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MISSION STATEMENT

The mission of the Berks County DUI Treatment Court Program is to integrate substance abuse / mental health treatment with the justice system for the promotion of public safety, individual responsibility, and reduction of drug/alcohol related recidivism. Further, the Berks County DUI Treatment Court Program provides a judicially supervised regimen of individualized treatment, case management, and intensive supervision to the chemically-involved offender through a coordinated interdisciplinary approach that treats the addiction while protecting public safety.

TEAM MEMBERS

Court of Common Pleas
The Honorable Judge Eleni Dimitriou Geishauser, Presiding Judge

Treatment Court Coordinator
Jessica Bodor, Assistant Chief Probation Officer

The team also includes Adult Probation Officers, an Assistant District Attorney, an Assistant Public Defender, representatives from Treatment Access and Services Center, Inc. (TASC), Berks Connections/Pretrial Services (BCPS), and local treatment providers including Pennsylvania Counseling Center, Berks Counseling Center, New Directions Treatment Services, and the YMCA.

Each team member agrees to carry out the daily tasks involved in planning and monitoring operations of this DUI Treatment Court Program. Furthermore, the group will conduct staffings for the DUI Treatment Court Program and will also meet outside the court setting to review operations and discuss modifications to the policies and procedures of this program.

PROGRAM COMPONENTS AND GOALS

When you begin and as you progress through the DUI Treatment Court Program, think about your personal goals and what you would like to achieve. Set goals you think will help you stay clean and sober and will support your decision making, growth and recovery. Goals can be written on the goals sheet in the Appendix of this document.

In addition to your personal and treatment goals, there are program requirements that are outlined in this manual and are listed on the Phase Checklists (see Appendix). You are required to reside in Berks County throughout your involvement in Treatment Court. Additional requirements include, but are not limited to the following:

- Live in an environment with people who support my recovery
- Attend support group meetings and sober leisure activities regularly
- Attend all sessions with the Judge
- Attend and engage in drug & alcohol treatment as scheduled with a positive attitude
- Meet with your Probation Officer as scheduled
- Develop a support list and identify a mentor, sponsor and/or other support person
- Call in for urine screening daily, report as scheduled, and provide undiluted, drug-free screens
- Be a good role model for others in Treatment Court and in the recovery community
- Become a stable and responsible parent
- Be a dependable employee / obtain employment
- Complete a GED program or other educational or vocational program (if applicable)
- Get a driver's license (if applicable)
- Get your own house or apartment (if applicable)
- Pay all costs, fines and restitution
- Cooperate with case management services (if applicable)
- Cooperate with certified recovery support specialist (if applicable)
- Complete ordered community service
- Participate in risk assessments and risk reduction activities
- Complete Advanced Alcohol Safe Driving classes

RISK ASSESSMENT AND TRACK ASSIGNMENT

Prior to admission to DUI Treatment Court, you will participate in a risk and needs assessment, the DUI Risk and Needs Triage (DUI-RANT) and a Court Reporting Network (CRN) evaluation to help determine your appropriateness for DUI Treatment Court, to accurately assess what services are necessary to help you be successful, and to determine your DUI Treatment Court Track assignment. In addition, at the end of Phase 1 and prior to advancement to Phase 2, your probation officer will administer the Ohio Risk Assessment System: Community Supervision Tool (ORAS-CST). This tool will help assess your risk to reoffend, will aid in determining your needs, and will help identify any barriers that could impact on your ability to be successful. Additional programming may be assigned based upon your needs.

DUI Treatment Court consists of several tracks which are outlined below. Phase checklists, in the Appendix of this document, provide more specific information about program requirements. Reporting frequencies may be increased by the Judge.

- **Track 1** clients in Phases 1 and 2 shall appear in court twice a month, report to their probation officer twice a month (outside of court) and be seen once every other month at their home.
- **Track 1** clients in Phase 3 shall appear in Court once a month, report to their probation officer once a month (outside of court) and be seen once every other month at home.
- **Track 1** phase lengths are a minimum of 6 months for each track for a minimum of 18 months for the total program.
- **Track 2A** clients shall appear in Court once a month shall report to their probation officer once a month (outside of court) and shall be seen once every other month in their home.
- **Track 2A** clients shall be in each phase for a minimum of 4 months with a total of not less than 12 months.
- **Track 2B** shall appear in court quarterly. They shall report to their probation officer once a month (outside of court) and shall be seen once every other month in their home.
- **Track 2B** clients shall be in each phase for a minimum of 4 months with a total of not less than 12 months.

