

# NEW LEAF PROGRAM DESCRIPTION

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## **CHAPTER 1: POLICIES AND PROCEDURES**

### **WHAT IS THE NEW LEAF PROGRAM**

The New Leaf Program is a 16-24-month drug court program certified by the Ohio Supreme Court Specialized Docket Section. Upon entering the program, the participant will meet with the Honorable Carolyn J. Paschke regularly to discuss and evaluate progress, participation and achievements which are essential components of the Specialized Docket. Participants will be supported by a “treatment team” of professionals who will assist the participant in all phases of treatment and recovery. Completion of the program will depend on the participant’s compliance and continued advancement through phases.

### **MISSION STATEMENT**

To help participants suffering from substance abuse disorder and combined substance abuse disorder and mental illness, by providing resources, support and requiring accountability; with the goals of assisting participants in becoming productive members of our community, reducing recidivism, providing treatment instead of incarceration where appropriate, and improving the safety of the public and participants.

### **GOALS AND OBJECTIVES**

#### **GOALS OF THE NEW LEAF PROGRAM**

- A. Develop community collaborations to provide additional opportunities for the participants in the areas of employment, life skills, job training, case management to ensure long-term recovery and reduce recidivism.
- B. Decrease transportation and housing barriers for our participants.
- C. Improve the participant’s quality of life, including their living circumstances and access to recovery capital by increasing case management services.

## **OBJECTIVES OF THE NEW LEAF PROGRAM**

- A. Continue to meet with area agencies over the next two years to develop and plan to decrease housing and transportation barriers.
- B. Increase evidence-based treatment programs involving trauma care, life skills, employment services, and case management over the next two years.
- C. Increase the number of program participants by twenty percent within the next three years.

## **ADVISORY COMMITTEE**

The New Leaf Specialized Docket Advisory Committee is comprised of key officials, policy makers and community stakeholders that provide input on New Leaf Specialized Docket policies and operations, as well as communicate regularly with the local community. Upon completion of the implementation responsibilities, the advisory committee is now focused on post-implementation tasks.

## **POST-IMPLEMENTATION RESPONSIBILITIES**

- A. Assess specialized docket team functionality, review policies and procedures, and assess the overall functionality of the specialized docket at minimum on an bi-annual basis;
- B. Review the target population;
- C. Review use of graduated sanctions and incentives; and
- D. Review treatment sources.

## **MEMBERSHIP**

### **MANDATORY REPRESENTATIVES ON THE ADVISORY COMMITTEE**

#### **INCLUDE:**

- A. Specialized Docket Judge (attends and chairs all advisory meetings);
- B. Geauga County Prosecutor;
- C. Geauga County Defense Counsel;
- D. Local Licensed Treatment Provider(s);
- E. The Adult Probation Department;
- F. Local Law Enforcement Agencies.

Advisory Committee Members are chosen and can be removed or added by the Specialized Docket Judge.

## **CHAPTER 2: TREATMENT TEAM**

The New Leaf Program Treatment Team or “Treatment Team” is created and members are invited by the Specialized Docket Judge for the purpose of coordinating the day-to-day operations of the New Leaf Program. Each Treatment Team member plays a critical role in ensuring adequate support and accountability for the New Leaf Program participant. The Treatment Team meets weekly on Thursday mornings at 8:15 a.m. prior to the Status Review Hearings at 9:30 a.m.

### **NON-ADVERSARIAL APPROACH**

The Drug Court Program incorporates a non-adversarial approach while recognizing all the following:

- A. The Prosecutor’s distinct role in pursuing justice and protecting public safety and victim’s rights;
- B. Defense counsel’s distinct role in preserving the Constitutional rights of the Drug Court Program participant;
- C. The participant’s right to request the attendance of defense counsel during the portion of the treatment team meeting concerning that participant; and
- D. Each participant is provided with a detailed written participation agreement and participant’s handbook, which outlines the requirements and process of the New Leaf Program.

### **AGREEMENT AMONG RELEVANT PARTIES**

Through the planning, implementation and review process of the New Leaf Program, agreement among all mandatory parties listed above has been established. This agreement is maintained through ongoing verbal communication, periodic review and acceptance of the New Leaf Program Description and/or by formal Memorandum of Understanding, as in the case of external treatment providers. The mandatory representatives of the Advisory Committee have been involved in the initial and ongoing development of the New Leaf Program Description.

### **DUTIES OF TREATMENT TEAM MEMBERS**

- A. The Treatment Team is responsible for the daily operations of the New Leaf Program Court Docket;

- B. The Treatment Team members agree to serve on the Treatment Team for a minimum of one year, yet they may serve a term of unlimited length at the pleasure of the New Leaf Program Specialized Docket Judge;
- C. The Treatment Team members agree to work with local community leaders to ensure the best interests of the community are considered in all treatment and supervision activities;
- D. The Treatment Team members shall engage in community outreach activities to build partnerships that will improve outcomes and support specialized docket sustainability. Examples of this outreach include court representation at treatment community meetings;
- E. The New Leaf Program Drug Court incorporates a non-adversarial approach while recognizing the unique role of prosecutors and defense counsel. In addition to this advisory role, the prosecutor and defense counsel may have daily interaction with the Treatment Team for the purpose of discussing the eligibility and treatment plan of referred defendants. The underlying goal of all interactions is the successful program completion of the defendant, thus minimizing the adversarial nature of the attorney relationship;
- F. The Treatment Team members engage in on-going communication, including frequent exchanges of timely and accurate information about the participant's overall performance. In addition to the Treatment Team meetings, members may communicate daily through the use of email, telephone and in-person conferences. These contacts ensure immediacy of response to challenges and successes of New Leaf Program participants. The New Leaf Program Specialized Docket Judge is always available for interim support and guidance;
- G. The Treatment Team members maintain professional integrity, confidentiality, and accountability, as contemplated under applicable rules of professional and ethical conduct;
- H. The Treatment Team works in conjunction with the Advisory Committee to assess the team functionality, review all policies and procedures, and

assess the overall functionality of the New Leaf Program. The Treatment Team will at minimum meet bi-annually.

