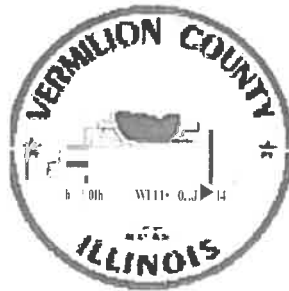


5th Judicial Circuit Court
Vermilion County Mental Health
Court Handbook



It is the mission of the Vermilion County Mental Health Court to enhance public safety and reduce recidivism. This is accomplished by diverting people with behavioral disorders charged with a criminal offense from the Criminal Justice System to Mental Health Court for appropriate treatment and enhanced access to support services. In so doing, the individual's quality of life will be greatly enhanced. Increased public safety will be afforded to the citizens of Vermilion County and a substantial cost savings will be realized as there will no longer be inappropriate involvement of persons with behavioral health disorders in the criminal justice system

Introduction

Welcome to the Vermilion County Mental Health Court Program. This handbook is very important to your participation in the Mental Health Court Program. *You must follow the rules and expectations in this manual as well as the orders of the Judge in order to maintain compliance.* If you do not follow these rules, you may be subject to sanctions including, but not limited to, dismissal from the program or incarceration in the Vermilion County Public Safety Building.

The purpose of this handbook is to provide you with general program related information and outline your expectations while in the Mental Health Court Program. If you have questions about this or any other part of the Mental Health Court Program, please contact the Mental Health Court Coordinator. The coordinator will do his/her best to answer your questions and help to eliminate anything in the way of your success.

Mental Health Court Program Description

The Mental Health Court Program serves people who are suffering from serious, treatable mental health issues as defined below and who are currently involved in the criminal justice system of Vermilion County. The Mental Health Court Program may involve the suspension of charges or a plea agreement involving Mental Health Court as a condition of probation. You are required to participate in treatment as well as judicial supervision. The program is divided into four (4) phases and if you successfully complete the program you may have your probation period reduced. The Mental Health Court Program is voluntary, and you can decide not to be involved at any time. However, if you choose to quit (or obtain a sanctioned dismissal) the traditional court process will resume. If your case is still pre-trial, the case will proceed to trial or plea. If your case is post-sentence, the case may be referred for a petition to revoke probation.

While in the program, you are required to receive ongoing mental health treatment along with regular supervision from the Court and Mental Health Court team. The Mental Health Court holds you accountable and assists you to achieve long-term stability, become law-abiding citizens and become successful family/community members. Court Supervision will be conducted by way of scheduled and/or unscheduled contacts to your residence, phone contacts and virtual contacts, communication with the treatment provider, workplace, etc. Supervision will be performed by the Probation Officer. While in the Mental Health Court Program you must abide by all the conditions and rules of the Vermilion County Court. A private attorney or public defender will continue to represent you and your legal interests throughout participation in the Mental Health Court Program.

Eligibility Criteria, Exclusionary Criteria and Statement of Non-Discrimination

Eligibility Criteria

The Mental Health Court target population is adult men and women who have a pending felony or misdemeanor cases or have been found guilty of or have pled guilty to felony or misdemeanor cases. To be eligible for Mental Health Court, you must have an Axis 1 mental health diagnosis; be probationable at the time of your application, be assessed by the Problem Solving Court Team; be assessed by the mental health treatment provider; be determined to be moderate to high likelihood to commit new offenses or violate the terms of supervision; and have moderate to high mental health treatment needs using evidence-based screening and assessment tools (score sheets filled out by the Problem Solving Courts Coordinator after meeting with the you for the initial Mental Health Court interview); reside in Vermilion County at the time of your application and during the course of your participation in the Mental Health Court Program; be willing to voluntarily sign the Consent to Participate in the Mental Health Court Program; and be willing to participate in and comply with the treatment and supervision requirements of Mental Health Court.

Exclusionary Criteria

Individuals who have been convicted of the following crimes within the past 10 years are excluded from eligibility (automatically denied access to the program): first degree murder; second degree murder; predatory criminal sexual assault of a child; aggravated criminal sexual assault; criminal sexual assault; armed robbery; aggravated arson; arson; aggravated kidnapping; kidnapping; aggravated battery resulting in great bodily harm or permanent disability; stalking; aggravated stalking; and any offense involving the discharge of a firearm. If you are currently charged with those offenses or any offense that is non-probationable where the prosecutor is unwilling to amend to a probationable offense are also excluded from eligibility. At this point, the referral process would immediately stop.

Statement of Non-discrimination

It is policy and practice of Mental Health Court to conduct all aspects of the program without discrimination on the basis of gender, race, nationality, ethnicity, limited English proficiency, disability, socio-economic status or sexual orientation. If English is not your primary language, interpreters will be made available.

Specific to this program, enhanced case management and treatment services have been designed to address your individual care needs. Program progress will be conveyed to the Mental Health Court Team by the treatment providers in a timely manner to allow the Mental Health Court Team to make modifications where necessary. All community-based providers collaborating on this project have demonstrated knowledge in cultural-specific issues and have familiarity with the needs of offender populations and gender-and age-relevant treatment and recovery supports.

Mental Health Court Team Members

The Mental Health Court Team consists of a dedicated Judge, the problem-solving court coordinator, a dedicated prosecutor, a dedicated public defender, dedicated probation officers, a clinical assessor, treatment providers, and at times private counsel. The Mental Health Court Team will complete 10 hours of training per year with 4 hours to be conducted in a Mental Health Court Team environment. Team member descriptions and responsibilities are set forth as follows.

