

**TARRANT COUNTY
VETERANS TREATMENT COURT
POLICY AND PROCEDURE MANUAL**



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I. INTRODUCTION AND OVERVIEW

A “drug court” as defined by the National Association of Drug Court Professionals is “a special court given the responsibility to handle cases involving drug-addicted offenders through an extensive supervision and treatment program.” Drug courts represent a non-traditional approach to prosecution of offenders who are addicted to drugs. Rather than focusing only on the crimes they commit and the punishments they receive, drug court also attempts to solve some of their underlying problems.

Drug courts are built upon a partnership between the criminal justice system and the treatment community. This collaboration results in a drug court team that structures treatment, supervision, and intervention to break the cycle of drug abuse and associated criminal activity. Drug court participants undergo long-term treatment and counseling, sanctions, incentives, and frequent court appearances. Although drug courts vary somewhat from one jurisdiction to another in terms of structure, scope, and target populations, but they all usually share three primary goals: (1) to reduce recidivism, (2) to reduce substance abuse among participants, and (3) to rehabilitate participants

In 2009 the 81st Legislature, Senate Bill 1940 was passed authorizing the creation of specialty courts for veterans in Texas. On January 1, 2010, Tarrant County created the Tarrant County Veterans Court Diversion Program (TCVTC), which is designed to keep justice involved veterans (JIVs) returning from combat out of the criminal justice system. For the past four years, Tarrant County Veterans Court Diversion Program has provided services for more than 100 justice involved veterans and their families.

TCVTC is an alternative to incarceration to divert non-violent offenders who are still active duty or discharged returning veterans from prosecution to treatment. The program offers veteran offenders an intensive treatment option that is judicially supervised. The target population is adult male and female veterans who have been arrested for or charged with a misdemeanor or felony offense and who have been determined to be eligible for participation by the attorney for the state. The court must verify that the defendant is a veteran or current member of the U.S. armed forces and suffers from a traumatic brain injury (TBI), post-traumatic stress disorder (PTSD), or other mental illness or disorder that is a result of military service in a combat zone or other hazardous area, and that condition affected the pending criminal behavior. If the JIV is determined to meet the criteria, in lieu of prosecution and a criminal record, they are allowed to complete a 8-24 month court supervised treatment program.

Eligible defendants are identified immediately after arrest and are referred to TCVTC for screening. Once the JIV has been screened, assessed, and approved for participation in the program, he/she promptly begins a treatment regimen that is specific to the individual’s needs. The mission of the program is to successfully habilitate the JIV by diverting them from the traditional criminal justice system and providing them with the tools they need to lead a productive and law-abiding lifestyle. The 8–24-month commitment to the program requires meetings with the court’s management team, random urinalysis screening, drug and alcohol monitoring, regular appearances in court before a designated judge, weekly individual and/or group counseling, weekly 12-step meetings, life skills development, general education

development, health education, AA/NA sponsorship, and appropriate sanctions deemed necessary for non-compliance.

A. Mission Statement

The Mission of the Tarrant County Veterans Treatment Court (TCVTC) is to successfully habilitate Justice Involved Veterans (JIVs), by diverting them from the traditional criminal justice system and providing them with the tools they need to lead a productive and law-abiding lifestyle while improving mental health recovery and successful re-entry into the community.

B. Goals

The goal of the TCVTC is to find JIVs, assess their needs, offer assistance, manage their care, and provide them with successful treatment options ultimately leading to community reintegration, and resolution of their criminal case(s).

C. Methods For Achieving Goals

Goal 1 - Reduce drug use and related criminal activity

- Mandate intensive substance abuse treatment and close judicial supervision and mentoring of all participants, with appropriate sanctions and rewards based on performance. Close judicial supervision is premised upon a stable and consistent relationship between the participant and the designated Drug Court Judge.

Goal 2 – Reduce recidivism rates

- Follow recognized methods and procedures, which have been empirically shown to reduce recidivism.

Goal 3 - Hold drug-dependent offenders accountable

- Mandate bi-weekly court appearances and at least weekly contact with case manager.
- Impose immediate sanctions for non-compliance, including minor violations.
- Terminate and immediately convict and sentence participants who commit serious violations or repeatedly commit minor violations.

Goal 4 - Provide real and effective rehabilitation for criminal offenders

- Mandate intensive and comprehensive treatments.
- Provide referrals and collaborate with other social service agency.
- Require job training and employment before graduation if medically cleared.

II. VTC TEAM PHILOSOPHY AND STATEMENT OF VALUES

The Mission of the Tarrant County Veterans Treatment Court (TCVTC) is to successfully habilitate Justice Involved Veterans (JIVs), by diverting them from the traditional criminal justice system and providing them with the tools they need to lead a productive and law-abiding lifestyle while improving mental health recovery and successful re-entry into the community.

A. Core Values

Our team is successful and effective in that we have:

1. Mutual respect and respect for each other's roles, ethical concerns, boundaries, ideas, and perspectives.
2. Shared expectations for programs and understanding for each other's roles.
3. A high level of commitment from all team members.

