

29th DISTRICT COURT



WESTERN WAYNE COUNTY REGIONAL BEHAVIORAL TREATMENT COURT

PARTICIPANT HANDBOOK

RBTC RULES

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WELCOME

Welcome to the Western Wayne County Regional Behavioral Treatment Court (known as the RBTC). This Handbook is designed to give you information about the RBTC Program and answer some of your questions.

You will be expected to:

- follow the instructions given to you by the Judge;
- work closely with Care Manager, Probation Officer, Coordinator, Home Compliance Officer and others on your Treatment Team;
- follow the treatment plan you develop with your Community Mental Health Therapist;
- participate in the recovery activities required by the Treatment Team;
- comply with RBTC rules and regulations

Your acceptance into the RBTC was based upon a review of your current and past mental health and substance use issues, interactions with the law, and your willingness to accept the terms of the program. This program is voluntary. If you elect not to participate, your case will be sent back to the referring court, and you could be sentenced to jail.

We believe you can benefit from the RBTC program. In talking with you, we recognized a *readiness for change* and your desire to work towards recovery and wellness, an important reason that you have been accepted into the RBTC.

You will be required to comply with probation requirements and medication and treatment recommendations. We believe that, if you work at it, the RBTC will help you learn how to make successful choices that will improve your quality of life and reduce your contact with the criminal justice system.

Welcome to the Western Wayne County Regional Behavioral Treatment Court!

OVERVIEW

The RBTC is a three-phase program designed for adult offenders who are convicted in one of the participating courts of a misdemeanor criminal offense, and who suffer from severe mental illness. The RBTC is a joint effort of the 16th, 17th, 18th, 20th, 21st, 22nd, 23rd, 24th, 34th, 35th and 29th District Courts, Hegira Programs, Inc., the Wayne County Prosecuting Attorney's Office, prosecuting attorneys in the covered region, police departments in the covered region, Wayne County Sheriffs and jail personnel, defense attorneys, therapists, court/probation personnel, substance use counselors, peer support specialists, and other Detroit-Wayne County Community Mental Health Authority treatment providers. By working together as a team, we will help you develop and maintain the coping skills you need to live life with reduced problems.

RBTC involves frequent court appearances at the 29th District Courthouse at 34808 Sims Street, Wayne, and your active participation towards recovery. Its main components are probation and treatment.

The court will provide **incentives** (rewards) for compliance and **sanctions** (punishments) for non-compliance. If you fail to follow the rules, you may be required to report more often to court, probation or testing. You may find yourself in jail or face other consequences. You may be terminated from the RBTC program for failure to follow the rules.

Every team member will help you to understand what is expected of you and will assist you every step of the way towards recovery.

THE TREATMENT TEAM

The RBTC Judge, Hon. Laura Mack, will make all decisions regarding your participation in the RBTC program with the help of the RBTC Treatment Team. Here are the members of the Treatment Team:

RBTC Judge: Laura R. Mack

Defense Attorney: Charles Clos, or another attorney from his office

RBTC Care Manager from Hegira Programs, Inc.: Rachael Norwood: 734-934-2700

RBTC Probation Officer: Purity Marsh: 734-722-5220

RBTC Coordinator/Clerk: Kirstin Aslanian: 734-722-5220

RBTC Home Compliance Officer: Edward Johnson: 734-722-5220

RBTC Peer Support Representative: Tim Tout

RBTC Assistant Case Manager: Lucy Wiekowski: 734-578-4205

NAMI Metro President: Leon Judd

Program Director, Oakdale Recovery: Scott Schadel

29th District Court Administrator/Magistrate: Linda Gable; phone: 734-722-5220

For 24/7 psychiatric emergencies, contact COPE at 734-721-0200 or Detroit-Wayne County Mental Health Crises/Help Line at 1-800-241-4949, or go to www.dwmha.com.

PRELIMINARY STEPS

You must have a current criminal misdemeanor conviction in one of the district courts mentioned on page 1 in order to be in the RBTC program. If your case is in the 16th, 17th, 18th, 20th, 21st, 22nd, 23rd, 24th, 34th or 35th District Court, you will be sentenced in that court to non-reporting probation, with the main requirement that you complete the RBTC Program. You may be required to pay fines and costs to that court. That court will then transfer supervision of your probation to the 29th District Court.

