

# SALT LAKE COUNTY THIRD DISTRICT COURT

## VETERANS COURT



### **Participant Handbook**

September 2015

# Welcome to the Salt Lake County Third District Court Veterans Court

This handbook is designed to be an overview of what to expect as a participant in Veterans Court. It provides a basic outline of the program and is a resource to turn to for the many questions you may have as you move through the program. As a participant of Veterans Court you will be expected to follow the instructions given to you by Judge Royal Hansen and the Veterans Court Team. You will also be expected to follow all supervision and program rules and complete the treatment plan developed for you by your treatment providers. We encourage you to share this handbook with your family; significant other; and clean and sober friends, who are an important part of your recovery. They are also welcome to attend your scheduled court sessions with you. If you have additional questions, please ask your VJO, case manager, supervision officer or any Veterans Court team member.

## What is Veterans Court?

Veterans Court is a cooperative effort between the Veterans Administration, local government and community organizations. It allows eligible veterans to move from the traditional courtroom environment into the Veterans Court where they agree to actively engage in treatment and counseling, make regular court appearances, and are carefully supervised. A veteran's participation in Veterans Court is voluntary. Veterans who choose to participate are assessed by a mental health professional, and their treatment needs are determined. Most Veterans receive treatment through the Veterans Health Administration (VHA) network. While Veterans Treatment Court allows the Veteran to remain in the community, a judge regularly checks on progress while the Veteran is in treatment. Through Veterans Court we are honoring the participant's military service by assisting the participant to access treatment and services to which they are entitled while holding them accountable for their actions.

Veterans Court is a post-plea felony-level court. Participants charged with a felony level offense enter a plea of guilty; this plea is held in abeyance until successful completion of the program. Upon graduation from Veterans Court, the guilty plea is withdrawn and the criminal charges are then dismissed. Through a partnership with Adult Probation and Parole, probationers have also been allowed to enter into Veterans Court as a Condition of Probation, but will not have their charges dismissed upon completion of the program.

## Why should you participate?

This Court provides participants with an alternative to incarceration—in a structured environment requiring accountability for decisions and actions. Veterans Court will provide substance abuse treatment, behavioral health treatment, transitional housing opportunities, peer-to-peer/vet-to-vet mentoring, vocational training and educational opportunities. The Court also offers veteran participants an opportunity to change their behavior and thinking, rebuild their lives, reconnect with their communities, and rebuild bonds with their families.

The Veterans Treatment Court program is voluntary on your part. You must want to participate in this program. The judge, court staff, supervision officers, treatment counselors and other

team members will guide and assist you, but the final responsibility is yours. You must be motivated to make these changes and commit to a totally crime free, sober life. The program involves working jointly with the Court, community supervision, treatment providers, the Veterans Health Administration, Veterans Benefit Administration, veterans employment representatives, veterans service organizations, service officers, and other key team members, all dedicated to your recovery for a minimum of eighteen months. You will not be sent to prison or back to jail if you comply with the conditions of the program and graduate. Our team will be working with you towards successful completion of the program, but the choice and effort to become drug and alcohol free and not commit new crimes comes from you. It is important that you understand the long-term commitment required by this program. You will become involved with community support group meetings, attend substance abuse treatment, participate in mental health treatment (if indicated), be subject to strict community supervision, submit to random drug testing and make regular appearances in court.

## What is expected of me in Veterans Court?

First and foremost, you are expected to be honest with every person you encounter in this program. That includes the Judge, counselors, probation officers, veteran mentors, and VA representatives. This program can have very little impact on your life if you are dishonest. Most importantly, be honest with yourself about your progress. By carefully examining your progress, you will be able to see where your strengths and weaknesses lie, and you can move forward from there.

Participation in Veterans Court is voluntary. Successfully graduating from Veterans Court will take a minimum of 18 months. On average, successful graduation takes 20-24 months. You will be expected to comply with the Judge's orders, follow your treatment plan, and respect all members of the Veterans Court team. Your attendance at court reviews is required. Additionally, you are expected to follow any required court orders counseling, random drug/alcohol tests, and become involved in the sober community. You may also be required to secure employment and housing, participate with vocational rehabilitation, and complete additional assessments and treatment as appropriate.

## Court Appearances

You must appear in Court on a regular basis. At your Court appearances, the judge will ask you to report on your progress including your sobriety, drug test results, attendance at counseling sessions, participation in treatment, and any other matters concerning your progress. The judge may ask you questions about your progress and discuss any problems you have been having.

**IF YOU ARE DOING WELL—** You will be encouraged to continue working with your treatment team towards graduation. You may also be rewarded in creative ways. These rewards may include things like fun sober activities to do with your family, gift certificates, or tokens of appreciation.

