



Finding Strength in Recovery



**Kentucky Drug Court
Participant Handbook**



Kentucky Drug Court Participant Handbook

Welcome to the Kentucky Department of Specialty Courts, which supports and oversees the operations of Drug Courts, Veterans Treatment Courts, and Mental Health Courts statewide. This handbook will provide participants with information on the Drug Court programs.

Drug Court is a shining example of Kentucky's success in Specialty Courts, which gives eligible participants the opportunity to make positive changes in their lives. Instead of spending time in jail, participants complete an intensive community supervision program overseen by a judge. Drug Courts provide case management and partners with outside agencies to provide substance use disorder (SUD) treatment, behavioral health services, and drug testing.

Case plans are created with each participant to address their individual needs. These plans may include classes or services in the following areas: parenting, GED/education, employment readiness, financial restoration, or family services.

Drug Court graduates are more likely to maintain productive lives with stable employment, pay child support, and meet other obligations.

Your Drug Court team looks forward to working with you in each phase of the program and wishes you success as you begin to set and achieve your goals.



**The mission of
Specialty Courts
is to restore
lives and reduce
recidivism through
judicial oversight
and behavior
modification.**

Anti-Racism Statement

Specialty Courts purposely identify and challenge racial inequities, biases, and discrimination. Specialty Courts serve a diverse population, and it is important to be sensitive to the diverse needs involved among individuals in the judicial system. The Specialty Courts community is caring, welcoming, respectful of diversity, and determined to work toward social justice. Specialty Courts must analyze racism beyond the actions of individuals because racism is embedded in the very fabric of our society.



Contents

How Drug Court Works

- 5 Program Goals & Expectations
- 6 Case Plans
- 6 Treatment Plans
- 7 Costs Related to the Program
- 7 Phase Requirements
- 8 Phase I: Stabilization
- 9 Phase II: Treatment Stabilization
- 10 Phase III: Social Development
- 11 Phase IV: Self-Motivation
- 12 Phase V: Continuing Care
- 13 Suspension
- 13 Substance Use Disorder (SUD)
Treatment and Education
- 14 Drug Testing Process
- 15 Medical Appointments
- 15 Prescription & Over-the-Counter Medications
- 15 Employment, Training, Education, Community Service, or
Community Engagement
- 16 Incentives, Sanctions, and Therapeutic Adjustments

Successful Completion of the Program

- 19 Exit Interview
- 19 Drug Court Graduation/Completion Ceremonies

Separation From the Drug Court Program

- 20 Administrative Discharge
- 21 Voluntary Termination
- 21 Involuntary Termination

General Information

- 22 Reporting Suspected Abuse or Neglect
- 22 Participant Grievance Procedure
- 23 Disaster Preparedness Plan
- 23 Specialty Courts Office Hours
- 23 State Holidays



4 Pillars of **LASTING RECOVERY**

Drug Courts focus on the 4 Pillars of Lasting Recovery, taking a holistic approach to address SUD and encouraging long-term health for participants and graduates.



Home: Home is more than a place to live – it’s stability, safety, and a place for your support system to thrive. Home is a place where you belong, so we focus on ensuring everyone has a home.



Health: Health includes both physical and mental health. We have to address all health concerns that can be barriers to recovery. It’s important to be linked to professional treatment services (like comprehensive care centers) early so proper treatment plans can be created.



Purpose: Purpose includes meaningful, enjoyable activities – such as employment, education, or hobbies. It’s essential to find prosocial activities (sports, art, music, exercise, etc.) you enjoy and that bring a sense of purpose.



Community: Community is a network of support. Your community may include multiple groups of people – family, friends, co-workers, peers in Drug Court, exercise partners, bandmates, etc. It’s important that your community provides positive influence and support.