	High Need	Low Need
High Risk	Track 1	Track 2A
Low Risk	Track 2B	Track 3

JUDICIAL REVIEW

Unless you are a resident in a distant inpatient treatment program, you **MUST** attend the Judicial Review at the Berks County Courthouse. You will attend either once every two weeks, monthly, quarterly, or otherwise as directed by the court.

MY ATTENDANCE SCHEDULE:

- () Every two weeks Starts_____ Ends_____
- () Once a month Starts_____ Ends _____
- () Quarterly Starts_____ Ends _____
- () Other Starts_____ Ends_____

You must arrive at the Berks County Courthouse at least 30 minutes before the review so you can pass through security, remit payment towards fines and costs (a minimum of \$40.00 a month should be paid) and check in with the court officials at the courtroom. While payments may be made while you are in Phase 1, the requirement of making these regular payments begins in Phase 2.

Things to remember for Judicial Review:

- Pay your fees at the Clerk of Courts **PRIOR** to coming to court. Bring your receipt with you to court.
- **DRESS APPROPRIATELY:** No shorts, tank tops, etc. No hats worn in the courtroom. Your appropriate clothing demonstrates respect for the court.
- **BE QUIET WHEN THE JUDGE TALKS.** Comments of others have meaning for you and it is important to show respect to others. Electronic devices including cell phones should be turned off.
- If the judge or probation officer has asked you to bring documents to show the court, have them with you during check-in. These documents may include: journals, essays, verification of support group meeting attendance, verification of community service, your date book, etc.

Your probation officer, case manager, or the judge may ask you to meet with them after the review. Be prepared to stay for a few extra minutes. You may also be directed to submit a drug screen or breathalyzer test while present for your review.

DUI TREATMENT COURT PHASES

The Berks County DUI Treatment Court operates in three (3) phases. As you progress in treatment and in all other areas of the program you will progress to the next phase. Each phase has fewer requirements as you grow in your recovery.

The DUI Treatment Court Team will monitor your status in each phase and will decide when you have met the requirements to move to the next phase. Your progress through these phases will depend to a large part on your efforts to complete your requirements in a timely manner.

You must remember that the phases are designed to help you stay strong in your recovery while moving toward independence. If you have questions about where you stand in your phases, talk to your case manager and/or probation officer.

If you have accomplished the requirements of your current phase, review your current phase checklist with your probation officer, sign and date the checklist and request advancement to the next phase. Once completed, you will submit that form to your DUI Treatment Court Probation Officer. It will then be reviewed at the next DUI Treatment Court Team meeting and the status of your advancement will be addressed at your next review before the DUI Treatment Court Judge.

PHASE I START _____ FINISH _____

PHASE II START _____ FINISH _____

PHASE III START _____ FINISH _____

SUPPORT LIST

These people will help me successfully complete the DUI Treatment Court Program. This group may include friends, family members, support group sponsor, employers, teachers, probation/parole officers, case managers, etc. Ask them for their support or thank them for what they have done. Letting others know your needs and how you feel about them makes for a stronger recovery support system.

_____	_____
Name & phone number	Date
_____	_____
Name & phone number	Date
_____	_____
Name & phone number	Date
_____	_____
Name & phone number	Date
_____	_____
Name & phone number	Date
_____	_____
Name & phone number	Date

ADULT PROBATION AND PAROLE OFFICE

While you participate in DUI Treatment Court, an officer from the Berks County Adult Probation and Parole Office will closely supervise you, will assist you in your recovery and will help you make positive changes in your life. The probation officer represents the court and will support you and hold you accountable to follow your court order and rules outlined in DUI Treatment Court Agreement and this Manual. In addition, your probation officer will assist you to become a productive and law-abiding member of the community. This is done by challenging you to learn and grow so you can improve your decision making.