**IF YOU ARE NOT DOING WELL—** The judge will discuss this with you and determine whether any further action needs to be taken. If you have committed one or more program violations, you will then be required to complete an approved sanction by the Veterans Court

Team. Some sanctions may include book reports, community service, writing essays or jail time.

**IF YOU CANNOT APPEAR IN COURT—** You must notify your case manager as soon as possible in order to get permission from the judge to miss court. An unexcused failure to appear in court on the date and time you are scheduled to appear will result in the judge issuing a bench warrant and imposing a sanction. It could also result in you being terminated from the program.

## Progress Reports

Before each Veterans Court review hearing, the judge will be given a progress report from your treatment provider and Veterans Court treatment team. The report will provide current information about how you are doing in Veterans Court including, but not limited to, drug testing results, attendance, participation, cooperation, employment, and other requirements. The judge may ask you questions about your progress and may want to discuss any problems you are having.

## Treatment

Participation in treatment is an essential part of Veterans Court. You will receive one or more assessments at the discretion of the team and/or treatment provider. You will receive a treatment plan based upon the assessment(s), your needs, and what may be statutorily required by the court.

## Drug Testing

Random drug and alcohol testing is expected throughout your time in Veterans Court. Your testing frequency and the type of test(s) will be determined by the team. In some cases, electronic alcohol monitoring may be used instead of, or in addition to, urinalysis testing.

## Incentives and Sanctions

Veterans Court provides incentives to encourage your progress. Incentives may be received for excellent participation, clean time, new job, college attendance, etc. Incentives can include candy bars, free drug tests, or gift cards. Incentives are given to recognize successes you have achieved in the program.

However, if you fail to comply with the Veterans Treatment Court Program rules, you may be sanctioned. Sanctions are progressive and become stiffer for repeat violations. In higher phases, the expectation is that you will not have any violations, therefore, the sanctions imposed may be stiffer than for lower phases. Sanctions are individualized to your situation and should not be compared against sanctions given to someone else. Some common sanctions include admonishment by the Veterans Court Judge, increased drug testing or early am drug testing requirement, more frequent court attendance, book report, community service hours or jail time.

## While in Veterans Court, it is important that all laws be upheld

Any participant who receives new charges while in the program will have the new charges reviewed by the Veterans Court Team. The team will decide what action will be taken. Depending on the severity of the offense, an Order to Show Cause hearing could be scheduled. You could be removed from the program and sentenced, or allowed to remain and participate in the program.

Any contact with law enforcement must be reported to your case manager and compliance officer within 24 hours.

## Prescription Medication

Medical, dental and mental health treatment will be provided by the Veterans Health Administration and in consultation with your VJO. You may take prescription medication while in the program however you may be required to obtain all prescriptions through Veterans Health Administration. You will be required to provide prescription verification to your VJO upon admission to Veterans Court. Please note that some medications are not appropriate for Veterans Court. You may be asked to discuss other treatment options with your physician.

All new medications must be reported to the VJO within 24 hours. Whenever medically practical, the VJO must be notified before the prescription(s) are filled. This information will be forwarded to the Veterans Court team for review. Medications must be taken as prescribed (dose and period of time). Notify your VJO when you have completed taking the medication.

Unused medication must be disposed of properly by Law Enforcement. You may bring your unused medication to court for the Veterans Court compliance officers to collect and dispose of.

## Phases

Each participant will progress through five (5) phases of treatment. Successful completion of each of the five phases and any other requirements of the court, may qualify the participant for graduation from Veterans Court. The minimum time of completion of the five phases is 18 months. See Third District Court Salt Lake County Veterans Court Policy and Procedure Manual for a full description of the requirements of each phase.

### **PHASE ONE – Acute Stabilization (approximately 60 days)**

This phase begins at entry of plea and signing of Veterans Court agreement and requires two months to complete. Phase One allows the veteran to demonstrate some commitment to the program. In phase one, you will attend Legal Orientation provided by Legal Defenders, meet with your attorney to review facts and legal issues, enter a guilty plea and/or sign a Veterans Court agreement. Weekly attendance at court will be required.

During Phase One, you will be setting up your treatment program, establishing contact with the Veterans Court Team members, meeting your mentor and setting up your drug testing. Your home will be checked out by your compliance officer and you will begin drug testing. You will

continue to have random drug tests throughout the program. Phase One requires weekly attendance at court. To advance to Phase Two, you will need to be clean a minimum of 14 days.