You will then be required to attend a RBTC Review Hearing, where you will be formally accepted into the program and sentenced. In most cases, any cost for the RBTC program will be waived if you successfully complete the program.

If comprehensive mental health and substance use assessments have not yet been conducted by RBTC personnel, you will be required to submit to them within 14 days after acceptance into the program. You cannot remain in the program without these assessments—they are required.

Once your assessments have been completed, you will be given an appointment with a mental health therapist, who will work with you to develop a treatment plan or amend an existing treatment plan to take into account the new assessments. You will be expected to comply with your treatment plan, including taking any medications prescribed by your psychiatrist for your condition, as well as with all the requirements of probation. The RBTC Treatment Team will work with you on other problems or needs you may have such as substance use, insurance, housing, employment, education and food. An important goal of this program is to get you on track, and keep you on track, so you don't commit more crimes.

There are many benefits to successfully completing the RBTC program, such as: You will be congratulated and praised by the Treatment Team at the graduation ceremony. Your criminal charge may be dismissed. You will have contacts within the treatment system who can help you stay on track. You will have established healthy living habits that will help you for the rest of your life. It is well worth the effort.

RBTC REVIEW HEARINGS

You will be required to appear in front of Judge Laura Mack at the 29th District Court, 34808 Sims, Wayne, for Review Hearings in court on a regular basis. Review Sessions are held every Wednesday morning, starting at 9:30 a.m. The number of times that you are required to appear per month depends upon what Phase you are in. If you miss a scheduled Review Hearing, call the Probation Officer as soon as possible. Failure to appear at a Review Hearing without approval from the Probation Officer, Coordinator or Care Manager could result in a bench warrant being issued for your arrest that day, and jail when you are picked up by the police on the warrant until you can appear before the court. If you have questions about your court appearances, you should contact the Probation Officer, Coordinator or Care Manager.

PROGRESS REPORTS

Before each Review Hearing, Treatment Team members will provide the Judge with progress updates about you. The progress updates will come directly from the Care Manager, Probation Officer and Coordinator, and will include your attendance, participation, cooperation in the program, results of drug or alcohol tests, and/or compliance with other requirements of your probation and treatment. During the Review Hearing, the Judge will ask you questions about your progress and discuss any setbacks that you

may be having. The Judge will then give you a reward or a sanction. You will also receive a sheet listing your next probation appointment, appointment with the Care Manager, upcoming educational sessions, etc. *See page 14 for more detail about noncompliance and sanctions.*

PRIVACY

The RBTC is a partnership between mental health and substance use service providers and the criminal justice system. Treatment is a major component of the RBTC. In order to effectively monitor your compliance with treatment, the Treatment Team must receive accurate information about your mental health and substance use history, diagnoses and treatment. Treatment information is generally confidential under federal and state law, including HIPAA, 42 CFR Part 2 and the Michigan Mental Health Code. As a condition of your participation in the RBTC, you are required to sign one or more Consent/Authorization/Release forms, so the Treatment Team can obtain this information from your treatment provider(s). By law, the Treatment Team cannot re-disclose your confidential information to anyone without your consent, unless there is an emergency or another exception in the law that applies.

Under some circumstances, the law allows you to revoke your consent. The document you signed for your treatment provider should specify under what conditions you can revoke your consent. Generally, your treatment provider cannot refuse to provide treatment to you because you did not sign a consent form. However, signing the necessary Consent/Authorization/Release documents is a requirement for you to participate, or continue to participate, in the RBTC. So, if you revoke your consent to share treatment information with the Treatment Team, you cannot continue to participate in the RBTC.

Information about your treatment is entered into a secure state-wide database to track the RBTC program's effectiveness. This data is gathered for statistical analysis purposes only. Your name is not associated with your treatment records for these purposes.

Court hearings are usually open to the public. If there is anything of an embarrassing or super-personal nature that you do not want discussed in open court, discuss it with the Treatment Team or court-appointed attorney before court.

PHASES OF RBTC AND GRADUATION

Participation in the RBTC usually lasts 12 months, but can last up to 24 months, depending on your criminal charge, treatment needs and your progress. The program is divided into three Phases. The purpose of having different phases is to match your level of supervision with your progress complying with program requirements and personal goals.