How Drug Court Works

Program Goals & Expectations

Program goals are a set of goals all participants are expected to meet. These include, but are not limited to:

- Provide, on average, two (2) random urine drug/alcohol screens per week and appear for any drug tests for which the participant is scheduled;
- Complete a treatment assessment and follow the treatment plan as directed by the treatment provider;
- Attend all scheduled appointments with behavioral health staff (therapist, case manager, peer support, etc.);
- Create a case plan with Drug Court staff and begin working the case plan;
- Attend all scheduled appointments connected to the participant's case plan;
- Obtain and/or maintain court-approved housing;
- Attend all scheduled meetings with Drug Court staff;
- Indicate an understanding of substance use disorder (SUD) treatment;
- Attend a recovery support program (options include, but are not limited to AA, NA, Celebrate Recovery, Smart Recovery, Life Coach services);
- Remain free from the use of addictive substances, including alcohol, marijuana, and prescription medications that are not directly prescribed to a participant by a medical practitioner;
- Eliminate positive messaging of alcohol and drugs by not wearing clothing that advertises or promotes drugs, alcohol, or paraphernalia;
- Improve time management skills by maintaining a calendar, scheduling appointments, and appearing for all appointments prepared and on time;
- Improve prosocial skills by engaging with Specialty Courts staff, treatment staff, the judge, the team, and others who provide positive influence and guidance; and
- Follow any additional rules set by the Drug Court judge and team.





Case Plans

With the assistance of the Specialty Courts case manager, participants will create individual case plans with unique goals. Some examples of individual goals may include, but are not limited to:

- Obtain a GED;
- Obtain employment;
- Maintain court approved housing;
- Regain custody or visitation with the participant's children;
- Improve finances and develop budgeting skills;
- Develop better time management skills;
- Engage in prosocial activities.

Treatment Plans

Treatment plans are developed by a therapist/clinician, with the assistance of the participant, after the participant completes an assessment with the behavioral health provider. Assessments help the therapist/clinician to determine the appropriate level of care for the participant. Some examples may include individual therapy, group attendance, intensive outpatient treatment (IOP), or medication assisted treatment (MAT).

Specialty Courts staff help support the treatment plan by collaborating with the therapist/clinician, discussing progress (such as attendance) with the participant, and helping to work through any barriers that may affect the participant and their participation/progress with treatment.





Costs Related to the Program

There are no direct costs for participating in Drug Court. However, participants are responsible for any court costs, fees, fines, child support or restitution owed to the court. Payments are determined by the court and participants must provide payment receipts to Specialty Court staff for their case file.

The treatment provider may require a minimal co-payment from participants for treatment services, unless the participant is declared indigent.

Drug Court maintains contracts with local comprehensive care centers, which allows the program to cover costs of treatment if a participant is uninsured (and not eligible for Medicaid) or is covered by private insurance. If participants choose to seek treatment from an agency that does not have a contract with the Drug Court, the participant will be responsible for any costs associated with treatment.

Phase Requirements

Drug Court consists of five phases. The program is compatible with a minimum of 18 months for felony participants and 15 months for misdemeanor participants. However, it's not uncommon for the program to exceed the minimum time frame. A participant's ability to promote throughout the five phases depends on their progress.





Phase I: Stabilization

- Provide, on average, two (2) random urine drug/alcohol screens per week;
- Complete treatment assessment and begin a treatment plan, as directed by the treatment provider;
- Create a case plan with the Drug Court team and begin working the case plan;
- Attend all required court sessions;
- Obtain and/or maintain court-approved housing;
- Attend at least one (1) weekly individual contact with Drug Court staff;
- Indicate an initial understanding of substance use disorder (SUD) treatment;
- Attend a recovery support program (as outlined in the Program Goals); and
- Remain free from the nonmedically indicated use of intoxicating or addictive substances, including alcohol, cannabis (marijuana), and prescription medications, regardless of the licit or illicit status of the substance, for at least thirty (30) consecutive days before being considered for promotion to the next phase.