- I. The Treatment Team members are required to attend the treatment team meetings and status hearings monthly in person (if applicable).

## **SPECIFIC ROLES AND RESPONSIBILITIES OF TREATMENT TEAM MEMBERS**

Each New Leaf Program Treatment Team member plays a specific and equally critical role in the administration of this specialized docket. Listed below are the Treatment Team member's roles and responsibilities. In addition to these core members, additional team supports are accessed on an as needed basis specific to the needs of the current New Leaf Program population.

### **JUDGE**

- A. The New Leaf Program Specialized Docket Judge attends and chairs all Treatment Team sessions;
- B. The Judge has discretion to determine the admission into or termination from the New Leaf Program in accordance with the written legal and clinical criteria for the specialized docket;
- C. Knowledgeable about treatment and programming methods and limitations;
- D. Decision-maker, especially concerning incentives, sanctions, phase advancement, and successful completion or termination;
- E. Maintains contact and discusses progress with each participant at status review hearings;
- F. One Judge will be assigned to the New Leaf Program Specialized Docket to ensure consistency throughout the participant's term of participation.

### **SPECIALIZED DOCKET COORDINATOR**

- A. Facilitates the specialized docket in accordance with the written program description;
- B. Assists with identifying potential participants;
- C. Conducts the legal eligibility screening;
- D. Assists the participant in all phases including the orientation phase;

- E. Maintains the daily operations of the specialized docket;
- F. Collects and maintains statistical information and other confidential records concerning participants, collects data from service providers, and creates reports for review and submission to funding sources;
- G. Gathers progress reports from treatment and service providers to present to the Treatment Team;
- H. Ensures that Treatment Team members follow program policies and procedures;
- I. Monitors service provider agreements and contracts and monitors the services to participants;
- K. Plans and facilitates Advisory Committee Meetings;
- L. Attends regular professional education and informs treatment team of continuing education and updates from Ohio Supreme Court Standards;
- M. During Treatment Team meetings, provides progress reports and recommendations to the Treatment Team.

**PROBATION OFFICER**

- A. Coordinates random drug screens and monitors compliance with any sanctions;
- B. Meets with participants regularly to discuss individualized program goals and compliance with treatment;
- C. Assists the participant in the development, utilization and coordination of the individualized case plan;
- D. Participates in any discussions regarding incentives, sanctions, phase advancement, successful completion and termination;
- E. Monitors compliance with supervision plan;
- F. Conducts random alcohol and drug tests as necessary, and reports the results of tests to the Treatment Team;
- G. Monitors sanctions and incentives;
- H. Conducts field visits at participants home, employer or other community locations;
- I. Attends Treatment Team meetings and status review hearings;
- J. Advises of any specialized docket violations; and

- K. Provides supervision updates in the integrated staffing sheets by Wednesdays at noon.

### **LAW ENFORCEMENT**

- A. Act as a liaison between the program and the law enforcement agencies that may come into contact with participants.
- B. Assist with home visits and drug testing.
- C. Inform the team of new drug trends and illegal controlled substances.
- D. Assist in identifying potential participants.
- E. Follow up on warrants from the court.

### **SPECIALIZED DOCKET LICENSED TREATMENT PROVIDERS**

- A. Anyone providing treatment for the specialized docket must be appropriately licensed and trained to deliver services;
- B. Coordinates diagnostic assessments, clinical diagnosis, and develops and maintains the treatment plan and record of activities;
- C. Provides documentation on a participant's progress in treatment and compliance with treatment plans, including treatment attendance and results of alcohol and drug tests in writing (integrated staffing sheets) by Wednesdays at noon;
- D. Attends Treatment Team meetings and status review hearings;
- E. During Treatment Team meetings, gives treatment updates if needed and makes recommendations regarding treatment needs;
- F. Participates in discussions regarding incentives, sanctions, phase advancement, successful completion and termination.
- G. Provides prompt access to a continuum of approved treatment and rehabilitation services.

### **PROSECUTOR**

The New Leaf Program Drug Court incorporates a non-adversarial approach while recognizing the distinct role of the prosecutor in pursuing justice and protecting public safety and victim's rights. The Geauga County Prosecutor, or designee:

- A. Identifies eligible clients for the specialized docket in accordance with the specialized docket written criteria;
- B. Attends Treatment Team meetings and status review hearings; and

- C. Participates in discussions regarding incentives, sanctions, phase advancement, successful completion and termination.