Judge

The Mental Health Court Judge serves as the leader of the Mental Health Court Team. The Mental Health Court Judge is the member of the team responsible for setting the tone and environment for Mental Health Court, and must provide leadership, authority, and management skills to enable Mental Health Court to operate effectively. It is the Mental Health Court Judge's responsibility to ensure that you understand the requirements of Mental Health Court, including those set forth in the Consent to Participate prior to signing the Consent to Participate and that you are competent and entering the program voluntarily. The Judge will have you sign the Consent to Participate in Mental Health Court at your initial Mental Health Court hearing. To carry out his/her duties, the Mental Health Court Judge must participate in all team staffing's and shall consider input from the other team members in evaluating a response to your compliance or non-compliance with supervision and treatment requirements. This participation is permissible pursuant to Supreme Court Rule 63. While the Mental Health Court Judge must consider the input from all of the members of the team, it is his/her final responsibility to determine what response is appropriate for you. In court, it is the Mental Health Court Judge who presents you with the team's staffing decisions and allows you to address the response with the court. These responses are designed to encourage or reinforce your progress or to discourage and deter your non-compliance. The Judge administers incentives, sanctions and therapeutic adjustments. The Mental Health Court Judge shall ensure that Mental Health Court responses to your behavior are predictable, fair, consistent, and unbiased and that you are treated with respect and is given the opportunity to be heard. The Judge has the ultimate final decision in the Mental Health Court Program.

Problem-Solving Courts Probation Team

The Problem-Solving Court Probation Team is responsible for overseeing the Mental Health Court Program under the direct supervision of the Mental Health Court Judge but also at the direction of the Chief Judge. The Problem-Solving Court Probation Team advocates for incentives, sanctions and therapeutic adjustments. The Mental Health Court Probation Team is required to attend all staffing's and Mental Health Court proceedings. The Problem-Solving Court Probation Team is divided into three parts, including:

Problem-Solving Courts Coordinator

The Problem-Solving Coordinator oversees the day-to-day operations of Mental Health Court and Problem-Solving Courts administration responsibilities for Mental Health Court. Those responsibilities include monitoring the referral and intake processes to ensure the early identification and enrollment of Mental Health Court candidates; supervision of the collection and reporting of Mental Health Court data; community education and public relations; and coordinating continuing education opportunities for the Mental Health Court team. The Problem-Solving Courts Coordinator acts as the central contact for any questions. The Problem-Solving Courts Coordinator is also responsible for tracking all statistical data. The Problem-Solving Courts Coordinator will receive the application for Mental Health Court; will refer your case to the appropriate treatment provider for a mental health evaluation and/or substance abuse evaluation and provide your application to the Problem-Solving Courts Assessor for preparation of a report to the Mental Health Court Team.

The Problem-Solving Court Probation Team is responsible for collecting records, ensuring a copy of records and reports is provided to all of the team members and participates in the staffing of the referred case with the Mental Health Court team to determine eligibility, acceptance and entry into the Mental Health Court Program. The Problem-Solving Courts Coordinator advocates for incentives, sanctions and therapeutic adjustments. The Problem-Solving Courts Coordinator is required to attend all staffing's and Mental Health Court proceedings

Problem-Solving Courts Probation Assessor

The Problem-Solving Courts Assessor will interview you the day of the referral if time allows, will schedule an appointment with you for the assessment interview or meet with you at the jail. At that time, a copy of the Mental Health Court handbook will be provided to you and will have you sign any necessary releases to obtain information needed for the preparation of a report for the Mental Health Court team to review. The Problem-Solving Court Probation Assessor will conduct a criminal history report for the Mental Health Court team and ensure all members received a copy of the report for staffing. The Problem-Solving Court Probation Assessor is responsible for collecting records, providing a copy to all of the team members and staffing the referred case with the Mental Health Court team to determine eligibility, acceptance and entry into the Mental Health Court Program.

Problem-Solving Courts Probation Officer

The Mental Health Court Probation Officer is primarily responsible for overseeing your compliance with the requirements of Mental Health Court supervision and treatment through frequent contact with you and treatment providers and participation in team staffing's and court status hearings. The Vermilion County Probation Department is responsible for the community-based supervision of individuals in the criminal justice system who are on pre-trial conditions of bond or who has been sentenced to court supervision, conditional discharge or probation. The Mental Health Court Probation Officer has a more integrated working relationship with treatment providers than that of the traditional probation officer and provides assistance to you

and the team as needed. The Mental Health Court Probation Officer makes treatment referrals, explains the terms of Mental Health Court Probation, including drug testing protocols, conducts home visits, and makes other referrals as needed. The Mental Health Court Probation Officer is responsible for providing supervision and monitoring cases in accordance with court orders. The Mental Health Court Probation Officer will conduct supervision by way of in person office contacts; phone contacts; curfew checks; virtual contacts; scheduled/unscheduled contacts to your residence; communication with the treatment provider; contact with an employer; visits to the workplace, etc. The Mental Health Court Probation Officer will engage you in the process of prioritizing your needs and goals and works with the Mental Health Court Team to incorporate these recommendations into your treatment plan. The probation officer assigned to your case will complete a case plan and provide a copy to you and all of the team members. The case plan shall be amended upon your progress. The Mental Health Court Probation Officer provides and reviews the Probation Order, Mental Health Court Handbook, and calendar book with you. The Mental Health Court Probation Officer will have you sign receipt of the Probation Order and receipt of the Mental Health Court Handbook and will have you sign any releases necessary for the monitoring of progress on probation and in the Mental Health Court Program. The Mental Health Court Probation Officer meets regularly with you according to your Mental Health Court Level (or as needed) and communicates with the Mental Health Court Team about your progress and compliance with Mental Health Court through written reports, email, and verbal updates at staffing's and in court. The Mental Health Court Probation Officer advocates for incentives, sanctions and therapeutic adjustments. The Mental health Court Probation Officer is required to attend all staffing's and Mental Health Court proceedings.

Prosecutor

The role of the prosecutor in Mental Health Court is non-adversarial and collaborative by design, which is different from the traditional adversarial model in criminal court. The State's Attorney's office can refer your case to the Mental Health Court Program with a referral application to the Mental Health Court coordinator. The prosecutor represents the interests of the People of the State of Illinois and ensures that public safety interests and concerns are provided in team staffing discussions. The prosecutor is required to attend all staffing and Mental Health Court Proceedings. The prosecutor also participates in the collaborative Mental Health Court process in evaluating your engagement in and compliance with Mental Health Court in team staffing's and at court sessions. As part of the collaborative team, the prosecutor monitors your progress and makes recommendations regarding appropriate interventions to impact your behavior and compliance with Mental Health Court requirements. The Prosecutor advocates for incentives, sanctions and therapeutic adjustments while ensuring community safety as per *Illinois Standards 8.3*. Information the prosecutor receives through the Mental Health Court Program shall only be used for Mental Health Court purposes and shall not be disclosed. The prosecutor retains the responsibility to assure your compliance with Mental Health Court requirements and may initiate adverse proceedings if you are not adhering to the terms of your Mental Health Court probation and Consent to Participate.

