

**JOURNAL ENTRY
COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO**

IN THE MATTER OF:

Case #: _____

**LORAIN COUNTY DOMESTIC
RELATIONS - FAMILY
REUNIFICATION COURT
PARTICIPATION AGREEMENT**

The purpose of the Lorain County Reunification Drug Court is to provide assistance to me in an effort to address my substance abuse problem. The Lorain County Family Reunification Court is a treatment-based, non-adversarial process designed to affect positive and successful results. The participant has the right to request the attendance of Defense Counsel during the portion of the treatment team meeting concerning the participant. **Sup.R., Appx. I, Std. 2 (C).**

Due to my child having been adjudicated abused, neglected or dependent, or based on a stated complaint without an official charge being filed with this Court, I have been offered, and accepted, on a voluntary basis, the opportunity to participate in this program. I have received a copy of the Participant Handbook and the program guidelines and expectations have been reviewed with me.

In doing so, I voluntarily **waive** the following rights and accept the indicated terms:

- (1) The Right to prior written notice of hearings and services of process, including prior written notice of Contempt or Show Cause Hearings;
- (2) The Court may impose immediate sanctions for non-compliance with the requirements of the Family Reunification Court;
- (3) These sanctions may include placement at the Lorain County Correctional Facility; Or possible termination from Family Reunification Court,
- (4) As a condition of this waiver, any sanction imposed will be statutorily permitted by law;
- (5) The Right of confidentiality, including medical records and the Doctor-Patient Privilege;
- (6) The Right to object or appeal the Orders and Decisions of the Judge or Magistrate;
- (7) I understand that any and all information gathered throughout my participation in Family Reunification Court may be dispersed to team members, Lorain County Children Services, the Lorain County Prosecutor and the Court.

Program Expectations:

I understand that entrance into the Family Reunification Court is voluntary. However, once I agree to participate in the Program, I will be court ordered to complete the program and follow all the rules and procedures of the Lorain County Family Reunification Court Program, and that failure to do so may result in sanctions.

The Family Reunification Court Judge and team meet weekly to staff the Family Reunification Court cases prior to weekly court hearings with the participants. The team advocates, supports, reports compliance and non-compliance, submits plans and requests interventions and sanctions. The Court monitors compliance, reviews plans, addresses participants, affords participants an opportunity to be heard and issues and enforces court orders.

The goal of the Lorain County Family Reunification Court is to expedite the reunification of children with their parents in abuse, neglect and dependency cases by eliminating their drug/alcohol use, or to expedite permanency in placement for children whose parents are unable or unwilling to maintain sobriety and comply with court orders. **Sup.R., Appx. I, Std. 2 (D).** Objectives are:

- To provide an intensive program through the corroboration of Team members to address sobriety, housing, parenting, financial and children issues with regular oversight, case management, and court attention for cases in which compliance with case plan orders has been problematic.
- To ensure a comprehensive approach to assist parents in maintaining sobriety and addressing case plan issues and compliance with court orders.
- To provide regular contact with the court to effectuate case plan goals, provide intervention, enforce court orders and provide sanctions in a timely and effective manner.

Assessment, Referral and Treatment Expectations:

I understand that I will and am willing to receive a treatment plan based on my individual needs and provided services will incorporate evidenced-based strategies. These plans are designed by both the treatment provider and the Children Services caseworker. Specialized docket treatment plans take into consideration services that are gender responsive, culturally appropriate, and effectively address co-occurring disorders. LCADA and Lorain County Children Services are tasked with ensuring that the treatment and case plans are appropriate and clinically necessary to the degree that available resources allow.

While this technically depends on the client's progress, the Reunification Court program can last up to 12 months; with the goal being between 6 and 9 months, if continuous progress is made. The participant shall be engaged in treatment services and program and will attend as required. **Sup.R., Appx. I, Std. 4(C).**

The Family Reunification Court makes every attempt to ensure that participants have prompt access to a continuum of approved treatment and rehabilitation services. The Coordinator and treatment team representatives from LCADA and LCCS maintain a current treatment plan and a record of activities. All treatment and programming is provided by programs or persons appropriately licensed and trained to deliver such services according to the standards of their profession.