### **DEFENSE COUNSEL**

The New Leaf Program Drug Court incorporates a non-adversarial approach while recognizing the distinct role of defense counsel in preserving the Constitutional rights of the specialized docket participant. Defense counsel's role is as follows:

- A. Assists with decision-making regarding participation in the specialized docket;
- B. Explains to the participant what rights are waived by entering the program;
- C. Explains the possible sanctions that may be imposed;
- D. Explains the circumstances that may lead to termination;
- E. Explains the effect that termination from the specialized docket may have on the participant's case.
- F. Attends Treatment Team meetings and status review hearings; and
- G. Participates in discussions regarding incentives, sanctions, phase advancement, successful completion and termination.
- H. While the Treatment Team will include defense counsel to fulfill these roles, participants have the right to have private counsel of their choice present during Treatment Team meetings and status hearings while their case is being discussed.

### **SERVICES FOR DRUG COURT PARTICIPANTS**

The New Leaf Program utilizes area agencies who are members of the treatment team for evidence-based therapeutic services such as out-patient treatment (IOP), individual counseling, medically assisted treatment, mental health treatment, trauma-based programs (Seeking Safety and EMDR), anger management, case management services, family group treatment, PHP, adult day treatment programs, housing programs, employment services, and peer support. These agencies include Family Pride of Northeast Ohio, Ravenwood Health, and Lake-Geauga Recovery Services. In addition, the following agencies offer residential treatment: Lake-Geauga Recovery

Center, NEOCAP (Northeast Ohio Community Alternative Program – CBCF), McIntyre Center, Matt Talbot, and Ed Keating Center.

The New Leaf Program will consider other agencies to deliver services to the participants if evidence-based programming is used and they are willing to communicate regularly with the New Leaf Program staff.

### **PARTICIPATION AGREEMENT AND PARTICIPANT HANDBOOK**

The Drug Court Program utilizes a written Participation Agreement and a Participant Handbook detailing the rights and responsibilities of the participant in the program. These documents provide an explanation of the responsibilities required for compliance with the program and the consequences of noncompliance, including termination from the program. Each participant initially reviews the Participant Handbook and then reviews the Participation Agreement with his/her defense counsel before signing such document and begins the program. The Participation Agreement is attached as Appendix III.

## **CHAPTER 3: TARGET POPULATION**

### **TARGET POPULATION**

The Drug Court Program serves Geauga County and surrounding counties residents who suffer from a drug and/or alcohol dependency that has contributed to the commission of the charged offenses, and who require more intense court-monitored treatment in order to enhance their ability to lead a safe, law-abiding life.

### **LEGAL CRITERIA**

Legal eligibility is collaboratively developed, reviewed and agreed upon by the relevant parties. The Drug Court Program serves those who are charged primarily with felonies of the fourth or fifth degrees but may include higher level felonies upon consultation with the Treatment Team and approval of the Specialized Docket Judge.

A. Intervention Participant;

A person accepted into the New Leaf Program must meet the legal criteria of Intervention in Lieu of Conviction as set forth in Ohio Revised Code Section 2951.041.

B. Post-Conviction Participant;

All other persons accepted into the New Leaf Program who are eligible to participate and accepted by the Specialized Docket Judge.

**ELIGIBILITY CRITERIA**

- A. Current charge is community control eligible;
- B. The applicant is capable of participating in and completing program;
- C. The applicant demonstrates an interest in and willingness to participate in the treatment program;
- D. The applicant must be diagnosed with a moderate or severe substance abuse dependency;
- E. The applicant is charged with an offense that is not defined as a sex-related offense;
- F. Offender is required to be high risk/high need.

**NOT ELIGIBLE**

- A. The applicant charged with a sex-related offense;
- B. The applicant has an out-of-county pending case and are not eligible for community control;
- C. Persons charged with offense(s) of violence are not eligible as an Intervention participant;
- D. Applicants charged with a trafficking offense, unless specifically approved by the Prosecutor and Specialized Docket Judge;
- E. Applicants charged with a felony offense of violence as defined in R.C. 2901.01(A)(9) unless specifically approved by Prosecutor and Specialized Docket Judge.

## **CLINICAL CRITERIA**

The participant must be diagnosed with severe/moderate chemical dependency based upon a DSM V diagnosis. Other factors looked at are health conditions and motivation and willingness to participate. Admission to the program is without regard to race, national origin, age, gender or sexual orientation of the applicant.

## **CAPACITY**

The New Leaf Program can effectively monitor and treat 30 participants at a time.

## **CHAPTER 4: PROGRAM ENTRY AND CASE FLOW**

### **REFERRAL PROCESS**

Potential participants can be referred to the New Leaf Program through various points of entry including the prosecutor, Judge, defense counsel, treatment provider, probation officer, jail staff and self-referral.

Referrals can be made at any stage of the case or Court process, to include arraignment, pretrial, pre-plea agreement, change of plea, Intervention in Lieu of Conviction (R.C. 2951.041), post-plea (Presentence Investigation), sentencing, while currently under court supervision/community control, or as a result of a community control violation.

The referring entity contacts the New Leaf Program Coordinator who conducts an initial eligibility screening. If an offender is deemed eligible for participation, the formal screening and assessment process is initiated.

### **APPLICATION**

A person who is interested in participating in the New Leaf Program must submit, through his/her attorney, an application to the New Leaf Program Coordinator. A person may either apply to participate as an Intervention applicant, or as a Post-Conviction applicant of the program.

The Specialized Docket Judge has the discretion to decide the admission into and termination from the New Leaf Program in accordance with the criteria for the New Leaf Program.