Upon admission, you will be placed in Phase One. If you comply with all the requirements (listed on page 9) you will move into Phase Two after approximately six months, or earlier if the Treatment Team decides you are doing well. If you comply with all the requirements of Phase Two (listed on page 10), you will move into Phase Three (see page 11) after approximately three months, or earlier at the discretion of the Treatment Team. You may stay in Phase One if the Treatment Team decides you need more supervision.

The Treatment Team decides whether or not you will be placed in the next Phase. If you are in Phase Two or Three and you commit a serious violation, you may be moved back to an earlier phase.

The RBTC will hold a graduation ceremony at least once per year. **You must attend the graduation ceremony to be discharged successfully from the RBTC program.**

DRUG TESTING POLICIES AND PROCEDURES

All participants are required to abstain from using alcohol, illegal drugs or marijuana and submit to random drug and alcohol testing. The following tests are used to determine sobriety and abstinence from illegal or prohibited drugs: urine analysis, PBT, ETG Alcohol Testing, oral swabs and blood tests. Any of the aforementioned tests can be administered by the RBTC staff at any time during your probation term. Or, you may be required to test at a different facility, such as JAMS or 18th District Court.

If a test is determined to be positive or adulterated (diluted or otherwise altered to avoid detection of illegal substances), you will be notified as soon as possible. If you deny use, the test will be forwarded to an authorized lab for confirmation. At that time, you may request a portion of the sample for testing at an independent lab of your choosing, at your own expense. If confirmed as a positive, you will be sanctioned accordingly, after you are given the opportunity to have a contested violation hearing.

For a first positive or adulterated test, you may receive additional community service days, an increase in drug testing or 2 days in jail. The RBTC Treatment Team will recommend leniency to the Judge if you admit use and express remorse and a clear commitment to recovery. In such cases, a stern warning will likely be the only sanction. For a second positive or adulterated test, you may be placed on a tether, be ordered to participate in substance use disorder treatment or be sentenced to a jail term as a sanction. Again, if you acknowledge use and express remorse and commitment to the program, the sanction will be less severe. However, continued drug use/ positive drug tests will not be tolerated and could possibly lead to your termination from the program and jail in lieu of probation.

If you are testing at JAMS or another testing facility you must request a receipt upon payment at the testing site. A receipt **MUST** be obtained for every test. This is to ensure that you are testing regularly and testing when called. If you dispute a "failure to appear for testing" at JAMS or another testing facility stating that you did in fact test, you must provide the receipt as verification. All missed tests without a valid excuse will be treated as positive tests.

You must abide by all the rules of the RBTC and you will be held accountable for your actions. Maintaining a drug and alcohol-free lifestyle is an important part of the recovery process and will help you succeed in the program.

You are also required to submit to testing to confirm medication compliance at the discretion of the RBTC Team. These tests could include urine analysis, mouth swab or blood. Failure to take your prescribed medication could result in a sanction.

HOME VISITS

Home compliance visits are an integral component of the RBTC. The visits allow the Home Compliance Officer to become better acquainted with you and your living environment. The visits will be conducted in a professional and discreet manner so as to not draw attention to your participation in the RBTC program. The visits will allow you the opportunity to demonstrate your commitment to a sober and productive lifestyle.

Home compliance visits are conducted randomly any time during the day or night. You are required to cooperate and comply fully with the Home Compliance Officer.

Expectations include, but are not limited to:

- Your home must be alcohol and drug free (tobacco, caffeine, prescriptions excluded).
- You must submit to any PBT testing or drug urine screens requested.
- If you have a curfew or you are under house arrest, you must be at your residence during the hours set by the Judge. Failure to answer will result in a violation.
- Your house, property, garage, vehicle and person are subject to search without a warrant for alcohol and other illegal substances.
- You are responsible for what is in your residence. Express this to any other resident and ask for their consideration.
- You are expected to be prompt in your interaction with the Home Compliance Officer.
- Other residents need to be advised that, even if you are not at home, they will have to allow the Home Compliance Officer into the residence.
- You must maintain constant communication with the RBTC Probation Officer regarding any changes to your work or school schedules.
- If you have any emergency that causes you to miss a compliance visit, you must contact the RBTC Probation Officer within 2 hours, and you will be expected to provide documentation within 24 hours.