Phase II: Treatment Stabilization

- Provide, on average, two (2) random urine drug/alcohol screens per week;
- Follow all treatment recommendations, as directed by the treatment provider;
- Create a case plan with the Drug Court team and begin working the case plan;
- Attend all required court sessions;
- Obtain court-approved full-time employment, training, education, community service, or court-approved community engagement activities when ordered by the court;
- Maintain court-approved housing;
- Attend at least one (1) individual contact with Drug Court staff per week;
- Indicate an appropriate understanding of recovery principles;
- Attend a recovery support program (as outlined in the Program Goals); and
- Remain free from the nonmedically indicated use of intoxicating or addictive substances, including alcohol, cannabis (marijuana), and prescription medications, regardless of the licit or illicit status of the substance, for at least forty-five (45) consecutive days before being considered for promotion to the next phase.





Phase III: Social Development

- Provide, on average, two (2) random urine drug/alcohol screens per week;
- Follow all treatment recommendations, as directed by the treatment provider;
- Create a case plan with the Drug Court team and begin working the case plan;
- Attend all required court sessions;
- Maintain court-approved full-time employment, training, education, community service, or court-approved community engagement activities when ordered by the court;
- Maintain court-approved housing;
- Make arrangements to satisfy court costs, fees, or fines;
- Attend at least one (1) individual contact with Drug Court staff per week;
- Indicate an appropriate understanding of recovery;
- Begin criminal thinking curriculum through the treatment provider;
- Establish prosocial activities – e.g. hobbies related to sports, exercise, art/music, reading, gardening;
- Establish a recovery support system; and
- Remain free from the nonmedically indicated use of intoxicating or addictive substances, including alcohol, cannabis (marijuana), and prescription medications, regardless of the licit or illicit status of the substance, for sixty (60) consecutive days, before being considered for promotion to the next phase.





Phase IV: Self-Motivation

- Provide, on average, two (2) random urine drug/alcohol screens per week;
- Follow all treatment recommendations, as directed by the treatment provider;
- Create a case plan with the Drug Court staff and begin working the case plan;
- Attend all required court sessions;
- Maintain court-approved full-time employment, training, education, community service, or court-approved community engagement activities when ordered by the court;
- Maintain court-approved housing;
- Continue to satisfy court costs, fees, or fines;
- Attend at least one (1) individual contact with Drug Court staff every other week;
- Indicate an appropriate understanding of substance use disorder treatment;
- Engage in prosocial activities – e.g. hobbies related to sports, exercise, art/music, reading, gardening;
- Attend a recovery support program; and
- Remain free from the nonmedically indicated use of intoxicating or addictive substances, including alcohol, cannabis (marijuana), and prescription medications, regardless of the licit or illicit status of the substance, for a total of ninety (90) consecutive days before being considered for promotion to the next phase.



Phase V: Continuing Care

- Provide, on average, two (2) random urine drug/alcohol screens per week;
- Follow all treatment recommendations, as directed by the treatment provider;
- Create a case plan with the Drug Court staff and begin working the case plan;
- Attend all required court sessions;
- Maintain court-approved full-time employment, training, education, community service, or court-approved community engagement activities when ordered by the court;
- Maintain court-approved housing;
- Continue to satisfy court costs, fees, or fines;
- Attend at least one (1) individual contact with Drug Court staff each month;
- Develop a continuing care plan through the treatment provider;
- Maintain a recovery lifestyle;
- Maintain prosocial activities – e.g. hobbies related to sports, exercise, art/music, reading, gardening;
- Maintain a recovery support program; and
- Remain free from the nonmedically indicated use of intoxicating or addictive substances, including alcohol, cannabis (marijuana), and prescription medications, regardless of the licit or illicit status of the substance, for at least ninety (90) to one hundred eighty (180) consecutive days in Phases IV and V before program completion.

