



30 South Meridian Street, Suite 900
Indianapolis, Indiana 46204
Telephone (317) 232-1313 Fax (317) 233-3367
www.in.gov/judiciary/

Application
for
Problem-Solving Court
Certification

Submitted by:

Signature of Judge

Signature of Coordinator

of

Vigo County Veterans Court
Name of Court

January 14, 2016
Date

Rev. 08.25.11



Problem-Solving Court Model: (See IC 33-23-16-11)

Veterans Court

Type of Court: ☐ Circuit ☒ Superior
 ☐ City

Jurisdiction: ☒ Adult
 ☐ Juvenile

Supervising Judge:

Name: John T. Roach

Telephone: (812) 462-3295

Address: 33 South Third Street
 Fourth Floor
 Terre Haute, IN 47807

E-mail: John.Roach@VigoCounty.IN.gov

Problem-Solving Coordinator:

Name: Same as Supervising Judge

Telephone:

Address:

E-mail:

Legal Status of Participants – please list all that apply: (See IC 33-23-16-13(3))

Pretrial Diversion

Probation

Deferred Judgment per I.C. § 33-23-16-14

Community Corrections

Post judgment per I.C. § 33-23-16-15

Condition of Misdemeanor Sentence

Start Date: March 4, 2016

Application Contact Person: John T. Roach



Please submit your policy and procedures manual, all forms and the following information as attachments to your application at least thirty (30) days prior to the court's scheduled review date as required by the Sec. 6 of Problem-Solving Court Rules (PSCR). If any of the information described in an attachment is included in the court's policy and procedure manual, please reference its location in the policy and procedure manual on the application form.

Attachment A: Problem-Solving Court Goals and Objectives (PSCR Sec. 14(a)(2))

This attachment must include a description of the problem-solving court goals and objectives. Each program goal should include measurable objectives and should reflect the court's current operations.

See Attachment C, Policies and Procedures Manual, §1.3

Attachment B: Organizational Plan (PSCR Sec. 14(a)(3))

This attachment must include an organizational chart and a description of the court's operational and administrative structure to include:

Problem-Solving Court staff and team members (name, agency, address, telephone and fax numbers, e-mail address)

Treatment provider information (name, agency, address, telephone and fax numbers, and e-mail address for each treatment agency providing services to participants)

Referring courts (names of other courts referring or transferring cases to the problem-solving court)

See Attachment C, Policies and Procedures Manual, §1.5 and Attachment A to Manual.

Treatment Providers:

**Richard L. Roudebush VA Medical Center, 1481 W. 10th Street,
Indianapolis, IN 46202**

**Richard L. Roudebush VA Medical Center, 70 West Honey Creek Pkwy,
Terre Haute, IN 47802**

Hamilton Center, 620 Eighth Avenue, Terre Haute, Indiana 47804

**The Veterans Court will accept cases transferred in from District 19 Counties
(Clay, Sullivan and Putnam) pursuant to I.C. § 33-23-16-12(c) and Indiana
Supreme Court Problem Solving Rule § 26.**

Attachment C: Policy and Procedures Manual (PSCR Sec. 14)

This attachment must include a current copy of the problem-solving court policy and procedure manual. The policy and procedures manual should incorporate the principles of problem-solving courts, the ten (10) key components of drug courts if applicable, and include information related to participant eligibility, the screening and referral process, program services and requirements, graduation criteria, case management procedures, judicial interaction, team meetings and court session schedule, incentives and sanctions, compliance monitoring, confidentiality policies and termination procedures. It should also include all problem-solving court forms, such as the participation agreement, consent for release of confidential information, orientation information, and referral agreements.

Attached.

Attachment D: Eligibility Criteria (PSCR Sec. 18)

This attachment should include a detailed description of the legal eligibility for problem-solving court participation under IC 33-23-16-13(3) and the Problem-Solving Court Rules as well as any other factors taken into consideration when determining eligibility.

See Attachment C, Policies and Procedures Manual, §2.1

**Attachment E: Principles of Effective Interventions and Evidence-Based Practices
(PSCR Sec. 14(a)(3)(I))**

This attachment must include a description of how the problem-solving court has implemented each of the eight principles of effective interventions as well as incorporated evidence-based practices into the daily operations of the problem-solving court.

**See Attachment C, Policies and Procedures Manual, §§ 1.8, 2.2-2.6, 3.4 and
Attachments C, D and F to the Manual.**



Attachment F: Estimated Budget (PSCR Sec. 15(c))

This attachment must include the estimated problem-solving court budget including all projected income (user fees, grants, county general funds) and expenses. All fees must be assessed and collected in compliance with Sec. 16 and Sec. 26 of the Problem-Solving Court Rules.

Attached

Attachment G: Treatment Provider Information (PSCR Sec. 14(b)-(c))

This attachment must include information for each treatment provider that will provide substance abuse treatment and mental health services to problem-solving court participants. Appropriate information includes marketing and advertising materials, documentation of certification by the Division of Mental Health and Addiction or certification, licensure, or accreditation by an equivalent certifying agency, the credentials of individual counselors providing substance abuse treatment services and a copy of the referral agreement for each provider.

Attached

Attachment H: Contractors (PSCR. Sec. 14(d))

This attachment must include information on each contractor and a copy of their contract with the court. If the problem-solving court is not using contractors this attachment does not apply.

N/A

Attachment I: Problem-Solving Court Staff Requirements (PSCR Sec. 12)

This attachment must include documentation that the problem-solving court coordinator, each case manager and any volunteer who performs one or more job functions of the coordinator or a case manager complies with Sec. 12 of the Problem-Solving Court Rules.

Attached; and See Attachment C, Policies and Procedures Manual, § 1.7

ATTACHMENT C

**Vigo County Indiana Veterans Court
Policy and Procedures Manual**



**Vigo County Indiana Veterans Court
Policy and Procedures Manual**

Table of Contents

Section 1	Problem-Solving Court Management
1.1	Philosophy and Purpose
1.2	Authority
1.3	Goals and Objectives
1.4	Problem-Solving Court Services
1.5	Organization
1.6	Service Providers and Contractors
1.7	Problem-Solving Court Staff Requirements
1.8	Reports and Evaluations
Section 2	Problem-Solving Court Services
2.1	Eligibility Screening and Referral
2.2	Intake and Orientation
2.3	Risk and Needs Assessment
2.4	Case Management
2.5	Supervision and Monitoring
2.6	Chemical Testing
2.7	Medically-Assisted Substance Abuse Treatment
Section 3	Administrative Procedures
3.1	Confidentiality of Records
3.2	Participation Agreement
3.3	Team Meetings and Court Sessions
3.4	Sanctions and Incentives
3.5	Graduation Requirements
3.6	Termination Procedures
Section 4	Fiscal Management
4.1	Problem-Solving Court User Fee
4.2	Fee Collection Procedures
4.3	Budget
4.4	Other Program Services Fees

Annual Review

The coordinator and staff members shall annually review this Policy and Procedures Manual (PPM) and document their review by signing and dating below.

Review Date

[illegible]

Section 1. Veterans Court Management

1.1 Philosophy and Purpose

Veterans face many challenges related to experiences of military service. The tools used to train our nation's service men and women to be effective in combat do not always result in a smooth transition back to civilian life. War veterans suffer wounds such as post traumatic stress, depression, head injuries, mental illness or substance abuse problems which may lead to their involvement in the criminal justice system. War related injuries and illnesses may contribute to suicide attempts, arrest, incarceration, divorce, domestic violence, homelessness and despair. Helping a wounded veteran restore his dignity and get back on his feet on the home front is a win for the community. A specialized treatment Court is an effective solution to address the particularized needs of our Veterans involved in the court system.

Veterans Court provides a specialized court docket that focuses on eligible veteran-defendants with substance dependency and/or mental illness or impairment that are charged with felony or misdemeanor criminal offenses. The court is non-traditional and utilizes a treatment problem solving model. The court is operated in compliance with I.C. § 33-23-16 *et seq.* and incorporates the principles of problem-solving courts, and the principles of effective intervention, into its policies and procedures. *Veterans Treatment Courts are a collaborative, proactive effort between the court system and the veterans' assistance and treatment community.* This collaboration results in the creation of a therapeutic environment where structured treatment, close court supervision, and supportive intervention aim to address the wounds of war which provide the basis for associated criminal activity.

Veterans are identified and then evaluated using evidence based screening and assessment. The veterans voluntarily participate in a judicially supervised treatment plan which includes educational and vocational development, counseling, sanctions, incentives and frequent court appearances. The primary goals of Veterans Court are: (1) to promote public safety while reducing recidivism and costs of incarceration for veteran defendants; (2) to provide an alternative to incarceration geared specifically for veterans; (3) to reduce inappropriate behavior of veterans; and (4) to assist veterans in addressing alcohol, substance abuse and/or mental health issues, providing appropriate counseling as well as educational and/or vocational development, and providing resources which can aid the veteran in leading a law-abiding civilian life.

Strategies for intervention and rehabilitation of veterans charged with crime must be “reality-based” and built on evidence based practices. Veterans Courts must recognize:

- Successful rehabilitation requires that intervention, by accredited professionals, must include all available veterans’ services and community resources for issues of alcohol or substance abuse, mental health, post traumatic stress, depression or brain injuries.
- Assistance must be delivered in a therapeutic environment that recognizes camaraderie among military and includes peer support.
- An offender is most vulnerable to successful intervention when they are in the crisis of incarceration, so intervention must be immediate.
- Preventing gaps in communication and ensuring offender accountability and acceptance of responsibility are of critical importance, so court supervision must be coordinated and comprehensive.

Many Veterans are known to have a warrior’s mentality and often do not address their treatment needs for physical and psychological health care. Those who may be referred to the Veterans Court might be homeless, helpless, in despair, or suffering from alcohol or drug addiction, and others may have serious mental illnesses. Their lives have been spiraling out of control. Without the collaboration of the VA Health Care Network, volunteer Veteran mentors and a coalition of community health care providers, many would continue to have their illnesses untreated and would suffer the consequences of the traditional criminal justice system of jail or prison. This collaboration of unique partners affords the opportunity for these veterans to regain stability in their lives, to have their families strengthened, to have housing, and to have employment for the employable. The treatment court team will find them, offer them assistance, assess their needs, manage their care and help them solve their problems.

A team of volunteer Veteran Mentors to assist the court is critically important. The pool of Veteran Mentors includes those who have served in Vietnam, Desert Shield, Operation Enduring Freedom, and Operation Iraqi Freedom. While in Court, a mentor will be assigned to meet with a veteran participant to discuss any ongoing problems or issues of interest. Mentors work to problem solve existing issues and bring to the attention of the court any issues that the court can assist in resolving. This relationship promotes and fosters a “can do” attitude in the veteran that the veteran can accomplish their goals in treatment. It also establishes that the veteran is not alone and always has a mentor for support. Volunteer Mentors should be dedicated and committed to be present and to serve at every Veterans Court session – without reservation.

A copy of the Mentor Memorandum of Understanding is included as **Attachment A-1** to this manual.

Commencement of the Veterans Court is a substantial step toward improving court outcomes and improving opportunities for success after military service.

1.2 Authority

Authority for the operation of the Veterans Court is derived from I.C. §33-23-16-13. It is operated in accordance with these statutes and the Judicial Conference of Indiana Rules for Problem-Solving Courts. The court provides services to offenders eligible under I.C. § 33-23-16 and the criteria for admission established by the team. The court must submit to certification procedures and requirements established by the Judicial Conference of Indiana and the Indiana Judicial Center.

1.3 Goals and Objectives

The goals of the Veterans Court are:

- Reduce Veterans' inappropriate behavior and recidivism through the prompt placement of eligible Veterans in the Veterans Treatment Court.
- Promote public safety while protecting Veterans' due process rights through a non-adversarial approach.
- Support Veterans' acceptance of personal responsibility and accountability for involvement in the court system.
- Provide Veterans with substance abuse, alcohol and mental health treatment.
- Frequently monitor the Veterans abstinence from alcohol and drugs through testing.
- Provide Veterans with residential, outpatient or transitional services and academic and vocational skills improvement leading to job placement and job retention.

Objectives related to these goals include:

Goal 1: Reduce Veterans' inappropriate behavior and recidivism through prompt placement of eligible Veterans in the Veterans Treatment Court.

Mandate intensive, close and ongoing judicial supervision and interaction (based upon stability of relationship between participating veterans and veterans' court judge) and peer mentoring of all participants, with appropriate sanctions and rewards based on performance.

Goal 2: Promote public safety while protecting Veterans' due process rights through a non-adversarial approach.

To facilitate the Veteran's progress in treatment, the prosecutor and defense counsel shed their traditional adversarial courtroom relationship and work together as a team. Once a Veteran is accepted into the treatment court program, the team's focus is on the Veteran's recovery and law-abiding behavior not on the merits of the pending case.

Goal 3: Support Veterans' acceptance of personal responsibility and accountability for involvement in the court system.

Mandate weekly, face-to-face contact with Veterans Treatment Court Case Manager, frequent court appearances, and immediate sanctions for non-compliance, including minor violations.

Terminate participants who commit serious violations or repeatedly commit minor violations.

Goal 4: Provide Veterans with substance abuse, alcohol and mental health treatment.

- Conduct an assessment and/or evaluation of the Veteran
- Mandate comprehensive treatment for all participants.
- Provide referrals and incentives to other certified social services.
- Monitor progress and compliance through timely and periodic monitoring reports and evaluations.

Goal 5: Provide Veterans with residential, outpatient or transitional services and academic and vocational skills improvement leading to job placement and job retention.

- Mandate comprehensive treatment for all participants according to assessment.
- Provide referrals to other certified social services.
- Require job training and employment for graduation.

Goal 6: Frequently monitor the Veteran's abstinence from alcohol and drugs through testing.

- Frequent court-ordered drug testing is essential if substance abuse issues are present. An accurate testing program is the most objective and efficient way to establish a framework for accountability and to gauge each participant's progress.

Ancillary Goals and Objectives

- Save taxpayer money and reduce criminal justice costs.
- Promote community awareness and participation.

Methods for Achieving Ancillary Goals and Objectives

Goal 1: Save taxpayer money and reduce criminal justice costs.

- Quick screening for eligible participants who will begin immediate participation.
- Utilize sanctions and rewards to avoid long-term incarceration costs.

Goal 2: Promote community awareness and participation.

- Organize a Veterans Court community outreach to inform and enlist community support and participation.

These goals and objectives will guide the program's operation and service delivery. The coordinator will review these goals and objectives annually and revise them as necessary.

1.4 Veterans Court Services

The services provided by the court pursuant to I.C. § 33-23-16-20 include screening for eligibility and other appropriate services, evidence-based treatment intervention and programming, assessment, education, referral, service coordination and case management, supervision, judicial involvement and program evaluation. Veterans Court implements and incorporates the following key components for effective treatment interventions:

1. Veterans Court integrates treatment services for military service connected issues, such as medical, mental, alcohol and other drug treatment services, with justice system case processing.
2. Using a non-adversarial approach promoting public safety, while protecting the participant's due process rights.
3. Eligible participants are identified early and promptly placed in the Veterans Court program.
4. Veterans Court provides access to a continuum of medical, mental, alcohol, and drug treatment and rehabilitation services.
5. Abstinence from alcohol and other drugs is monitored by frequent testing.
6. A coordinated strategy governs Veterans Court responses to participants' compliance.
7. Ongoing judicial interaction with each Veterans Court participant is essential.
8. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
9. Continuing interdisciplinary education promotes effective Veterans Court planning, implementation and operations.
10. Forging partnerships among Veterans Court, public agencies and community-based organizations generates local support and enhances Veterans Court effectiveness.