You will receive a list of the rules upon entry into DUI Treatment Court. Read these rules carefully and ask your attorney if there is anything you do not understand. While participating in DUI Treatment Court you must follow these rules or face a penalty from the court. It is your responsibility to report to the probation officer as directed.

You may receive curfews, electronic monitoring, or other restrictions while involved in DUI Treatment Court. Your probation officer will explain the rules regarding any of these programs.

The DUI Treatment Court will require you to complete journals, essays, sober leisure activities, meetings, employment searches, and other programs. Your probation officer will monitor these requirements and report the status to the DUI Court Treatment Team.

The probation officer will also conduct random drug and alcohol testing while you participate in DUI Treatment Court.

My Probation Officer _____

Phone number _____

Email _____

Probation Office Address:

**Berks County Adult Probation/Parole
633 Court Street
7th Floor Services Center
Reading, PA 19601**

DRUG AND ALCOHOL TESTING

Urine Screening

All participants are required to submit to urine drug screens. Each participant will be assigned a pin and must call the drug testing hotline daily (1-800-494-1250) and enter their pin number to see if they have drug testing. Participants are able call to each day after 5 am. If a participant's pin is called, he/she must report for drug testing. Urine collection is done at TASC, 19 North 6th Street 1st Floor, Reading, Pennsylvania. You may also be tested by your probation officer both at the office and in the field. Each participant will be given written information pertaining to urine drug testing times as well as their pin number to access the Redwood drug screening system.

All urine collections are observed by a male or female monitor. All urine screens will be a \$2.00 co-pay paid directly to TASC. However, participants being sanctioned due to a positive test or a diluted sample may be required to pay the full co-pay for testing costs as a sanction. Participants are expected to attend every drug test for their particular pin. Participants must come prepared to give a urine sample. If they cannot, this is considered a positive test. Diluted or adulterated urines are unacceptable and are also viewed as a positive drug screen. Participants who attempt to pass a false urine may be charged with a misdemeanor offense.

Urinest will be sent to the laboratory when a participant refuses to acknowledge a positive drug test result or when the probation officer suspects drug use. The participant must pay the upfront re-testing fee of \$35.00 per substance if they wish to have their sample retested. This fee shall be paid within 48 hours of their notification of the positive result. They will be refunded their money if the test comes back negative. If the lab confirms a positive drug test, the participant will be sanctioned appropriately.

Urine testing frequency will be on a random basis. Participants will not be told how many times a week they will be called for a urine; they need to call to check for their urine every day.

Breath Testing

The use of alcohol by DUI Treatment Court participants is prohibited. Participants will be breath-tested on a regular basis.

Oral Fluids Testing

The use of oral fluid testing may be used should the participant not be able to produce a urine sample at the time it is requested.

Additional information on drug and alcohol testing is contained in the Appendix of this document ("Drug Screening Guidelines" and "Alcohol Testing Contract").

SANCTIONS AND INCENTIVES

The use of graduated sanctions and incentives with DUI Treatment Court participants can help shape behavior and improve outcomes. In order to be effective, there must be a proper balance of sanctions and incentives. Within the framework, incremental, proportionate and predictable responses are delivered to encourage and reinforce positive behaviors and discourage negative, noncompliant behaviors. Sanctions are administered when participants fail to comply with program requirements (supervision, treatment, drug testing, etc.) and incentives are in response to positive behavior and achievements.

Possible incentives and sanctions include:

Incentives

Decreased drug testing
Early dismissal from court
Less frequent court appearances
Reduction in fines and costs
Fishbowl picks
Verbal praise/applause
Phase promotion
Decreased probation contacts
Travel allowance
Additional “windows” while on EM
Removal of monitoring device
Phase advancement
Gift cards
Other tangible items
Graduation

Sanctions

Increased drug testing
Increased community service hours
Increased court appearances
Paying for drug tests
Writing assignments
Verbal admonishment
Incarceration
Increased probation contacts
Travel restrictions
Installation of monitoring device
Additional monitoring time
Reduction of “windows”
Life skills assignments
Increased community restrictions
Phase demotion
Termination

These lists are not all inclusive but are a guide that may be used when administering an incentive or sanction. The DUI Treatment Court Team may divert from this list at any time and assign other sanctions or incentives. In addition, treatment interventions may be assigned but should not be categorized as sanctions.