PHASE ONE

Key Concepts: Intense supervision by the court and treatment providers. Identify issues and personal strengths and goals as you begin your road to recovery. Usual length of time: 6 months.

Requirements:

Initials:

1. Sign all necessary consents and authorizations. _____
2. Attend RBTC Review Hearing every other week or as directed. _____
3. Meet with RBTC Care Manager once per week or as directed. _____
4. Meet with RBTC Probation Officer every other week or as directed. _____
5. Develop and comply with your Treatment Plan: Begin or continue mental health and substance use disorder treatment if needed, as directed by your Care Manager, therapist and Probation Officer. _____
6. Discontinue use of alcohol and illegal drugs, including K2, Bath Salts, etc. _____
7. Submit to tests for alcohol and drugs (missed, diluted, or adulterated tests are violations) as directed. _____
8. Engage in treatment and attend all appointments ON TIME (if rescheduling is necessary, only to do it once). _____
9. See a primary care doctor. _____
10. Engage in one or more Recovery Activities as discussed with Care Manager and Probation Officer. _____
11. Keep the Care Manager and Probation Officer informed of changes in your residence, contact with police, hospitalizations, or any other important events or issues in your life. _____
12. **No lying about anything!** _____
13. Follow all RBTC Rules (see pages 12 and 13) and all other requirements and orders of all Courts. _____
14. Perform community service if you are not working. _____
15. Take all prescribed medications as prescribed. _____
16. Attend Relapse Prevention and Educational Programs _____
17. Other: _____

Date Signed: _____

PHASE TWO

Key Concepts: Reduce frequency of court appearances; continue identifying strengths and barriers; establish a network of support. Incorporate wellness practices into daily life and further define and move toward life goals. Usual length: 3 months

Requirements:	Initials
1. Attend RBTC Review Hearing once per month or as instructed	_____
2. Meet with RBTC Care Manager once every other week or as instructed	_____
3. Meet with RBTC Probation Officer once per month or as instructed	_____
4. Comply with Treatment Plan; continue mental health and substance Use disorder treatment if needed, as directed by Care Manager and Probation Officer.	_____
5. Continue to abstain from alcohol and Illegal drugs.	_____
6. Continue submitting to tests for alcohol and drugs (missed, diluted, or adulterated tests are violations). Frequency may be reduced.	_____
7. Continue to engage in treatment and attend all appointments ON TIME.	_____
8. Continue participating in Recovery Activities.	_____
9. Continue to take all Medications as Prescribed!	_____
10. Maintain safe and stable housing.	_____
11. No lying about anything!	_____
12. Follow all RBTC Rules (see pages 12 and 13) and all other requirements and orders of all Courts	_____
13. Perform community service if you are not working full time. Frequency may be reduced.	_____
14. Keep the Care Manager and Probation Officer informed of any changes in your residence, any contact with police, any hospitalizations, or any other important events or issues in your life.	_____
15. Attend Relapse Prevention and Educational Programs	_____
16. Other: _____ _____	_____

Date Signed: _____

PHASE THREE

Key Concepts: Non-reporting probation; must continue testing and attend graduation ceremony. Continue treatment and medication. Continue to work on recovery. Continue participation in peer support groups. Continue wellness practices in your daily life. Continue to move toward life goals. Anticipated length: 3 months.

Requirements:

Initials

- | | |
|--|-------|
| 1. Not required to attend Review Hearings but encouraged to do so. | _____ |
| 2. Meet with RBTC Care Manager and Probation Officer every other month | _____ |
| 3. Continue to comply with Treatment Plan, including mental health and substance use disorder treatment if necessary | _____ |
| 4. Continue abstinence from alcohol and illegal drugs | _____ |
| 5. Continue to randomly test for alcohol and drugs as directed | _____ |
| 6. Continue to set goals and work on your own recovery | _____ |
| 7. Continue to take all medications as Prescribed | _____ |
| 8. Attend at least one Alumni Group meeting | _____ |
| 9. Complete Discharge Plan with Probation Officer and Care Manager | _____ |
| 10. Maintain safe and stable housing. | _____ |
| 11. No lying about anything! | _____ |
| 12. Follow all RBTC Rules (see pages 12 and 13) and all other requirements and orders of all Courts | _____ |
| 12. Must attend RBTC Graduation ceremony to be released from probation | _____ |
| 13. Keep the RBTC Care Manager and Probation Officer informed of any changes in your residence, any contact with police, any hospitalizations, or any other important events or issues in your life. | _____ |
| 14. Other: _____
_____ | _____ |