1.5 Organization

The judge has appointed a team for the purpose of providing services to program participants. The team may include the coordinator, case manager, Veterans Justice Outreach Specialist, community corrections, probation officer, parole officer, prosecutor's representative, public defender representative, law enforcement and Veterans Court Treatment service providers.

A list of the team members and referring Courts is included as **Attachment A** to this manual.

The judge designates and supervises the coordinator. The coordinator is responsible for the daily operations and administration of the program.

Each member of the team must sign a memorandum of understanding that describes the team members':

- agreement to uphold confidentiality requirements;
- commitment to participate in team meetings and court sessions; and
- additional responsibilities in relation to the problem-solving court.

The coordinator maintains signed copies of the team memoranda of understanding with Veterans Court files. A copy of the Team Memorandum of Understanding is included as **Attachment B** to the manual.

The policy and procedures manual (PPM) contains the policies and procedures developed by the team and incorporates the principles of problem-solving courts, related statutes and Judicial Conference Rules. The coordinator shall verify that all practices are in keeping with the policies and procedures contained in this manual. The coordinator shall review the PPM annually and update as necessary. The PPM is made available to the team. The coordinator and team members shall annually review the PPM and document their review by signing and dating on the designated page.

The Veterans Court will be convened the first and third Fridays of the month at 1:15 p.m. in the Vigo Superior Court Division 1 Courtroom. Prior to each court hearing, the Veterans Court Team will "staff" all cases before the Court. "Staffing" cases includes review of each participant's progress and compliance, and making recommendations and decisions regarding any actions that should be taken on each case. Administrative support and management will be provided by the Veterans Court Coordinator. It is essential for each team

member to make a commitment to participate consistently and dependably in all proceedings during their Veterans Court tenures.

Veterans are evaluated using evidence based screening and assessments. They voluntarily participate in a judicially supervised treatment plan that a team of court staff, veteran health care professionals, veteran peer mentors, alcohol and substance abuse health care professionals, mental health or post-traumatic stress or traumatic brain injury professionals develop with the veteran. The Veteran will progress through a series of phases each uniquely structured to address areas of need. The Veterans Court is separated into three distinct phases, with each phase being closely monitored. Advancement through each phase, and Graduation, is contingent upon the veteran meeting several criteria.

Every participant in Veterans Court must complete a series of three phases to become eligible for graduation.

Phase 1: Focus on stabilization, orientation, and assessment.

- If substance abuse issues are present, the participant complies with a High Random Frequency drug screening program with a minimum of 4 drug screens per month. The participant is required to call the drug screening line every day.
- The participant shall participate in a treatment program as determined by a previously arranged assessment and case management plan.
- The participant appears in Veterans Court for review hearings as scheduled.
- The participant meets with a Case Manager as scheduled
- The participant meets with the Case Manager and completes a payment plan within the first 30 days of Phase One.
- The participant must begin to develop vocational and educational goals.

Moving from Phase One to Phase Two

- Phase One is a minimum of 120 days for D/F6 felonies or misdemeanors and 180 days for C/F5 felonies or higher, and the participant must be in substantial compliance with their drug

screening program and not have any pending or recent violations.

- The participant must have a payment plan in use.
- The participant must be in compliance with the treatment program including meetings with the case manager, without any unexcused absences.
- The participant must be in compliance with the terms and conditions of his or her participation in the Veterans Court Program.
- The Supervising Judge of Veterans Court will advance the participant to Phase Two consistent with the goals of the Veterans Court.

Phase 2: Focus on decision making and intensive treatment as well as a generalized dedication to treatment.

- If substance abuse issues are present, the participant complies with a Medium Random Frequency drug screening program with a minimum of 3 drug screens per month. The participant is required to call the drug screening line every day.
- The participant shall participate in a treatment program as previously determined.
- The participant appears in Veterans court for review hearings as scheduled.
- The participant is in compliance with the terms and conditions of his participation in the Veterans Court Program or her probation.
- The participant is making payments as outlined in the payment plan.
- The participant begins working on community service hours ordered by the Veterans Court Supervising Judge.
- The participant is developing employment, vocational and educational goals.

Moving from Phase Two to Phase Three

- Phase Two is a minimum of 240 total days in the program for D/F6 felonies or misdemeanors, and 360 total days in the program for C/F5 felonies or higher, and the participant must be in substantial compliance with their drug screening program and not have any pending or recent violations.
- The participant must be in compliance with established payment plan.
- The participant must be in compliance with treatment program, including meetings with case manager, without any un-excused absences.
- The participant must be enrolled in a community service program.
- The Veterans court Supervising Judge will advance the participant to Phase Three consistent with the goals of the Veterans Court.
- The participant must obtain employment or positive response(s) to Vocational and educational goals.

Phase 3: Focus on transition and continuing care.

- If substance abuse issues are present, the participant complies with a Low Random Frequency drug screening program with a minimum of 2 drug screens per month. The participant is required to call the drug screening line every day.
- If still required, the participant shall participate in a treatment program.
- The participant appears in Veterans Court for review hearings as scheduled.
- The participant completes all ordered community services hours.
- The participant is in compliance with requirements of the Veterans Court program.
- The Veterans Court Supervising Judge graduates the offender consistent with the goals of the veterans Court.

Moving from Phase Three to Graduation

- Phase Three is a minimum of 360 total days in the program for for D/F6 felonies or misdemeanors, and 540 days for C/F5 felonies or higher, and the participant must be in substantial compliance with their drug screening program and not have any pending or recent violations.
- The participant must be in compliance with established payment plan.
- The participant must be in compliance with treatment program, including meetings with case manager, without any un-excused absences, and fulfilled all treatment objectives.
- The participant must have completed any community service program.
- The participant must be employed or participating in a vocational or educational program.
- The Veterans Court Supervising Judge will advance the participant to Graduation consistent with the goals of the Veterans Court.

Treatment may deviate from the schedule outlined above based on the participant's progress. Drug screening can be ordered at any time there is suspected drug or alcohol use. Graduation from Veterans Treatment Court will be determined when all treatment plan goals and legal requirements are met.

1.6 Service Providers and Contractors

If the court refers a participant to a provider, including an individual, for addictions or mental health treatment services not provided by the court, the coordinator must determine that the provider is an addictions or mental health treatment services provider certified by the Division of Mental Health and Addiction, or certified, licensed or accredited by an equivalent certifying agency and obtain a copy of the provider's certification or license.

The court must have a written referral agreement with each addictions or mental health treatment services provider that includes procedures for the following:

- (1) Initiation and acceptance of referrals.
- (2) Exchange of participant-related information.
- (3) Post-referral reporting by the treatment services provider that enables the court to perform its monitoring responsibilities.

The court may contract for services except for legal eligibility determination and termination from the court. The contractor must provide services for the program in the manner intended and meet all requirements outlined in I.C. § 33-23-16 and applicable Judicial Conference Rules. The coordinator maintains all information on agencies contracting with the court.

1.7 Veterans Court Staff Requirements

Veterans Court staff includes the coordinator, case manager and the judge. The case manager performs the duties and functions of a case manager as defined in Sec. 12 of the Problem-Solving Court Rules. Pursuant to Sec. 12 of the Problem-Solving Court Rules, the coordinator and case manager must meet the following requirements:

The coordinator must comply with at least one (1) of the following:

- (a) has a baccalaureate degree from an accredited university or college, and (1) the equivalent of three (3) years of full-time paid experience in criminal justice or human services, or (b) has an advanced degree from an accredited university or college in criminal justice or human services; or
- (b) was employed by a problem-solving court as a coordinator before July 1, 2010.

A Veterans Court Coordinator hired after July 1, 2011 will attend the staff orientation as required by Section 12(f) of the Problem-Solving Court Rules. Also, the coordinator shall document twenty (2) hours annually of job specific continuing education approved by the problem-solving court judge as required by Section 12(g) of the Problem-Solving Court Rules.

The Veterans Court Coordinator will provide oversight for the day to day operations of the Veterans Court program. She will also monitor whether it is meeting its short and long term objectives on the participants, community and the local criminal justice system. The Veterans Treatment Court Coordinator will be an employee of the Vigo Superior Court Division 1.

The Veterans Court Coordinator will:

- Plan, organize, coordinate and monitor the activities of the Veterans treatment court program
- Schedule and meet with participants to discuss program details
- Organize and participate in pre-hearing staffings and hearings in order to evaluate and direct Veterans Treatment court operations, case management, media inquiries and Veterans Court team cohesiveness and understanding of Veterans court concepts.
- Gather and prepare Veterans Court data for certification reporting mandates.
- Collaborate with government and community agencies in order to meet programmatic goals and provide effective programming.
- Monitor conditions of the Veterans Court certification.
- Ensure weekly input of compliance into Veterans Court database for weekly progress report.
- Input demographic and other relevant data for each participant and maintain a data base, which will be used to evaluate the program at the end of each year.
- The coordinator maintains personnel files for all personnel and volunteers that contain the following information: (a) Job description and (b) A written staff development plan.
- A criminal records check conducted prior to each staff member's employment with the problem-solving court.
- The Veterans Court Coordinator will provide an annual report to the Veterans Treatment Court team. The report should include Veterans Treatment Court statistics, and a report on recidivism of all current and former Veterans Court participants.

A volunteer that performs one or more job duties of the coordinator or case manager as defined in Section 12 of the Problem-Solving Court Rules must meet the qualifications outlined above, as applicable.

A case manager or probation officer performing intake and referral or risk assessment must comply with at least one (1) of the following:

- (a) Five (5) years of full-time paid experience in criminal justice or human services, or an advanced degree from an accredited university or college in criminal justice or human services; or
- (b) was employed by a problem-solving court as a coordinator before July 1, 2010.

The Veterans Court Supervising Judge will provide leadership to the veterans court program and makes final program decisions and participates fully as a veterans court team member.

The Veterans Court Supervising Judge will:

- Participate in pre-hearing staffing meeting and make final decision based on collaborative team input
- Assume not only the role of judge, but also of mentor and encourager to each veterans' court participant
- Establish a rehabilitative relationship with each participant through intensive interaction during court appearances.

The Veterans Court Case Manager

A Veterans Court Case Manager hired after July 1, 2011 will attend the staff orientation as required by Section 12(f) of the Problem-Solving Court Rules. Also, the case manager shall document twenty (2) hours annually of job specific continuing education approved by the problem-solving court judge as required by Section 12(g) of the Problem-Solving Court Rules.

The role of the Veterans Court Case Manager will provide case management services for all Veterans Treatment Court participants and will participate fully as a Veterans Treatment Court team member. The case manager will:

- Conduct intake interviews with clients and gather all relevant treatment and demographics information.
- Create a plan of case management along with the Veteran.
- Monitor providers of out-patient substance abuse treatment services, and make referrals and assistance for getting in-patient beds, as directed by the case plan and contingent upon the

assessment determining level of care (outpatient residential or intensive outpatient treatment).

- Perform drug testing to determine presence or absence of forbidden substances in participants' bodies under the direction of a primary care physician.
- Provide referrals to other necessary social and health services for participants.
- Apprise the other team members of the participants' compliance with court orders.
- Participate in weekly staffings and court hearings and provide weekly input of treatment and drug testing data into veterans court database.

1.8 Reports and Evaluation

The Veterans Court maintains participant records in a management information system and in participant files. The court will collect statistical data as required by the Indiana Judicial Center.

The court shall be responsible to complete a process evaluation. Subsequent process evaluations will occur at least once during each three-year certification period.

Each participant will be provided with an opportunity to complete a survey intended to provide the court with the participant's written comments about the services provided. Surveys will be provided at the participant's discharge from the program. Cases in which the participant declines the opportunity to complete the survey or does not complete the survey for other reasons must be documented in the participant's record. Each completed survey is kept in a locked file cabinet located in the Veterans Treatment Court office. The team will review the completed surveys quarterly to determine if any changes to the court structure or programming is appropriate. The survey will include an opportunity for comment about each of the following:

Services or programs provided directly by the court.

Services or programs provided by the court through a contractor.

Services or programs provided by referral agency.

A copy of the participant exit survey is included as **Attachment C** to this manual.

The coordinator will submit an annual report to the Indiana Judicial Center by March 31st of each year. The annual report will include:

- A summary of the court's activities and accomplishments.
- A summary of the court's income and expenditures.
- Documentation of any certification reviews or visits, if applicable.
- Statistical data and results of any process and outcome evaluations of the court.

Section 2 Veterans Court Services

2.1 Eligibility Screening and Referral to Veterans Court

Participation in Veterans Court is voluntary, upon the request of the charged defendant, and shall be permitted with the approval of Veterans Court Team. A copy of the Application to Participate is included as **Attachment D** to this manual. The prosecutor must consent to applications to participate on a pre-trial deferral basis that could result in a dismissal of charges upon successful completion of the program. Criteria for acceptance into the program includes:

- current or prior wartime service in the armed forces and criminal activity can be linked to service in the armed forces, specifically wartime service;
- Veteran does not have open warrants;
- Veteran does not have charges or prior convictions for rape, child molestation, murder, or other serious violent offenses or violent sex offenses; and
- Veteran does not have pending charges excluded by the eligibility guidelines.

The Veterans Court recognizes the following Wartime Service Periods:

Mexican Border Period: May 9, 1916, through April 5, 1917, for Veterans who served in Mexico, on its borders or in adjacent waters.

World War I: April 6, 1917 through November 11, 1918; for Veterans who served in Russia, April 6, 1917 through April 1, 1920; extended through July 1, 1921, for Veterans who had at least one day of service between April 6, 1917, and November 11, 1918.

World War II: December 7, 1941 through December 31, 1946.

Korean War: June 27, 1950 through January 31, 1955.

Vietnam War: August 5, 1964 (February 28, 1961 for Veterans who served “in country” before August 5, 1964) through May 7, 1975.

Gulf War/OIF/OEF: August 2, 1990 to the present (or through a date to be set by law or Presidential proclamation.)

Acceptance into the Veterans Court is not contingent on the type of military discharge, or length of service.

Eligible Veterans are evaluated using evidence-based screening and assessments that are empirically validated assessment instruments. The assessments used may include the following: (1) VA Technology Assessment program (VATAP); (2) the Integrated Assessment Tool of Wellstone Regional Hospital; (3) the Substance Abuse Subtle Screening Inventory (SASI); and the Individual Risk Assessment. Eligible veterans will be in need of mental health and/or substance abuse treatment as assessed using one of the referenced assessment instruments. Eligible Veterans must have a willingness to comply with court ordered treatment and other required program services. Eligible Veterans must also be physically able to participate in treatment activities (within the guidelines of the American Disabilities Act). Under I.C. § 33-23-16, a person does not have a right to participate in the Veterans Court program.