## **NON-DISCRIMINATORY PRACTICES**

If an applicant meets the legal and clinical eligibility criteria for the New Leaf Program, then the applicant is not to be denied admission based on race, color, religion, gender, sexual orientation, national origin, ancestry, age, citizenship, marital status, veteran's status, socio-economic status or any disability. In addition, the applicant will not be denied admission based on his or her ability to pay fines, costs, fees, treatment, drug testing, or for any other financial purposes.

## **SCREENING AND ASSESSMENT**

All offenders referred to the New Leaf Program are screened using the validated Ohio Risk Assessment System (ORAS) either during the initial screening, Presentence Investigation (PSI) or upon initiation of a community control sentence. A trained officer conducts the extensive ORAS Interview that evaluates offender history and needs across seven (7) functional domains; Criminal and Supervision History; Education; Employment and Finances; Family and Social Support; Neighborhood Challenges; Substance Abuse; Peer Associations; and Criminal Attitudes and Behavioral Concerns. Based on the issues identified, officers then develop an individualized case plan that identifies goals and objectives for the offender, supervising officer and case manager.

## **SUBSTANCE ABUSE OR DUAL DIAGNOSIS**

Assessments are scheduled in a timely manner. Final diagnostic summaries are sent and reviewed within fourteen (14) days of assessment, and participants shall be placed as soon as possible in appropriate treatment services and programs. All screenings and assessments for treatment determinations are provided by programs or persons who are appropriately licensed and trained to deliver such services. The Court Coordinator monitors the assessment process to ensure appropriate licensure and training of treatment staff. Release of information forms are completed so that the collateral assessment agency can provide communication regarding confidential information, treatment participation and progress and compliance with the provisions of relevant law, including the "Health Insurance Portability and Accountability Act of 1996," and the Ohio Revised Code.

All programming assessments shall include available collateral information to ensure accuracy of the assessment.

### **INDIVIDUALIZED NEEDS AND EVIDENCE BASED PRACTICES**

Each participant receives an integrated treatment plan based upon their individualized needs. All provided services incorporate evidence-based strategies. The New Leaf Program maintains a current treatment plan and record of activities of each participant. Each plan takes into consideration services that are gender-responsive and culturally appropriate, and that effectively address co-occurring disorders.

### **PROGRAM ADMISSION**

A critical feature of the New Leaf Program is to initiate contact with court personnel at the earliest point possible. Upon determination of clinical and legal eligibility, a referred person is immediately admitted and begins participating in all required Drug Court functions, to include the status hearings.

Immediately upon admission, participants begin working through a progression of program phases. Most referrals are under reporting supervision with the Adult Probation Department during the referral and admission process, which ensure continuity and monitoring. Individuals not under reporting supervision at the point of referral are monitored immediately through bond reporting procedures, such as Pretrial Supervision, or during the Presentence Investigation.

It is important to note that the Specialized Docket Judge has discretion to determine admission into the specialized docket in accordance with the previously stated eligibility criteria.

### **PROGRAM PHASES**

Phases are the steps in which a participant's performance and progress through the specialized docket are monitored. There are six phases including the orientation phase within the New Leaf Program. Phase advancement is not solely based on present timelines. Rather, it is based on treatment plan progression and program compliance. At a minimum the specialized docket participant appears before the Specialized Docket Judge at least twice monthly during the initial phase of the

specialized docket. Thereafter, the specialized docket participant regularly appears before the Specialized Docket Judge to review the participant's progress.

### **PHASE I (ORIENTATION PHASE)**

The goal of the Orientation Phase is to ingrain a thorough understanding of the aspects of the specialized docket requirements to assure the highest level of function and success within the program.

- A. Meet with participant to review and complete the Participation Agreement and Release and Exchange of Confidential Information forms;
- B. Estimated completion is two weeks;
- C. Attend initial specialized docket status review hearing;
- D. Review with the participant the members of the Treatment Team: Specialized Docket Coordinator; Probation Officer; Clinician(s); Case Manager(s); and any other team members;
- E. Familiarize the participant with the location and address of service providers, address any issues of transportation, and ensure the participant has the physical ability to access services.

### **PHASE II (COMPLIANCE PHASE)**

- A. Weekly status hearings with Judge;
- B. Estimated completion of sixty (60) days;
- C. Comply with treatment plan;
- D. Establish social support with recovery support groups/prosocial events;
- E. Develop integrated case plan;
- F. Attend cognitive behavioral therapy determined by individual needs (can be deferred to later Phase);
- G. Weekly random drug testing (minimum of 2);
- H. Meet with case manager to address all immediate needs.
- I. Must have a supportive person attend a drug court status hearing;
- J. Must have 14 consecutive days of sobriety.

### **PHASE III (PROGRAM ENGAGEMENT PHASE)**

- A. Attend at minimum bi-weekly status hearings with Judge;
- B. Estimated completion in ninety (90) days;
- C. Continue engaging in treatment plan;
- D. Continue changing people, places, and things;
- E. Review integrated case plan;
- F. Weekly random drug testing (minimum of 2);
- G. Attend minimum amount of recovery support groups/prosocial events;
- H. Meet with case manager to address needs (budget is mandatory);
- I. Must have a minimum of 30 consecutive days of sobriety to advance.

### **PHASE IV (GROWTH AND DEVELOPMENT PHASE)**

- A. Attend at minimum tri-weekly status hearings with Judge;
- B. Estimated completion is one hundred twenty (120) days;
- C. Continued treatment plan and meet with case management if needed;
- D. Attend a minimum amount of recovery support groups/prosocial events;
- E. Weekly random drug testing (minimum of 2);
- F. Must have a minimum of 60 days of sobriety.

