Team or Honorary Member of the Team as referred or independently arranged, including but not limited to self-help groups and community give-back hours
- Any appointment or meeting scheduled with a provider at the LVD Health Center
- Any appointment or meeting with any outside agency or provider related to Participant's master healing to wellness plan (i.e. medical, behavioral health, job interview, education related, etc.)

1st Violation: minimum fine of \$25, a recovery assignment, and proof of rescheduled meeting or appointment

2nd Violation: minimum fine of \$50, 5 hours of community give-back time, and proof of rescheduled meeting or appointment

3rd Violation: minimum fine of \$50, 10 hours of community give-back time, a recovery assignment, reset in sobriety days, and proof of rescheduled meeting or appointment

4th Violation: 24 hours in jail, reset in sobriety days, 10 hours of community give-back time, recovery assignment, and proof of rescheduled meeting or appointment

5th Violation: revocation of eligibility and termination from the Program – criminal charges reinstated

8.5 ANY NEW CRIMINAL CHARGE

1st and Only Violation: revocation of eligibility and termination from the HTWC Program – criminal charges reinstated

8.6 FALSIFYING ATTENDANCE

A violation of this Section includes but is not limited to: Lying to a HTWC Team member verbally or in writing about attendance, or length of time in attendance, at any scheduled, mandated, or referred meeting or appointment.

- Falsifying a signature or log sheet related to any of the above
- This includes but is not limited to: community give-back hours/assignments, self-help groups, time spent on education or work-related assignments, cultural activities or events, etc.

1st Violation: minimum fine of \$50, a recovery assignment, and reset of sobriety days

2nd Violation: revocation of eligibility and termination from the HTWC Program – criminal charges reinstated

8.7 PUNCTUALITY AND PREPAREDNESS

A violation of this Section includes, but is not limited to:

- All Participants are required to be on time for all meetings, hearings, appointments, etc. as scheduled or directed.
- All Participants shall bring all of their required materials, books, forms, homework, logs, or alike, as directed
- Failure to turn in anything with a deadline or as directed by a HTWC Team member
- Preparedness also relates to appearance and hygiene. Participants are required to be clean, groomed, and dressed appropriately for all appointments, meetings, or sessions as if they were at a place of employment or in a court room

1st Violation: a verbal warning and any other sanction as the Judge sees fit

2nd Violation: minimum fine of \$25 and 5 hours of community give-back time

3rd Violation: minimum fine of \$50, 10 hours of community give-back time, and a recovery assignment

4th Violation: 24 hours in jail, a minimum fine of \$75, and 15 hours community give-back time

5th Violation: revocation of eligibility and termination from the HTWC Program – criminal charges reinstated

8.8 CURFEW

Any violation of Participant's curfew hours (including not having the official approval paperwork on hand if the Participant was pre-approved and is questioned by a HTWC Team member such as Law Enforcement) will result in the following sanctions:

1st Violation: a verbal warning, \$25 fine, and any other sanction as the Judge sees fit

2nd Violation: one day in jail, \$50 fine, and any other sanction as the Judge sees fit

3rd Violation: 72 hours in jail, \$100 fine, recovery assignment, and a reset in sobriety days

4th Violation: 7 days in jail, \$100 fine, recovery assignment, and a reset in sobriety days

5th Violation: revocation of eligibility and termination from the HTWC Program – criminal charges reinstated

8.9 M.I.A.

If at any time a Participant goes “M.I.A.” and does not follow through with any contact with the Wellness Court Officer or Administrator as directed, or leaves the area unauthorized, or after having made a request and had been denied, the Participant shall face sanctions of:

Any Violation(s): Participant shall be sanctioned as deemed fit, including possible jail, and up to revocation of eligibility and termination from the HTWC Program.

8.10 BREACH OF CONFIDENTIALITY

Any breach in the confidentiality of the HTWC Program members, Participants, group leaders or attendees, or authorized visitors information obtained while participating in a status hearing (or any “meeting” function) shall constitute a serious violation and Participant shall face sanctions of:

Any Violation(s): Participant shall be sanctioned as deemed fit, including possible jail, and up to revocation of eligibility and termination from the HTWC Program.