Veterans Court will accept qualified Veterans from all Vigo, Sullivan, Clay and Putnam County Courts. Application to Veterans Court is available to male and female Veterans charged with felony or misdemeanor offenses which may include, but are not limited to:

- * Possession of a Controlled Substance
- * Possession of Cocaine or Narcotic Drug
- * Possession of Methamphetamine
- * Manufacturing Methamphetamine without Enhancements
- * Alcohol related Offenses

- * Possession of Marijuana or Look Alike Drugs
- * Theft
- * Domestic Battery
- * Battery
- * Attempting to Obtain a Controlled Substance by Fraud or Deceit
- * Forgery or Fraud
- * Burglary, Trespass, Residential Entry
- * Prostitution
- * Possession of Paraphernalia
- * Other offenses may be accepted on a “case by case basis.”

Final determination of an offender’s eligibility to participate in the Veterans Court rests with the supervising judge. Veterans admitted to the court must meet eligibility guidelines outlined in I.C. §§ 33-23-16-12, -13, -14, -15 and Judicial Conference of Indiana Problem-Solving Court Rule 18. The court will provide services to offenders who meet eligibility criteria under the above referenced authorities and the criteria for admission established by the team. The court will not discriminate on the basis of race, religion, gender, sexual orientation, ethnicity, age or disability.

2.2 Referral, Intake and Orientation

A participant may be referred to Veterans Court by defense counsel, the prosecutor, judge, probation or community corrections to the Veterans Court. An Application for Admission must be submitted to the Veterans Court Coordinator.

The Veteran Court team will immediately determine whether the offender is eligible and not otherwise disqualified to participate in Veterans Court. All requirements of eligibility will be considered by the Veterans Court Team, including a review by the Veterans Justice Outreach Specialist for a determination of benefits eligibility.

The Veteran, his attorney, the prosecuting attorney and the court of original jurisdiction shall be notified in writing by the Veterans Court Coordinator of the Veterans acceptance into Veterans Court and of the date, time and place of the initial appearance and orientation.

During the initial session of Veterans Court, the participant and defense counsel shall execute the Participation Agreement. The terms and conditions will be effective immediately upon the participant entering the agreement. The participant shall also waive his/her right to confidentiality in relevant treatment records on a “Release of Confidential Records” form. The participant will also

pay the initial \$100 Veterans Court administrative fee, and execute a promise to pay the monthly fee as a condition of the program.

If accepted, and the participant has not changed his plea, then the Court shall issue notice, order to appear and order to transfer the participant's case(s) to the Veterans Court where the participant will change plea, receive an order withholding judgment or a judgment of conviction and sentence which includes a term for modification if Veterans Court is successfully completed. If accepted, and the participant has already been convicted and sentenced, then the Court shall issue to the participant a notice and order to appear at the initial session of Veterans Court.

If the Veterans case is within Vigo County, once accepted, the Court of original jurisdiction may order the Veteran's case transferred to the Veterans Court under any (or a combination) of the following conditions:

- Veteran pleads guilty, plea is taken under advisement, case dismissed upon successful completion of the Veterans Court.
- Guilty plea, sentenced to Veterans Court, upon completion, felony entered as a misdemeanor.
- Pretrial diversion: completion of Veterans Court, case dismissed.
- Pretrial supervision: at change of plea and/or guilty finding, Court takes into consideration the successful completion of Veterans Court at sentencing, including, but not limited to, dismissal, reduction of a felony to a misdemeanor, a waiver of probation.
- Condition of probation, or at sentencing after finding of a probation violation.
- Early release from the Department of Correction (DOC) to Vigo County Community Corrections Community Transition Program (CTP)
- Release from DOC to parole.
- Release from DOC to probation.

If the Veteran's case is outside of Vigo County, once accepted, the Court of original jurisdiction shall impose Judgment of Conviction and Sentence which shall include an Order requiring the Veteran to appear in the Veterans Court and successfully complete the Veterans Court program.

The case manager and the Veteran will develop a case plan and program goals. The case management plan is reviewed at Veterans Court Team staffing meeting for approval and implementation. Case management meetings shall occur based on risk/need levels and other factors including employment, school, etc., throughout participation in the Veterans Court program. Assessments (IRAS) shall be conducted at six-month intervals. The case management plan shall include a plan that is developed by the case manager with input from the Veteran.

Where appropriate, Veterans will be returned to the sentencing court where the case originated for final disposition.

The Coordinator obtains from interested participants releases of information and gathers documentation of eligibility criteria such as application for Veterans Court, criminal history, medical records or medical benefits. The application is reviewed by the Veterans Court Team. The Coordinator shall conduct a group orientation for participants interested in Veterans Court and provides each participant with a participant handbook that describes the information below. The handbook contains a form for the participant's signature to indicate the participant has received a copy of the Veterans Court Participant Handbook. The coordinator places a copy of the signed form in the participant's record.

A copy of the Veterans Court Participant Handbook is included as **Attachment E** to this manual.

The orientation will require the attendance of the veteran and the Veterans Court coordinator and shall include an explanation of the following:

- Eligibility criteria, including the fact that a person does not have a right to participate in the Veterans Court.
- Services offered by the court either directly or by referral.
- Requirements for successful completion of Veterans Court, including court appearances, chemical testing, day reporting, appointments with case manager or treatment providers, self-help groups, and other regularly scheduled appointments.
- Conduct and behavior that could result in sanctions or termination from the program.
- Possible sanctions for non-compliance with program requirements.

- Information about evidence-based treatment programs and providers to which participants may be referred.
- Information about the cost to participants for the user fee, chemical testing, and treatment expenses and the procedure and schedule for paying those costs.
- Information about the policy and procedure for scheduling and conducting chemical tests.
- Information about whether or not a participant has the right to obtain the advice of counsel depending on the procedural standing of the participant.

The case manager will conduct an intake and full assessment of each individual admitted to the program. During the intake interview, the case manager will collect the following information for each individual:

- Name
- Case information
- Supervision status
- Demographic information
- Housing status
- Employment status
- Criminal history information

2.3 Risk and Needs Assessment

The case manager shall complete the Indiana Risk Assessment System (IRAS) evaluation for each participant. The case manager is certified in the administration of the IRAS and will reassess using the IRAS community supervision tool every 180 days. The case manager will record the reassessment scores in the participant's record.

If at any time the IRAS indicates that the individual requires a more detailed evaluation in the area of mental health services, the case manager will

refer the individual for further evaluation at the community mental health center and document the referral in the participant's record. In accordance with Section 22(b)(4) of the Problem Solving Court Rules, each participant shall be reassessed upon discharge from the Veterans Court.

2.4 Case Management

The case manager is responsible for facilitating and coordinating each participant's access to services and monitoring compliance with the program requirements. The case manager will develop a case management plan based upon the participant's risks and needs identified by the IRAS. The case manager must maintain a file for each participant. The file must contain the following information or documents:

- Participant intake information
- The risk and needs assessment
- The case management plan
- Copies of referral to mental health and ancillary service providers
- Properly executed consent for release of information forms
- A copy of the problem-solving court participation agreement
- Chemical test results

The case manager will maintain progress notes for each participant documenting the intake and orientation, risk and needs assessment, referrals to mental health and ancillary service providers, court orders, incentives and sanctions, all contact with the participant and any contact with an outside agency or individual directly regarding the participant.

If the case management plan includes a referral to a mental health or substance abuse treatment provider for services, the treatment provider must give the case manager a copy of the treatment plan, any revisions to the treatment plan and periodic updates reporting the participant's progress. The case manager shall maintain the treatment plan, any revisions to the treatment plan and the periodic updates in the participant's case management file.

2.5 Supervision and Monitoring

The case manager conducts regular case management appointments for the purpose of service coordination and monitoring of treatment. The case manager conducts home and employment visits with the assistance of a law enforcement officer. The court refers participants to Community Corrections as

necessary for day reporting, electronic monitoring, global positioning system, and community service.

2.6 Chemical Testing

Each participant is required to submit to urine drug screens (UDS) and is assigned a chemical testing number upon admission to the program if substance abuse issues are present. Numbers will be grouped together based on program phase. Phase I participants are assigned to a High Random Frequency schedule with a minimum of 4 drug screens per month. Phase II participants may earn a Medium Random Frequency schedule with a minimum of 3 drug screens per month. Phase III participants may earn a Low Random Frequency schedule with a minimum of 2 drug screens per month. However, every participant is required to call the drug screen line at (866) 205-5835 Monday through Friday between 3:00 a.m. and 9:00 a.m. Participants must report for testing between 8:00 a.m. and 11:00 a.m. if they are selected to do so. Participants may also be drug screen at any time at the request of the Case Manager or Judge if alcohol or drug use is suspected.

Participants are responsible for the cost of each UDS, which is \$25.00 and is to be paid to the Vigo County Clerk at the time of testing. Urine drug screen fees are not included in the problem-solving court user fee.

Urine drug screens will be collected by properly trained staff, and the chain of custody will be properly documented. All urine screen collections will be observed. The following substances will be included in the panel:

Class	Screen Cutoff Level	Confirmation Cutoff Level
Amphetamines	1000 ng/ml	500 ng/ml
Barbiturates	300 ng/ml	300 ng/ml
Benzodiazepines	300 ng/ml	300 ng/ml
Cocaine	300 ng/ml	150 ng/ml
Opiates	2000 ng/ml	2000 ng/ml
Phencyclidine	25 ng/ml	25 ng/ml
THC/Cannabinoids	50 ng/ml	15 ng/ml
Methadone	300 ng/ml	300 ng/ml
Creatinine*	20 ng/ml	NONE

* Creatinine levels are tested to detect possible adulteration due to excessive water intake. Any sample testing at a creatinine level of 20 ng/ml or below will

be considered a positive result and is subject to sanction in the absence of a verified medical explanation.

Participants may also be tested for illegal substances not listed, for example, K-2, spice, synthetic marijuana, or others. These may result in additional drug testing fees to the participant.

GC/MS confirmation testing is conducted in all cases of positive screens for amphetamines and at the request of the participant who wishes to challenge a positive screen.

2.7 Medically-Assisted Substance Abuse Treatment

Any medically assisted substance abuse treatment, including, but not limited to, Buprenorphine and Naloxone, Methadone, Subutex, or Vivitrol shall be administered and monitored as directed by medical professionals.

Section 3 Administrative Procedures

3.1 Confidentiality of Records

The court will comply with all federal and state laws and court rules concerning patient records, including federal rules pertaining to confidentiality of alcohol and drug abuse treatment records (42 CFR Part 2). In the event that there is a conflict between state and federal law, the more restrictive law will prevail.

All disclosures of alcohol or drug treatment information related to program participants will be made pursuant to all applicable federal and state laws. A signed consent for release of information form will be required prior to disclosing information to:

- Problem-solving court team members
- Family members
- Legal counsel
- Employers
- Probation

- Parole
- Community transition program staff
- Third party payers
- Addiction services providers

Participants referred for drug or alcohol treatment shall sign consent for release of information for communication between team members for the purpose of monitoring compliance with program requirements. The consent for release of information shall include the parties to whom information shall be released and the specific information to be provided. This release shall be non-revocable on the part of the participant and will remain in effect throughout the participant's involvement in the program. The consent for release of information will terminate when the participant completes or is removed from the program.

Participants may also choose to release substance abuse treatment information to family members, employers, or other individuals. Information will be disclosed to these parties with a properly completed consent for release of information form. This consent for release of information will have a specified end date and may be revoked by the participant at any time.

Both consent forms contain a signature line for the participant to indicate the participant understands the information contained in the form. The original form must be placed in the participant's record.

Copies of the consent for release of confidential information forms are included as an **Attachment F** to this manual.

Any disclosure of information made with participant consent will be accompanied by a written statement that the information is protected by federal law and that the recipient is prohibited from further disclosing this information unless expressly permitted by the regulations or participant consent.

The court will accept only offenders who are age 18 and older. In the case of participants deemed by the court to be incompetent, consent required under federal or state law may be given by the guardian or other person authorized by Indiana law to act on the participant's behalf. Any disclosure of information identifying a deceased participant as an alcohol or drug abuser must be made with consent given by an executor, administrator, or other personal representative appointed under Indiana state law. If there is no such appointment, the consent may be given by the participant's spouse, or, if none, by any responsible member of the participant's family.

Participant information may be discussed without participant consent among court staff and entities having direct administrative control over the veterans' treatment court for the purposes of carrying out assigned court duties and responsibilities.

Participant-identifying information may be disclosed to medical personnel who have a need for information about a participant for the purpose of treating a condition which poses an immediate threat to the health of any individual and which requires immediate intervention.

Federal regulations permit disclosure of participant information to qualified personnel for research, audit, or program evaluation. Qualified personnel may not include identifying information in any report or otherwise disclose participant identities except back to the court that was the source of the information. Federal regulations also permit disclosure of participant information without participant consent to an outside organization that provides services to the court or participants pursuant to a written agreement.

Participant information may be disclosed to law enforcement without participant consent when a participant has committed or threatened to commit a crime on court premises or against court personnel.

The disclosure of confidential information may be compelled under certain conditions. Federal regulations compel disclosure of drug and alcohol treatment information pursuant to a subpoena accompanied by a court order after a court has found that good cause exists for the disclosure. The court will follow all state guidelines with regard to the investigation and prosecution of alleged violations including child abuse and neglect. In all cases, the judge will make the final determination regarding disclosure of participant information without a signed consent form.

Each participant has a right to inspect and copy the participant's own case record. A participant's review of the participant's case record shall be recorded in the case record. Any denial of the participant's right to review the participant's record shall be recorded in the participant's record, together with the reasons for denial of the review. By policy the court may permit the withholding from the participant all or part of the participant's record if:

- a. withholding is necessary to protect the confidentiality of other sources of information;

- b. it is determined that the information requested may result in harm to the physical or mental health of the participant or another person;
- c. the consent was not given freely, voluntarily, and without coercion; or
- d. granting the request will cause substantial harm to the relationship between the participant and the court or to the court's capacity to provide services in general.

The court will respect and maintain the privacy of court participants to the greatest extent possible. The case manager has access to a private office area that will allow participants privacy during case management sessions as needed. Participants understand that matters relating to their case and compliance will be discussed in open court.

All participant records will be stored within the court management information system and in hard copy form in compliance with 42 CFR Part 2 and will be disposed of in compliance with Indiana Supreme Court Administrative Rule 7. Records are to be kept in locked file cabinets to which only authorized staff has access. Any disclosure of participant drug and alcohol treatment information will be noted in the participant's record.

All electronic records of participants shall be stored on a password protected system that is accessible only by court staff.

3.2 Participation Agreement

Each participant must review and sign a participation agreement upon admission to the Veterans treatment court. If participation in the veterans treatment court involves a modification of the participant's sentence, the participant shall discuss the participation agreement with counsel. The participation agreement must contain the dated signatures of the participant and judge. If participation in the problem-solving court involves a modification of the participant's sentence, the agreement must also contain the signatures of the prosecutor and public defender. Participants are not prohibited from exercising, nor compelled to waive, their constitutional rights as a condition of participation. The original participation agreement shall be kept in the participant's official court record. A copy of the participation agreement shall be provided to the participant and probation officer. In cases involving a sentence modification, the prosecutor and public defender will also be provided a copy of the participation agreement.

A copy of the participation agreement is included as an **Attachment G** to this manual.