### **PHASE V (MAINTENANCE)**

- A. Attend monthly status review hearings with Judge;
- B. Estimated completion time is ninety (90) days;
- C. Continue engaging in some type of recovery services/network;
- D. Review integrated case plan and meet with case management if needed;
- E. Weekly random drug testing (minimum of 2);
- F. Engage in other services as needed such as education, job training and/or continued employment;
- G. Must have sobriety time of minimum of 90 consecutive days.

### **PHASE VI (PRE-GRAD)**

- A. Attend monthly status review hearings with Judge;
- B. Estimated completion is ninety (90) days;

- C. Continue engaging in some type of recovery services/network;
- D. Complete new risk assessment with Probation Officer;
- E. Review case plan and meet with case manager if needed;
- F. Comply with random drug testing (minimum of twice per week);
- G. Engage in other services as needed such as education, job training and/or continued employment;
- H. Individual meeting with Judge and Treatment Team regarding success plan;
- I. Must have sobriety time of minimum of 90 consecutive days;
- J. Complete exit survey.

**AGREEMENT TO CONDUCT YOURSELF APPROPRIATELY**

As a participant in the New Leaf Program, you agree to conduct yourself in an appropriate manner when you are attending any New Leaf Program related activity, including status hearings with Specialized Docket Judge, meetings with the caseworker, probation officer, counseling and treatment sessions, and other required appointments. This includes arriving to all of your appointments on time. We highly discourage any dating between the participants while in the program.

Examples of appropriate conduct include, but is not limited to:

- A. Arriving on time;
- B. Being prepared;
- C. Being sober;
- D. No cell phones unless approved;
- E. Dressing appropriately\*\*;
- F. Being respectful and courteous;
- G. Maintaining an open mind;
- H. Maintaining honesty!!

\*\* For status hearings, you must come to court neatly groomed and dressed in clean clothing. Any non-compliance with the Dress Code may result in you being asked to leave, as well as further consequences.

Therefore, the following Courtroom Dress Code is to be followed:

- A. No clothing containing references to drugs, alcohol, or illegal activity;
- B. No low cut, revealing tops/shirts or belly shirts;

- C. No sagging pants or pajamas;
- D. No short shorts or miniskirts;
- E. No hats, bandannas or inappropriate headgear may be worn in the courtroom.

### **FAILURE TO APPEAR AT STATUS HEARINGS**

You are expected to attend status hearings before the New Leaf Program Judge as scheduled. An unexcused absence from status hearings is unacceptable, and failure to appear in court as scheduled, without a valid and verified excuse, may result in a Warrant/Capias being issued for your arrest.

### **COMPLIANCE, ATTENDANCE AND PUNCTUALITY TO TREATMENT SESSIONS**

If you will be late or unable to attend a treatment session, you must call your assigned counselor. Any missed sessions due to illness may require a written note from a physician. Additionally, you must immediately inform your Probation Officer of any absences/tardiness from treatment sessions. Furthermore, you must actively participate fully in treatment sessions – just being there is not considered participation and follow all treatment recommendations.

### **NO ALCOHOL OR ILLEGAL/MOOD ALTERING SUBSTANCES**

You are not allowed to use, possess, or have under your control any alcohol and/or use any mood-altering substance, including non-prescribed medication, federally controlled substances, illegal drugs, or abuse any otherwise legal household or industrial item, such as paint, solvents, or aerosol spray products. Environmental exposure is prohibited and can result in a sanction.

### **PHYSICIAN PRESCRIBED MEDICATIONS**

You must report any and all prescribed medications to your New Leaf Program Personnel and Probation Officer. You must provide verification of any prescription from your doctor, including signing a release for the New Leaf Program Personnel to contact your doctor. If the doctor deems it necessary to prescribe an addictive narcotic, the participant must submit a letter to the Court from the doctor stating he/she is aware of their status as a recovering person, and that he/she has been made aware of the participation in the New Leaf Program. Sharing your prescriptions with another person is against the law and forbidden.

If you test positive for a controlled substance and have not followed the prescription drug policy, you will be sanctioned immediately. A participant must take all prescribed medications strictly as directed.

### **OTHER PROHIBITED SUBSTANCES/ITEMS**

The participant must inform your New Leaf Program probation officer, counselor, and/or team member of any over-the-counter medications you are using. You are not permitted to use any over-the-counter medications containing alcohol (i.e. Nyquil), consume any poppy seeds, use any type of CBD oil, synthetic or designer drugs such as Kratom, or any hemp products, medical marijuana, huffing agents, and any other mood-altering substances.

In addition, the participant is responsible for having knowledge of all active ingredients in over-the-counter medications. Environmental exposure is prohibited and can result in a sanction.

### **MEDICALLY ASSISTED TREATMENT**

Medically Assisted Treatment (MAT) as part of an evidence-based substance abuse treatment program may be a part of the treatment plan for a New Leaf Program participant if the Court determines that the following conditions have been met:

- A. The participant has been examined and evaluated by an appropriately licensed physician, acting within the scope of their practice, who has determined that the medication is medically necessary and who has validly prescribed the medication;
- B. The medication is FDA-approved for the treatment of substance abuse disorder;
- C. The participant is receiving the medication as part of treatment for a diagnosed substance use disorder;
- D. The treatment is rendered in accordance with current applicable federal and state dispensing regulations;
- E. The MAT program is consistent with the needs of the participant and the interests of the public in the administration of justice and includes monitoring the use of the medication to mitigate/reduce the risk of abuse, misuse, or diversion of these medications.