SANCTIONABLE BEHAVIORS

Participant behaviors, which may be sanctioned, include, but are not limited to the following:

- Positive or diluted urine test
- Failure to submit urine sample
- Unexcused absence or absences from counseling sessions
- Failure to follow treatment conduct rules
- Willful failure to pay costs, fees and restitution as ordered
- Failure to attend scheduled status hearing without just cause
- Arrested for a new offense
- Failure to comply with treatment provider recommendations
- Leaving the jurisdiction without permission of the DUI Court Team
- Failure to attend self-help group per treatment plan recommendation
- Possession or delivery of drugs at treatment site
- Violent or abusive behavior at treatment site, program site or other place of contact or participation
- Failure to comply with directives given by the Court, DUI Court Team or treatment providers
- Failure to move through the phases in the appropriate designated time frame
- Dishonesty to court personal and other treatment court staff

BEHAVIORS WORTHY OF INCENTIVE

Participant behaviors, which the DUI Treatment Court team may apply an incentive, include, but are not limited to the following:

- Attendance at all scheduled DUI Treatment Court sessions
- Attendance at all scheduled outpatient treatment sessions
- Attendance at all urine screens when called
- Continuously having negative urine screens
- Following all the rules of the DUI Treatment Court program
- Making consistent payments on fines, costs, and restitution
- Showing progress in all aspects of your recovery
- Being honest with yourself, court and treatment staff

INCARCERATION

Effective August 1, 2017 the DUI Treatment Court has chosen to institute new guidelines regarding jail time served by participants being placed into DUI Treatment Court. The jail time will no longer be based on what track the participant is placed in to but will be based off the DUI offense they are charged with.

2 nd Offense Mid-Tier .10% - less than .16%	4 days
2 nd Offense High-Tier .16% and higher, refusal or controlled substance	4 days
3 rd Offense Low-Tier .08% - less than .10%	6 days
3 rd Offense Mid-Tier .10% - less than .16%	6 days
3 rd Offense High-Tier .16% and higher, refusal or controlled substance	6 days

SCRAM/GPS

As part of a sentence and/or as a sanction, participants may be placed on electronic monitoring while in Treatment Court. The Secure Continuous Remote Alcohol Monitor (SCRAM) is an ankle bracelet that is worn 24 hours a day/7 days a week and monitors alcohol consumption by sampling the participant's perspiration. The SCRAM bracelet is worn to ensure that participants do not drink alcohol and to assist in their path to abstinence from alcohol. The SCRAM bracelet communicates the information gathered via a landline phone or internet ethernet cable. Participants may be required to pay up to \$8.00 per day for the use of the bracelet with a minimum of two months up from prior to installation of the bracelet. Verification of alcohol use may result in further sanctioning.

The Global Positioning System (GPS) is an ankle bracelet that is worn 24 hours a day/7 days a week and monitors the participant's whereabouts using global positioning points. This information gathered from the bracelet is communicated through cellular service. Participants may be required to pay up to \$5.00 per day for this service with a minimum of two months being paid up front, prior to the installation of the device. The assigned probation officer will be determining the schedule for windows (time allowed away from the residence) and will monitor the participant's whereabouts. Deviations from the approved schedule will be considered violations of probation.

TERMINATION

Warrants, new arrests or a violation of any aspect of program rules and regulations may result in a participant's termination from the DUI Treatment Court Program. Other specific violations which could result in termination include the following:

- A pattern of missed and/or positive drug tests
- Tampering with drug tests
- Demonstrating a lack of program response by failing to cooperate with the DUI Treatment Court team or treatment program
- Violence or the threat of violence directed at DUI Treatment Court team members, treatment staff, other participants of the program and/or clients of treatment providers
- A pattern of dishonesty with the DUI Treatment Court Team

Following a termination petition, a hearing will be held before an impartial Judge to provide evidence that would warrant termination from DUI Treatment Court. Being that all participants are post-conviction their case would then go through the regular Gagnon procedure. Re-sentencing shall be within the sole discretion of the sentencing judge, limited only by the maximum penalty allowed by law.