8.11 FAILURE TO ABIDE

A failure to abide by the terms, rules, regulations, Policies and Procedures, team directives, Program Handbook, or any other appropriate and clear expectations and guidelines set forth in the HTWC Program shall constitute a violation and the Participant shall face sanctions of:

Any Violation(s): Participant shall be sanctioned as deemed fit, including possible jail, and up to revocation of eligibility and termination from the HTWC Program.

IMPORTANT NOTE: Authority to deter from the sanctions described, formatted, and listed in Section 8 of this document is possible at the discretion of the Tribal Court Judge.

SECTION 9. STATUS HEARINGS

9.1 HTWC Status Hearings shall be held biweekly or as scheduled by the HTWC Team. All Participants will be required to attend unless he or she is unable to attend due to an emergency and has received prior approval to be excused.

9.2 Progress Reports. Prior to each hearing, the Wellness Court Officer will provide the HTWC Team a progress report, which includes information from all applicable Team Members. The report will include progress or problem areas of the Participant’s treatment plan, attendance, and participation in the various HTWC services as defined in the Participant’s master plan. A record of payment of any court-imposed fees, fines, restitution, and results of drug tests will also be reported.

9.3 Hearing Format Generally.

- a) HTWC Status Hearings will be informal but will adhere to the following format:
 - i. The Judge will seek input from each Participant about his/her progress in the Program. Participants will be expected to bring their workbook, planners, and any other assignments as required and must be prepared to elaborate on completed tasks and assignments as well as personal progress.
 - ii. The Judge will seek input from the Wellness Court Officer and all other applicable Team Members regarding each Participant's progress in the Program.
 - iii. The Judge will provide each Participant feedback, award incentives or impose sanctions as appropriate.

9.4 Hearing Attendees.

- a) The HTWC conducts all status hearings in closed session.
- b) The Treatment Provider(s) and other Team Members will be encouraged to attend. Visitors may be allowed to attend but must sign a confidentiality form and maintain confidentiality as to statements made in the hearing or the identity of Program Participants.

SECTION 10. ATTENDANCE AND PUNCTUALITY

10.1 Attendance.

- a) Participants are required to attend all scheduled hearings, program and counseling appointments, program sessions, and recovery and support or self-help meetings unless excused by the Wellness Court Officer. Participants must notify the Wellness Court Officer of a possible absence at least twenty-four (24) hours in advance and receive approval or provide proof of reason as requested.
- b) In case of an emergency that requires a Participant to miss a scheduled hearing, program and counseling appointment, program session, or recovery and support meeting, the Participant must contact the Wellness Court Officer and explain the emergency and why it prevents him or her from attending the hearing, program or counseling appointment, program session, or recovery and support meeting. Documentation of the emergency shall be submitted to the Wellness Court Officer upon request.

10.2 Punctuality.

- a) Participants are expected to attend all hearings prepared and on time. If a Participant expects to be late when attending a scheduled hearing they must call and notify the

Wellness Court Officer. If a Participant is late and does not notify the Wellness Court Officer about his or her possible tardiness this shall result in a violation and sanction(s).

SECTION 11. PROGRAM PHASES

11.1 General. The length in the HTWC Program varies for each Participant but typically ranges from 12 to 18 months for an engaged and active Participant. There is no guarantee of the minimum or maximum time frame a Participant has until successfully completing and graduating the Program.

a) **Phase 1: Orientation and Cleansing**

Objective: To understand the HTWC Program and what is expected of each Participant and create and implement a Master Healing to Wellness Plan based on the recommendations of the Team and input from the Participant's initial intake interviews. Participant should obtain clinical insight for oneself, find strength and ability to be open and honest and begin their journey on the path to a sober lifestyle and personal healing and wellness.