Defense Counsel

The role of defense counsel in Mental Health Court is also very different from the traditional adversarial model in criminal court. The Public Defender or Private Attorney can refer you to the Mental Health Court Program with a referral application to the Mental Health Court coordinator. In Mental Health Court, the Public Defender represents you unless you have privately retained counsel. Then it is joint counsel for you. Before entry into Mental Health Court, it is defense counsel's responsibility to meet with you to explain Mental Health Court rules and expectations, your legal rights and how those rights are affected by participation in Mental Health Court. Defense Counsel must also explain the provision of the Mental Health Court Consent to Participate to you prior to the signing of this document . Defense counsel must assist you in signing of all court related documents and ensure that you understand all of the provisions of such documents. Upon official enrollment in the Mental Health Court, privately retained defense counsel must elect whether to continue as counsel for you. If not, the Mental Health Court Judge appoints the public defender to represent you in Mental Health Court . Whether you are represented by privately retained defense counsel or the public defender, the responsibility of your attorney is to represent you at team staffing's, attend all Mental Health Court staffing's and court status hearings, provide input and recommendations to the Mental Health Court Team, ensure that your due process rights are protected and represent you in any adverse proceedings. The Public Defender/Private Attorney advocates for incentives, sanctions and therapeutic adjustments while ensuring your legal rights are protected.

Treatment Providers

Mental Health Court utilizes a full continuum of treatment services, including outpatient, intensive outpatient, inpatient, long-term inpatient mental health and co-occurring treatment. All treatment services are trauma-informed and culturally sensitive. The treatment providers are responsible for providing initial mental health assessments. They also provide mental health and/or substance abuse treatment including but not limited to individual, group and family counseling, inpatient and outpatient services, drug testing and report on progress regarding treatment. Treatment providers will complete a clinical treatment plan and shall provide a copy to you and the team. This treatment plan shall be amended upon your progress. Treatment providers can and will drug test you. Drug testing is random and at your own expense. A participant's inability to pay will not prohibit program entry, phase advancement or graduation. The treatment provider will provide detailed information to the team and are required to attend all staffing's and Mental Health Court proceedings. The treatment provider advocates for incentives, sanctions and therapeutic adjustments.

Crosspoint Human Services

As a Licensed Treatment Provider, Crosspoint Human Services is a member of the Mental Health Court Team. Crosspoint Human Services is the mental health treatment provider for you in the Mental Health Court Program. Crosspoint advocates for effective incentives, sanctions and therapeutic adjustments while ensuring your therapeutic needs, as they apply to your mental health, case management and/or housing needs. Crosspoint provides therapy and care

coordination services and acts as a liaison between you and all Crosspoint Human Services department and programs to ensure coordinated service delivery.

Rosecrance of Illinois

The Licensed Certified Substance Abuse Counselor(s) is a member of the Mental Health Court Team. Rosecrance of Illinois is an alternative therapeutic substance abuse treatment provider for you in the Mental Health Court Program. They advocate for effective incentives, sanctions and therapeutic adjustments while ensuring your needs, as they apply to your individual ongoing substance abuse treatment. The treatment providers are responsible for providing initial mental health and substance abuse assessments. They also provide mental health and substance abuse treatment including but not limited to individual, group, and family counseling, inpatient and outpatient services, drug testing, and reports on progress regarding treatment. Treatment providers can and will drug test you. Drug testing is random and at your expense.

Referral, Assessment and Enrollment

Referral

Individuals may be referred to Mental Health Court by any person, including judges, attorneys, treatment professionals, or at your own request. A Problem-Solving Courts Referral Form must be completed and forwarded to the Problem-Solving Courts staff to begin the assessment process. Upon receipt of the completed referral form, the Problem-Solving Court Coordinator immediately pre-screens you for eligibility by reviewing your criminal history, current charge(s) and any other records available to determine if any exclusionary criteria may apply.

Assessment

The Mental Health Court Probation Team will interview you upon receipt of the application and/or the day of referral if time allows, will schedule an appointment with you for the assessment interview or meet with you at the jail. At that time, a review of the handbook will be provided to you. The Mental Health Court Probation Team will have you sign a receipt of the handbook and any necessary releases to obtain information needed for the preparation of a report for the Mental Health Court team to review, including the Consent for Release/Disclosure of Confidential Information. The Mental Health Court Probation Team will conduct a criminal history report for the Mental Health Court team and will perform an ARA assessment tool to determine the level of risk/needs for your individualized plan to determine eligibility for the Mental Health Court program. The Mental Health Court team will then refer your case to the appropriate treatment provider for a mental health evaluation and/or substance abuse evaluation and collect the report for his/her records. The Mental Health Court Probation Team is responsible for collecting records, providing a copy to all of the team members and staffing the referred case with the Mental Health Court team to determine eligibility, acceptance and entry into the Mental Health Court Program.

Crosspoint Human Services will complete an IM+CANS, MCAS and LOCUS on each individual referred to the MHC program to determine eligibility.

IM+CANS (Illinois Medicaid Comprehensive Assessment of Strengths and Needs) - The comprehensive assessment provides a standardized, modular framework for assessing the global needs and strengths of individuals who require mental health treatment in Illinois. This system addresses risk behaviors, trauma exposure/adverse childhood experiences, behavioral/emotional needs, life functioning, substance use, developmental disabilities and cultural factors; a fully integrated assessment and treatment plan; a physical health risk assessment; a population-specific addendum for youth involved with the child welfare system. The IM+CANS is made up of domains that focus on various domains that focus on areas in the individual's life, and each domain is made up of a group of specific items. These are domains that address how one functions in everyday life, on specific emotional or behavioral concerns, on risk behaviors, on strengths and on skills needed to grow and develop (Illinois Medicaid-Comprehensive Assessment of Needs and Strengths (page 6).