The Participant shall sign a release of information to provide communication about confidential information, participation/progress in treatment, and compliance with provisions of relevant law, including disclosure of protected health information pursuant to the Health Insurance Portability and Accountability Act, 42 U.S.C. 300 gg--42, as amended, and R.C. 2151.421 and 2152.99. **Sup.R., Appx. I, Std. 4(B).**

Participant Monitoring:

Program phases are the steps in which a participant is measured towards compliance with the case plan. Each participant is given a handout of the program phases and how progression through the program works. Phases are the steps in which a participant's performance and progress through the specialized

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docket are monitored. Phase advancement is not solely based on preset timelines. **Sup.R., Appx. I, Std. 6(D).**

Program participants are advanced weekly through the phases when the treatment team discusses their sobriety, mental health status, progress in treatment and compliance with all court orders. The time between status review hearings is increased or decreased based upon compliance with treatment protocols and observed progress. **Sup.R., Appx. I, Std. 6(E).**

The treatment team engages in ongoing communication, including frequent exchange of timely and accurate information about a participant's overall performance. Team members may communicate in person, via email, telephone, or other electronic communication. Team members agree to sign a confidentiality agreement to keep information secure and confidential. Participants sign a participant agreement and release of information which indicate that the treatment team will be communicating about their case on a regular basis and how that information may be transmitted. The Judge has ongoing judicial interaction with each participant and engages in meaningful discussion with the participants during status hearings. **Sup.R., Appx. I, Std. 7(A).**

Participants will appear before the Judge on a weekly basis during the initial phase of the program. **Sup.R., Appx. I, Std. 7(B)(1).** Thereafter, the participant will regularly appear before the Judge to review the participant's progress through the docket. **Sup.R., Appx. I, Std. 7(B)(2).**

Substance Monitoring:

The Family Reunification Court monitors a participant's substance use by random, frequent, and observed alcohol-and drug-testing protocols. **Sup.R., Appx. I, Std. 8.** Following a "random number generator" assignment for random screens, the participants are called by the Family Reunification Court Coordinator or the Coordinator's designee and advised to be available for a drug screen [either via an instant urine drug screen (UDS) or by reporting to the Lorain County Forensics Lab)]. Participants may also be substance use tested via oral saliva swabs (as directed by the Lorain County Children Services caseworker).

- Drug screens are random. The Court Coordinator or a designee calls the participant randomly and advises them to be available to submit to a sample within 1-2 hours of being called. Clients are either tested "out in the field" or are advised to report to the Lorain County Forensics Lab.
- Drug results are interpreted as follows:
 - No show = positive
 - Flushing of the system (failing specific gravity) = positive
 - Zero levels = negative
 - Initial decrease of levels to zero = negative (when first entering FDC)

Should a participant test positive at intake, they are advised that reduction in levels is expected. If levels have not consistently reduced, continuation in the program is at the discretion of the Judge. **Sup.R., Appx. I, Std. 8(C).** Should a participant relapse during the treatment process, the treatment team will review the participant's dedication to remaining sober and the LCCS case plan recommendations regarding relapse. Should LCCS change their position regarding reunification should a participant relapse, that will be discussed with the participant. **Sup.R., Appx. I, Std. 8(D).**

The treatment team is immediately notified by the collector (Coordinator or designee), the Forensics Lab and/or the treatment facility should an individual test positive, fail to submit to testing, submit an adulterated sample or the sample of another individual, or make attempts to dilute the sample. All acts listed are considered positive tests and will be sanctioned immediately. **Sup.R., Appx. I, Std. 8(D).**

Any and all non-compliance will be governed by immediate and graduated sanctions and shall be addressed at a hearing before the Court. **Sup.R., Appx. I, Std. 10.** The Family Drug Court instant drug screens, Forensics Lab and/or the Redwood Laboratories testing includes the participant's primary substance of dependence, as well as a sufficient range of other common substances. **Sup.R., Appx. I, Std. 8(E).**

Completion and Termination Criteria: Sup.R., Appx. I, Std. 6(E).

