

COMMUNITY WELLNESS COURT

PARTICIPANT HANDBOOK

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13th Judicial District
Klamath County Community Wellness Court
316 Main Street
Klamath Falls, OR 97601
(541) 883-5503

Welcome.

On behalf of our court and community, I am grateful you are here. Community Wellness Court (CWC) offers you the opportunity to resolve your criminal case while also changing your life by engaging in treatment. We know that chemical dependency and mental health are closely tied together, so we focus on delivering both modalities to individuals facing criminal charges who have a high risk of reoffending, so that we can reduce that risk while improving your quality of life.

The goals of this program are simple: utilize community resources to reduce recidivism, but what does that mean for you? In real life, that translates simply to this: we give you what you need to succeed (treatment, connection to local resources and agencies, and accountability), so that you don't reoffend.

Is CWC right for you? What will be expected of me? What are the requirements? These questions must be answered before you choose this program – and we attempt to answer most of them in this handbook.

The first step is discussing your criminal case with your attorney, who will explain your options and help you create reasonable expectations. If, after you've been fully advised of your rights and options by your attorney, you choose to explore the CWC, you will be asked to sit down with a clinician who will determine whether you have a treatment need that our community can meet. Most times, the answer is yes.

Before you are locked into anything, you will choose the local treatment provider of your choice, and fully understand your treatment plan. With the help of your treatment provider, case manager, and attorney, you should know exactly what will be required of you BEFORE you choose to participate in this program.

After all your questions are answered, you will appear in court with your attorney and formally enter the program, with your case fully negotiated, including the consequences should you succeed or be terminated for noncompliance.

This handbook is designed to address the information you need to fully understand the court's expectations in this program. If you have any other questions, please do not hesitate to contact the Community Wellness Court Coordinator at the number listed above.

Again, we are happy to welcome you into the program and wish you every success.

Sincerely,

Honorable Alycia Edgeworth Kersey
Community Wellness Court Judge

Ursula Smith
Community Wellness Court Coordinator

WELCOME

Welcome to the Klamath County Community Wellness Court. This *Handbook* is designed to answer your questions and provide overall information about the Community Wellness Court (CWC) Program.

If you choose to participate in this program, you are choosing to change your life. You are also choosing, on the advice of your attorney, to take advantage of the opportunities available in our community while also receiving some benefit in your criminal case.

The first step in determining whether CWC is right for you is talking to your attorney. Your attorney is there to answer any and all questions about your criminal case(s) and will help you determine whether CWC is a good fit for your goals.

Community Wellness Court offers treatment to individuals who are facing criminal charges, under the supervision of the Judge and the Klamath County Community Corrections Department.

If you choose to participate, it is expected that you will follow the judges' instructions and comply with the treatment/action plan that you will develop with the assistance of your treatment team.

This *Handbook* will detail what is expected of you as a CWC participant. It will review general program information. Please feel free to ask additional questions.

WHAT IS COMMUNITY WELLNESS COURT?

Klamath County Community Wellness Court is a special justice system program modeled after the nationally recognized treatment court model known as the 10 Key Components. Our purposes and goals are consistent with treatment courts throughout the nation. The community-based program was developed by a broad base of community partners to address local needs, relationships and circumstances. Community Wellness Court is given the responsibility to handle cases involving chemically dependent offenders through community supervision, monitoring and/or treatment programs. These programs include judicial and probation supervision, drug counseling, treatment, frequent drug testing, educational opportunities and the use of sanctions and incentives.

In a treatment court, the Judge has much more involvement in supervising offenders than just placing an individual on probation with drug or mental health treatment conditions. The goal of the Judge and the team is to guide you towards achieving success in your treatment goals, while also resolving your criminal charges. While your success is our goal, if you are unable to comply with the rules and treatment plan, or you are charged with a new crime, the judge can revoke your probation agreement and sentence you according to your negotiated agreement.