The community benefits from the work of our team because of:

1. Reduced societal costs through reduced crime.
2. Increased awareness of drug and alcohol issues in the community as well as increased communication and increased collaboration between services.
3. Providing skills to drug court participants that may prevent future drug use.
4. Providing better access to services for drug court participants and their families.
5. Providing holistic resources for drug court participants and their families.

The work of our team contributes to community needs.

The VTC helps improve family stability and identifies and addresses a range of underlying needs. The team contributes a framework for addressing these needs and providing access to necessary services.

Community values reflected in our team's decisions.

The VTC team operates with values congruent to our community, such as accountability, promoting individual dignity, using treatment rather than incarceration whenever appropriate and decreasing costs of criminal justice.

B. Orienting New Members

New team member orientation.

We will orient new team members by providing our policy and procedures manual and encouraging new team members to participate in the process alongside the outgoing team member if possible. As previously stated, each team member will be encouraged to respect the roles, ethical concerns, boundaries, ideas, and perspectives of other team members, including a new team member. Each team member will have opportunities to attend drug court trainings to learn skills and network with other jurisdictions and Drug Court professionals.

New team members have input and ownership in the Veterans Court Team plans and operations.

Team members are required to attend pre-docket meetings and provide information and input about program participants and program policies and procedures. New team members are encouraged to ask questions, obtain information, and provide input as a professional member of the drug court team.

III. VTC ORGANIZATION

A. Team Members and Roles

1. *The Judge*: The Judge is considered to serve the most central role. He/she can impose sanctions, terminate a participant from the program, or order a participant to enter a variety of treatment programs. The judge usually provides public praise for completion of program goals or provides certificates as another form of recognition. Diversion courts are usually not one chance programs. The judge is familiar with the issues participants may face and gives participants room to succeed.
2. *Program Manager*: Full time employee with a master's in social work is responsible for the evaluation of potential participants, assessments, and making sure all applicants meet Veterans Court criteria set forth in S.B. No. 1940. The program manager is also responsible for the daily operations of the program.
3. *Case Manager/Probation Officer*: Full time employee who is required to hold a bachelor's degree and is responsible for providing supervision to JIVs, monitoring program compliance and drug screenings, verifying attendance to outside treatment, and reporting progress to the judge at scheduled court sessions.
4. *Administrative Assistant*: Full time employee is responsible for conducting intake interviews, providing information to potential program participants, assisting the program manager and case manager with the daily operation of the office, answering the phones, scheduling appointments for participants, and other duties as needed.
5. *Defense Attorney*: Contract attorney who acts as an advocate for the JIV during participation in the program. The defense attorney provides legal advice and acts more as a mentor or coach.
6. *Assistant District Attorney*: (ADA) Chapter 617 of the Health and Safety Code describes Veterans Courts as programs that make use of a non-adversarial approach involving prosecutors and defense attorneys to promote public safety and to protect the due process rights of program participants. The ADA approves participants for the program and makes recommendations on sanctioning and promotion of participants during court sessions.

B. VTC Facilities and Operations

The TCVTC dockets will be held on the 1st and 3rd Wednesday in Tarrant County's 432nd District Court located on the 6th floor and on the 2nd and 4th Thursday in the County Criminal Court 8 of the Tim Curry Justice Center. Prior to each court hearing, at which all team members and participants must be present, the Veterans Court Team will "staff" all cases that will be before the court. "Staffing" cases includes review of each participant's progress and compliance and making recommendations and decisions regarding any actions that should be taken on each case. Administrative support and management will be provided by the VTC Program Manager.

The TCVTC office is located at:

300 W. Belknap 4th Floor
Fort Worth Texas 76196
Phone Number 817-884-3225
Fax Number 817-850-8960
Email VeteransCourt@tarrantcounty.com

IV. ENTRY AND ASSESSMENT

A. Capacity

The TCVTC will have an initial capacity of 100 participants. Once the capacity has been reached, the program manager will admit new participants based on program staff availability and other resources. New participants may be admitted into the TCVTC as participants graduate or is terminated from the program.

B. Eligibility

Participation in TCVTC shall be permitted in the exclusive discretion of the Prosecuting Attorney's Office, upon request of a charged defendant. A defendant who otherwise may be eligible for participation may be denied access to the VTC by the prosecutor based upon other factors, including, but not limited to a significant felony or non-felony criminal history; significant number of counts in current cases; evidence that the defendant is not amenable to treatment; whether defendant has adequate social support structures to make success likely. The prosecutor will give great weight to the wishes of victims and consider input from law enforcement.