3.3 Team Meetings and Court Sessions

The Veterans Court Team will meet on the first and third Fridays of the month at noon to discuss the progress of the participants and to review new referrals to the Veterans Court. The Case Manager and Veterans Court Coordinator will provide the Team progress reports on each participant who will be present at the hearing. The progress report informs the team of the participants' compliance in all Veterans Court areas since the last hearing. Based on this report and any additional information brought to the meeting, team members assess a participant's progress and discuss potential treatment or programmatic interventions. It is during these meetings that team members discuss, debate, and potentially disagree with the direction of intervention and team decisions but during the court session the team presents a unified position. Team discussions will be conducted with a goal of reaching consensus on action to be taken for each participant. In the event that consensus of all team members cannot be achieved, the Veterans Court Judge has discretion to determine what action will be taken.

The court will be in session on the first and third Fridays of the month beginning at 1:15 p.m. in the Vigo Superior Court Division 1 courtroom. Participants who are making phase transitions are called at the beginning of the docket followed by the remaining calendar in a random order. Participants are individually called upon to the bench and are expected to discuss their progress with the judge. The judge administers appropriate sanctions and rewards and provides encouragement and support. Unexcused failure to appear at court hearings may result in the issuance of a bench warrant. All court sessions will be recorded in accordance with Ind. Crim. Rule 5. The superior court staff will maintain a chronological case summary for each case in accordance with Ind. Trial Rule 77(B).

3.4 Sanctions and Incentives

The Veterans Court team will implement the use of graduated incentives and sanctions for the purpose of modifying participant behavior. Possible incentives include recognition from the judge, phase advancements, gift certificates, weekly prize drawings, reduced court appearances and permission to travel out of county or state. Possible sanctions include increased court appearances, community service, work release, electronic monitoring or short jail stays.

Sanctions are the result of the participant failing to comply with the requirements of the program. Sanctions assist the participant in recognizing behaviors that may result in dismissal from the program. Sanction will be discussed among the treatment team and the appropriate sanction will be imposed based on the behavior and individual participant. Sanctions for noncompliance with program requirements become more severe as the frequency and severity of transgressions increase. The Veterans Court Judge holds the final decision with ordering sanctions. Sanctions will be imposed for violations of the terms and conditions of the Veterans' Court order, and may include:

BEHAVIOR	SANCTION
Drug Screen <ul style="list-style-type: none"> · Positive · Missed · Tainted/diluted 	<ul style="list-style-type: none"> · Reprimand, warning or admonishment by the Judge · More frequent testing · Delay in phase change or starting a phase over · Electronic Monitoring · GPS · Day Reporting · Short Jail Stay (1 – 7 days) · Ignition Interlock · Additional meetings
Missed Court Appearance	<ul style="list-style-type: none"> · Increased Court appearance · Community Service · Day in jury box · Verbal apology to Judge and/or Veterans Court Team
Missed Treatment Group	<ul style="list-style-type: none"> · Extension of duration Veterans' Treatment Court · Re-starting any phase, including a phase that has already been completed · Increase time in phase · Additional meetings and treatment Sessions
Missed Meetings	<ul style="list-style-type: none"> · Extension of duration Veterans' Treatment Court · Re-starting any phase, including a phase that has already been completed · Increase time in phase · Open apology to the group · Additional meetings and treatment Sessions

Verification of Attendance/Participation <ul style="list-style-type: none"> · Forging a signature · Failing to sign 	<ul style="list-style-type: none"> · Essay in writing · Speech to Veterans Court Team on Essay · Day in jury box · Short jail stay
Poor/Disrespectful Attitude	<ul style="list-style-type: none"> · Essay in writing · Speak to Public/Veterans Court Team · Day in jury box
Late Fee payment	<ul style="list-style-type: none"> · Community Service

Rewards may be given at the discretion of the Veterans Court Judge to recognize and encourage progress of the participant toward attaining a healthy, drug free, crime free lifestyle. The most powerful incentive is the suspended jail sentence. This in and of itself is a great incentive for successful completion of the program. All incentives and sanctions will be discussed by the team and administered by the judge. The judge makes the final determination regarding issuing incentives and sanctions.

Other incentives or rewards may include:

BEHAVIOR	INCENTIVE
Drug Screen <ul style="list-style-type: none"> · Weekly clean screens · 30 consecutive clean 	<ul style="list-style-type: none"> · Verbal Praise from Judge · Applause and Fishbowl entry
Attending Court <ul style="list-style-type: none"> · Weekly court appearance · 30 days no missed appearances 	<ul style="list-style-type: none"> · Verbal Praise from Judge · Candy · Applause and Fishbowl entry
Attending Treatment Group <ul style="list-style-type: none"> · Weekly treatment attendance · 30 days treatment attendance 	<ul style="list-style-type: none"> · Verbal Praise from Judge · Applause and Fishbowl entry
Attending Meetings <ul style="list-style-type: none"> · Weekly meeting attendance · 30 days meeting attendance 	<ul style="list-style-type: none"> · Verbal Praise from Judge · Applause and Fishbowl entry
Current Child Support <ul style="list-style-type: none"> · Current child support -30, 90,180, 270, 360, 450, and 540 days. 	<ul style="list-style-type: none"> · Applause and Fishbowl entry
Positive Attitude	<ul style="list-style-type: none"> · Verbal Praise from Judge

	· Applause and Fishbowl entry
Timely Fee payments	· Bus passes/gas cards
Extra Community Service Worked	· \$7.25 per hour credit on fines and costs

3.5 Graduation Requirements

Participants are eligible for successful discharge from the program when they have completed all of the requirements established by the participation agreement, case management plan and other court-ordered activities.

In order to graduate, the Veterans Court Team must authorize the participants' graduation, and the participant must have met each of the following criteria:

1. Successfully completed a minimum of 360 total days in the program for D/F6 felonies or misdemeanors, or 540 days for C/F5 felonies or higher.
2. Participant must have successfully completed Phase 3.
3. Participants must have completed all of his or her treatment.
4. Participant will have had no violations for the three (3) months prior to his or her scheduled graduation date.
5. Participant must have any community service hours completed.
6. Participants must have completed all sanctions involving affirmative conduct from previous violations.
7. Participant must complete a detailed written plan of his or her strategies to remain healthy, clean and sober.
8. Participants must complete an exit interview.
9. Participants must be employed and/or be enrolled in and making progress toward an educational degree or vocational certificate.
10. Participants must have all Veterans Court fees, drug screen fees and any restitution paid in full, or be in substantial compliance with an established payment plan.

The judge will make the final determination on whether a participant has successfully completed the conditions of the program. The court will issue a written notice to the sentencing court advising the court that the individual has completed all of the court requirements. Individuals that successfully complete the program will be discharged from the Veterans Court and shall have their pending charges disposed of according to the terms of participation.

3.6 Termination Procedures

Upon termination from the Veterans Court, the court will issue a written notice to the sentencing court advising that the individual has been terminated from the program. Participants terminated from the program during the community transition program period will be returned to the Department of Correction. Participants terminated from the program while on probation will be referred to the sentencing court for final disposition.

Voluntary termination

Veterans Court participants may request to drop out of the Veterans Court program any time. If a participant drops out of the program during this period there will be no penalties or sanctions and the Veterans Court participant will re-enter the regular criminal court system where prosecution will proceed. Participant will forfeit any Veterans Court fees already paid.

Expulsion

Expulsion results when the program can no longer serve the needs of the client. Due to many factors there are instances when continuation is unproductive for the client, the program or both. A participant may be involuntarily removed from the Veterans Court program if (s)he repeatedly violates the Veterans Court orders.

A participant may be involuntarily removed from the Veterans Court program if there is probable cause to believe he or she has committed any felony offense. A participant may be removed from the Veterans Court program if (s)he commits a new offense of any kind, and if, under the circumstances, it appears to the Veterans Court team that the participant would not benefit from the services of the Veterans Court program.

Individuals determined to be non-compliant with the program requirements may be set for a termination hearing. The Veterans Court Judge shall conduct a termination hearing at the earliest possible date. The hearing

shall be held in front of all other participants present for that day's hearing. The court will follow the rules of evidence and due process appropriate for probation revocation hearings for all participants. Any Veterans Court fees paid are forfeited, and not credited towards any legal financial obligations imposed by a conviction.

3.7 Transfers

The Veterans Court may initiate and/or accept transfers of individuals from another court, either from within or outside of Vigo County. Transfer from another Court from within Vigo County shall occur as provided for in LR84-CR2.2-2(D).

Transfer from a Court outside of Vigo County shall be for the purposes of supervision and Veterans Court participation only, including intermittent sanctioning authority. The Veterans court shall send the individual back to the sending court when the participant has completed all of the problem-solving court's participation requirements or has violated the Veterans Court's participation requirements. The sending court shall retain jurisdiction over the case disposition.

An individual does not have a right to a Veterans Court Transfer. A Veterans Court transfer fee maybe charged to an individual for any approved transfer. The Veterans court transfer fee may not exceed twenty-five (\$25) dollars. The Veterans Court fees authorized under this section shall be collected and utilized in accordance with I.C. § 33-23-16-23.

Section 4 Fiscal Management

4.1 Veterans Court User Fee

Participants may be assessed fees in accordance with I.C. § 33-23-16-23. Participants must pay the user fee in full prior to successful discharge from the program. The Vigo County Courts have adopted a local rule, LR84-AR00-8(D), documenting a schedule of fees for Veterans Court.

4.2 Fee Collection Procedures

The Vigo County Clerk has adopted cash handling procedures and an accounting system that comply with the requirements of the State Board of Accounts. The court will provide the Indiana Judicial Center, upon request, a

copy of any reports or audits issued by the State Board of Accounts that are related to the problem-solving court operations. The Vigo County Clerk collects the problem-solving court user fee and chemical test fees. Receipts are issued to participants when payments are made. The Vigo County Clerk transfers user fees to the Auditor monthly for deposit in the appropriate user fee fund and provides the coordinator with a monthly report of the deposits. Chemical testing fees shall be deposited in a separate account from the user fee fund.

4.3 Program Budget

The program budget is established by the judge and is monitored by the coordinator.

4.4 Other Program Services Fees

Program participants may be assessed fees for services received as a result of referrals made by the court, including mental health services, health services and monitoring services. Fees for these services are payable to the entity providing the service. Those persons directed to participate in the Veterans Court Program shall pay a One Hundred Dollar (\$100.00) administrative fee, and a monthly program services fee of fifty dollars (\$50.00), as well as any additional costs associated with recommended treatment and testing. Any or all of said fees may be waived, by the Veterans Court Judge, in his sole discretion, as an “incentive award” for an individual participant.

Attachment A Organizational Plan

Veterans Court diverts eligible veteran-defendants with substance dependency and/or mental illness charged with felony or misdemeanor criminal offenses, to a specialized criminal court docket.

Veterans Court Staff and Team Members

John T. Roach	Judge
Cindy Winkle	Case Manager/Vigo County Community Corrections
Robert Roberts	Chief Deputy Prosecutor
Amanda Thompson	Deputy Prosecutor
Gretchen Etling	Chief Public Defender
Dennis Majewski	Public Defender
Mike Slagle	Public Defender / Mentor (Trained 9/18/2015)
Jessie Cook	Criminal Defense Attorney
Mark Mayhew	Veterans Justice Outreach Coordinator
Scott Wynn	Veterans Service Coordinator/Wabash Valley Veterans Services
Sara Collins	SUDRP Social Worker, VA Medical Center
Virgil Macke, MSW, LCSW	Hamilton Center, Inc.
Diane Frazier	Vigo County Adult Probation
Wes Wonderlin	Vigo County Adult Probation
Gregory Shemwell	Veterans Benefit Administration
Marion Clinscales	Veterans Benefits Administration
Chief John Plasse	Terre Haute Police Department/Mentor
Cliff Stephens	Vigo County Veterans Council/Mentor (Trained 9/18/2015)
Dave Runyon	Veteran Mentor (Trained 9/18/2015)
Dr. Randy Stevens	Veteran Mentor (Trained 9/18/2015)

Referring Courts

- Vigo Superior Court Division 1
- Vigo Superior Court Division 3
- Vigo Superior Court Division 4
- Vigo Superior Court Division 5
- Vigo Superior Court Division 6
- Clay Circuit Court
- Clay Superior Court
- Putnam Circuit Court
- Putnam Superior Court
- Sullivan Circuit Court
- Sullivan Superior Court

***VETERANS COURT MENTORS
MEMORANDUM OF UNDERSTANDING***

VETERANS COURT MENTOR PROGRAM MISSION

To ensure that every participating Veteran receives the services they require by helping them navigate the system and to act as a mentor, advocate, and ally.

VETERANS COURT PURPOSE

The Veterans Court is a collaborative, proactive effort between the court system and the veterans' assistance and treatment community to create a structured environment of treatment and close court supervision aimed at improving outcomes of veterans involved in the court system who have substance dependency and/or mental illness and increasing their opportunities for success after military service.

VETERANS COURT PROGRAM GOALS

The primary goals of the Veterans Court are to:

- Help our fellow Veterans receive the services they need to reach their full potential as productive members of society.
- Help them navigate the court system, treatment system, and the VA system.
- Assess their needs and help them adjust back to civilian life.

MENTOR'S DUTIES AND RESPONSIBILITIES

- Attend scheduled court sessions.
- Participate in and lead mentoring sessions lasting between 10 – 15 Minutes when assigned by the judge.
- Be Supportive and understanding of the difficulties the Veteran clients are facing and supportive of fellow mentors.

- Assist the Veterans as much as possible to resolve their concerns around the court.
- Assist the Veteran on how to access and navigate the Veteran's Affairs System.
- Communicate and stay close to the court coordinator and judge.
- Comply with the court's HIPAA Order of Limited Release of Specific Substance Abuse Treatment Records and shall not re-disclose information received pursuant to this Order, except as may be provided by law.

I do hereby agree and acknowledge under penalties for perjury that the foregoing representations are true and accurate to the best of my knowledge and belief.

MENTOR

Printed Name

Signature

Date

Attachment B Team Member Memorandum of Understanding

VIGO COUNTY INDIANA VETERANS COURT TEAM MEMBER MEMORANDUM OF UNDERSTANDING

This memorandum officially acknowledges the affiliation, relationship and understanding among Vigo County Indiana Veterans Court and its Team Members.

VETERANS COURT MISSION

The Veterans Court is a collaborative, proactive effort between the court system and the veterans' assistance and treatment community to create a structured environment of treatment and close court supervision aimed at improving outcomes of veterans involved in the court system who have substance dependency and/or mental illness and increasing their opportunities for success after military service.

TEAM MEMBERS DUTIES AND RESPONSIBILITIES

- Veterans Court sessions will occur on Fridays at 1:00 p.m. Team meetings will take place at noon on Fridays. Team Members shall regularly attend all scheduled Team Meetings.
- Provide defendants with a structure within which to obtain the necessary treatment and feedback to minimize the likelihood of future criminal court involvement.
- Coordinate feedback between the court, probation, Veterans Administration and any service providers.
- Treat the needs of the veteran promptly and professionally. Make every effort to assist the veteran with appropriate information and referrals to address identified needs and goals of the treatment plan.
- Promote a highly interactive and collaborative structure to insure all individuals have access to each other, to share information and treatment goals and to effectively communicate with one another, the case manager, the coordinator and the judge. All to one end: help the veteran succeed.

· Comply with the court's HIPAA Order of Limited Release of Specific Substance Abuse Treatment Records and ***not disclose information*** received pursuant to this Order, except as may be provided by law.