Participants may be ordered to comply with additional requirements while in the program, which include, but are not limited to:

- Visits to the participant's place of employment, school, and/or home by Specialty Courts staff. Specialty Courts staff may be accompanied by a law enforcement officer for any visits;
- Curfews as established by the Drug Court;
- Medical and/or mental health referrals and treatment recommendations; and/or
- Ancillary services as needed.



Suspension

If a participant is unable to meet Drug Court requirements or be supervised by Specialty Courts staff, the judge shall issue an order placing the participant on suspended status. Examples that may lead to suspension include, but are not limited to, contagious or infectious disease, short-term medical care for a family member, or any other reason that would cause a temporary inability to meet Drug Court requirements.

Once the participant has the ability to resume participation, the judge shall enter an order resuming active status and the participant will resume standard Drug Court participation.

During the time a participant is in suspended status they will not earn any credit toward completion of the Drug Court phases. If the suspended status is the result of inpatient treatment, it shall be at the discretion of the judge to determine whether any credit should be given towards the completion of a Drug Court phase.

Substance Use Disorder (SUD) Treatment and Education

All Drug Court participants will be required to participate in SUD treatment based on the assessment conducted by the therapist/clinician and outlined in the participant's treatment plan. Participants may be referred to outside community resources to address issues that could impact their recovery. Additional services may include, but are not limited to:

- Programs for domestic violence victims or perpetrators;
- Anger management and parenting classes;
- Family counseling;
- Mental health treatment services;
- Medical services; and/or
- Inpatient or residential treatment or recovery-based facilities.

Participants are required to sign Release of Information (ROI) forms to allow Specialty Courts staff to communicate with all outside agencies. Specialty Courts staff will verify participant attendance at all appointments by communicating with the agency providing the service.



Drug Testing Process

The Department of Specialty Courts contracts with a vendor to provide drug testing services to the courts at no cost to participants. Drug tests performed by facilities or individuals other than the contracted vendor, staff, or team will not be admissible in Specialty Courts proceedings.

Participants must access the drug testing notification system daily and be present at the designated testing location during the designated testing hours when randomly selected to do so. Participants may be asked to produce a valid picture ID in order to be allowed to test.

The drug testing collection protocols include the following:

- Participants must remove any coats and/or heavy garments and empty all contents from their pockets prior to entering the collection area.
- A collection technician of the same gender will accompany participants into the collection room.
- Participants must wash their hands before providing a specimen.
- Participants agree to shift their clothing, raising shirts/ undershirts above the navel, rolling up long-sleeves above the elbow, and lowering pants and undergarments to mid-thigh until collection is complete.
- Participants may be asked to start voiding then stop voiding prior to the collector providing a specimen cup.
- The collection technician must have an unobstructed view of urine flowing from the participant's urethra into the collection cup.
- Participants must provide at least 30 ml of urine during the time allotted.
- Samples will be tested to ensure the sample is not diluted, therefore participants should not ingest large quantities of liquid prior to testing.

Tampering with or adulterating drug/alcohol screens is a criminal offense in Kentucky and may result in sanctions and/or criminal charges.





Medical Appointments

Participants must collect verification for all medical appointments and provide documentation to Specialty Courts staff for the case file. Verification may include, but is not limited to, the Specialty Courts Medical Verification Form, return to work/school forms, lab test results, follow up appointments, or lists of medications.

Participants must sign ROIs for any medical providers so Specialty Courts staff may collaborate with the provider(s) as necessary.

Prescription & Over-the-Counter Medications

Participants must notify Specialty Courts staff of any prescribed medications prior to filling the prescription. Participants must also report the intended use of any over-the-counter medications to Specialty Courts staff prior to taking them.

If the situation is an emergency, the prescription may be filled; however, the participant must immediately report the prescription to Specialty Courts staff in the approved method (voicemail, email, etc.) and bring the medicine, along with all medical verifications, to the Specialty Courts Office the next business day. Failure to comply with the proper procedures may result in sanctions.