## **RANDOM HOME VISITS**

You should expect and comply with random home visits during your participation in the New Leaf Program and understand that you can be searched without a warrant, as can your place of residence, car, personal property and real property. A law enforcement officer may come with the New Leaf Program Probation Officer and/or Caseworker on any home visit or search.

## **SANCTIONS AND INCENTIVES**

An individualized, progressive and immediate system of program incentives and sanctions is a critical element to the New Leaf Program. While violations will be addressed immediately to ensure a high level of accountability, it is also crucial to recognize an incentive program and personal successes.

### **INCENTIVES**

Incentives are individualized according to the specific treatment plan and directly related to the participant's achievements as certain milestones of the specialized docket treatment plan are attained. Incentives are also tracked to ensure that the participant is rewarded on a progressive basis. Incentives are issued on an immediate, graduated and individualized basis to ensure maximum benefit of positive reinforcement for program compliance.

The following are examples of behaviors that may result in earning an incentive:

- A. Attending required court appearances;
- B. Attending required treatment appointments;
- C. Maintaining close and productive contact with Case Manager;
- D. Reaching individual treatment objectives;
- E. Abstaining from alcohol and drugs, as evidenced by negative test results;
- F. Engaging in vocational or educational activities;
- G. Securing stable housing;
- H. Advancing in specialized docket phases; and
- I. Accomplishing any other milestone identified by the team.

The following are examples of incentives that may be offered:

- A. Encouragement and praise from the Judge;
- B. Ceremonies, certificates and tokens of progress, including advancement in specialized docket phases;

- C. Reducing supervision contacts;
- D. Decreasing frequency of court appearances;
- E. Reducing fines, fees and community service requirements;
- F. Increasing or expanding privileges;
- G. Encouragement to increase participation in positive activities the participant finds pleasurable, such as writing, art work, or other positive hobbies;
- H. Gifts of inspirational items, including books, pictures and framed quotes;
- I. Assistance with purchasing clothing for job interviews;
- J. Gift cards for restaurants, movie theaters, recreational activities, or personal care services;
- K. Gifts of small personal care items, hobby or pet supplies, plants or small household items;
- L. Dismissing criminal charges for Intervention Participants or reducing the term of community control;
- M. Reducing or suspending jail, prison, or detention days;
- N. Graduation from the specialized docket; or
- O. Any other reward deemed appropriate by each Officer/Supervisor.

**\*Incentives should be given at 4:1 ratio (4 rewards for every 1 sanction)**

## **SANCTIONS**

Likewise, it is imperative that program non-compliance is addressed and sanctioned immediately to ensure high levels of accountability and responsiveness. Immediate, graduated, and individualized sanctions govern the New Leaf Program's responses to the participant's non-compliance. Graduated sanctions are used to help the participant conform behavior to program requirements. Sanctions are crafted in an individualized and creative manner, as well as in a progressive manner, based on the infraction. Sanctions will be fair, effective, and safe for the participant. Sanctions are issued when there is non-compliance with both program protocol and the treatment plan. Sanctions are a deterrent to negative behavior as well as serving the intent to encourage future compliance.

The following are common infractions that may result in a sanction:

- A. Failure to attend court appearances and treatment appointments;

- B. Failure to follow New Leaf Program rules and rules of Community Control;
- C. Failure to keep scheduled appointments with the Probation Officer, Case Manager, or any other team member;
- D. Non-compliance with other requirements of the treatment plan;
- E. Non-compliance with random alcohol and drug screens or testing positive for alcohol, drugs or mind or mood altering substances;
- F. Failure to improve troublesome behaviors;
- G. Failure to meet employment or vocational goals as determined by the Treatment Team; or
- H. Failure to keep other appointments as scheduled, such as those for public benefit aid, health care benefits, housing assistance, social security applications, etc.
- I. Engaging in any criminal activity

The following are a continuum of sanctions for non-compliance:

- A. Warnings and admonishment from the Judge;
- B. Increasing frequency of alcohol and drug testing;
- C. Increasing court appearances;
- D. Refusing specific requests, such as permission to travel;
- E. Denying additional or expanded privileges or rescinding privileges previously granted;
- F. Increasing supervision contacts and monitoring;
- G. Individualized sanctions such as writing essays, reading books, or performing other activities to reflect upon unacceptable behavior;
- H. Community Control violation or termination of program;
- I. Requiring community service, work and/or relapse prevention program;
- K. Escalating periods of jail or out of home placement;

Sanctions shall be imposed by the Court as a result of non-compliance or a rule violation by the participant. Sanctions are not the same as therapeutic adjustments to the participant's treatment plan. Sanctions are immediate and may range in severity depending on the seriousness of the participant's non-compliance or rule violation.

The supervising officer communicates to the participant potential responses to program compliance and non-compliance on an ongoing basis. In addition, the New Leaf Program Specialized Docket Judge provides summation of these responses to the participants in the New Leaf Program sessions. Participants who fail to provide a drug screen are required to attend the next status hearing even if they are not scheduled to attend that week.