MCAS (The Multnomah Community Ability Scales) - is a standardized mental health assessment which scores several different axes of functionality independently. The MCAS is a common tool in assessing progress on treatment goals, as it is more in-depth than the more simplified GAF scale.

LOCUS (Level of Care Utilization System) - has multiple potential uses, including to access immediate services needed (i.e clients in crisis); to plan resources needed over time and to monitor changes in status or places at different times. The first section is evaluation dimensions which include risk of harm; functional status; medical, addictive and psychiatric recovery; recovery environment; treatment and recovery history; and engagement and recovery status. The second section is level of care which includes care environment; clinical services; support services; and crisis resolution and preventative services. Finally, their scoring method facilitates the translation of assessment results into placement or level of care determinations (Level of Care Utilization System for Psychiatric and Addiction Services, Adult version 2010 of the American Associate of Community Psychiatrist page 2 -3).

Rosecrance of Illinois will conduct the following assessments with you when you are referred to their agency for your participation in the Mental Health Court Program:

Substance abuse assessments are conducted by a master's degree clinician (master's is required) with either a certification (such as Certified Alcohol and Drug Counselor) or a license (such as Licensed Professional Counselor, Licensed Social Worker, Licensed Clinical Professional Counselor, or Licensed Clinical Social Worker). There is a structured interview, and the clinician collects all relevant information for a diagnostic impression. The information is evaluated to determine a substance use disorder and the severity of the disorder. The standards used to conduct clinical assessments and to evaluate treatment levels of care are based on two standardized tools. The first is the Diagnostic and Statistical Manual-Fifth Edition (DSM-5), which is used to obtain a diagnostic impression for any substance use disorder. The second tool is the American Society of Addiction Medicine (ASAM) Criteria multidimensional assessment (MDA).

Information is obtained through a structured interview in 6 areas, including mental health history. The MDA dimensions include Dimension 1: Acute intoxication and/or withdrawal potential; Dimension 2: Biomedical conditions and complications; Dimension 3: Emotional/Behavioral or Cognitive conditions/complications; Dimension 4: Readiness to change; Dimension 5: Relapse/Continued use or continued problem potential; and Dimension 6: Recovery/Living Environment. There is an evaluation score in each dimension, which is used to identify treatment levels of care (ex. Outpatient, Intensive Outpatient, Inpatient). Treatment Services are provided using client-centered approaches and evidence-based practices including Brief Intervention (Substance Abuse Mental Health Services Administration- SAMHSA- Tip 34), which integrates the use of other proven therapies such as Trauma Informed Care, Cognitive Behavioral Therapy (CBT); Art Therapy, Dialectical Behavioral Therapy (DBT) and Motivational Enhancement Therapy (MET).

Private Assessor

On some occasions, a private assessor is required to obtain mental health information to help coordinate and determine additional or appropriate services for Mental Health Court participants and will conduct a mental health assessment on you while in the Mental Health Court Program.

Enrollment

The Mental Health Court Team reviews and discusses the assessment and referral packet of each person referred to Mental Health Court utilizing the objective Mental Health Court eligibility and exclusionary criteria at the next staffing after the assessment is completed by the Mental Health Court Probation Team. The Court Program will be at maximum capacity at 15 people. If found to be eligible, an Order Concerning Specialty Court Application indicating your acceptance is placed in the Court file for the sentencing judge to review. Prior to you, counsel and the Judge signing a Consent to Participate, the Judge shall explain the Consent to you on the record, including the program requirements of the Problem-Solving Court and the range or responses that may be imposed by the Judge on you as a result of conduct of you while a participant in the Problem-Solving Court. After the Judge has explained the Consent to you, you shall have the opportunity to confer with counsel, have your questions answered by the Judge and elect to voluntarily execute the Consent. The Judge is the final decision maker regarding acceptance in Mental Health Court. At the time of sentencing or pre-trial, you can be placed on probation with a referral to Mental Health Court program. You will then be placed on the next available Mental Health Court call. If you are found to be ineligible for Mental Health Court, if you do not wish to participate in the Mental Health Court program or if you decline to sign the Consent to Participate, the referral is closed, and a report is placed in the Court file. Your case will be sent back to the original felony call for further proceedings.

CONFIDENTIALITY

A waiver of confidentiality, signatures of authorization for releases of information and consent for participation is required to be a part of the Mental Health Court Program. You can NOT change your mind about the waiver of confidentiality once it is given and remain in the program. Information regarding your health and treatment status is highly confidential as set forth in Section 7.4 of the *Illinois Standards* and this confidentiality is protected by federal and state law regulations. The Mental Health Court Team and treatment providers strictly observe the requirements of all applicable laws and regulations. To protect confidentiality, Mental Health Court utilizes the Consent for Release/Disclosure of Confidential Information to facilitate the assessment and discussion of your eligibility to participate. The Consent to Participate that you sign acknowledges the possible dissemination of protected information through your participation in Mental Health Court and requires that you sign any release of information forms that are needed by Probation, treatment providers and collateral sources in order to facilitate the sharing of confidential information about you in a lawful manner. All communication among the Mental Health Court Team about you is required to be done in a manner to keep your identity confidential. Information obtained by the Mental Health Court Team pursuant to a release or consent shall not be disclosed outside of Mental Health Court. Information obtained is for Mental Health Court purposes only. When you are referred to a Problem-Solving Court and found to be ineligible to enroll in a Problem-Solving Court by the Problem-Solving Court team or if you are discharged from the Problem-Solving Court, the Problem-Solving Court prosecutor shall delete or destroy your confidential information that was disseminated in conjunction with your referral to or participation in the Problem-Solving Court. The Judge may, at the request of the you or your counsel, issue a protective order pertaining to all confidential information.

Your Responsibilities and Handbook

You must conform to the requirements of the Consent to Participate, Probation Order, and Mental Health Court Handbook. Those responsibilities include but are not limited to attending court regularly, meeting with probation as directed, complying with drug testing as directed, attending all screenings, assessments and treatment services for mental health assessment and/or substance abuse assessment as directed, participating appropriately in treatment groups, engaging in pro-social activities, including employment and educational pursuits, following all directives of the court and remaining drug and alcohol free. Transportation to all appointments, Court proceedings, etc. is your responsibility.