CWC PARTICIPANTS MAKE THE FOLLOWING AGREEMENTS:

- **I will obey all laws**
- **I will ask for help when I need it**
- **I will work with the treatment team to achieve my goals**
- **I will totally abstain from the use of alcohol and/or illegal drugs**
- **I will comply with all orders of the court and your probation officer**
- I will submit to random alcohol and drug testing
- I will attend court sessions and treatment sessions as scheduled
- I will inform all treating physicians that I am in treatment
- I will provide treatment providers a copy of any current and valid prescriptions I am taking
- I will use only prescription medications prescribed for me, not others
- I will not associate with people who use or possess illegal drugs
- I will not be present while drugs or alcohol are being used by others
- I will not possess any weapons or dangerous animals while in the CWC program
- I will disclose the presence of any weapons possessed by anyone else in my household
- I will keep the team informed of my current address and phone number at all times
- I will abide by all other rules and regulations imposed by the CWC Team

ELIGIBILITY

To be eligible for Community Wellness Court, a person must have a pending criminal case AND a treatment need that can be addressed in our community. The judge must also consider community safety needs, using an evidence-based risk assessment that will be conducted prior to entry into the program.

EXPECTATIONS OF COMMUNITY WELLNESS COURT

The judge expects that you will:

1. Obey all laws.
2. Complete any and all courses of treatment (which may include treatment for mental health issues, substance abuse disorders, domestic violence issues, and/or anything else the court or your probation officer orders).
3. Attend all court appearances.
4. Comply with all orders from the court and your probation officer.
5. Change your life.

COURT APPEARANCES

Community Wellness Court is held every Tuesday at 2:00 p.m. in Judge Kersey's Courtroom (Room #210) at the Klamath County Courthouse, 316 Main Street, Klamath Falls. The Community Wellness Court Team meets immediately prior to Community Wellness Court to review each participant's progress.

In the early stages of your participation of this program, the judge will ask you to appear once a week. When the team is satisfied that you are committed to your treatment program, the judge will ask you to come less frequently.

All participants are required to attend Community Wellness Court at least once a month, unless otherwise instructed by the Judge or Probation Officer. No one will be allowed into court under the influence of alcohol or other non-prescribed mood-altering drugs.

THE COMMUNITY WELLNESS COURT TEAM

The CWC Judge will make all decisions about your progress in the CWC Program with input from the team. In addition to the Judge, the CWC Team consists of the following members:

Your Attorney
Deputy District Attorney
Treatment Court Coordinator
Treatment Providers
Case Manager
Probation Officer
Life Skills Counselor
Recovery Mentor
Self-Sufficiency Caseworker
Local Law Enforcement Representatives

STAFFING: Prior to the Community Wellness Court session, the Community Wellness Court Team members familiarize themselves with your progress so that they may discuss that progress with you during the Community Wellness Court session. We call this "staffing." If you have information for the team, please provide it to your attorney *before* staffing so that the entire team will have the opportunity to understand.

PROGRESS REPORTS: Before your Community Wellness Court hearing (during "staffing"), the judge will be given a progress report presented by your probation officer and treatment provider. The progress report will discuss your drug testing results, attendance, participation and cooperation in the treatment program, employment or other requirements that may have been imposed. The judge may ask questions about your progress and discuss any problems you may be having.

If you are doing well, you will be recognized for your success, and may be rewarded with reduced program requirements.

If your progress reports show that you are not doing well, the judge will discuss this with you and determine future action, which could include a sanction in order to help you remember your goals in the program. Sanctions can be anything from increased program requirements to jail custody. They are discussed in further detail later in this handbook.

TREATMENT PROVIDERS

You may choose the treatment provider of your choice. If you already have an ongoing treatment relationship with a provider, you will be encouraged to continue receiving services with that provider. The participating treatment agencies are listed in the Appendix at the end of this handbook.

FINANCIAL OBLIGATIONS

You will be required to pay all costs for participation in Community Wellness Court.

Cost of Treatment

All participants are required to apply for Oregon Health Plan to help determine if it will offset some of the cost of treatment. Our team has resources to help you apply.

There are many different treatment agencies in our community, and most accept OHP. If you do not qualify for OHP, or there are other non-covered costs, each agency has their own sliding scale for payment arrangements.

You will need to make payment arrangements with the agency of your choice. These costs are payable to the treatment provider.