Employment, Training, Education, Community Service, or Community Engagement

Two vital components to building lasting recovery are finding a purpose and developing prosocial connections. Specialty Courts





staff will routinely verify participant engagement in these activities. Verification may include phone contact with a supervisor, copies of paystubs, or signed documentation from reputable community members and/or agency representatives. Specialty Courts staff may also conduct on-site visits.

Participants must sign ROIs for employers, community service supervisors, and others to allow Specialty Courts staff to collaborate with the partner agency.

Incentives, Sanctions, and Therapeutic Adjustments

Incentives, sanctions, and therapeutic adjustments are used to promote behavior modification. Specialty Courts intends to reinforce positive behaviors and respond to criminal or anti-social behaviors. Incentives, sanctions, and therapeutic adjustments shall be administered by the Drug Court judge. The judge will be assisted by the Drug Court team, who will advise the judge from their areas of expertise. Specialty Courts staff may coordinate incentives, sanctions, and therapeutic adjustments outside of court sessions, at the judge's direction. Otherwise, these responses will take place during court sessions.

Some examples of incentives may include, but are not limited to:

- Promotion to the next phase;
- Certificates and tokens;
- Decreased supervision;
- Praise from the judge and team;





- Tangible items – such as candy, hygiene products, gift cards; and/or
- Other individual incentives approved by the Drug Court team.

Some examples of sanctions may include, but are not limited to:

- Admonishments from the judge;
- Additional community service;
- Additional homework assignments;
- Increased contact with the Specialty Courts staff;
- Home incarceration;
- Incarceration in a detention facility; and/or
- Other individual sanctions approved by the Drug Court team.

Some examples of therapeutic adjustments may include, but are not limited to:

- Recovery-related writing or journaling assignments;
- Increased level of outpatient treatment;
- Inpatient treatment;
- Increased attendance at support groups;
- Medication management; and/or
- Individualized treatment – trauma-based services, anger management, etc.

These treatment-related responses are designed to address issues that present barriers to a participant's recovery process and enhance their overall treatment experience.





Successful Completion of the Program

A participant will have successfully completed Drug Court when it is determined that they have:

- Completed all five (5) Drug Court phases;
- Paid all restitution owed, unless doing so is not feasible during the Drug Court timeframe. The Drug Court team may require that a reasonable amount be paid prior to completion;
- No pending criminal charges;
- Paid all court costs, fines, and/or fees owed, pursuant to KRS 533.030 before graduation. The Drug Court judge/team may adjust this expectation, requiring a reasonable amount be paid prior to completion;
- Remain free from the nonmedically indicated use of intoxicating or addictive substances, including alcohol, cannabis (marijuana), and prescription medications, regardless of the licit or illicit status of the substance, for at least ninety (90) to one hundred eighty (180) consecutive days in Phases IV and V before program completion.

Upon successfully completing Drug Court the sentencing judge may choose to:

- Dismiss the underlying charge(s) if the participant was on diversion, but only when restitution, if owed, has been paid in full;
- Modify the probated sentence to be conditionally discharged, but only when restitution, if any, has been paid in full; or
- Enter an order resolving, dismissing, or disposing of a contempt charge.





Exit Interview

Prior to graduation, participants will be asked to complete an electronic exit interview where they will have the opportunity to explain how their involvement in Drug Court has affected their life. A participant's input may be anonymous and will be utilized to assess the effectiveness of the program.

Drug Court Graduation/Completion Ceremonies

Upon completion of the program, Drug Court participants will be recognized for their achievement and receive a certificate at a graduation/completion ceremony. Ceremonies are hosted by local Drug Court teams and may be open to the public. Participation in the ceremony is voluntary and participants may choose not to take part.

If a participant decides not to participate, the Specialty Courts staff will present their certificate of successful completion apart from the official ceremony.





Separation From the Drug Court Program

Other than successful completion, there are three ways a participant can exit the Drug Court Program: administrative discharge, voluntary termination, and involuntary termination.

