

From: Benjamin, Melynda

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To: Specialty Courts Judges <SpecialtyCourtsJudges@kycourts.net>; paulsadieville@aol.com

Cc: Dudgeon, Laurie <LaurieDudgeon@kycourts.net>; Lafferty, Jenny <JennyLafferty@kycourts.net>

Subject: Guidance for Specialty Courts

Dear Specialty Court Judges and Staff,

I understand and share your frustration in not having clear direction for operating our specialty courts during these unprecedented times. As late as this morning, our advisors at NADCP have reported opposing opinions by their experts on whether to advise courts to continue or cease testing participants. We recognize that each specialty court knows the needs of its own participants best. Therefore, each specialty court program may direct its own participants using the following guidelines:

Drug Testing:

We understand how important testing is to the therapeutic approach of our courts. Therefore, while we do not recommend using urine drug screening, we will not, at this time, issue a blanket statement prohibiting all drug screening. Please keep in mind our participants often have compromised immune systems due to HIV, Hep C and SUD, which puts them at higher risk in direct contact situations.

Each Specialty Court may choose to:

- 1) Suspend drug screening.
- 2) Screen for drugs using oral swabs. Some factors courts may consider include:
 - a. Oral swabs can be used even when facilities for urine testing is closed (in an office or lobby or parking lot).
 - b. Oral swabs only screen for five substances: Benzo, THC, Meth, Cocaine, Opioids.
 - c. This method allows for implementation of social distancing measures. AVerhealth testers can ask the participant to conduct the test while they watch from 6 feet away, and the participant can seal the swab in the bag.
 - d. This method requires in-person testing each time the test is administered.
- 3) Screen for drugs using sweat patches. Some factors courts may consider include:
 - a. We currently have a limited supply; additional inventory will take up to 2 weeks to obtain and distribute.
 - b. Sweat patches must be applied to the skin and removed after 7-10 days.
 - c. This method allows for implementation of social distancing measures. The participant can be advised by the tester from 6 feet away on how to apply and remove the patch and prepare it for screening.
 - d. This method requires in-person testing once every 7-10 days.

Participant/Staff Contact:

All staff/participant interaction should be conducted remotely. Each specialty court may determine which apps to use such as Skype, Zoom or Google. During these stressful times, frequent contact with participants is more important than ever. Each specialty court should make daily contact with each participant via video or, if video is not available, by telephone.

Recovery coordinators should not conduct in person groups at this time. HIPAA regulations are being relaxed to allow for more teleconferencing options.

Staff will continue to provide case notes to the team. The Judge and team should decide how to apply therapeutic adjustments, incentives and sanctions if the court has decided to continue testing.

Staff will be provided with resources and updates on current Tx center procedures and available telemedicine options should therapeutic intervention become necessary.

Telecommuting and Office Staff

Effective Monday, March 23rd, Specialty Court staff may begin participating in a rotating schedule to comply with the governor's request for 50% reduction in office staff. If authorized by their supervisor, staff may work from home. There is also the possibility they can participate in a flex schedule. This is not mandatory and supervisors will explain to all staff the expectations for telecommuting within HR guidelines. Our goal is for at least one specialty courts staff member to be present in the office on any given day.

We have already begun teleconferencing with our operations and regional supervisors daily to provide updates and resources and will continue to provide information as it is received.

Please keep in mind that this situation is rapidly evolving. As a result, there may be additional changes made to these guidelines in the coming days. Thank-you for your continuing dedication to our programs, staff and participants. I know and understand these are difficult times. Please remember we are here to support you and your program, and let us know if you have any questions about this guidance.

Melynda Benjamin

Melynda L. Benjamin | Executive Officer | Department of Specialty Courts
Administrative Office of the Courts | 1001 Vandalay Drive | Frankfort, KY 40601
t 502.573.2350 | x 50611 | f 502.782.8700 | melyndabenzamin@kycourts.net

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