**PHASE TWO – Clinical Stabilization (approximately 120 Days)**

This phase requires a minimum of four months to complete. Your treatment plan will be individualized according to your needs and you will be required to comply with that plan. During Phase Two, you will begin to establish a positive support network, beginning with your continued engagement with your mentor, VJO and CJS case manager. In Phase Two you will attend court bi-weekly. Before you can advance to Phase Three, you will be required to have been clean for 30 days.

**PHASE THREE - Personal Enhancement (approximately 180 days)**

This phase requires a minimum of six months to complete. During this phase, in addition to your continued compliance with your treatment plan, and engagement with Veterans Court team members, you will complete an elective activity or community service project or hours. In Phase Three, you will attend court monthly. In order to advance to Phase Four, you must be clean a minimum of 60 days.

**PHASE FOUR- Community Re-Engagement (approximately 90 days)**

The purpose of this phase is to help you prepare to maintain a crime-free, stable lifestyle without the structure and support of Veterans Court. In this phase, you will develop a community re-integration plan with your VJO. Also, if needed, job training, parenting/family support, or vocation training may be required. In Phase Four you will continue to comply with your treatment plan and engage with Veterans Court team members. You must remain clean for 90 days and attend court monthly.

**PHASE FIVE- Continuing Care (approximately 90 days)**

This final phase is to demonstrate your ability to maintain a crime-free, stable lifestyle without the structure and support of Veterans Court. In this phase you will demonstrate adherence to your re-integration plan while continuing to comply with your treatment plan and engage with Veterans Court team members. You must remain clean for 90 days and attend court monthly.

**Graduation**

In order to graduate, you must have completed a minimum of 18 months in the program and complied with all treatment recommendations. Your progress overall must be satisfactory for the last six months, including six months of clean and valid drug tests. If you were ordered to pay restitution, you have completed the payment of restitution or have made arrangements with the court regarding your outstanding balance. Finally, you will be required to complete and exit interview with the Veterans Court Team.

## Unsuccessful Termination/Removal

Termination from Veterans Court is a Team decision; however, the Judge makes the final decision of whether a participant should be terminated unsuccessfully and removed from the program. Generally, removal will only occur after graduated sanctions have been imposed and the participant has continually disregarded the rules or orders of the Veterans Court Judge.

Removal may occur if the participants has absconded from any residential or inpatient treatment facility, failed to attend treatment or therapy, repeatedly has positive alcohol or substance tests, failed to properly take prescribed medication, or continually shows disrespect and/or dishonesty to the Judge or members of the Team.

Other grounds for termination include, but are not limited to, the participant engaging in violent, threatening or criminal behavior which endangers the welfare of co-participants, Veterans Court personnel, or threatens the integrity of the Veterans Court Program, any new conduct committed by the participant that would constitute a criminal violation if the new criminal violation would be a felony or a crime that would be grounds for exclusion from the Veterans Court program.

Participants have a right to an Order to Show Cause hearing and the right to be represented by counsel at that hearing. The Order to Show Cause hearing will be held before the Veterans Court Judge. If the Judge finds the participant has failed to substantially comply with the conditions of probation or with the terms of the plea in abeyance, the Judge will terminate probation or the abeyance agreement and revoke probation or enter the participant's conviction to the underlying charge(s). The Judge will set the case for sentencing.

## Privacy

Upon entry into Veterans Court you will be required to sign releases of information which gives the court permission to coordinate with your treatment provider. This also allows the Judge to talk with your counselors and the entire Veterans Court team about your progress in the program without you or your attorney being present. The Veterans Court team also requires you to allow access to medical and other records of care and service you have received that may affect your participation in Veterans Court.

## Community Service

You may be required to complete community service in order to complete the program. Please be aware of the following:

- Turn all community service in to your Case Manager
- Community service that cannot be verified will not be accepted
- Any sanction hours of community service must be completed and turned in to your Case Manager prior to your next scheduled court date.
- Any community service as a result of a sanction will not count toward your community service project or pro-social activity requirement.

## Continuing Care and Mentorship

A strong aftercare program is important to ensure continued success with your recovery. This may include ongoing treatment after graduation from Veterans Court. We strongly encourage those who successfully complete the program to remain involved in support groups and other activities that will assist them in their ongoing wellness and recovery efforts.

Graduates are also encouraged to maintain their connection to Veterans Court by attending Veterans Court from time to time, continuing mentorships, and attending alumni activities and graduation ceremonies.

Possible mentorship activities include speaking to groups, meeting with other Veterans Court participants who are struggling, participating in special events hosted by Veterans Court, and helping participants to connect with community support groups.

## Conclusion

We hope this handbook has been helpful to you and answered most of your questions. If you have any additional questions or concerns about the Veterans Treatment Court program, please feel free to contact your case manager, or any member of the Veterans Court team.

**Good luck to you, and thank you for your  
service to our country!**