TEAM MEMBER

Printed Name

Signature

Date

Attachment C Participant Exit Interview

Vigo County Indiana Veterans Treatment Court Evaluation

Please ask the participant each question. You may choose to give them a copy as you are conducting the interview. Let them know the information is being used to complete an evaluation of the Veterans Court Program. Let them know you are obtaining their feelings, concerns and recommendations about the program, and this information will be used for evaluation purposes only and it will not affect their involvement in the court.

Participant (First Name and Last Initial):

Age:

Race:

Date they started the Veterans Court program
(month & year, if don't have date):

Length of participation (# of months):

Military Branch:

Have you stayed clean and sober since you started participating in the Veterans Court, Y or N?

If N, how many times have you relapsed?

Are you currently employed? If no, do you have a career goal?

Are you currently attending school? Where? For what?

Could the Veterans Court program have helped you more in these areas?

1. The judge treated me with respect.

Strongly Agree Agree Disagree Strongly Disagree

2. The judge was fair.

Strongly Agree Agree Disagree Strongly Disagree

3. The judge was concerned about me.

Strongly Agree Agree Disagree Strongly Disagree

4. Visits with the judge at court helped me to stay drug free.

Strongly Agree Agree Disagree Strongly Disagree

5. The judge expected too much of me.

Strongly Agree Agree Disagree Strongly Disagree

6. If referred to treatment, the treatment staff treated me with respect.

Strongly Agree Agree Disagree Strongly Disagree

7. If referred to treatment, the treatment staff was fair.

Strongly Agree Agree Disagree Strongly Disagree

8. If referred to treatment, the treatment staff was concerned about me.

Strongly Agree Agree Disagree Strongly Disagree

9. Visits with the treatment staff helped me to stay drug free.

Strongly Agree Agree Disagree Strongly Disagree

10. The treatment staff expected too much of me.

Strongly Agree Agree Disagree Strongly Disagree

11. Treatment helped me appear in court on a regular basis.

Strongly Agree Agree Disagree Strongly Disagree

12. The court mentors helped me be successful in the Veteran's Court program.

Strongly Agree Agree Disagree Strongly Disagree

13. Treatment helped me to report to my probation officer on a regular basis.

Strongly Agree Agree Disagree Strongly Disagree

14. Court monitoring helped me attend treatment on a regular basis.

Strongly Agree Agree Disagree Strongly Disagree

15. Veterans Court was easier than jail or prison.

Strongly Agree Agree Disagree Strongly Disagree

16. Veterans Court was easier than regular probation.

Strongly Agree Agree Disagree Strongly Disagree

17. I think that my participation in the Veterans Court will help me avoid drug use in the future.

Strongly Agree Agree Disagree Strongly Disagree

18. In general, I am better off for participating in Veterans Court as opposed to other court sanctions.

Strongly Agree Agree Disagree Strongly Disagree

19. I was personally helped through participation in Veterans Court.

Strongly Agree Agree Disagree Strongly Disagree

20. Residential Treatment

Poor Good Excellent Did not participate

21. Outpatient Treatment

Poor Good Excellent Did not participate

22. Intensive Probation Treatment

Poor Good Excellent Did not participate

23. Regular Probation Supervision

Poor Good Excellent Did not participate

24. Electronic Monitoring

Poor Good Excellent Did not participate

25. Community Service

Poor Good Excellent Did not participate

26. Drug Testing

Poor Good Excellent Did not participate

27. AA/NA

Poor Good Excellent Did not participate

28. Previous Trouble with the Law

Yes

No

If YES, indicate when and the outcome

29. Previous Substance Abuse Treatment

Yes

No

If YES, indicate when and the outcome

30. Is there anything in particular that you really like about the Vigo County
Indiana Veterans Treatment Court?

31. Is there anything in particular that you think the Court could do better?

32. What is unique about the Veterans Court?

33. Recommendations to improve the court process, treatment services and better service your needs?

Thank you for your cooperation and participation. Your openness and honesty are appreciated.

ATTACHMENT D APPLICATION TO PARTICIPATE

Application to Participate in Vigo County Veterans Court

Date: _____

Last Name: _____ First Name: _____ M.I.: _____

SSN: ____ - ____ - _____ DOB: _____

Contact Number: _____

Case Number(s): _____, _____, _____

Attorney/Public Defender name: _____

In what Branch of the Armed Forces did you serve? (check all that apply)

____ Army (including NG and USAR)	____ Coast Guard (including Reserve)
____ Navy (including Reserve)	____ Other _____
____ Marine Corps (including Reserve)	____ None
____ Air Force (including ARNG)	

When did you first enter the Armed Forces?

Month: _____ Year: _____

Did you leave the military and re-join?

Month: _____ Year: _____

When were you last discharged?

Month: _____ Year: _____

If discharged more than once:

Month: _____ Year: _____

Deployments?

Where: _____

When: _____

Medals Awarded: _____

DD214? _____

Enlisted or Officer Record Brief? _____

Specialty? _____

Altogether, how much time did you serve in the Armed Forces?

No. of years: _____ No of Months: _____ No. of Days: _____

What type of Discharge did you receive?

↑

____ Honorable _____ Bad Conduct

____ General (Honorable Conditions) _____ Dishonorable

____ Other than Honorable _____ Do not know

____ ↑ Other _____

Have you ever received services at the VA Hospital?

↑

____ Yes _____ No

Are you eligible for service at the VA Hospital?

↑

____ Yes _____ No

Do you have insurance?

↑

____ Yes _____ No

What type of insurance do you have? _____

Mother's Maiden Name? _____

If, Active: What is your rank? _____

If Active: What does your job entail? Assignment?

While in the military were you ever sent to the brig?

____ Yes ____ No

If yes, explain:

If active to you intend to inform the military of your current legal status?

____ Yes ____ No

RECOVERY, BEHAVIORAL AND MEDICAL HEALTH

If in recovery, how long sober? Do you participate in a recovery program, or have you in the past? Where? When? Do you have a sponsor?

Have you ever received a mental health diagnosis?

____ Yes ____ No

If yes, who was the diagnosis given by? When? Explain.

Do you taking any medications prescribed to you for mental health?

____ Yes ____ No

If yes, what medications are you taking?

Do you take any narcotic medications? Explain.

Are your medications prescribed by the VA or another prescriber?
Explain.

List your criminal misdemeanor and felony convictions, if any.

ADVISEMENT OF RIGHT TO COUNSEL

By signing below, I hereby acknowledge and understand, that at all times and throughout all stages of these legal proceedings, including during my participation in Veterans Court, I have a right to have legal representation.

I further acknowledge and understand that I have a right to have legal counsel appointed to represent me, if I am found by the court to be indigent and unable to afford to hire a lawyer to represent my legal interests.

I further acknowledge that Veterans Court uses a non-adversarial approach, and my attorney will advise me as to the nature and purpose of Veterans Court, the rules governing participation, the consequences of abiding or failing to abide by the rules, and how participating or not participating in Veterans Court will affect my interests.

The foregoing acknowledgement is true and accurate to the best of my knowledge and belief.

Date: _____

Defendant Signature

Date: _____

Witness

Veterans Court



Participant Handbook



As a participant in the Veterans Court, you are expected to follow the instructions given to you in Court by the Judge. You will also be responsible for complying with the recovery and treatment plan that will be developed. This handbook will explain what is expected of you and provide general program information.

We encourage you to share this handbook with your family, friends, and significant others so they will know about the work that you are doing to become clean, sober and healthy. Support from those around you will be extremely important throughout your participation in the program.

Orientation

Orientation takes place in the courtroom on Fridays at 1:15 p.m. Orientation will consist of a group meeting with other Veterans Court participants and team members where the entire program will be explained. The orientation itself will cover the details of the Veterans Court and will emphasize abstinence, health, family, education, and employment.

At the time of the orientation, you will be able to ask questions or get clarification about any issue related to the Veterans Court program. Legal questions about your case should be directed to your attorney.

What is Veterans Treatment Court?

The Veterans Court is a specialized court that closely monitors Veterans in the court system who want treatment for alcohol or substance addiction and/or mental health conditions or impairments. You will be required to attend regular court appearances before the Hon. John T. Roach,

You will be referred to Community Corrections for an Individual Risk Assessment and evaluation conducted by treatment staff.

Vigo County Indiana Veterans Court. You must remain clean and sober and lead a law-abiding life. You will be required to follow and successfully complete treatment plan.

Your treatment plan may require all or some of the following:

- √ Outpatient treatment
- √ Inpatient treatment/Residential treatment
- √ Halfway House or Transitional housing placement
- √ Regular and random drug testing
- √ Counseling (individual and group)
- √ Mental Health Counseling
- √ Educational/vocational/employment program
- √ Participation in self-help (AA/NA) groups
- √ Home visits

The Veterans Court case management staff will also help you with other areas of your life according to your individual needs. Mentor veterans will also be present at each court proceeding to help ensure that you receive the support and assistance to achieve success in Veterans Court and in life. This assistance may include referrals for:

- √ Skills testing and an education assessment
- √ Job Training and job-readiness training
- √ School or other educational services
- √ Job placement services
- √ Family counseling
- √ Life Skills classes
- √ Public Assistance/Medicaid

✓ Recreational activities

You are required to appear in Veterans Court on the first and third Fridays of the month. Depending on your progress, your appearance in court may be reduced to once a month. The Judge will be given progress reports on you regarding your attendance, drug tests, and participation in your treatment program. These reports will come from Community Corrections, your probation/parole officer, treatment and/or mental health counselor, vocational counselor and members of the Veterans Court support program with whom you are working (such as a housing specialist or family advocate, etc.). The Judge will ask you about your progress and discuss any problems you may be experiencing.

You will be expected to remain arrest free, clean and sober, attend all your scheduled court appearances and all your scheduled treatment appointments.

You must attend all of your scheduled treatment sessions including counseling, substance abuse sessions, education sessions and all other sessions as directed. You will be required to be on time and to fully participate in all sessions.

If you are late, you may not be allowed to attend your appointment or court session and may be considered absent.

Your treatment schedule will vary according to your progress. It is your responsibility to schedule all needed appointments and to arrive on time for all of them. You, along with the Veterans Court team and your treatment providers, will develop plans to fit your specific needs.

Your treatment plan will specifically address your substance abuse and/or mental health needs, and will address other life issues such as education, vocational training, parenting and family skills. These plans will be evidence based and will serve as a guide or roadmap during your participation in the program. Expect to contribute to them with your thoughts and needs.

One of the primary goals of Veterans Court is to help you receive treatment for mental health issues or impairments and/or remain abstinent from alcohol and all non-prescribed drugs.

You will be drug tested throughout the entire program.

The Judge will have access to all drug test results including failures, refusals to test and adulterated tests. A drug test may be ordered at anytime. A positive test or admission of alcohol or other drug use will not automatically disqualify you, but may result in a sanction or change in treatment planning. Repeated positive screens can lead to expulsion from the program. Drug tests may be conducted at your drug treatment facility, during court appearances or at any other time.

What benefit will I receive?

Benefits of the Program:

In many cases, successful completion of Veterans Court will result in: (1) a reduced sentence imposed in your case, i.e. no jail time or no probation; or (2) a reduction or dismissal of the original charge. Your attorney will be able to discuss the particulars of your specific case.

Veterans Court offers you the chance to move forward in your life with the new skills you have learned. The program will help you take control of your life in many ways. Equally important to learning the skills about how to stop abusing drugs and alcohol, how to manage mental health issues, and how to stop committing crimes are the things you will learn how to do: eating right, reducing stress, becoming fully employed, rebuilding family relationships, and becoming a productive member of the community.

Veterans Court Purpose

The purpose of the Veterans Court team is to make resources available that will help you and your family overcome stress, problems and conflicts

that may block your recovery process. The Veterans Court team is here to help you and your family to build the skills that you may need to succeed in the Veteran Court. **The members of the Veterans Court only want to see you succeed.**



If you take advantage of the assistance offered by the Veterans Court Team, you will discover many new ways to make a better life for yourself.

Program Expectations

If you follow the rules and structure of the program, your life will get better. Tools will be made available to you to remain free of the never-ending cycle of getting high to escape problems, and to successfully manage your mental health challenges.

Arrive on time. You must arrive on time for Veterans Court and all of your scheduled appointments. Court sessions start promptly at 1:15 p.m. Participants are called in the order of arrival. If you arrive 15 minutes after a session begins you will be admonished and told to return at the next sessions.

Attend all scheduled sessions or appointments. You must attend any and all scheduled court dates, treatment sessions, support groups, meetings or conferences. If you miss due to medical issues, you must: (1) call the Court to notify so a bench warrant is not issued; and (2) provide medical verification to the Veterans Court and the treatment counselor.

Contact a Veterans Court Case Manager. If you are having any kind of difficulty, including making your appointments on time, contact a Veterans Court Case Manager. You cannot change your treatment plan on your own. Contact your Veterans Court case Manager right away if a problem arises.

Meet with your attorney. Keep your scheduled appointments with your attorney to ask questions of him or her, especially if you are confused or uncertain about the Court process.

As a participant of a program based on being clean, sober and healthy, you should not be taking any narcotic medications, even if they are prescribed. If this is an issue, you must address it immediately with your physician, attorney and case manager.

Non-alcoholic beer contains alcohol. No alcohol means no alcohol!!!

You must notify the Veterans Court of any medications that are prescribed to you. You must also provide medical documentation of said medication for the Court file.

Do not take any alcohol based fluids. Alcohol based fluids are, for example, cough syrup, Listerine, etc. There are items sold over the counter that contain no alcohol.

Expect to take random and scheduled drug tests and breathalyzers at court sessions. Do not tamper with urine samples as they are fully observed. Tampering with your sample may lead to a jail sanction.

You are not to travel outside of your home county unless you receive the Judge's approval. If an event or emergency arises, you must contact your case manager and/or attorney to make appropriate arrangements.

If your personal information changes (residence, location, phone number, etc), contact a Case Manager with a full update.

If you need a letter written on your behalf for another court, Division of Family & Children, etc, you must contact the Court no later than one week before you need it.

Upon entry into the program, you must sign releases of information so that treatment providers can provide Veterans Court Team Members with information about your progress. Your participation in the Veterans Court Program requires these releases, and they cannot be revoked if you want to remain a participant in the program. You may want information shared with family members. You may sign releases for those to whom you want

information shared. At anytime, you may add or delete any of these releases. No information will be shared without releases. As required by law, releases of information for friends of family may be revoked at any time. 42 CFR Part 2.

Dress appropriately for Court and all treatment sessions. No shorts, undershirts or offensive, violent, alcohol or drug related clothing items may be worn or brought to any session. If you are unsure as to what is appropriate dress, ask a Case Manager.

Do not argue with the Judge or staff. If you disagree with something, state your position in a calm manner and accept what is being asked of you. Do not force or coerce any other program participant into doing anything that may harm or interfere with their recovery.

Do not make threats toward other participants, staff, the Judge or behave in a violent manner.

Do not bring drugs, alcohol, or weapons into any treatment program, meeting, appointment, or event.

How can I participate in Veterans Court?

At some point following your arrest, you were provided several choices (1) participating in the Veterans Court Program or (2) remaining in criminal court for prosecution and sentencing on your pending charges. If you are accepted into the Veterans Court, successful completion and graduation from the Veterans Court may result in reducing sentences or dismissal of charges.

Always keep in mind that removal from the Veterans Court may result in a return to criminal court for sentencing on the charge(s) to which you have been convicted.