There are several treatment providers in the community that you may choose from and you may discuss your choice of agency with your evaluator. A list of participating treatment providers is found in the Appendix at the end of this handbook.

In some cases, there may be some financial help available to cover treatment costs, so please do not allow cost to prevent you from participating in CWC.

PHASE I – ASSESSMENT AND TREATMENT PLANNING

Phase I answers the question whether you have a treatment need that can be addressed here in our community, and what that treatment will look like, *before* you decide to change your plea.

If you want to be considered for the program, you must complete a screening, called the “RANT” (“risk and needs triage”).

This screening is designed to help you, your lawyer, the district attorney, and the judge decide how your case should be handled, and what services you should receive.

- Your lawyer can be in the interview with you.
- You will not talk about the facts of your case. You will talk about your past and current circumstances, as well as any treatment services you may need.
- You must talk to your lawyer and sign a confidentiality agreement before your assessment.

Your participation in the RANT screening **does not** guarantee any result in your case, but you must participate if you want to be considered for the program.

NOTICE: Information that is provided during this screening is considered a part of plea discussions, and therefore cannot be used against you in any civil or criminal proceeding pursuant to ORS 135.435.

EVALUATION: You will be expected to meet with an evaluator, who will be responsible for providing and/or referring you to the appropriate level of treatment. This could include group and individual counseling sessions, drug testing and referral to self-help support groups and other community resources. After you formally enter the program, you will be expected to participate in these sessions.

After speaking with your attorney about your options, you will undergo a complete set of evaluations and assessments. You and your counselors will work together to develop a treatment plan to address your individual problems and areas of concern. You will be asked to provide a baseline urine analysis (UA). You will also meet with a case manager whose role is to help you access other health care and social services. This evaluation phase takes two to four weeks to complete during which you will report to Community Wellness Court weekly. Your evaluator will attend the weekly Community Wellness Court sessions and relay any information to the court regarding your successful participation, behavior, attendance, and appearance, but will also note any missed appointments or meetings.

At the conclusion of Phase I, you will have a clear understanding of your treatment plan and have chosen the treatment agency to attend and receive services. Each agency has its own requirements,

consistent with American Society of Addiction Medicine (ASAM) placement criteria and Oregon Administrative Rules, for number of required sessions, self-help group attendance, drug screening, and others which you will discuss with your evaluator.

At the Community Wellness Court appearance following completion of Phase I, you will have the opportunity to advise the judge whether you wish to continue in the Community Wellness Court program. If you chose to “opt out,” your criminal case will be returned to your assigned judge’s court for further proceedings in the normal course.

If you choose to remain in the Community Wellness Court program, you will be presented a Phase I completion certificate and move to Phase II.

PHASE II – FULL ENGAGEMENT IN TREATMENT

Phase II is all about engaging in treatment, attending your classes, providing clean UAs, showing up for court, and focusing on your goals.

LENGTH: Length of treatment is determined on an individual and as needed basis, consistent with ASAM placement criteria and Oregon Administrative Rules. As a general rule, the usual expectation is a minimum of 12 months for all phases of the program. The length of treatment will ultimately depend on your level of participation and progress. If it becomes necessary, you may be elevated to a higher level of care, according to your needs.

TESTING: You will be required to provide urine samples on a random basis to monitor your abstinence. At times, you may also be required to submit to other recognized drug of abuse monitoring techniques such as sweat patches, blood or hair testing. Urinalysis results and/or other test results will be documented and made available to the court. Any positive drug tests can be grounds for legal sanctions given by the Judge. A refusal, a “no-show” or failure to appear, or providing a dilute urine sample is considered non-compliance, and you will be ordered to complete one day of community service work for each failure to UA testing.

We want you to show up and provide a sample regardless of expected test result. Why? Because there is a treatment response for use. There is no treatment response for failure to show up.