Mental Health Court Handbook and Calendar Book

You will receive a copy of the Mental Health Court Handbook and calendar book at the initial probation office visit once sentenced to the Mental Health Court Program and sign a receipt acknowledging that you received the Mental Health Court Handbook and calendar book, and it has been explained to you. It is also required that Defense Counsel will have reviewed and explained the Mental Health Court Handbook with you prior to enrolling you into Mental Health Court so that you are fully informed about the structure and requirements of Mental Health Court.

Mental Health Court Process and Schedule

Mental Health Court Process

Mental Health Court utilizes weekly team staffing's with all Mental Health Court members present and participating and weekly court status hearings to monitor your performance and progress in Mental Health Court. Currently the Mental Health Court team meets on Wednesdays at 2:30pm for staffing, with court directly to follow at 3:00 pm, or as directed. This can be changed at any time in the future due to Court rotations and schedule availability. Written reports are given to each Mental Health Court Team member by the probation officer and treatment providers prior to staffing discussions. You will be addressed with the Mental Health Court Team's response to the progress or lack of progress that you have made or issues that have arisen between court dates by the Mental Health Court Judge and you will be given the opportunity to address the Court. Optimally, the Mental Health Court Judge will interact with you for a minimum of three (3) minutes. When the status hearing is concluded, you will be given your next court date. Additional information about the Mental Health Court process is included in other sections of this Mental Health Court Policies and Procedures Manual and the Mental Health Court Handbook and is incorporated herein.

Mental Health Court Schedule

You must appear in Court as scheduled or as directed by the Mental Health Court team. Mental Health Court currently meets on Wednesdays at 2:30pm for staffing with court to directly follow at 3:00 pm, or as directed. This can be changed at any time in the future due to Court rotations and schedule availability. It is your responsibility to receive your next Court date and report on time.

Program Rules

- You must appear in Court as scheduled or as directed by the Mental Health Court team. Mental Health Court currently meets on Wednesdays at 2:30pm for staffing with court directly to follow at 3:00 pm, or as directed. This can be changed at any time in the future due to Court rotations and availability. It is your responsibility to receive your next Court date and report on time.
- You must attend all appointments with the Mental Health Court team. If you are unable to attend a scheduled appointment for any reason you must CALL and SPEAK to a member of the Mental Health Court team ahead of the scheduled appointment time. Calling in to any member of the Mental Health Court team will not guarantee an absence will be excused and could result in a disciplinary action or sanction
- You must follow the treatment plan and actively participate in required treatment. The treatment plan may include some or all of the following:
 - Psychiatric services
 - Participation in mental health treatment and/or substance abuse services such as group or individual counseling, residential treatment programs, psycho-social rehabilitation

services, self-help/support groups, substance abuse treatment, Case Management Services, Educational and employment programs

- It is important to keep in mind that successful completion of the Mental Health Court Program is dependent upon compliance with treatment
- You will be issued a calendar to track appointments and must keep all Mental Health Court related appointments in this calendar. You must bring calendars with you to all Mental Health Court related appointments and provide it upon request
- You cannot use any illegal substance or drink any alcohol
- You cannot take medication not prescribed by a doctor, including those of friends and family members' medications
- You cannot abuse any over the counter medications
- You must take prescribed medicines as directed
- You will submit to drug and or alcohol screens when requested by any Mental Health Court team member and/or treatment provider. A refusal is considered a positive drug test
- **Tampering with a Urine Screen (Drug Test) is a violation of the Mental Health Court Program and can result in the imposition of a Mental Health Court sanction up to discharge from the Mental Health Court Program**
- You must obey all local ordinances, state laws, and federal laws
- You must contact the Mental Health Court team immediately following any law enforcement contact, relapse, crisis assessment or hospitalization
- You will follow all rules of the Vermilion County Probation Department. Violations of these rules may result in sanctions and or termination from the Mental Health Court Program
- You will treat everyone with respect and demonstrate appropriate behavior at all times and in all places
- You will dress appropriately at all times for Court appearances, probation visits, mental health provider appointments, substance abuse provider appointments, etc. This includes but is not limited to not wearing clothing or hats with drug or alcohol themed messages; short shorts (shorts that are shorter than your fingertips when your arms are at your side); see through shirts, clothing with obscenities, clothing with gang insignia or any other articles of clothing deemed inappropriate
- You will cooperate with all home contacts, treatment contacts or employment contacts. These may be unscheduled or unannounced. These contacts may include in person contacts, virtual contacts and/or by phone
- You cannot be in possession of a firearm or dangerous weapon of any type
- You will call the Mental Health Court team of any changes of address, contact information, or employment status immediately
- You must be and remain a Vermilion County resident to participate in this program
- Permission to leave Vermilion County and the State of Illinois must be obtained prior to leaving.

At all times you are to get permission from the Mental Health Court Team before staying overnight anywhere other than your residence.

TRANSPORTATION IS YOUR RESPONSIBILITY

PROGRAM LENGTH

Mental Health Court Levels

The approximate length of the Mental Health Court Program is from 12-24 months. It is possible for participants to be involved in the program for longer than 24 months as determined by the Mental Health Court team. The length of the program differs for each participant and is directly related to your progress toward treatment goals and compliance with Mental Health Court rules and recommendations. The Mental Health Court Program is divided into four (4) phases. Each phase within the Mental Health Court Program has its own treatment requirements and the treatment plan is specific to your needs. The Mental Health Court Program cannot be completed without progressing through each of the required phases. Based on information provided by the you, the mental health treatment provider, substance abuse treatment provider, probation officer, the Judge and Mental Health Court team determine when requirements are met for phase advancement. You must complete all four (4) phases to successfully complete the program.

Phase One (3 months):

Phase one begins after you have been accepted into the Mental Health Court Program and presented to court for the first time. You will have completed a mental health assessment and/or substance abuse assessment by the time Phase One begins, with recommendations of appropriate treatment.