Prior to the imposition of jail time or electronic monitoring, participants shall be provided with written notice of violations and have an opportunity to meet with counsel (either Public Defender or private counsel). A hearing will be scheduled as to the alleged violation(s) or the hearing can be waived by the participant upon consulting with an attorney.

## **CHAPTER 5: PROGRAM COMPLETION**

### **CRITERIA FOR SUCCESSFUL COMPLETION**

Successful completion criteria are the guidelines used to identify how New Leaf Program participants can successfully complete the program. While program completion is based on a relatively standard set of expectations, each case is assessed individually. The treatment team expresses their recommendation on termination, but the Judge makes the final determination of successful completion.

In general, the following indicate positive accomplishments to be considered for successful completion (graduation):

- A. Demonstrated period of treatment compliance;
- B. Displayed a change in thinking, attitude and beliefs;
- C. Successfully completed treatment or programming or continues to be actively engaged in treatment process;
- D. Maintained consistent employment and housing;
- E. Demonstrated ability to identify and eliminate criminal thinking patterns;
- F. Completed Specialized Docket program requirements, including 80 hours of community service or community engagement;
- G. Paid in full fines, court costs, restitution (if applicable), and treatment costs (inability to pay costs in full does not necessarily prevent successful completion).
- H. Demonstrated abstinence from alcohol and drugs as evidenced by

- negative screens (as relevant);
- I. Aftercare plan is established;
- J. Completed vocational or educational plan;
- K. Displayed responsibility for his or her behavior.

## **GRADUATION CEREMONY**

Each graduate has a formal graduation ceremony in which they are presented with a certificate of completion and addressed by the Treatment Team and participants. The New Leaf Program Specialized Docket Judge makes a formal statement indicating the accomplishments of the graduate, thus reinforcing expectations for other participants. All graduates will be invited and encouraged to participate in the New Leaf Program Alumni Group.

## **FINAL DISPOSITION**

Depending on case type, the underlying case is closed, or in cases implementing Intervention in Lieu of Conviction, the underlying case is dismissed.

## **TERMINATION CLASSIFICATIONS AND CRITERIA**

There are two types of termination criteria, unsuccessful and neutral discharge. These criteria have been developed by the New Leaf Program Treatment Team and Specialized Docket Advisory Committee. The New Leaf Program Specialized Docket Judge has ultimate discretion in determining termination from the specialized docket.

## **UNSUCCESSFUL TERMINATION**

The following are examples of unsuccessful termination reasons:

- A. Ongoing non-compliance with treatment or resistance to treatment;
- B. New serious criminal convictions or charges;
- C. A serious specialized docket infraction or series of infractions; or
- D. A serious community control violation or series of violations.

In the event the Court is considering unsuccessfully terminating a participant from the program, the participant shall have the following rights:

- A. Formal probation violation hearing;
- B. Notice of said hearing
- C. Representation by counsel (either Public Defender or private counsel)

If the participant is unsuccessfully terminated, the following may occur:

- A. Possible loss of future eligibility for the specialized docket;
- B. Further legal action including revocation of Intervention in Lieu of Conviction, probation or parole violation; or
- C. Depending on the circumstances, the participant may be subject to jail, prison, and/or other penalties.

### **NEUTRAL DISCHARGE**

There may be circumstances in which the participant is discharged from the New Leaf Program through a neutral discharge status. This status is accessed in situations where the participant has reached maximum benefit for various possible reasons such as a serious medical condition, cognitive impairment, serious mental health condition, death or any other factor that may keep the participant from meeting the requirements for successful completion.

### **CHAPTER 6: SUBSTANCE MONITORING**

Random and observed substance use monitoring is required at minimum of twice per week throughout the entirety of the program. The New Leaf Program monitors participant substance use by random, frequent, and observed alcohol and drug testing protocols.

The New Leaf Program Treatment Team has clearly established plans for addressing participants who test positive at intake or who relapse during program participation. If a participant tests positive at intake, the test will determine the level of treatment services required, as well as establish future testing expectations. If a participant relapses, it will be addressed with a therapeutic response and sanction determined by the treatment team.

The Specialized Docket Judge ensures that the random alcohol and drug testing plans and subsequent sanctions are enforced and reinforced to the participant. The Specialized Docket Judge is notified of positive drug test results immediately and at the New Leaf Program Treatment Team meeting. The following acts are treated as positive tests and will be immediately sanctioned:

- A. Failure to submit to testing within time frame allotted;
- B. Submitting an adulterated sample;
- C. Submitting the sample of another individual;

D. Dilution of sample.

### **DRUG TESTING PROCEDURE**

The participant agrees to submit to random, frequent, and observed alcohol and drug screens a minimum of twice per week. The participant is to submit to testing if requested by their treatment provider, the Probation Department, or the Judge. All testing results will be shared with the Judge and the other members of the Treatment Team. The Probation Department will utilize a random automated system to determine the participants who will be tested, and the participants will be required to call the automated system 7 days per week including holidays.

The participant will be tested either by urinalysis or orally with an instant drug screen or a send out test. The participant agrees to travel to the testing location at either their treatment agency or the Geauga County Common Pleas Court during the hours indicated for testing (8:00am to 4:15pm). During weekends and holidays the participants will test at the Geauga County Safety Center between 8:00am until 5:00pm. If the participant fails to provide a urine sample when requested, it will be the same as a positive test and immediately sanctioned. A diluted sample is considered a positive test and will be immediately sanctioned. Should the participant tamper with or adulterate the urine sample, including submitting the sample of another individual, it will be considered a positive test, and the participant will be immediately sanctioned.