- During Phase 1 the Participant will go through an orientation process with the Wellness Court Officer and/or Administrator which will include completion of any outstanding intake documentation, assessments, or medical examinations/testing. If the Participant is in custody, the Participant shall submit to a urine analysis within twenty-four (24) hours of release.
- Referral to Lac Vieux Desert Health Center for Intake/Update, assessment/evaluation followed by recommendations. Scheduled with the assistance of the Wellness Court Officer or Administrator upon eligibility intake and will take place as soon as possible based on the provider's availability.
- Referral to Lac Vieux Desert Health Center for a physical, HIV testing, Tuberculosis testing, and Hepatitis C testing. Scheduled with the assistance of the Wellness Court Officer or Administrator upon qualification intake and will take place as soon as possible based on the physician's availability.
- Participant shall comply with all Behavioral Health and/or Attending Physician's recommendations for the type and location of care which may include inpatient substance abuse treatment.
- Participant shall begin weekly program components as defined in their individualized plan or as directed by the Wellness Court Officer.
- The Participant shall meet with the Wellness Court Administrator to discuss the cultural components to the Program and implement them into their master plan and weekly goals.
- Participant must have a minimum of 30 consecutive days of sobriety.

To move on to the next Phase Participant shall complete an Application To "Phase Up". They must have completed all requirements of Phase 1, have 30 consecutive days of sobriety at the time they apply, be recommended by the HTWC Team, and approved by the Judge. For an active HTWC Participant, Phase 1 typically ranges from 4-8 weeks.

b) **Phase 2: Intensive Treatment and Action**

Objective: For the Participant to accept and admit that they struggle with substance use, the effects it has had on them, family, friends, and their community. They should begin to take action independently towards the steps necessary, and as their plan has laid out, to start healing, living sobriety, and moving forward with their journey.

- Participants shall continue engaging with weekly program components.
- The Participant shall, if necessary, obtain his/her driver's license
- The Participant shall seek/maintain acceptable employment and/or educational or vocational training
- Participant shall engage in a minimum of one cultural activity a week while continuing with the cultural component and/or goals set forth in the Participant's plan.
- Continuation of treatment plan and goal review with Team members, and adjustments or referrals made as necessary for the benefit of the Participant
- Participant must have a minimum of 45 consecutive days of sobriety.

To move on to the next Phase Participant shall complete an Application To "Phase Up". They must have completed all requirements of Phase 2, have an additional 45 consecutive days of sobriety at the time they apply, be recommended by the HTWC Team, and approved by the Judge. For an active HTWC Participant, Phase 2 typically ranges from 16-24 weeks.

c) **Phase 3: Maintenance and Rebuilding**

Objective: To be willing and able to utilize the healing and wellness skills and tools learned and provided to maintain long term sobriety. Display a willingness to cooperate and follow program expectations and meet goals. For the Participant to begin rebuilding their life, family, and community relationships and encouraging others to do the same. Participants should be displaying better decision making to live a balanced life and start developing a plan to confront relapse.

- Participants shall continue engaging with weekly program components
- Continue educational, vocational, employment, as well as self-improvement, obtaining a Driver's License, or other medical or physical care to reach health and wellness goals
- Present recovery story and/or recovery project to the group or Court
- Start to display and utilize cultural components and teachings in everyday life
- Participant must have a minimum of 60 consecutive days of sobriety.

To move on to the next Phase Participant shall complete an Application To "Phase Up". They must have completed all requirements of Phase 3, have an additional 60 consecutive days of sobriety at the time they apply, be recommended by the HTWC Team, and approved by the Judge. For an active HTWC Participant, Phase 3 typically ranges from 12-16 weeks.

d) **Phase 4: Success, Support, and Mentorship**

Objective: Succeeding in having a positive life without substance use, planning continued wellness, focusing on long term goals while living sober, and making a difference for oneself, their family, friends, and community.