Date Signed: _____

RBTC PROGRAM RULES

Until your probation ends, you are required to follow the rules of the RBTC Program including, but not limited to, the following:

1. Attend RBTC Review Hearings, meetings, treatment sessions, community service, relapse prevention, educational programs and graduations as scheduled, arriving on time.
2. Do NOT use alcohol or illegal drugs; submit to observed alcohol and drug testing when required by the Court; and remain clean and sober.
3. Comply with all the terms of your treatment plan with Hegira or other authorized mental health or substance use disorder treatment provider.
4. If you miss a test, court hearing, or treatment appointment you MUST talk to the RBTC Probation Officer, Care Manager or Coordinator immediately, as this can be a violation of probation. If you need to reschedule a meeting or appointment, call at least 24 hours before and have a good reason that can be verified.
5. Do not possess any weapons. Do not engage in any conduct that threatens the safety or security of any participant or Treatment Team member.
6. Do not associate with people who use or possess drugs or are involved in criminal activity.
7. Keep the RBTC Treatment Team informed of your current address and phone number at all times. Keep your cell phone charged.
8. Follow all rules of any residential treatment facility, group home, halfway or $\frac{3}{4}$ home, or other residential arrangement.
9. Do not violate any laws of any units of government. Disclose to the RBTC Probation Officer any warrants or criminal activity that you become involved in as soon as possible. Report any contact with police or other law enforcement to the RBTC Probation Officer or Coordinator within 24 hours.
10. Take all medications as prescribed. Do not stop taking your medication without your doctor's approval.
11. Report any change in your medication to the RBTC Care Manager as soon as possible.
12. Do not leave the State of Michigan without prior written approval from the Court.
13. Allow and cooperate with home visits, scheduled or unannounced, by the Home Compliance Officer or any other person designated by the RBTC Treatment Team.
14. Allow and cooperate with the Home Compliance Officer, RBTC Probation Officer or any other person designated by the RBTC Treatment Team in a search of your person, your vehicle, any property under your control, or your residence.

15. No threatening, assaultive (hurting other people), or intimidating (frightening other people) behavior toward anyone.
16. Sign all authorizations for release of information needed by the RBTC Team, treatment provider(s) and other resource providers.
17. The topics and discussions in RBTC are confidential and private and are not to be discussed outside of RBTC. A violation of this privacy rule could result in a violation of your probation.
18. Do not have inappropriate relationships with other RBTC participants (for example: using drugs together, dating, etc.).
19. No lying about anything.
20. In RBTC Review Sessions:
 - *BE QUIET during court proceedings unless it is your turn to talk
 - *NO food, drink or electronic devices in the courtroom
 - *Follow all rules and regulations imposed by the RBTC team
 - *Do not use profanity
 - *Stay until the Judge dismisses you
 - *BE ON TIME!
21. Comply all other rules and regulations imposed by the RBTC Treatment Team.

NON-COMPLIANCE AND SANCTIONS

If you miss treatment or RBTC Review Sessions, stop doing what the RBTC Treatment Team instructs you to do, or stop following the RBTC program rules, there will be a negative (bad) consequence to you. It will be either a sanction or a probation violation, depending on various factors including but not limited to:

- the seriousness of the rule violation;
- your compliance or non-compliance with other program rules;
- prior violations and sanctions you have received while in the RBTC; and
- your truthfulness and attitude.

Sanctions and violations are determined by the Treatment Team on a case-by-case basis.

SANCTIONS:

If the RBTC Treatment Team decides on a sanction that could result in jail time or removal from the program, the defense attorney will meet with you to talk about it before the sanction is given. You will then have two options:

1. Accept responsibility for your behavior and accept the sanction.
2. Ask for a hearing.

If you choose to have a hearing and are found guilty of violating your probation, the sanction may be less, the same, or more than the sanction the Treatment Team recommended.