While in Phase One, you will receive the most intensive and community-based supervision. The focus of Phase One is mental health treatment and/or substance abuse treatment and compliance with short-term goals. Phase One is designed to help you access and begin mental health treatment and/or substance abuse treatment well as become acquainted with the Mental Health Court Team and expectations.

- Minimum of 1 (one) Face to Face contact with the Mental Health Court Probation Officer per week
- Minimum of 1 Court Appearance per week
- Begin the recommended Mental Health Court treatment program
- Obtain or maintain a psychiatrist and take prescribed medicine as directed
- Establish a therapist and participate in therapy sessions
- Submit to urinalysis screens as directed by the Mental Health Court team.
- Remain drug and alcohol free.
- Curfew of 8:00pm -7:00am
- Register for housing (if necessary)
- Apply for public benefits (if necessary)
- Participate in Mental Health Court Case Management
- Show up for all scheduled appointments

- Be honest about your drug use (past and current)
- Be honest about your mental health issues (past and current)

Advancement:

Once the team agrees that you are eligible to move up a phase, the team will meet to determine in staffing before you are presented with a certificate in court.

- 80% Attendance in Treatment
- Be Honest
- Complete office contacts with Probation
- **Minimum** of 30 consecutive days drug and alcohol free
- Schedule an appointment with a Vocational or Employment Program
- No Sanction within a **minimum** of 30 days
- Complete a paper and present it to the Mental Health Court team explaining eligibility for phasing

Phase Two (3 months):

Phase Two is designed to engage you in ongoing mental health treatment and/or substance abuse treatment and work toward positive change by continuing life skill building. Below are the requirements for Phase Two:

- Minimum of 1 (one) Face to Face contact with the Mental Health Court Probation Officer per week
- Minimum of 1 (one) Court appearance per week
- Maintain psychiatrist and take prescribed medicine as directed
- Actively participate in therapy programs
- Continue participation in the recommended mental health treatment program
- Participate in Mental Health Court Case Management
- Submit to urinalysis screens as directed by the Mental Health Court team.
- Remain drug and alcohol free
- Curfew of 9:00pm - 7:00am
- Obtain and maintain stable housing (if necessary)
- Show up for all scheduled appointments
- Be honest about your drug use (past and current)
- Be honest about your mental health issues (past and current)

Advancement:

Once the team agrees that you are eligible to move up a phase, the team will meet to determine in staffing before you are presented with a certificate in court.

- Be Honest
- Complete office contacts with Probation
- 90% Attendance in Treatment
- **Minimum** of 60 consecutive days drug and alcohol free
- No Sanction within a **minimum** of 60 days
- Complete a paper and present it to the Mental Health Court Team explaining eligibility for phasing

Phase Three (3 months):

You will gain more independence during this phase but will be expected to begin planning for achievement of long-term goals. Phase Three is designed to incorporate stable housing, education, employment and or volunteering into the service plan. Below are the requirements of Phase Three:

- Minimum of 1 (one) Face to Face contact with the Mental Health Court Probation Officer every two weeks
- Minimum of 2 (two) court appearances per month
- Maintain psychiatrist and take prescribed medication as directed
- Continue participation in the recommended mental health services
- Participate in Mental Health Court Case Management
- Obtain and maintain stable housing (if necessary)
- Provide proof of employment, continuing education or regular pro social positive activities
- Submit to urinalysis screens as directed by the Mental Health Court team.
- Remain drug and alcohol free
- Curfew of 11:00pm - 7:00am
- Show up for all scheduled appointments
- Be honest about your drug use (past and current)
- Be honest about your mental health issues (past and current)

Advancement:

Once the team agrees that you are eligible to move up a phase, the team will meet to determine in staffing before you are presented with a certificate in court.

- 100% Attendance in Treatment
- Be Honest
- Complete office contacts with Probation
- **Minimum** of 90 consecutive days drug and alcohol free
- No Sanction within a **minimum** of 90 days
- Schedule started to complete Community Service Hours
- Complete paper and present it to the Mental Health Court Team explaining eligibility for phasing

Phase Four (3 months):

Throughout Phase Four it is expected that you maintain a healthy lifestyle and make personal advancements with little supervision from the Mental Health Court team. Below are the requirements of Phase Four:

- Minimum of 1 (one) Face to Face contact with the Mental Health Court Probation Officer per month
- Minimum of 1 (one) Court appearance per month
- Maintain psychiatrist and take prescribed medication as directed
- Continue participation in the recommended mental health services
- Obtain or maintain stable housing
- Provide proof of employment, continuing education or regular pro-social activities
- Participate in Mental Health Court Case Management
- Submit to urinalysis screens as directed by the Mental Health Court team.
- Remain drug and alcohol free
- Complete budget planning
- Complete the Wellness Action Recovery Plan (WRAP) with your counselor
- Show up for all scheduled appointments
- Be honest about your drug use (past and current)
- Be honest about your mental health issues (past and current)

Advancement:

Once the team agrees that you are eligible to move up a phase, the team will meet to determine in staffing before you are presented with a certificate in court.

- 100% Attendance in Treatment
- Be Honest
- Complete office contacts with Probation
- **Minimum** of 90 consecutive days drug and alcohol free
- No Sanction within a **minimum** of 90 days
- Schedule appointments to complete Community Service Hours
- Complete a paper and present it to the Mental Health Court team explaining eligibility for graduating program

FAILURE TO COMPLETE/TERMINATION

If you do not successfully complete the Mental Health Court Program, the traditional court process will resume. If your case is still pre-trial, the case will proceed to trial or plea for the offense(s) that were originally charged. If your case is post-sentencing, the case may be referred for a petition to revoke probation. At this time, you would be eligible for all sentencing options that are applicable to the original charge(s), and a sentence could include jail time or commitment to the Illinois Department of Corrections. Reasons for termination can include continued failure to follow program rules and expectations, lack of treatment compliance and/or a new offense while part of the Mental Health Court Program.