- Participants shall continue engaging with weekly program components
- Complete all court obligations including payment of any fines, fees, and costs
- Present continuing care plan that may include community support meetings, mental health care, outpatient counseling/groups, continuing education or employment, etc.
- Seek out mentorship of spiritual/cultural practices to continue with after graduation
- Have a proven stable living arrangement with healthy sober relationships
- Present assigned recovery project with cultural elements and teachings to group, court, and/or family, friends, mentors
- Successful completion of the HTWC Program with recommendations of the Team
- Dismissal of underlying charges per the plea agreement with the Tribal Prosecutor
- Graduation ceremony for the Participant
- Participant must have a minimum of 90 consecutive days of sobriety.

To successfully complete the HTWC Program and graduate the Participant shall file an Application To Graduate. They must have completed all requirements of Phase 4, have an additional 90 consecutive days of sobriety at the time they apply, be recommended by the HTWC Team, and approved by the Judge. For an active HTWC Participant, Phase 4 typically ranges from 10-12 weeks.

SECTION 12. REVIEW AND REVISION OF TREATMENT PLAN

12.1 If the Participant is doing well, the Participant will be encouraged and supported to continue with the Program toward successful completion. If the Participant is not doing well, the Judge will, in addition to imposing sanctions, discuss this with the Participant and the HTWC Team to determine further action. At the recommendation of the Team the Judge may change the requirements of the Participant's treatment plan and/or the length a Participant spends in each phase of the Program, impose sanctions, or take any other action he deems appropriate to help the Participant complete the Program successfully.

SECTION 13. TERMINATION FROM THE HTWC PROGRAM

13.1 Voluntary Termination. A Participant may elect to be terminated from the program at any time by filing a Voluntary Termination Request. Prior to terminating a Participant from the Program, the Court shall schedule a Termination Hearing, and make a finding on the record that the Participant's request to leave the program has been made voluntarily, intelligently, and knowingly. Upon such a finding, the Court shall refer the Participant's case back to the Tribal

Court for imposition of the sentence and conviction(s) previously held in abeyance by the Court at the time of admission into the Program. Any fees paid are forfeited, and not credited towards any financial obligation imposed due to the sentence/conviction. Any time spent incarcerated or sanctioned to jail while in the HTWC Program is forfeited and Participant will not receive credit for that time on their sentencing once terminated from the Program. A Participant has no right to appeal a voluntary termination and will not be allowed back into the Program under the same charge(s)/case they were initially recommended on.

13.2 Involuntary Termination.

a) The goal of the HTWC Program is for each participant to successfully work through each of the phases to graduation. However, from time to time, a Participant may be unable or unwilling to commit to the process and it may be necessary to terminate the Participant from the Program. A participant's eligibility may be revoked or may be terminated if he or she repeatedly violates the Program Rules and Regulations, including, but not limited to, positive drug or alcohol tests, engages in continued criminal activity, committing a crime of violence, co-occurring disordered Participants whose mental illness is so severe as to prevent active full participation, or a demonstrated lack of capacity or willingness to engage in treatment and comply with the conditions of their Treatment Plan(s) or providers.

b) The HTWC Team may make recommendations to the Court in cases in which they believe involuntary termination is appropriate. The Tribal Prosecutor may file a Motion with the Court in cases of non-compliance warranting termination from the Program. If the court concurs with the recommendation of the Team or the Motion of the Prosecutor, the Court shall hold a Termination Hearing on record at which time the Judge will notify the Participant that he or she is terminated from the Program and the reason for such action.

In the event of involuntary termination, the Participant's case will be referred back to Tribal Court for imposition of the sentence and conviction(s) previously held in abeyance by the Court at the time of admission into the Program. Any fees paid are forfeited, and not credited towards any financial obligation imposed due to the sentence/conviction. Any time spent incarcerated or sanctioned to jail while in the HTWC Program is forfeited and Participant will not receive credit for that time on their sentencing once terminated from the Program.

c) Automatic Termination. Grounds for automatic termination from the HTWC Program shall include:

- i. A conviction in any Tribal, State, or Federal Court of a Felony or High Court Misdemeanor; or,
- ii. Threatening behavior against any other participant, staff, Team members or their family; or

iii. Any other conduct found to be extremely inappropriate or otherwise in violation of the program requirements, rules, or regulations.