The amount of time you spend in the Veterans program will be determined by your charges and by your individual progress, but it will be no less than 12 months.

How will I be supervised in Veterans Court

You will be required to appear in front of the Veterans Court Judge on a regular basis. The Judge will be given progress reports on you regarding your drug tests, attendance, and participation in your treatment program. These reports will come from your treatment and/or mental health counselor, Community Corrections, your probation officer, parole officer, and the members of the Veterans Court Program with whom you are working (such as Housing Specialist, Family Advocate, etc.). The Judge will ask you about your progress and discuss any problems you may be experiencing. During Stabilization in Phase I, you must come to court weekly. As you make progress, your court appearance schedule will be reduced. If you are doing well, you will be encouraged to continue working towards the goal of graduating from Veterans Court.

You are required to arrive on time and stay until court is finished unless the Judge dismisses you earlier.

Regular Attendance

As a Veterans Court participant you are required to attend all of your scheduled treatment sessions, all of your other Veterans treatment appointments, and all of your scheduled court dates.

Treatment sessions include counseling, substance abuse sessions, education sessions and all other sessions as directed. You will be required to be on time for all sessions. If you are late, you may not be allowed to attend and may be considered absent.

You treatment schedule will vary according to your progress. It is your responsibility to schedule all needed appointments and to arrive on time for all of them



Drug and Alcohol Screening

One of the primary goals of Veterans Court is to help you remain abstinent from alcohol and all non-prescribed drugs. You may be tested throughout the entire program.

- Toxicology tests require “direct observation.” Drug tests not witnessed are of no value and will not be accepted.
- The Judge will have access to all drug test results including failures, refusals to test, and adulterated/diluted tests.
- A drug test may be ordered at any time. Drug tests may be conducted at your drug treatment facility, during court appearances, or at any other time. You will call in for random drug tests, and if selected, you must timely report or it will be considered dirty (positive) and can result in a sanction.
- A positive test or admission of alcohol or other drug use may not automatically disqualify you, but may result in a sanction or change in treatment planning. Repeated positive drug screens can result in expulsion from the program.
- If the specimen appears to be “diluted” as a result of excessive amounts of fluid ingested, you can be sanctioned. Substituting or altering your specimen or trying in any way to modify bodily fluids for the purpose of changing the drug testing results will be considered positive and a sanction will be implemented.

You will be required to voluntarily report all drug or alcohol use to the Judge at each court appearance.

REMEMBER: BE UP FRONT AND HONEST

Repeated substance use will result in a sanction that may include jail, a higher level of care or both. Failure to report drug or alcohol use can result in a jail sanction. Any drugs that a doctor prescribes for you must be reported to your Case Manager. You may want to consider informing your doctor that you are in recovery and are not able to take narcotics.

Required Paperwork

Release of Information:

All members of the Veterans Court must be able to communicate with your treatment providers about your eligibility and progress in the program. Upon entry into Veterans Court, you will be required to sign “releases of information” to allow this to happen. You must also sign additional releases as needed to arrange further treatment counseling or support services referrals.

Confidentiality:

State and federal laws require strict confidentiality regarding issues related to substance abuse and treatment. In response to these regulations, the Veterans Court has policies and procedures that guard your privacy. You will be asked to sign consent forms for the various agencies and staff working on your team to communicate with one another. We will not agree to keep any information secret from the Judge or another Veterans Court team member. You are not to share the names of any other treatment court participants, nor any information they disclose. This is true also of others you meet in treatment or in self-help/support groups. You may share Court reports or documents or information about your own personal treatment with family.

Participation Agreement:

Veterans Court participants will be required to sign a Participation Agreement. Each Participation Agreement is written specifically for the individual participant based on the person's current charges, situation, and prior criminal and/or treatment history. Your agreement may require more than is listed in this handbook. Before you sign your agreement, you will have an opportunity to review the agreement with your defense attorney and have your questions answered.

Recovery and Treatment Planning

YOU, the Veterans Court team, and your treatment providers will develop plans to fit your specific needs. The plan will specifically address substance abuse problems, mental health problems, and life issues such as education, vocational training, parenting and family skills. The plan will be evidence based and will serve as a guide or roadmap during your participation in the program.

It is important to remember that treatment will work if you work your treatment plan.

As a Veterans Court participant, it is expected that you participate in support services such as AA and NA, have a sponsor, and a home group. It is essential that you develop the support as well as the skills that will allow you to build a lasting recovery that will help you for the rest of your life. The team recognizes that recovery is not an easy process, but we recognize your effort and courage to change. Together, we can make it work.

Graduate and Live a Healthy Lifestyle

The final decision about your readiness to graduate will be made by the Veterans Court Team. Your Case Manager will let you know when the Veterans Court Team and Judge have decided that you are eligible for

graduation. You must then complete your Graduation Interview Form, submit it as directed, and attend a graduation review panel.

Your graduation from Veterans Court is a time to celebrate your transition to a healthy lifestyle. It does not mean the end of working hard at your recovery, for staying sober is a life-long pursuit. You will be able to invite your family and friends to join you at your Veterans Court Graduation Ceremony. This special event is in recognition of your accomplishments and marks the beginning of your new way of life. At your graduation you will be encouraged to maintain ties with the staff and other successful participants. This will give you a chance to help new participants, maintain positive relationships with people who can help you with your relapse prevention plan, and socialize in a clean, sober and healthy environment with your program friends.

*T*hese are some steps you can take to help you begin this program.

- Get to know the names of all of the staff associated with the Veterans Court.
- Develop a folder or notebook to keep this handbook and other forms and papers that will be given to you.
- Know how you will travel to Court and have a back-up plan if you are relying on another person to bring you here.
- Begin to organize things at home. Being organized where you reside helps you to be organized in the way you approach other areas of your life.
- If you need to help with reading or understanding any of the forms, papers, or proceedings, make sure you let us know so we can help you.
- Obtain a calendar and keep it up-to-date with your court dates, meeting dates, etc. and bring it with you to Court.

My notes and important names, numbers and appointments to
remember _____

Important names and numbers to know:

My Attorney: _____ Phone # _____

My first appointment: _____ Phone # _____

My counselor: _____ Phone # _____

My Case Manager: _____ Phone # _____

Phases: What are the phases of Veterans Court?

Every participant in Veterans Court must complete a series of three phases to become eligible for graduation.

Phase 1: Focus on stabilization, orientation, and assessment.

- If substance abuse issues are present, the participant complies with a High Random Frequency drug screening program with a minimum of 4 drug screens per month. The participant is required to call the drug screening line every day.
- The participant shall participate in a treatment program as determined by a previously arranged assessment and case management plan.
- The participant appears in Veterans Court for review hearings as scheduled.
- The participant meets with a Case Manager as scheduled
- The participant meets with the Case Manager and completes a payment plan within the first 30 days of Phase One.
- The participant must begin to develop vocational and educational goals.

Moving from Phase One to Phase Two

- Phase One is a minimum of 120 days for D/F6 felonies or misdemeanors and 180 days for C/F5 felonies or higher, and the participant must be in substantial compliance with their drug screening program and not have any pending or recent violations.
- The participant must have a payment plan in use.
- The participant must be in compliance with the treatment program including meetings with the case manager, without any unexcused absences.
- The participant must be in compliance with the terms and conditions of his or her participation in the Veterans Court Program.

- The Supervising Judge of Veterans Court will advance the participant to Phase Two consistent with the goals of the Veterans Court.

Phase 2: Focus on decision making and intensive treatment as well as a generalized dedication to treatment.

- If substance abuse issues are present, the participant complies with a Medium Random Frequency drug screening program with a minimum of 3 drug screens per month. The participant is required to call the drug screening line every day.
- The participant shall participate in a treatment program as previously determined.
- The participant appears in Veterans court for review hearings as scheduled.
- The participant is in compliance with the terms and conditions of his participation in the Veterans Court Program or her probation.
- The participant is making payments as outlined in the payment plan.
- The participant begins working on community service hours ordered by the Veterans Court Supervising Judge.
- The participant is developing employment, vocational and educational goals.

Moving from Phase Two to Phase Three

- Phase Two is a minimum of 240 total days in the program for D/F6 felonies or misdemeanors, and 360 total days in the program for C/F5 felonies or higher, and the participant must be in substantial compliance with their drug screening program and not have any pending or recent violations.
- The participant must be in compliance with established payment plan.
- The participant must be in compliance with treatment program, including meetings with case manager, without any un-excused absences.
- The participant must be enrolled in a community service program.

- The Veterans court Supervising Judge will advance the participant to Phase Three consistent with the goals of the Veterans Court.
- The participant must obtain employment or positive response(s) to vocational and educational goals.

Phase 3: Focus on transition and continuing care.

- If substance abuse issues are present, the participant complies with a Low Random Frequency drug screening program with a minimum of 2 drug screens per month. The participant is required to call the drug screening line every day.
- If still required, the participant shall participate in a treatment program.
- The participant appears in Veterans Court for review hearings as scheduled.
- The participant completes all ordered community services hours.
- The participant is in compliance with requirements of the Veterans Court program.
- The Veterans Court Supervising Judge graduates the offender consistent with the goals of the veterans Court.

Moving from Phase Three to Graduation

- Phase Three is a minimum of 360 total days in the program for D/F6 felonies or misdemeanors, and 540 days for C/F5 felonies or higher, and the participant must be in substantial compliance with their drug screening program and not have any pending or recent violations.
- The participant must be in compliance with established payment plan.
- The participant must be in compliance with treatment program, including meetings with case manager, without any un-excused absences, and fulfilled all treatment objectives.
- The participant must have completed any community service program.
- The participant must be employed or participating in a vocational

or educational program.

- The Veterans Court Supervising Judge will advance the participant to Graduation consistent with the goals of the Veterans Court.

Treatment may deviate from the schedule outlined above based on the participant's progress. Drug screening can be ordered at any time there is suspected drug or alcohol use. Graduation from Veterans Treatment Court will be determined when all treatment plan goals and legal requirements are met.

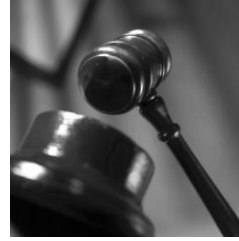
Rules: What are the rules of Veterans Court?

To remain in Veterans Court you must follow all of the Veterans Court rules.



1. You must participate in regular court supervision (in other words, you must show up at Veterans Court and or meetings with your Veterans Court Case Manager on time.
2. You must live a law abiding life. (In other words, you must not get re-arrested.)
3. You must attend and participate in all scheduled treatment and support services appointments.
4. You must successfully complete all four phases of the program.
5. You must remain clean and sober.

6. You must complete all required paperwork.



What if I don't follow the rules?

If you break the rules you may be subjected to a sanction.

Doing any of the following may result in a sanction:

- New arrest or other police contact
- Leaving a treatment program against medical advice
- Breaking the rules at a Treatment Program (not resulting in termination)
- Positive urine or alco-sensor tests, or admission of use
- Failure to take a drug test (urine screen and/or alcohol tests)
- Attempts to falsify drug tests
- Missing or arriving late for group or individual treatment appointments or any other Veterans Court appointments
- Missing or arriving late for Veterans Court Appearances
- Failure to follow the direction of the Veterans Court Judge, Case Managers or probation officers
- Demonstrating a lack of program progress.

Failure to appear in court will result in a sanction that may include incarceration.

Sanctions in Veterans Court may include, but are not limited, to the following:

- Jail stay
- Electronic Home Monitoring/Global Positioning System
- Day reporting
- Ignition Interlock
- Reprimand, Verbal warning or admonishment by the Judge
- Full day spent in court
- An essay writing assignment
- Increased drug testing
- Increased attendance at Veterans Court sessions
- Community Service
- Open apology to Judge, Veterans Court Team or group
- Extended duration of Veterans Court
- Dismissal from Veterans Court

Incentives for progress in Veterans Court may include:

- Verbal praise and Recognition by the Judge
- Candy
- Applause
- Fishbowl entry
- Gas Cards
- Fee reductions

- Bus passes
- Certificates of completion and Veterans Court coins
- Graduation
- Dismissal or reduction of charges
- Capable of living law-abiding life, sober, drug free and healthy

Common errors or myths that you should be aware of in order to avoid misunderstandings that could lead to sanctions are:

- I don't have to stop using until I begin treatment. **FALSE!** Stop using today.
- I completed treatment so I don't have to come to court. **FALSE!**

It is the Judge who tells you when to come to Court.

- I missed treatment appointments because I was out of town at a family gathering, vacation or work assignment. **FALSE!** You cannot leave your home county without the permission of the Judge and/or recommendation by the Veterans Court Treatment team.
- I will change treatment agencies because I did not like the treatment plan or I don't like my counselor. **FALSE!** These decisions will be made in conjunction with the Veterans Court Team, your primary case manager and with the approval of the Judge.

- I did not know when my next court date or treatment appointment was.

FALSE! You are completely responsible for knowing these dates and times.

Losing your appointment card is not an acceptable excuse.

*R*elapse Triggers and Relapse Prevention

Relapse and situations that trigger your drug use can happen at any time in many different ways. Your Veterans Court Case Manager, treatment counselors, probation officer and others will help you identify your triggers and discuss ways to either prevent bad situations or to work through them when they cannot be avoided.

Relapse triggers can include:

- Going to places and hanging around with people who are drinking and drugging
- Money in your pocket
- Spending time thinking about “the parties” and forgetting about the problems your use created
- Arguments with loved ones
- Bad luck, disappointments
- Good luck, celebration events, holidays
- Medicine, even prescription drugs, that can get you high



Remember! For people in recovery, triggers and cravings are not an excuse to use- they are a reason to go to a meeting and to call a recovering friend to get more support!

My signature below indicates that I have received a copy of the *Veterans Court Handbook*. The Veterans Court has reviewed its contents with me. I understand the information provided in this handbook, and I agree to comply with the Veterans Court program requirements.

DATE: _____

Signature of Participant

Printed Name of Participant

Attachment F

Release of Information

Vigo County Indiana Veterans Court General Consent for Release of Confidential Information

I, _____, _____, hereby consent to
(Participant Name) (D.O.B.)

reciprocate communication between the Veterans Treatment Court Team (which includes: Presiding Judge John T. Roach, Coordinator/Case Manager Cindy Winkle, Veterans Justice Outreach Specialist Mark Mayhew, Prosecuting Attorney Robert Roberts, Defense Attorney Gretchen Etling, and Adult Probation Diane Frazier).

And the following individuals and agencies:

- | | |
|--------------------------|------------------------|
| 1. CPS Case Worker _____ | 4. Family Member _____ |
| 2. Employer _____ | 5. Other _____ |
| 3. Family Doctor _____ | |

The Purpose and need for disclosure is to provide collaboration with the above entities regarding my attendance, progress, and attitude toward my evaluation, and required treatment, education or both. The extent of necessary information to be disclosed includes:

- | | |
|-----------------------------|-----------------------------------|
| 1. Assessment | 6. Treatment Plan |
| 2. Attendance at treatment | 7. Discharge Plan |
| 3. Prognosis | 8. Results of Drug/Alcohol Screen |
| 4. Diagnosis | 9. _____ |
| 5. Probable cause Affidavit | |

Disclosure of this confidential information may be only made as necessary for, and pertinent to, hearings and reports concerning case number(s):

_____.

(List all case numbers under which the participant is enrolled)

I may revoke this consent at any time in writing, except where there has been action taken in reliance upon this release. Otherwise, I understand that this consent will remain in effect until there has been formal and effective termination of my involvement with the problem-solving court for the above referenced case, such as the discontinuation of all court supervision upon my successful completion of all problem-solving court involvement.