TREATMENT COURT POLICY ON NARCOTIC MEDICATIONS AND PROHIBITED SUBSTANCES

Due to the high potential of narcotic medications to interfere with treatment and recovery efforts, the Berks County Treatment Court prohibits the use of all addictive medications. Addictive medications include all opiate-based pain medications, benzodiazepines or anti-anxiety medications, stimulant medications for the treatment of ADHD, sleeping pills and muscle relaxers. The list includes, but is not limited to, the following and includes any generic versions of these drugs:

ADDERALL	AMBIEN	AMYTAL
ATIVAN	CODEINE	CONCERTA
DEMEROL	DEXEDRINE	DILAUDID
FOCALIN	HALCION	KLONOPIN
LORCET	LORTAB	LIBRIUM
LUNESTA	MORPHINE	NEMBUTAL
OPANA	OXYCODONE	OXYCONTIN
PERCOCET	PERCODAN	RITALIN
ROXANOL	SECONAL	SOMA
SONATA	STADOL	TYLOX
TRAMADOL	VALIUM	VICODIN
XANAX	MEDICAL MARIJUANA	CBD OIL
FENTANYL	OTC CORICIDIN	MARINOL
GABAPENTIN	NEURONTIN	KRATOM

Participants in Berks County Treatment Court and individuals seeking entry into the Berks County Treatment Court are expected to notify all their treating physicians that they are in recovery. If a treatment physician wishes to treat the individual with narcotic or addictive medications, the individual shall immediately disclose this information to the Treatment Court team.

Treatment Court participants using such medications absent permission from the Treatment Court Judge are subject to termination from the program.

Exceptions to this policy are made only in rare occasions, such as in the case of *documented* medical emergency treatment. Participants who habitually seek exception to this policy are subject to termination. If a prescribing physician recommends that a client must be continuously maintained on prohibited prescriptions in order to sustain a certain quality of life, the client may no longer participate in Treatment Court.

Consuming alcohol in any form is prohibited. The use of diet pills while in Treatment Court is prohibited. Additionally, the consumption of poppy seeds is strictly prohibited while in the program. Any positive drug tests for opiates will always be deemed positive for illegal substances. Lastly, consumption of salvia, morning glory seeds and any other such mood altering or hallucinogenic substance are strictly prohibited.

An additional copy of this policy is located in the Appendix of this manual. The participant shall sign the signature line of the document and the assigned probation officer shall keep the original signed document.

COSTS, FINES AND RESTITUTION

While you are attending DUI Treatment Court, you will be required to pay any costs, fines, and restitution that are owed to the Berks County Clerk of Courts Office. A payment plan will be set through the Berks County Adult Probation and Parole Office.

You will be required to make a payment towards fines and costs prior to each court review session starting in Phase 2. It is expected that you pay a minimum of \$40.00 per month on monies owed. You will meet with your probation officer and develop a financial plan that includes a payment plan for your financial obligations to the Court.

Upon successful completion of DUI Treatment Court, you may be eligible to have the certain assessed costs and fines waived by the DUI Treatment Court Judge. Restitution and certain costs cannot be waived.

If you are ordered to pay restitution, you are expected to make regular restitution payments while involved in DUI Treatment Court and make every attempt to pay it off prior to your completion of the program.

**Berks County Clerk of Courts
633 Court Street
4th floor, Courthouse
Reading, PA 19601**

610-478-6550

EMPLOYMENT

As a participant of DUI Treatment Court, you will be required, throughout Phases II and III, to obtain/maintain employment unless you have been determined to be disabled by the Social Security Administration. You will be required to provide pay stubs from your employer to your probation officer as proof of employment. You must notify your probation officer immediately of any change or loss of employment. If you do not maintain employment for a two-week period, you will be required to complete community service hours as directed and will also be required to engage in an active job search and provide verification (See job search form in the Appendix of this manual). All employment and community service work must be approved by the DUI Treatment Court Team.

If you need assistance in finding employment, consult your probation officer or case manager. Berks Connections/Pretrial Services has additional services with regard to resume building and has a computer lab that participants can utilize to assist with their job search.