13.3 Reconsideration of Involuntary Termination. The Participant may petition the Court for reconsideration of their involuntary termination. The Petition must be in writing and filed with the HTWC Administrator or Wellness Court Officer and the Tribal Court within fourteen (14) days of the Termination Hearing. Participant can get a Reconsideration Petition form from the HTWC Administrator or Wellness Court Officer. Participant will be required to complete it in its entirety and in their own words. The HTWC Team will review the submitted Petition and notify the Court of its recommendations. A formal hearing will be held before the Court and if the Petition is granted the Participant will re-enter the Program at a Phase deemed appropriate by the HTWC Team and this may include additional requirements, all addressed in an official Addendum to the Participant's case plan.

SECTION 14. GRADUATION REQUIREMENTS.

14.1 Graduation will occur after successful completion of the Program. The Participant must complete all Program Phases and be approved for graduation by the HTWC Team. At the end of the Program, the Participant will be required to present their recovery story to an audience of their choosing, in addition to the HTWC Team. At the end of the presentation, a certificate of completion will be awarded. Prior to release from the Program, the Participant must complete an exit interview.

SECTION 15. PARTICIPANT RECORDS AND PROGRAM EVALUATION.

15.1 Participant Records. The Wellness Court Officer and/or Administrator shall establish and maintain both a paper filing system and a computer database to track information for all individuals who are processed by the HTWC Program (before, during and after participation). Information will be used to monitor the Program's effectiveness, to make improvements, and to demonstrate innovations or success to acquire additional funding. The forms and computer database shall be designed to collect and report on the following information:

- a) Name, age, birth date, sex, tribal affiliation, residence, and last grade completed
- b) Number and ages of Participant's children (if any)
- c) Employment information
- d) Participant's specific charge and a brief description of the incident that led to HTWC Program admission
- e) Date of HTWC Program admission
- f) Date of initial physical and any health issues at admission
- g) Criminal history from each jurisdiction in which the Participant has resided or has a criminal record

- h) The Participant's clinical Treatment Plan and Master Healing To Wellness Plan
- i) Documentation of each date on which each phase initiated and concluded
- j) Date of each alcohol and/or drug screen and results
- k) Date of graduation or termination from the program
- l) Date and type of any sanctions or incentives imposed and a brief description of reason
- m) Any other notes, medical records, documentation, questionnaires, reports, releases, etc. as appropriate for tracking the Participant's progress and establishing a complete and detailed case file for the Participant

15.2 Wellness Court Officer File. The Wellness Court Officer shall establish and maintain a computer and paper file for each Participant in order to supervise the Participant's compliance and progress in the Program. The file shall include, but is not limited to, intake documentation, releases and authorizations, personal history information, the clinical treatment plan, Master Healing To Wellness Plan, and any amendments, court orders, drug/alcohol screening results, community give-back hours, education and employment documentation, substance use disorder, and mental health meeting attendance, just to name a few.

15.3 Program Evaluation.

- a) The HTWC Program will engage in ongoing examination and evaluation of its efforts in order to identify program strengths and weaknesses. A yearly comprehensive evaluation of the Program will be conducted. The following, among other information, will be used in the yearly evaluation to make improvements within the program and seek additional funding (if necessary):
 - i. Participant entrance and exit questionnaire and interview.
 - ii. Program Questionnaire shall be completed by the Wellness Court Officer and/or Administrator, Prosecutor, and Judge.