If the participant tests positive, the participant may request that the sample be retested for confirmation without having to pay a fee. If the confirmation testing returns positive, the participant will be sanctioned.

In addition to sanctions for positive tests, the Judge and Treatment Team may require a therapeutic intervention determined by the licensed treatment team members and/or change in the participant's treatment plan. The Judge and Treatment Team understand the difference between relapses in the beginning of treatment versus later in the program and treatment and/or sanctions are used when appropriate and enforced by the Judge.

The participant shall also submit to testing of breath, hair follicle, blood, or other method as required by the New Leaf Program Treatment Team and/or ordered by the

Judge. The collected drug screens will randomly be selected to be periodically tested for detection of new emerging drug trends.

### **OBTAINING THE URINE SAMPLE**

The urine sample shall be obtained from the client as follows:

- A. The participant will be escorted to the bathroom;
- B. The supervising officer or monitor shall personally watch the participant and the specimen bottle or cup;
- C. If the participant submits a sample, and there is a reason to suspect that the sample may have been tampered with, the monitor or probation officer shall request another sample from the participant;
- D. If the participant is unable to provide a urine sample immediately, he/she shall be told to remain until he/she is able to provide a urine specimen.
- E. Once the sample is obtained, the probation officer or monitor will obtain the results (instant) or appropriately prepare and secure the sample to be sent out to a laboratory;
- F. If the test comes back positive from the laboratory, the participant shall be asked to admit or deny their drug use. If the participant denies any use the sample will be confirmed by the laboratory.
- G. If the sample is taken by the Gauga County Safety Center and the test is positive the sample will be properly labeled and secured for transport to the Probation Department.

### **TRANSPORT**

In situations in which tests/samples need verified results, the Adult Probation Department or treatment agency shall send the sample to its designated laboratory by mail. A chain of custody form must also be completed.

### **VERIFICATION OF DRUG INTERACTIONS**

A Probation Officer or New Leaf Program Coordinator shall investigate and verify any prescription or over-the-counter drug use that could affect test results. If there are doubts about drug effects, the Probation Officer or Supervisor shall contact a

toxicologist, physician or local pharmacist to obtain information as to effects of certain drugs.

## **CHAPTER 7: PROFESSIONAL EDUCATION**

The treatment team members will participate in annual training (virtual and/or in-person) to ensure understanding and application of current best practices in the field of mental health services/ substance abuse treatment and supervision.

New members of the treatment team will receive the New Leaf Program Training Requirements form and sign and date the form upon review of the listed requirements including, reviewing the Participant Handbook and Program Description, register for the NADCP E-learning Center and complete the essential elements of Adult Drug Courts online training (current best practice standards), review their role on the treatment team, and review listed NADCP publications.

## **CHAPTER 8: MONITORING AND EVALUATION**

The Geauga County New Leaf Program is committed to continuous program improvement and thus, continually collects, aggregates and analyzes program effectiveness measures. Data is collected by the New Leaf Program Specialized Docket Judge who reports the data to the Supreme Court of Ohio, to include assessment with standards compliance. Additionally, the New Leaf Program Coordinator collects and inputs data into a spreadsheet that is required and sent monthly to the Supreme Court of Ohio Specialized Docket Section and gathers information from the Ohio Community Supervision System which is a caseload database system. The data information is used to evaluate whether the docket is meeting the outlined goals and objectives, adhering to the most current best practices, ensuring there is equal access to services and outcomes for all sociodemographic and sociocultural groups, and track ongoing information related to the participant and the participant's case(s). The New Leaf Program Coordinator will collect and input such data in a timely manner.

Participant demographic data will be collected and analyzed, to include personal characteristics (gender, age, race, ethnicity, gender identification), conviction history, primary substance of abuse, regardless of their termination status. This data will be

used for direct comparative analysis to a similar offender group not participating in the New Leaf Program.

The coordinator will track information relative to pre or post-conviction, referral data, intake and assessment procedures and timelines, results of screening instruments for each participant and individual characteristics of program participants and offenders not accepted into the program. New Leaf Program acceptance and participation rates will be monitored, to include offender refusal to participate and cases that are denied by the prosecutor or presiding judge. Detailed explanations will be tracked relative to these refusal reasons.

Data is collected and analyzed to determine average length of program participation, type of discharge including reasoning for discharge, drug testing and the outcomes to help determine trends, sanctions and incentives to ensure fairness and effectiveness. Impact data will be used to guide future sanction and incentive grids to ensure the most effective use of this system.

#### **PROGRAM RETENTION RATES**

New arrests/charges during and post program participation, regardless of the termination status, will be analyzed on a follow-up schedule of at least twelve (12) and twenty-four (24) months to determine recidivism.

#### **PERFORMANCE MEASUREMENT**

In addition to in-program evaluations, The New Leaf Program will have regular outside performance measurements conducted such as using BeST Assessment Tool at least every three years, attend ongoing training workshops offered by the National Drug Court Instituted to assist in improving our program, complete recertification with the Supreme Court of Ohio Specialized Docket Section every three (3) years, and independent yearly evaluations completed by an intern hired by the Court to guarantee our program is in compliance with best practices.

The New Leaf Program will also conduct any necessary performance measurement tools required by best practices and/or grant funding sources on a consistent basis.