Examples of sanctions include, but are not limited to, the following:

- no applause in court
- a warning from the judge
- an essay or book report
- increased attendance at RBTC
- increased meetings with RBTC Probation Officer or Care Manager
- increased community service
- increased drug/alcohol testing
- loss of privileges
- moving from Phase Two or Three back to Phase One or Two
- Tether (house arrest)
- Jail
- Termination from the RBTC, payment of costs, and/or jail.

Obviously, the more serious the rule violation, the more severe the sanction with a chance of jail or termination from the program.

Examples of some minor rule violations:

- missing an appointment with the RBTC Probation Officer or RBTC Care Manager one time without a good excuse;
- being late for a community service session one time; and
- failing to appear for a drug or alcohol test one time.

Examples of serious rule violations:

- violence toward anyone;
- a new criminal charge;
- failure to appear for appointments, testing, community service, etc., more than once;
- failure to appear at RBTC Review Session without a good excuse;
- continued use of alcohol or illegal drugs;
- multiple rule violations.

These are common examples only: The Treatment Team will decide on a case-by-case basis whether any failure to follow the rules is minor or serious, based on the factors listed above.

NOTE: If you fail to appear to a RBTC Review Session without being excused by the RBTC Probation Officer, Coordinator or Care Manager, a bench warrant will be issued for your arrest that day. This means that you can be picked up by law enforcement personnel and held in jail until arraignment before the Judge.

PROBATION VIOLATION FOR SERIOUS RULE VIOLATIONS:

The RBTC Treatment Team may decide that a Formal Probation Violation is appropriate for serious violations; for example, if jail or termination from the RBTC is expected to be given as a sanction. Jail or termination from the RBTC could be imposed by the Treatment Team if there is a serious violation or continued violation of the RBTC Rules. See the section above for examples of serious violations. For a serious violation, you will be arraigned on the probation violation in court, at which time the Judge will advise you of the alleged conduct, your rights, and the maximum penalty for that conduct. You will have two options:

1. You can plead guilty to the probation violation. The RBTC Probation Officer will make a recommendation on your sentencing for that violation. Your attorney and other members of the Treatment Team will also be allowed to present arguments as to what your sentence should be on that violation.
2. You can request a formal hearing with your attorney, or a court-appointed attorney present, requiring the RBTC Probation Officer and RBTC Care Manager to prove by a preponderance of the evidence that you violated your probation. If you are found guilty, the Judge will decide on the penalty; which may be less, the same, or more than if you'd agreed to take the sanction instead.

TERMINATION FROM RBTC

Warrants, new crimes, serious probation violations, or multiple violations could result in your being terminated from the RBTC. This decision is made by the RBTC Treatment Team. If you believe you should not be terminated from the RBTC, you have the right to have a hearing with an attorney present prior to termination. The process is the same as for a probation violation.

GRADUATION

Upon successful completion of the RBTC, you will graduate from the program and will advance to aftercare.

Graduation from the RBTC Program is a very important event. As a result of your accomplishment, you will take part in a special ceremony as the RBTC Team congratulates you for successfully completing the program and achieving your goal to establish a healthier life. You must participate in the graduation ceremony in order to be released from probation.

PARTICIPATION AGREEMENT

I have read this, or someone has read it to me. I understand it. I understand that the program is voluntary, and I agree to comply with each and every rule in this handbook.

Participant

Date

Witness

****Please sign, date and return this page to the RBTC****

Individual Goals

State goal: I want to (successfully) complete the RBTC. To that end, I will:

1. _____
2. _____
3. _____
4. _____
5. _____

(example: keeping off drugs, attending court hearings biweekly or as scheduled, follow all the court orders, be on time for court, attend all meetings, being honest, etc.)

Desired results/outcome: (example: "I do not want any more legal problems")

These goals are written by: _____ Date: _____

Objective: I will attend all RBTC sessions and follow through with all court orders. I will also work towards my recovery.

Specific Interventions will be used to help you reach your Objective. The RBTC Staff will:

- a. Provide encouragement to attend and participate in recovery activities;
- b. Encourage abstinence from substance use; discuss consequences of illegal behaviors (Domestic issues, panhandling, homelessness, substance use, etc.);
- c. Provide encouragement to follow through with the RBTC; help you to understand all court orders that may result during your participation;
- d. Be available to answer all questions and address all concerns you have about your participation during your recovery and participation with RBTC.

Participant

Date

Witness

****Please fill out, sign, date and return this page to the Probation Officer****