- b) The entrance questionnaire will include, but not be limited to, the following questions:
 - Age
 - Gender
 - Tribal affiliation
 - Drug of choice
 - Age at first use
 - Employment status
 - Marital status
 - Number of dependents
 - Referring criminal charge
 - Date of screening
 - Date of entrance into the Program

- History of drug use
 - Personal statement regarding outlook about self and life
- c) The Exit Questionnaire will include, but not be limited to, the following questions:
- Drug of choice
 - Age at first use
 - Employment status
 - Educational status
 - Date of termination/graduation from Program
 - Reason for termination (if applicable)
 - History of drug use
 - Any additional offenses while in the Program
 - Results of drug testing
 - Personal statement regarding outlook about self and life
- d) The Program questionnaire will include, but not be limited to, the following questions:
- What was planned over the last year that did not work?
 - What worked over the last year that was not planned?
 - What resources were needed but not available? Why was the resource not available (i.e., financial limitation, etc.)?
 - What goals/objectives have been met? What, if any, goals/objectives need to be changed, added to, or deleted?
 - How many Participants are anticipated to enter the Program in the coming year?
 - Were the number of Participants' serve in the current year the number anticipated?
 - What percent of Participants are female? Does the Program need to be adjusted in any way to address their needs?
 - What percent of Participants are male. Does the Program need to be adjusted in any way to address their needs?
 - What is the average age of Participants?
 - What is the most common drug of choice?
 - Is the scheduled drug testing of once a week sufficient?
 - What percent of Participants use alcohol, cocaine, methamphetamine, heroin, or other drugs?
 - What is the employment rate? Would additional vocational or specialized training be beneficial for Participants.
 - What is the average grade completed? What percentage of Participants hold a trade certificate?
 - What percentage of Participants are married? What percentage of Participants have dependents? Is there a need for dedicated marriage/relationship and/or family counseling?
 - What is the average age most Participants first used alcohol or drugs?

- What is the graduation rate?
 - What percentage of Participants were terminated from the Program over the last year?
 - What is the recidivism rate?
- e) The HTWC Administrator and/or Wellness Court Officer will be responsible for data collection, data input, and completion of the evaluation.

SECTION 16. CONFIDENTIALITY.

16.1 To properly address the confidentiality rights, both federal and Tribal, of participants all treatment providers and Team Members are bound by confidentiality guidelines.

Generally, the HTWC Team may not disclose any information identifying the participant to other persons or entities outside the Program without participant consent and in the interest of Participants treatment plan goals. The HTWC Team includes people and organizations outside any specific substance abuse program. Therefore, the participant is required to sign the Authorization and Release of Information Including Medical, Behavioral Health, Alcohol, and Substance Abuse form (referred to as Authorization and Release of Information form) which allows Team communication.

- a) Authorization and Release of Information Form. The purpose and conditions of this form should be explained to the Participant by the Wellness Court Officer or Administrator. It is important that the Participant understand the duration of the consent and that the consent may be revoked. It is also important that the Participants understand that revoking it will result in being terminated from the Program.
- b) Exceptions to Team confidentiality include: any concern a participant would harm himself or herself; any concern a participant would harm others; a report of any or ongoing child, family, or elder abuse.

16.2 Participants involved in group counseling, self-help, or likewise, must respect the confidentiality of other Participants and their identity. They must agree not to disclose sensitive information discussed in sessions. Disclosure of sensitive information about other HTWC Participants may result in sanctions up to, and including, termination from the Program.



**LAC VIEUX DESERT
HEALING TO WELLNESS COURT**

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Office : (906) 358-4918 • Cell : (906) 287-0696

Paul Halverson
HTWC Administrator

Amanda J. Bett
Wellness Court Officer

ACKNOWLEDGMENT AND RECEIPT OF THE HTWC POLICIES AND PROCEDURES MANUAL

I hereby acknowledge receipt of the *Healing To Wellness Court Policies And Procedures Manual*, which is Pages 1-28 of this encompassing document.

I have reviewed this with a member of the HTWC Team and had the opportunity to review it and ask any questions that I may have.

I understand that I am liable and accountable as a voluntary participant in the Program for everything as it has been presented and provided to me in this Policies and Procedures Manual.

I understand and acknowledge that the Policies and Procedures may change at the discretion of the Tribal Council, Court, or Healing To Wellness Court Team. If so, I will be notified in writing of such change(s).

Date

Client/Participant's Signature

Client/Participant's Printed Full Name