COMMUNITY SERVICE

As part of your sentence into the DUI Treatment Court Program, you will be assigned community service hours. This provides you with an opportunity to give back to the community and find a positive activity to help others. Unless employed or determined to be disabled by the Social Security Administration, participants will be required to complete community service hours as determined by your DUI Treatment Court Probation Officer. Community service sites must be approved by your DUI Treatment Court Probation Officer. Participants who do not maintain employment for a two-week period may be subject to 20 community service hours per week.

It is important to keep track of your days/hours worked and report your hours worked to the DUI Treatment Court Probation Officer through the community service log which you can obtain from the Adult Probation Office. Hours submitted will be verified with the agency where you worked. Community service hours will be reviewed by the DUI Treatment Court Team prior to your DUI Treatment Court session.

You may also be required to complete additional community service hours as a result of a sanction administered by the Court. In addition, you may be assigned to participate in community service activities specifically for Treatment Court participants.

TRAVEL/VACATION GUIDELINES

All DUI Treatment Court participants are NOT permitted to travel outside of the boundaries of Berks County without the authorization of his/her probation officer.

Travel requests must be submitted to the DUI Treatment Court Probation Officer at the earliest possible date. The probation officer will review all travel requests and will discuss each request with the participant's counselor and/or members of the treatment team. Extended travel and/or travel outside of Pennsylvania will be reviewed by the DUI Treatment Court Team prior to authorization.

Any DUI Treatment Court participant granted permission to travel for the purposes of vacation, etc. must have a drug test conducted at TASC prior to leaving and immediately upon return from said travel/vacation. Additionally, participants may be required to attend support group meetings while traveling and provide verification of attendance.

ALL TRAVEL IS SUBJECT TO PROBATION DISCRETION AND MUST BE APPROVED BY YOUR PROBATION OFFICER.

YOU MUST HAVE PERMISSION PRIOR TO DEPARTURE AND OBTAIN A TRAVEL PERMIT.

TREATMENT COURT CERTIFIED RECOVERY
SUPPORT SPECIALIST

At any time during your participation in DUI Treatment Court, you may be required to meet with a certified Recovery Support Specialist (RSS). The certified RSS will assist in monitoring your treatment attendance/compliance, your involvement in recovery-oriented programs and attendance self-help groups. The certified RSS will offer you guidance, support, coaching and experience on the recovery process by assisting you to build a recovery plan and community supports that work for you.

Generally, you will meet with your certified RSS at least twice a month. However, you may be required to meet with your certified RSS more frequently.

Treatment Court Certified Recovery Specialist: _____

Telephone Number: _____

CALENDAR

While a participant in DUI Treatment Court, you will be required to maintain a daily calendar. Your calendar must be brought to all court sessions, probation office visits, treatment sessions and any other Treatment Court related appointments and may be reviewed by the judge, counselor and probation officer.

The following activities, with dates and times, shall be listed in your calendar:

- Group sessions
- Individual sessions
- Probation officer appointments
- Work schedule
- Community service hours
- Leisure activities
- Goal completion date for each phase
- DUI Treatment Court sessions
- Recovery related activities

DIRECTORY OF SERVICES

Attached (in the Appendix of this document) is a copy of the Directory of Services published by Berks Connections/ Pretrial Services. This directory contains a variety of community-based services that a DUI Treatment Court participant may find helpful or necessary. It is the goal of the DUI Treatment Court Program to assist each participant with their daily living. Please see your Probation Officer or a representative from Pretrial Services with questions about any of the services listed or if you need services that are not listed in the directory.

APPENDIX

ACKNOWLEDGMENT OF PARTICIPANT

TRACK 1 PHASE SHEETS (PHASE 1, 2, 3)

TRACK 2A PHASE SHEETS (PHASE 1, 2, 3)

TRACK 2B PHASE SHEETS (PHASE 1, 2, 3)

GOAL WORKSHEET

TREATMENT COURT POLICY ON NARCOTIC MEDICATIONS AND PROHIBITED SUBSTANCES
WITH PARTICIPANT ACKNOWLEDGMENT

URINE TESTING GUIDELINES

ALCOHOL TESTING CONTRACT

JOB SEARCH FORM

NOTICE OF ACT 122

RELEASE OF INFORMATION

DIRECTORY OF SERVICES

MISCELLANEOUS PROGRAMMING