Graduation

In order to graduate from the Mental Health Court program, you must complete all program phases, complete your treatment plan and be in continued compliance with your Court Order. When you have successfully completed all of the requirements of the Mental Health Court Program, there will be a graduation ceremony in your honor. Your inability to pay will not prohibit program entry, phase advancement or graduation. At that time, you will have officially completed the Mental Health Court Program and your involvement with the program will no longer be mandatory. Upon completion of the Mental Health Court Program, legal agreements made pending your completion of the Mental Health Court Program will be reviewed and acted upon accordingly.

Upon completion of the Mental Health Court Program, you may possibly still be on probation. At this time, you will be responsible for any and all requirements remaining included in your probation order. Your probation officer will go over this probation order again upon your graduation from Mental Health Court. A discharge plan will be determined between you and your probation officer as to what your needs will be for the remainder of your probation term

and any needs that may need to be addressed upon your discharge from probation. You will be given a copy of this discharge plan. This can include, but not be limited to:

Crosspoint Human Services for mental health treatment

Rosecrance of Illinois for after care, relapse prevention and any new treatment services
as needed

Narcotics Anonymous (NA) and Alcoholics Anonymous (AA) support meetings including
days, times and location

Unemployment Office for help with job searches

Danville Public Library for access to the computers for job searches

Crosspoint at the Y for housing issues (women)

The Men's shelter for housing issues (men)

Incentives, Sanctions, and Therapeutic Adjustments

All responses to your behavior shall be predictable, fair, consistent and without regard to a person's gender, race, nationality, ethnicity, limited English proficiency, disability, socio-economic status or sexual orientation. In Mental Health Court, incentives, sanctions and therapeutic adjustments shall be administered to motivate you to comply with Mental Health Court requirements and to put into action the changes in thinking and behaviors for you that are necessary to assist you to successfully achieve recovery and to comply with and successfully complete the program. You will be advised by the Mental Health Court Judge that the program incorporates incentives, sanctions and therapeutic adjustments in response to your progress or non-compliance with Mental Health Court goals and requirements. Whether to administer an incentive or sanction is discussed and determined at team staffing and you are advised by the Mental Health Court Judge of the team's staffing decision in open court. If it is determined at staffing that there should be a sanction, you must be given an opportunity to address the Mental Health Court Team in open court before the sanction is imposed. The Mental Health Court Judge must consider this input and decide whether to impose the sanction. The final decision as to whether to impose a sanction and what sanction is appropriate rests within the sole discretion of the Mental Health Court Judge and may only be imposed in accordance with procedural fairness and neutrality after you are given an opportunity to be heard.

Incentives

As you progress through Mental Health Court and begin to make positive choices, you will receive incentives from the Mental Health Court Team. Incentives may be received for a variety of behaviors and achievements such as Mental Health Court attendance, treatment attendance, progress in treatment, negative drug screens, medication compliance, gaining employment, or

sustaining employment. The Mental Health Court team may choose from incentives such as but not limited to:

- Applause
- Decreased frequency in court appearance
- Decreased supervision contact
- Curfew adjustment
- Travel permits
- Waiver of fees
- Early Phase Promotion

Sanctions

Just as positive behaviors are rewarded, negative behaviors will also be addressed. Poor attendance, lack of participation in treatment or tasks identified in the treatment plan and positive drug screens are some of the reasons sanctions will be administered. Sanctions can consist of but not be limited to the following:

- Verbal reprimand
- Essay assignment
- Increased court appearance
- Increased meetings with probation officer
- Increased drug testing
- Increased public service work hours
- Earlier curfew restrictions
- Incarceration

Therapeutic adjustments

Therapeutic adjustments are treatment-oriented responses for substance and mental health issues in the Mental Health Court Program. Modifications in treatment services are based on the recommendations of treatment providers. Some of these therapeutic adjustments can be, but are not limited to the following:

- Attendance in self-help groups
- Family Counseling

Parenting Groups

Increase of Treatment to a Higher Level of Care (such as Intensive Outpatient or Residential Care)

Change of Frequency of Treatment (such as one-on-one sessions and/or groups)

MENTAL HEALTH COURT RANDOM TESTING

You are required to be drug tested every Monday.

You will be randomly selected Tuesdays, Wednesdays Thursdays and Fridays to drug test. Random drug test selection is done by a computer-generated wheel application and is spun on the Mental Health Court Probation Officer's computer. Each morning the wheel is spun by 9:00 am and if your name is selected, you will be called by the Probation Officer no later than 9:30 am. If your name is called, must drug test by 2:00 pm the day you are selected. As drug tests are random, be prepared to be drug tested daily .

DRUG TEST PROCEEDURE

Probation Department Observed Urine Specimen Collection Procedures:

Drug test procedures will be performed, but not limited to, the following:

The probation officer or treatment provider will collect urine samples in a locked bathroom.

You will remove jackets, hoodies, coats, items with large pockets, or any other items the probation officer or treatment provider requests be removed.

You will not have purses or handbags in the drug testing collection area . If you do have a purse or handbag, this will remain in the probation officer's office and the probation officer's office will have the door shut and locked to prevent access to your personal items

You will rinse your hands with water and thoroughly dry them. Soap is not to be used.

You will show the probation officer your waistlines to detect any tampering devices.

The probation officer or will collect a urine specimen from only one donor at a time.

Only the probation officer and the donor will be in the bathroom/collection area at all times

The probation officer will directly observe you providing a urine sample. Collectors observing the urine sample process will be the same gender as you when providing the specimen. No exceptions.

The probation officer will complete a chain of custody label or a collection form before you provide a urine sample. The chain of custody label shall be peeled and placed upon the securely closed sample bottle.

Urine Samples will be sent to a lab, stored in a refrigerator and tested for results. Drug testing results can also be provided with an instant result on a drug testing panel test. The probation department has a lab for use of probation officers only. Some urine samples can be sent to an off-site lab if needed for further testing at the discretion of the Probation Department and the Court. Sealing and chain of custody protocols will also be followed.

You will NOT flush the toilets or urinals until the collection is completed. The probation officer will flush the toilet or urinal.

The probation officer will observe and document any indication of specimen dilution, alteration, or unusual collection events or discrepancies.

The probation officer will screw the top on the collection bottle or make sure you tightly screw the top on the bottle, making sure the top is secure and the specimen is not leaking.