I understand that any disclosure made between the above named agencies or individuals is bound by 42 CFR Part 2, which is Code of Federal Regulations governing confidentiality of substance abuse patient records, and that recipients of this information may re-disclose it only in connection with their official duties. I have received a copy of this signed form. I understand that matters regarding my case and compliance will be discussed in open court.

Date

Participant/Legal Guardian Signature

Interpreter

Witness

Attachment G

Participant Agreement

**STATE OF INDIANA
VIGO SUPERIOR COURT
2015 TERM**

State of Indiana

-vs-

Cause No. 84D01-

Vigo County Indiana Veterans Court Participant Agreement

The mission of the Vigo County Indiana Veterans Court is to promote public safety while supporting veterans and their families through a coordinated effort among the veteran services delivery system, community-based services, and the court, leaving no veteran behind.

I have been offered and have accepted the opportunity to participate in this program.

I, _____, VOLUNTARILY AGREE TO THE FOLLOWING:

1. I agree to complete any and all diagnostic evaluations and/or assessments. I will attend and successfully complete any and all treatment programs and/or support groups that I am referred to by the Court. I agree to be supervised by persons designated by the Court. I will obey all rules of the treatment program and/or support group, provide verification of my participation, and pay all required fees.

2. I agree to contact my Case Manager as directed. I will submit to urine, breath or other drug testing upon request by the Court, Case Manager, or Veterans Court Coordinator. I will control the intake of fluids so as not to dilute any urine sample. I will cooperate during random home visits by probation officers, police officers, or other authorized agencies, including breath testing and cursory searches of my person and residence. I agree that any missed call for drug screening, any missed or refused test or any diluted test result will count as a positive test. I will not manipulate the results of any testing.

3. I will appear for all court dates, treatment meetings, probation officer meetings, classes or other scheduled appointments as ordered by the Court, and I will be on time and dressed appropriately.

4. I will comply with the terms and conditions of my sentence and any other rules designated by Probation or members of the Team. I will read the Veterans Court participant handbook and abide by the rules in the handbook.

5. I understand I must be employed and/or in school as required by the Veterans Court Judge.

6. I agree to sign any and all releases necessary to monitor my progress in and compliance with the Veterans Court program.

7. I agree to keep the Court and treatment providers informed of my current address and phone number(s) and to report all address and phone changes to my probation officer and/or veteran treatment court coordinator before I make the changes.

8. I understand that I must have prior permission from Court staff before taking any prescribed medication. I will provide verification of prescriptions to my probation officer before any use of medication. Except in the case of a life-threatening medical emergency or minor illness, I will only use one physician, one pharmacy, and one hospital while in Veterans Court.

9. I will advise any health care professionals who treat me if I am chemically dependent.

10. I will not use, possess, distribute, or have under my control any alcohol, drugs, drug paraphernalia or any mood-altering substances while participating in Veterans Court, except as authorized by a lawful prescription.

11. I will not knowingly associate with persons using or possessing controlled substances.

12. I will not live with a convicted felon, unless approved by Veterans Court Judge.

13. I will not violate any law, and I understand that if I engage in any criminal act, I may be prosecuted for any new charge which may be the basis for my exclusion or expulsion from the Veterans Court Program.

14. The Court may impose immediate sanctions for non-compliance with conditions of the program.

15. I agree to the terms set forth by the Vigo County Indiana Veterans Court, and understand that if I do not follow the Court rules I will be terminated from the program. I have received a copy of this Participant Agreement and the Participant Handbook and agree to their terms and conditions.

DATE: _____

Defendant

DATE: _____

Defendant's Attorney

ATTACHMENT F

Indiana Supreme Court
Veterans Court Grant Application
Budget Worksheet



30 South Meridian Street, Suite 500 Indianapolis, IN 46204 (317) 232-2542

Court Name: Vigo County Indiana Veterans Court

	Proposed Budget
Personnel expenditures	
Employee personnel: Please list each position separately	
Position: Veterans Court Coordinator - Part-time	
Benefits	\$ -
Salary	\$20,000.00
Contract personnel: Please list each position separately	
Position:	
Contract amount (rate x hours)	\$ -
Total personnel expenses	\$20,000.00
Non-personnel expenditures	
Incentives	\$2,000.00
Drug testing	\$35,000.00
Transportation	\$1,000.00
Other - Please explain	\$5,000.00
Education and Training	
Total Non-Personnel Expenditures	\$43,000.00
Total expenditures	\$63,000.00

ATTACHMENT G

MEMORANDUM OF UNDERSTANDING
Between
Richard L. Roudebush VA Medical Center
and
Indiana VA Regional Office
and
Vigo Superior Court Division 1, Terre Haute, Indiana

Background: Each year a significant number of veterans are charged with non-violent misdemeanor and felony offenses in Vigo County, Indiana. Many of these veterans have medical, mental health and other problems, including those related to military services. These veterans often need rehabilitative services not otherwise available to them except through the Department of Veterans Affairs ("VA"). The Vigo Superior Court Division 1 ("VSC") has agreed to establish a Veterans Treatment Court in Terre Haute, IN to work with the VA to divert select members of the veteran population who are charged with eligible misdemeanor and felony offenses and who exhibit mental health or substance abuse related issues into an appropriate rehabilitative program. The Veterans Court will operate as a discreet problem solving court.

Purpose: The purpose of this Memorandum of Understanding ("MOU") between the Richard L. Roudebush Veterans Affairs Medical Center ("VAMC"), the Indiana VA Regional Office ("VARO"), and the Vigo Superior Court Division 1 ("VSC") is to establish the opportunity for eligible veterans participating in the VSC Veterans Treatment Court ("VSCVTC") to be diverted into VA-sponsored rehabilitative programs. The mission of the Veterans Treatment Court is to increase access to mental health and substance abuse treatment for veterans with certain misdemeanor and felony offenses by diverting veterans directly into treatment, thus reducing jail time, costs, and criminal recidivism, while improving mental health recovery and successful re-entry into the community.

Parties to this MOU agree to the following:

1. The VSCVTC will include the Judge of Vigo Superior Court Division 1, representatives of The Vigo County Prosecutor's Office, The Vigo County Public Defender, as well as representatives of the VA and community agencies and organizations with a vested interest in the court (e.g., American Legion, Vet-to-Vet, etc.) , who together will assist in the planning, development and application of the same.
2. Eligible veterans charged with approved misdemeanor and felony offenses may apply to enter the VSCVTC program.

3. Participation in the VSCVTC program is voluntary. During a hearing, veteran defendants charged with eligible offenses must agree, in writing, to enter the VSCVTC program.
4. The VSCVTC shall provide all necessary referral forms. VSCVTC staff members shall be responsible for ensuring that eligible veteran defendants complete and sign all the forms necessary for them to participate in the VSCVTC program.
5. The parties will collaborate and cooperate for the purpose of developing and implementing necessary forms to be utilized to fulfill the requirements of the VSCVTC, and to create a viable data collection process for a review of the efficacy of the VSCVTC at the conclusion of one year after the effective date of this MOU.
6. In order to assist in treatment planning, the VSCVTC agrees to secure from the veteran defendant releases of health information and to provide the VA with the same as well as a record of the veteran defendant's current pending charges.
7. The parties understand and agree that if the consent to release of information is revoked by the veteran defendant at any time, the VA will be unable to provide any information to the VSCVTC pursuant to federal privacy laws.
8. The Richard L. Roudebush VA Medical Center shall provide one liaison to the Veterans Court whose responsibilities shall include:
 - a. Scanning into VA's Computerized Patient Record System (CPRS) authorizations signed by each veteran-defendant for release of information from the veteran-defendant's VA medical record to the VSCVTC. The liaison will provide the authorization forms to the VSCVTC;
 - b. Appearing at the VSCVTC to respond to court inquiries and assist with scheduling of appointments at the Richard L. Roudebush VA Medical Center;
 - c. Providing status reports concerning the veteran-defendant's treatment to the VSCVTC on a regular basis as requested;
 - d. Assisting in treatment planning for veteran-defendants; and
 - e. Providing assistance to veteran-defendants to enroll in VA health care and establish eligibility for their care.
9. The Indiana VA Regional Office (VARO) shall, as staffing needs allow, provide one VSCVTC liaison whose responsibilities shall include:
 - a. Appearing before the VTC to respond to court inquiries and advise on

available VA programs and benefits; and

b. Helping veteran-defendants, as appropriate, to apply for any non-medical VA benefits and services for which they may be eligible.

10. In those instances where, within a VA system of records, electronic or paper records exist that may contain evidence or information desired by the VSCVTC (e.g., evidence of the defendant's military service, information about the defendant's claims status, etc.), VARO will disclose such information in accordance with applicable disclosure/confidentiality statutes. In those instances where only paper records exist and those records have been retired to a federal archive or transferred to a VA records management facility, VARO may be unable to furnish timely responses to Court inquiries for such information, but will always strive to be as helpful as reasonably possible. In those instances where the veteran-defendant's authorization is required before the information can be disclosed to the court, VARO will work in concert with officials of the court and the Richard L. Roudebush VA Medical Center to secure a signed authorization from the veteran or his or her legal representative to facilitate disclosure of needed information to the VSCVTC judge.

The determination whether staffing needs allow for VARO to provide a VSCVTC liaison rests solely with VARO management staff, or persons that management staff delegates to make such a determination. The parties agree that this determination is not subject to review.

11. The parties understand and agree that the Richard L. Roudebush VA Medical Center shall only provide treatment through programs and services the Richard L. Roudebush VA Medical Center has available and for which an enrolled veteran is eligible under Federal law, and that the Richard L. Roudebush VA Medical Center may be limited in its treatment options due to budget and availability of providers.

The parties also understand and agree that veteran defendants participating in VSCVTC will not receive a priority for care from VA just because they are participating in VSCVTC.

12. The parties understand that veteran-defendants are not required to receive treatment mandated by the VSCVTC solely through VA, and may seek and/or receive treatment from other providers in the event that they are deemed ineligible for VA services, VA does not offer the services requested, VA is unable to provide services within a reasonable timeframe, or the veteran-defendant chooses to seek services from a non-VA provider.

13. In order to assist with treatment planning, the VSCVTC agrees to provide VA with the veteran-defendant's criminal history and current charges at the time of referral to VA.

14. The VSCVTC includes a Mentor Program, i.e., peers of the veteran-defendant will be available to provide non-medical assistance as needed to the veteran-defendants. The VA and the VSCVTC will coordinate in developing and establishing this program, including the selection and training of mentors. As a peer-driven program, VA will not facilitate, monitor or otherwise control this aspect of the VSCVTC.

Confidentiality of Veteran Records: VA medical and claims records are and shall remain the property of VA and shall not be removed or transferred from VA except in accordance with 5 U.S.C. § 552a (Privacy Act), 38 U.S.C. § 5701 (Confidentiality of Claimant Records), 5 U.S.C. § 552 (FOIA), 38 U.S.C. § 5705 (confidentiality of Medical Quality Assurance Records), 38 U.S.C. § 7332 (Confidentiality of Certain Medical Records), Public Law 104-191 enacted August 21, 1996 (Health Insurance Portability and Privacy Act of 1996) and any other pertinent Federal laws, rules and regulations.

Subject to applicable Federal confidentiality and privacy laws, veterans or their designated representatives may have access to information from VA's records, upon request during normal business hours.

All individually identifiable health information shall be treated as confidential by the parties to this MOU in accordance with all applicable Federal, state, and local laws, rules and regulations governing the confidentiality and privacy of individually identifiable health information.

Independent Contractors: For the purposes of this MOU, the relationship of the parties shall not be construed or interpreted to be a partnership, association, joint venture, or agency. The relationship between the parties to this MOU is an independent contractor relationship and neither party will be an agent, representative, or employee of the other party. No party shall have the authority to make any statements, representations, or commitments of any kind or to take any action that shall be binding on another party, except as may be expressly provided for herein or authorized in writing with the agreement of the other parties.

Liability: Each party shall retain all the rights and remedies available under applicable Federal and state laws. Each party shall be responsible and liable for the errors and omissions of their employees to the extent provided by law. VA employees performing under this MOU are covered by the individual liability protections of the Federal Tort Claims Act (FTCA) (28 U.S.C. § 2679(b)-(d)) and do not carry separate insurance. VA contractors are not covered by the FTCA.

Notices: Any notices required or resulting from this MOU shall be in writing and made to the following:

Director, Richard L. Roudebush VA Medical Center
1481 W. 10th Street
Indianapolis, IN 46202

Director, VA Regional Office
575 N. Pennsylvania Street
Indianapolis, IN 46204

Presiding Judge, Vigo Superior Court Division1
33 South Third Street – Fourth Floor
Terre Haute, IN 47807

Term of Agreement: The term of this MOU is one year commencing on its effective date. This MOU will become effective on the date that all parties have signed it. This MOU will automatically be renewed for consecutive one year terms unless amended or unless any party terminates its participation in this MOU by providing written notice to all other parties not less than thirty days prior to the effective date of such termination. If a party terminates its participation in the MOU, the parties agree to honor any and all agreements entered into with participating veteran-defendants until the conclusion of their respective cases pending in the Veterans Court.

Accepted for the Richard L. Roudebush VA Medical Center:

Ginny Creasman, Director

Date

Accepted for the Indiana VA Regional Office:

Michael Stephens, Director

Date

Accepted for the Vigo Superior Court Division 1:



John T. Roach, Judge

Date

1/4/16

MEMORANDUM OF UNDERSTANDING
Between
Hamilton Center
and
Vigo Superior Court Division 1, Terre Haute, Indiana

Background: Each year a significant number of veterans are charged with non-violent misdemeanor and felony offenses in Vigo County, Indiana. Many of these veterans have medical, mental health and other problems, including those related to military services. These veterans often need rehabilitative services which are sometimes not available to them through the Department of Veterans Affairs (“VA”) and which may be available to them through Hamilton Center (“HC”). The Vigo Superior Court Division 1 (“VSC”) has agreed to establish a Veterans Treatment Court in Terre Haute, IN to work with HC to divert select members of the veteran population who are charged with eligible misdemeanor and felony offenses and who exhibit mental health or substance abuse related issues into an appropriate rehabilitative program. The Veterans Court will operate as a discreet problem solving court.

Purpose: The purpose of this Memorandum of Understanding (“MOU”) between the HC and Vigo Superior Court Division 1 (“VSC”) is to establish the opportunity for eligible veterans participating in the VSC Veterans Treatment Court (“VSCVTC”) to be diverted into HC rehabilitative programs. The mission of the Veterans Treatment Court is to increase access to mental health and substance abuse treatment for veterans with certain misdemeanor and felony offenses by diverting veterans directly into treatment, thus reducing jail time, costs, and criminal recidivism, while improving mental health recovery and successful re-entry into the community.