Administrative Discharge

If a participant cannot complete Drug Court through no fault of their own, they may be administratively discharged. Reasons for granting administrative discharge include, but are not limited to:

- A participant's medical health makes it impossible for them to continue in the program; or
- Continuing in the program would not be in the participant's best interest, per the judge's discretion.

If the Drug Court judge determines administrative discharge is appropriate, the Drug Court judge will inform the participant in a Drug Court session and Specialty Courts staff will provide the judge with a Notice of Administrative Discharge. Administrative discharge does not preclude future eligibility for Drug Court. Participants who receive an administrative discharge will be assigned to the appropriate circuit or district court judge for further proceedings.





Voluntary Termination

Drug Court participants may petition the Drug Court judge for termination from Drug Court utilizing a Request for Voluntary Termination form. Participants have a right to consult with an attorney prior to formally requesting voluntary termination. If the Drug Court judge determines the termination request is knowingly and voluntarily made, the Drug Court judge may voluntarily discharge the participant from Drug Court.

Following termination, the case will be assigned to the appropriate circuit or district court judge for further proceedings.

Involuntary Termination

The Specialty Courts staff or Drug Court team may recommend terminating a participant as a result of non-compliance.

If the Drug Court judge decides termination is appropriate, a Notice of Termination shall be filed. The participant will be notified of their termination during the Drug Court session, unless the participant has absconded. Upon termination, the case will be assigned to the appropriate circuit or district court judge for further proceedings.



General Information

Reporting Suspected Abuse or Neglect

The Department of Specialty Courts shall comply with state and federal laws and regulations, including the following:

- KRS 620.030 requiring the reporting of a child who is dependent, neglected, or abused;
- KRS 209.030 requiring the reporting of an adult who has suffered abuse, neglect, or exploitation;
- KRS 209A.030 providing victims of domestic violence, abuse, and dating violence with links to protective and therapeutic services to those who choose to accept them; and
- Federal law and regulations, which do not protect any information about suspected child abuse or neglect from being reported under state law to appropriate state or local authorities.

Participant Grievance Procedure

The Department of Specialty Courts is committed to providing high-quality services to all participants. However, if any individual participating in a Specialty Courts program believes they have been discriminated against in any way or has experienced a violation of their rights, the participant may complete a signed written statement and mail it to:

Kentucky Specialty Courts
Administrative Office of the Courts
1001 Vandalay Drive
Frankfort, KY 40601

Complaints may also be emailed to specialtycourts@kycourts.net or faxed to 502-782-8700. The complaint will be forwarded to the appropriate Specialty Courts Supervisor for investigation.



Disaster Preparedness Plan

In the event of a natural or man-made disaster, every Drug Court participant must contact the Specialty Courts staff by either voicemail or email to report their status (ensure their safety) and leave information on how to contact them. If there are any changes to status or contact information during a disaster, participants should continue to report updates to Specialty Courts staff via voicemail or email.

Specialty Courts Office Hours

The Specialty Courts Office generally operates Monday through Friday during typical business hours. Participants should contact their local Specialty Courts Office for its exact hours and additional office information.

Local offices are closed during all observed state holidays. If an office is closed, Specialty Courts staff will place signage on the office door with contact information and the anticipated date for operations to reopen.

State Holidays

- New Year's Day (two days)
- Martin Luther King Jr. Day
- Spring Holiday (one-half day)
- Memorial Day
- Independence Day
- Labor Day
- Presidential Election Day
- Veterans Day
- Thanksgiving (two days)
- Christmas (two days)



Contact Information

Specialty Courts Office: _____

Case Manager Email: _____

Sponsor, Mentor, Peer Support, Recovery Coach, Treatment Providers: _____

Sober Support Network: _____

Suicide Prevention: 988

Other: _____



Administrative Office of the Courts

1001 Vandalay Drive, Frankfort, KY 40601

SpecialtyCourts@kycourts.net

502-573-2350

kycourts.gov