The probation officer will review the temperature of the specimen to make sure if it is near body temperature, if applicable.

The probation officer will use a tamper resistant screening system across the top of the sample cup and down the sides of the bottle. This label will have your name, the collectors name or initials, your identification number, and the time and date collected clearly displayed.

The probation officer will store the urine sample in the drug testing lab's refrigerator to be tested at a later date.

Drug testing can be obtained via specimen cups that are sealed or instant stick tests.

A probation officer may also issue a breathalyzer test at the discretion of any probation officer, the Court and the Mental Health Court team and will be administered by the Probation Officer. The donor will observe the Probation Officer open a new breathalyzer tube, observe the tube being placed on the breathalyzer portable handheld device, and observe the probation officer turn on the portable breathalyzer device. The donor will blow air from the mouth into the breathalyzer tube, at the direction of the Probation Officer, and at a steady rate until the device beeps or the probation officer says stop. The donor will be shown the breathalyzer results listed on the device.

Drug testing procedures for Rosecrance of Illinois:

Rosecrance of Illinois drug testing is done by insta-tests. You will be asked to leave your personal items and valuables in the counselor's office. Your pockets will be emptied of items and bulky shirts, or coats will be removed. You will wash your hands. Female donors will be observed by a female counselor and male donors will be observed by a male counselor NO EXCEPTIONS. You and the counselor will go into the bathroom/designated sample site and the stall door will be left

open. Your drug test will be observed by the Rosecrance counselor or clinician. Once the specimen is collected, the lid will be placed on the sample cup. The results to this drug test are instant and results will be given to you immediately and will be discussed with you immediately.

Unobserved Urine Specimen Collection Procedures:

The treatment provider can sometimes perform unobserved urine specimen collections based upon availability of their drug test technician. Unobserved specimens are taken ONLY when you and the collector are not of the same gender, or it is virtually impossible to collect an observed specimen. At this time, a supervisor will be contacted at the treatment provider's request for approval.

The chain of custody will clearly be documented on the label or form that the collection was unobserved at the treatment provider's facility.

The toilet bowl or urinal will have a blue or green colored coloring agent added to it to deter dilution of the specimen with commode water.

The treatment provider will remove any agents that could be used in an attempt to adulterate the specimen such as soaps, cleaners, deodorizers or sanitizers.

The drug testing protocol listed in the above section will apply during unobserved collections as well.

Program Outcomes

You may be discharged from Mental Health Court in one of four ways: successful discharge, neutral discharge, unsuccessful discharge, and voluntary withdrawal.

Successful Discharge

You are eligible for successful discharge from the Mental Health Court Program when you complete all of the program requirements.

Neutral Discharge

You may encounter difficulties after entering the program that makes it difficult or impossible for you to comply with the requirements of Mental Health Court. For example, you may develop a serious medical condition that makes it difficult to attend groups and/or to drop as frequently as Mental Health Court requires. The Mental Health Court Team can staff and provide an alternative supervision plan for you such as standard probation or conditional discharge and the Mental Health Court Judge can enter an order permitting a neutral discharge from the Mental Health Court Program.

Unsuccessful Discharge

If you are in violation of Mental Health Court Program requirements, you may be unsuccessfully discharged from the Mental Health Court Program. The Mental Health Court Team is committed to offering the full continuum of treatment services to you with the goal of helping you achieve and maintain stability in your life, but on occasion you are not able to do so. There are also instances where you may re-offend or commit other serious violations of Mental Health Court Program requirements, and the Mental Health Court Team may consider unsuccessfully discharging you from the program. The Judge has the ultimate final decision in the Mental Health Court Program. Prior to an unsuccessful discharge from Mental Health Court, you shall be served with a petition to remove you from Mental Health Court. The petition shall set forth the alleged violations of Mental Health Court Program and/or probation requirements and the relief sought. The Mental Health Court Judge must ensure that you become subject to proceedings that could result in unsuccessful discharge from the Mental Health Court and that you are advised of and accorded the rights set forth in Supreme Court Rule 402A. Those rights include being advised of the specific allegations in the petition, the right to a hearing with defense counsel present and the right to appointed counsel, the right to confront and cross-examine any adverse witness, the right to present witnesses and evidence on your behalf, the right to require the State prove a violation by a preponderance of the evidence and the right to be advised of the sentencing range. Once the petition for discharge is filed, the participant must be admonished pursuant to Supreme Court Rule 402(d),(e), and (f), before the Judge can continue to staff the participant's case with the rest of the team. Unsuccessful discharge can occur as part of a plea agreement or as a sentencing outcome after hearing on petition.

Voluntary Withdrawal

You will have the right to withdraw from Mental Health Court since it is a voluntary program, but withdrawal may be subject to consequences as a result of doing so. If you request to withdraw, the Mental Health Court Judge shall ensure that you have the right to consult with defense counsel, and that the withdrawal is made voluntarily and knowingly in open court. The Mental Health Court Judge shall ensure that you are admonished as to the consequences, actual or potential, which may result from the withdrawal. The consequences that could be imposed must be consistent with your status and terms of probation, are to be discussed by the Mental Health Court Team at a staffing on the issue of voluntary withdrawal, determined by the Mental Health Court Judge who thereafter explains the consequences to you in open court prior to the Mental Health Court Judge allowing you to withdraw.

Vermilion County Mental Health Court

Important Phone Numbers

States Attorney217-554-7750
Public Defender217-554-7870
Probation Office217-554-7900
Rosecrance of Illinois217-477-4500
Crosspoint Human Services..... 217-442-3200

The Mental Health Court Business Hours

8:30am - 4:30pm

Monday - Friday (Excluding Holidays)

You must leave a message with your name and a phone number to be reached

In Case of Emergency call 911

Mental Health Court Handbook - Signature Page

I have read and understand the contents of the Mental Health Court Handbook including rules, incentives, and sanctions. I have been given a copy of the participant handbook and calendar book. I understand that in order to be successful in the Mental Health Court Program, I **must follow the rules of the program as well as all treatment recommendations.**

Participant's Signature

Date

Mental Health Court Representative

Date