The judge has discretion to determine when the participant will successfully complete the program. The process for determining when a participant has successfully completed the program includes:

- How the participant is nominated for successful completion
- Treatment team review of compliant behavior and accomplishments
- Treatment team recommendation
- Judicial decision that participant successfully completed specialized docket
- Award of a certificate
- Graduation ceremony

Cases may meet unsuccessful termination criteria for any reason at the discretion of the Court. Other possible grounds may include:

- Failure to appear for hearing
- Failure to consistently maintain sobriety
- Failure to comply with treatment plan and make progress in treatment
- Refusal to acknowledge drug/alcohol dependency
- Failure to meet other Case Plan objectives (as outlined by the AoD treatment plan and/or the Lorain County Children Services case plan)

Initial all conditions as required by the Lorain County Family Drug Court program.

_____ I will abide by all conditions and requirements of the Family Reunification Court.

_____ I will appear at all scheduled Family Reunification Court hearings. I will be on time and dressed appropriately.

_____ I understand that the **only manner in which I may be excused from Family Reunification Court hearings, treatment, individual sessions with LCADA/FDC clinician, or appointments to Nord Center, Genesis House or any other program pertaining to my case plan** is to be excused specifically by Courtney Porter, FRC Case Manager.

_____ I understand that any request to be excused from Family Reunification Court hearings must be made in an acceptable time frame, prior to the scheduled hearing time. Last minute requests will **not** be considered.

_____ I will be drug/alcohol tested on a random basis. Testing may include, but not be limited to, saliva or urine samples. Any tampered specimen, missed drug test, failure to pass Specific Gravity, or inability to provide a specimen will be considered a **positive** test result. A positive test may result in further sanctions or treatment recommendations.

_____ If I am employed, I will not miss work unless verified by my employer or the Court.

_____ I will agree to cooperate in additional referrals for Anger Management, Parenting Skills, Domestic Violence sessions, or any other recommended programs for myself or my child(ren).

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_____ I will provide written verification of three (3) Sober Support/Alcoholics Anonymous meetings. Verification must indicate three different days of attendance. Meetings on the same day will not count as a separate meeting. Acceptable meetings for verification will be from Thursday through the following Wednesday morning, prior to Drug Court hearings.

_____ I will obtain a sponsor and identify a Home Group within two weeks of being out of residential treatment. If I am in Day Treatment, IOP or Aftercare, I will identify a Sponsor and a Home Group within one week of acceptance into the Family Drug Court. I understand that my sponsor will need to have 3 years minimum sobriety while I am a participant in this program.

_____ If recommended, I will pursue and participate in educational/GED programming.

_____ I will attend and participate in my recommended drug/alcohol treatment plan.

_____ I will comply with the specific requirements of my case plan through Lorain County Children Services.

_____ I understand that I will be hearing confidential treatment and Children Services information about other participants during Reunification Court hearings. I understand that this information is private and confidential information and that I shall not discuss it with anyone outside of the Family Reunification Court program.

_____ I understand that there may/will be sanctions for non-compliance with the Family Reunification Court and treatment plan. Sanctions may include, but are not limited to: increased drug/alcohol testing, increased Intensive Outpatient sessions, increased frequency of Sober Support meetings, additional Aftercare sessions, referral to more intensive treatment options, increased contact with Lorain County Children Services caseworker or Court liaison, written assignments, increased status hearings before the Court, loss of driving privileges, detainment in the Lorain County Jail or termination from the Family Reunification Court program.

_____ I understand that all sanctions will be determined on the basis of the ultimate safety of my child(ren).

_____ I understand that this consent will expire upon completion and/or termination from the Family Drug Court program.

_____ **This participant acknowledges that he/she has read and understands this agreement. They agree that they freely and voluntarily relinquish the rights discussed herein and agree to abide by all of the rules and conditions of the Family Reunification Court program.**

PARTICIPANT

DATE

WITNESS

DATE