INCENTIVES AND SANCTIONS: Upon the recommendation of the Community Wellness Court Team, participants may be given rewards or incentives for achieving success and phase advancement. Common incentives are: Recognition by the Court/Judge, Gift Cards, Promotion to Next Phase, and Certificates of Interim Completion and Graduation

Sanctions will be imposed for program violations that include positive drug tests; failure to keep appointments with treatment or with the probation officer; new criminal activity; failure to

comply with probation supervision conditions; and not obeying the direction of the Judge. Sanctions may include: increased reporting to the court and/or probation, community service work, thinking reports, delay of phase movement, electronic home monitoring, and/or jail time.

NOTE: You could be terminated from the program if you do not comply with imposed sanctions.

Your treatment provider will determine when you have achieved your goals and objectives and are ready to complete Phase II.

PHASE III – LIFE SKILLS

Phase III focuses on building skills and supports to help you continue your sobriety and success.

After you complete Phase II of Treatment and meet the criteria for moving into a lesser level of care, you will be moved into the Phase III Life Skills (Continuing Care) Program. The length of the Life Skills Program will be determined on an individual basis according to your needs, but the usual expectation is three months minimum. In this phase, your abstinence from alcohol and non-prescribed controlled substances will continue to be monitored through testing.

You will receive assistance in Relapse Prevention, as well as referrals to educational programming and job skills organizations to obtain gainful employment and career counseling. The Life Skills Program works collaboratively with community partners to provide comprehensive assistance to program participants. You may be referred to community providers such as DHS Self Sufficiency, Klamath and Lake Community Action Services (KLCAS), Klamath Works and the Gospel Mission.

PHASE IV – FLY SOLO, with PEER SUPPORT

In Phase IV, you will develop your own supports to help maintain your drug-free life independent of the Community Wellness Court program.

Your treatment provider will assist you in identifying and utilizing personal and community-based resources to support your recovery after graduation. Drug testing continues in Phase IV until graduation. This phase recognizes the importance of abstinent peer relationships in maintaining your own abstinence and drug-free lifestyle.

REVOCAION FROM COMMUNITY WELLNESS COURT

Revocation is a last resort. The CWC team is invested in your success and believes that you will succeed if you are committed to doing the work. However, warrants, new arrests or a violation of any aspect of your treatment plan may result in termination from the Community Wellness Court Program. Other violations which could result in termination include the following:

- Prolonged failure to appear for court or your treatment sessions
- Altered drug test
- Failure to cooperate with the Court, the treatment program, the Case Manager, or the Probation Officer
- Missing and/or positive drug tests, after treatment plan adjustments have been made
- Engaging in violent behavior or making threats of violence

Should any of the above occur, the CWC team expects you to maintain contact with your attorney, probation officer and treatment providers so that they can continue to advocate for your continued participation in the program.

GRADUATION

Upon your successful completion of the treatment program, other court requirements, and payment of all fees, you will graduate Community Wellness Court and your criminal case will be concluded according to your previously agreed upon negotiation.

Graduation from the Community Wellness Court Program is an important event in your life. You may invite your loved ones to join you at a special ceremony as the Community Wellness Court Team congratulates you for successfully completing all phases of the Community Wellness Court Program and achieving your goal to establish a drug-free life.

CONCLUSION

The goal of the Klamath County Community Wellness Court Program is to help you achieve a successful and healthy life.

The Judge and the Community Wellness Court Team are here to guide you toward success, but the final responsibility is yours. We believe in your capacity to be successful and are happy you are here.

APPENDIX

These treatment providers participate in the Community Wellness Court:

Lutheran Community Services (LCS), 2545 N. Eldorado Blvd., Klamath Falls, OR, 97601
541 883-3471

Klamath Basin Behavioral Health, 2210 N. Eldorado Blvd., Klamath Falls, OR 97601
541 883-1030

Best Care Treatment Services,
Residential - 2555 Main Street, Klamath Falls, OR 97601, 541 883-2795

Transformations Wellness Center,
Residential - 3647 Hwy 39, Klamath Falls, OR 97603, 541 884-5244
Outpatient – 220 Main Street, Klamath Falls, OR 97601, 541-884-5244

Klamath Tribal Health and Family Services,
635 Main Street, Klamath Falls, OR 97601, 541 884-1841

Place2Heal
422 Main Street, Klamath Falls, OR 97601, 541 851-3300