Parties to this MOU agree to the following:

1. The VSCVTC will include the Judge of Vigo Superior Court Division 1, representatives of The Vigo County Prosecutor’s Office, The Vigo County Public Defender, as well as representatives of HC and organizations with a vested interest in the court (e.g., American Legion, Vet-to-Vet, etc.) , who together will assist in the planning, development and application of the same.
2. Eligible veterans charged with approved misdemeanor and felony offenses may apply to enter the VSCVTC program.
3. Participation in the VSCVTC program is voluntary. During a hearing, veteran defendants charged with eligible offenses must agree, in writing, to enter the VSCVTC program.

4. The VSCVTC shall provide all necessary referral forms. VSCVTC staff members shall be responsible for ensuring that eligible veteran defendants complete and sign all the forms necessary for them to participate in the VSCVTC program.
5. The parties will collaborate and cooperate for the purpose of developing and implementing necessary forms to be utilized to fulfill the requirements of the VSCVTC, and to create a viable data collection process for a review of the efficacy of the VSCVTC at the conclusion of one year after the effective date of this MOU.
6. In order to assist in treatment planning, the VSCVTC agrees to secure from the veteran defendant releases of health information and to provide HC with the same as well as a record of the veteran defendant's current pending charges.
7. The parties understand and agree that if the consent to release of information is revoked by the veteran defendant at any time, HC will be unable to provide any information to the VSCVTC pursuant to federal privacy laws.
8. Hamilton Center shall provide one liaison to the Veterans Court whose responsibilities shall include:
 - a. Scanning into HC's record keeping system authorizations signed by each veteran-defendant for release of information from the veteran-defendant's HC medical record to the VSCVTC. The liaison will provide the authorization forms to the VSCVTC;
 - b. Appearing at the VSCVTC to respond to court inquiries, advise on available HC programs and benefits, and assist with scheduling of appointments at the HC;
 - c. Providing status reports concerning the veteran-defendant's treatment to the VSCVTC on a regular basis as requested;
 - d. Assisting in treatment planning for veteran-defendants; and
 - e. Providing assistance to veteran-defendants to enroll in available programs providing funding and eligibility for HC health care.
9. The parties understand and agree that the HC shall only provide treatment through programs and services it has available and for which an enrolled veteran is eligible, and that the HC may be limited in its treatment options due to budget and availability of providers.

The parties also understand and agree that veteran defendants participating in VSCVTC will not receive a priority for care from HC just because they are participating in VSCVTC.

10. The parties understand that veteran-defendants are not required to receive treatment mandated by the VSCVTC solely through HC, and may seek and/or receive treatment from VA providers in the event that they are deemed eligible for VA services.

11. In order to assist with treatment planning, the VSCVTC agrees to provide HC with the veteran-defendant's history and current charges at the time of referral to HC.

Confidentiality of Records: HC medical and claims records are and shall remain the property of HC and shall not be removed or transferred from HC except in accordance with State and Federal privacy laws, rules and regulations.

Subject to applicable confidentiality and privacy laws, veterans or their designated representatives may have access to information from HC's records, upon request, during normal business hours.

All individually identifiable health information shall be treated as confidential by the parties to this MOU in accordance with all applicable Federal, state, and local laws, rules and regulations governing the confidentiality and privacy of individually identifiable health information.

Independent Contractors: For the purposes of this MOU, the relationship of the parties shall not be construed or interpreted to be a partnership, association, joint venture, or agency. The relationship between the parties to this MOU is an independent contractor relationship and neither party will be an agent, representative, or employee of the other party. No party shall have the authority to make any statements, representations, or commitments of any kind or to take any action that shall be binding on another party, except as may be expressly provided for herein or authorized in writing with the agreement of the other parties.

Liability: Each party shall retain all the rights and remedies available under applicable Federal and state laws. Each party shall be responsible and liable for the errors and omissions of their employees to the extent provided by law.

Notices: Any notices required or resulting from this MOU shall be in writing and made to the following:

Director, Hamilton Center, Inc.
620 Eighth Avenue, Terre Haute, Indiana 47804

Presiding Judge, Vigo Superior Court Division1
33 South Third Street – Fourth Floor
Terre Haute, IN 47807

Term of Agreement: The term of this MOU is one year commencing on its effective date. This MOU will become effective on the date that all parties have signed it. This MOU will automatically be renewed for consecutive one year terms unless amended or unless any party terminates its participation in this MOU by providing written notice to all other parties not less than thirty days prior to the effective date of such termination. If a party terminates its participation in the MOU, the parties agree to honor any and all agreements entered into with participating veteran-defendants until the conclusion of their respective cases pending in the Veterans Court.

Accepted for the Hamilton Center, Inc.:

Date

Accepted for the Vigo Superior Court Division 1:

John T. Roach, Judge

Date

ATTACHMENT H

Cynthia M. Winkle

Contact

3832 E. Oakwood Ave., Terre Haute, IN 47805
812-249-7928
Cindy.Winkle@VigoCounty.IN.Gov

Education

Graduated from Terre Haute North High School in 1983

Experience

Sears Roebuck and Co., Human Resource/Training Coordinator 1985-1990

- Reviewed new applicants and scheduled interviews
- Entered payroll
- Scheduled and conducted all training (new and ongoing)

Vigo County Prosecutor, Case Manager 1991-2001

- Interviewing IV-D and Tanf Recipients
- Preparing and Filing Paternity actions
- Preparing and Filing Rule to Show Cause and Contempt Affidavits for non-support of Dependent.

Vigo County Adult Probation, Secretary 2001-2003

- Prepared Rules of Probation
- Prepared pre-sentence reports for probation officers
- Prepared Revocation of Probation

Vigo County Community Corrections, Case Manager 2003-Present

- Conduct IRAS assessment and prepare case plan
- Assist Vigo County Community Correction participants with job search and skills needed to obtain and maintain employment.
- Supervise Case Managers to ensure that all Community Corrections participants are being placed in appropriate classes and programming.
(See Attached Job Description)

References

William Watson Director Vigo County Community Corrections
Work: 812-462-3381, Cell: 812-208-2115
Email: William.Watson@VigoCounty.IN.Gov

Diane Frazier Vigo County Chief Probation Officer
Work: 812-462-3351
Email: Diane.Frazier@VigoCounty.IN.Gov

Robert Roberts
Work: 812-462-3305
Email: RobRoberts@VigoCounty.IN.Gov

**POSITION DESCRIPTION
COUNTY OF VIGO
TERRE HAUTE, IN**

POSITION:	Senior Case Manager
DEPARTMENT:	Community Corrections
WORK SCHEDULE:	As Assigned
REPORTS TO:	Executive Director
DATE WRITTEN:	September 2002
DATE REVISED:	December 2012
STATUS:	Full-time
FLSA STATUS:	Non-exempt

- Incumbent serves as Senior Case Manager for Vigo County Community Corrections.
- The requirements listed in this document are representative of the knowledge, skill and/or ability required. Reasonable accommodations (as defined in Vigo County Community Corrections personnel policies handbook) may be made to enable individuals with disabilities to perform the essential functions.
- To perform this position successfully an individual must be able to perform each essential duty satisfactorily.

DUTIES AND RESPONSIBILITIES:

The following are the main duties and responsibilities but not limited to:

- Facilitates Thinking for a Change and job search class.
- Maintains a community resource guide for employment and education information for the Residents and VCCC staff.
- Maintains a classroom schedule and provides the Deputy Director with any changes or updated information for new classes or discontinued classes.
- Oversees daily functions of the case managers and field coordinators.
- Assist with staff training.
- Oversees evaluations on all participants to pre determine their eligible and forwards finding to pertinent agencies.
- Administers/assists with assessment of participant's risk and needs.
- Utilizes assessment results to develop an individual treatment plan for each participant. Monitors participant's program attendance.
- Monitors participant's treatment plan compliance and evaluates overall progress.
- Selects, implements, and utilizes intervention and enforcement strategies that best fit the characteristics of the participant.

- Assists program participants in obtaining necessary treatment/education services identified in their treatment plan.
- Prepares non compliance conduct reports and forward to the CAB Screening Officer.
- Acts as hearing officer for the Conduct Adjustment Hearing Board when necessary.
- Installs and maintains electronic monitoring equipment, initiating repairs as needed.
- Enters program participant's daily/weekly activity schedule, checks documentation for the prior week's schedule for verification/proof of accountability.
- Performs drug screens on his/her participants in the time frame set by department policies and procedures.
- Collects drug screening results documenting results in Case Management system.
- Manages caseload in an effective manner. Manages time and organizes work demands appropriately.
- Serves as liaison between participants and service providers, including explaining program policies, answering questions, and resolving problems.
- Searches participants for contraband according to prescribed procedures, and tests for illegal drugs and alcohol, including collecting drug screen samples and operating alcosensor/Portable breath tester.
- Enters or Assists with participant intake, including completing required forms, explaining program rules and contract terms, and executing contracts. Monitors participant's compliance with program rules.
- Maintains current and accurate case files. Accurately documents pertinent information from contacts.
- Prepares and files various documents with the court identifying the participant's progress or lack thereof and testifies in court proceedings.
- Maintains current knowledge of applicable local, state, and federal rules/regulations, new developments, technology and trends in the field of community corrections by reading professional publications and periodically attending trainings, seminars and /or conferences.
- Assists with participant intake, including completing required forms, explaining program rules, contract terms, and executing contracts.
- Maintains current, accurate case files, documents pertinent information from all contacts in the Case Management system.
- Serves as liaison to participants and employers, including explaining program policies, answering questions, mediating conflicts, and resolving problems.
- Prepares files and various documents for the court identifying the program participant's progress.

- Maintains face to face contact with participants at least once per week documenting all and type of contact in Case Management system
- Monitors payments, insures accounts are kept up to date and participates in the collections process.
- Answers his/her telephone calls daily, responds to inquiries accurately and documents information. Forwards any pertinent information to the proper department.
- Reviews the Jail List daily for past and present client's arrests. Prepares status, forwards status to the court and documents arrest in Case Management.
- Uses the County Court JTS/CCS program to keep current with revocations and or court hearings.
- Assist with structuring participant's time in productive and self-help activities.
- Provides behavioral management and well being of participants during all activities and classes.
- Continually evaluates participants, recording all behavior changes and incidents as required for court reports; conducts and logs observations.
- Conducts searches of participants and their property to ensure that they do not possess weapons or other contraband.
- Acts as facilitator or co facilitator for client self help classes when necessary.
- Conducts searches necessary to ensure the safety of staff and participants.
- Responds to problems and emergencies, such as rule infractions, conflicts between participants, illnesses, injuries; takes appropriate action and/or discipline as appropriate
- Completes all necessary training including online training in the time allowed.
- Prepares revocations and or department of corrections warrants in a timely and follows up to insure processed by all necessary agencies.
- Reads court orders determining accurately
- Serves on 24-hour call for emergencies.
- Performs related duties as assigned.
- Ability to provide public access to or maintain confidentiality of department information/records according to state requirements.

JOB REQUIREMENTS:

The following job requirements must be met and maintained during the period of employment as follows:

- Must be at least 21 years of age, Minimum Associates Degree but Baccalaureate Degree in Criminology preferred with related experience in such areas as court procedures, community corrections and probation operations.
- Working knowledge and make practical application of Department policies and procedures, legal requirements, including agency Personnel Policies for employment, State Board of Accounts and the Department of Corrections policies.
- The employee will be trained and instructed in the utilization of the Eight Principles of Effective Intervention as related to Evidence Based Practices. The employee will be required to demonstrate and understanding of these skills and apply them in their daily duties.
- Working knowledge of Standard English, grammar, spelling, punctuation and the ability to type with speed and accuracy.
- Write clearly, informatively, edits work for spelling and or grammar errors, and able to read and interpret written information.
- Add, subtract, multiply and divide in all units of measures using whole numbers, common fractions, and decimals.
- Consistently be at work, be on time, and ensure work responsibilities are covered when absent.
- As a result of the duties associated with this job, there is the potential of becoming exposed to blood borne pathogens and must receive the three shot Hepatitis B vaccination, annual Tuberculosis and subsequent training. If the employee has previously received the three shot Hepatitis B vaccination, official documentation must be provided to the supervisor within two weeks of hire date identifying when and who administered vaccine. Employee may NOT decline any vaccinations that are listed above.
- Must have the ability to adapt to change, apply those changes to his/her job immediately and effectively.
- Operate standard office equipment such as telephone, calculator, copier, fax machine, typewriter, computer, printer and etc.
- Working knowledge of database software, spreadsheet software and word processing software.
- Working knowledge of bookkeeping operations and ability to maintain accurate files.
- Effectively communicate orally and in writing with a variety of individuals such as co-workers, other county departments, attorneys, law enforcement personnel and the public.
- Show respect and sensitivity for cultural differences, and promote a harassment-free environment.
- Focus on solving conflicts, listen to others without interruption, keep emotions under control, remain open to others ideas, listens, responds, gets clarification to questions, participates in meetings, gives and welcomes feedback, displays passion and optimism.
- Effectively complete duties amidst frequent distractions and interruptions.

- Possess and utilize good interpersonal skills and at all times treating all persons with respect, work with integrity, ethics, uphold organizational values and professional courtesy.
- Maintain a good working relationship with staff, other agencies staff, participants and their families.
- Project a professional image appropriate for working in a professional office setting, including grooming and adhering to agency dress code at all times.
- Maintain confidentiality of all departmental records and or information.
- Carry out the instructions, guidelines and directives according to agency organizational chart in an accurate and timely manner.
- Possess valid Indiana drivers license and demonstrate a safe driving record. Provide proof to supervisor annually and must notify supervisor of suspensions or restrictions.
- Work evenings, weekends and etc. when workload and/or deadlines required.
- Attend meetings/training including evenings, weekends and out of town (overnight when necessary).
- Ability to perform related duties as assigned by Executive Director and/or Deputy Director/ Business Manager.
- Work with potentially dangerous, violent and or abusive participants.
- Ability to de-escalate potentially volatile situations between participants when necessary.
- Observe safety and security procedures. Determine appropriate action beyond guidelines and report potentially unsafe conditions to supervisor.
- Obtain required certifications/training within time specified by department, including first responder/CPR, response to resistance, verbal de-escalation, and disease control.
- Testifies in Court as needed.

PHYSICAL:

The following job requirements must be met and maintained during their period of employment as follows:

- Stand, walk, sit, use hands to fingers, handle or feel, reach with hands and arms, climb or balance, stoop, kneel, crouch, crawl, talk and hear.
- Lift and move up to 25 pounds.
- Close vision, distant vision, and color vision, peripheral vision, and depth perception, ability to adjust and focus.

*Reasonable accommodations may be made to enable individuals with disabilities to perform the essential function.

APPLICANT/EMPLOYEE ACKNOWLEDGEMENT:

- The job description for the Case Manager describes the duties and responsibilities for employment in this position.
- I acknowledge I have received this job description, and understand that this is not a contract of employment.
- This job description does not grant an entitlement or an expectation of employment or continued employment.
- This job description does not create a property interests or a contract, expressed or implied, guaranteeing employment or employment for any specific duration.
- All Community Corrections employees are and will remain at will.
- The employee or Vigo County Community Corrections may terminate the employee relationship at any time, for any reason, with or without cause or notice.
- I am responsible for reading this job description and complying with all job duties, requirements and responsibilities contained herein, and any subsequent revisions.

I have read the terms and I understand the employee's responsibilities as outlined.

Is there anything that would keep you from meeting the job duties and requirements as outlined?

Yes _____

No _____

Applicant/employee signature

Date