- I. To be **eligible** for the VTC, defendants must meet the following requirements:
 - A. Defendant must be a veteran or current member of the United States armed forces, including a member of the reserves, national guard, or state guard, who;
 1. Have a pending eligible misdemeanor or felony offense in Tarrant County; **and**
 2. Be a legal resident or citizen of the United States of America; **and**
 3. Have a mental illness or disorder, including post-traumatic stress disorder, traumatic brain injury, military sexual trauma, depressive,

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- anxiety and psychotic disorders, and/or substance use disorder, that is related to the criminal offense; **or**
 - 4. Defendants whose participation in the VTC is likely to achieve the objective of ensuring public safety through rehabilitation may also be eligible for the VTC
 - B. The defendant must submit to a clinical evaluation to confirm the pending or underlying offense was a result of a mental illness or substance abuse
 - C. The defendant must complete a pre-plea orientation and sign all required VTC forms and Veterans Administration releases of information
 - D. The Criminal District Attorney has final approval for eligibility
 - E. The defendant must enter a plea prior to entry into the program

II. Defendants will be **excluded** from VTC if he:

- A. Has a pending charge for
 - 1. Felony DWI (3 or more previous DWI convictions)
 - 2. 3 G offense other than aggravated assault; or
 - 3. delivery of a controlled substance; or
 - 4. sex offense including but not limited to those offenses enumerated in Article 42.12 Sec. 13B(b) of the Texas Code of Criminal Procedure. An offense under Section 21.08 will be considered on a case-by-case basis
- B. Has a prior conviction or deferred adjudication for
 - 1. 3 G offense other than aggravated assault; or
 - 2. sex offense including but not limited to those offenses enumerated in Article 42.12 Sec. 13B(b) of the Texas Code of Criminal Procedure
- C. Probation violators
- D. Parolees and parole violators
- E. Lives outside the state of Texas
- F. Is seriously and persistently mentally ill and cannot participate in the structure of the VTC
- G. Has been previously unsuccessfully terminated from any Specialty Court Program, including the VTC, or who has previously graduated, whether on community supervision or not, from any of the Specialty Court Programs and is arrested on a new eligible misdemeanor or felony charge

III. To be **eligible** for **COURTESY SUPERVISION** in the Tarrant County VTC, defendants must meet the following requirements:

- A. Must meet Tarrant County eligibility criteria listed above, and:
 - 1. Work or reside in Tarrant County or county adjacent to Tarrant County
 - 2. Have a pending eligible misdemeanor or felony offense
 - 3. Provide notice from transferring county prosecuting attorney agreeing to dismiss criminal case(s) upon successful completion
- B. Defendant must agree to abide by all rules, requirements, and instructions of the VTC program

C. Referral and Application Process

1st Step: Ordinarily, the defendant or his/her attorney will make a request to the assigned deputy prosecutor that the defendant be considered for TCVTC.

2nd Step: With the defendant's attorney permission, the TCVTC staff will screen defendant for eligibility. The TCVTC staff will refer the case to the TCVTC Prosecutor, who will determine whether the defendant is eligible and not otherwise disqualified to participate in TCVTC. This determination will be considered a Preliminary Approval. During this step, the prosecutor will determine if the nature of the crime or the defendant's history makes the defendant a poor candidate for TCVTC. Factors that the prosecutor shall consider include:

- Proof that defendant is a veteran, reservist, or active-duty service member
- Proof that defendant served in combat or other similar hazardous duty area
- Proof that defendant has a combat related mental health diagnosis
- Number of counts in current cases
- Input from the victim(s) and law enforcement liaison
- Amount of restitution likely to be ordered

3rd Step: The TCVTC staff will notify the defense attorney and Court of Origin of prosecutor's denials. If the prosecutor gives preliminary approval, the TCVTC will contact defendant to set up an appointment to complete 1st orientation and an assessment with the TCVTC program manager. Factors that the program manager shall consider include:

- Ability and Motivation to comply to the TCVTC terms and conditions
- Severity of Mental Illness
- Whether defendant has adequate social supports and resources to adhere to the TCVTC terms and conditions
- Strength of evidence indicating that there is a causal connection between the combat related mental health diagnosis and the commission of the charged offenses

4th Step: If approved by the TCVTC program manager, the defendant will be referred to an agency for a Mental Health Evaluation by a contracted licensed clinician. Factors that the evaluator shall consider include:

- Severity of Mental Illness
- Program Appropriateness
- Strength of evidence indicating that there is a causal connection between the combat related mental health diagnosis and the commission of the charged offenses
- Risk Level
- Treatment Needs and Recommendations

5th Step: The TCVTC program manager will send a final report to the TCVTC prosecutor with a recommendation for final approval. Factors that the prosecutor shall consider include:

- Proof that defendant is a veteran, reservist, or active-duty service member
- Proof that defendant served in combat or other similar hazardous duty area
- Proof that defendant has a combat related mental health diagnosis
- Input from the victim(s) and law enforcement liaison

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- Severity of Mental Illness
 - Program Appropriateness
 - Strength of evidence indicating that there is a causal connection between the combat related mental health diagnosis and the commission of the charged offenses
 - Risk Level
 - Treatment Needs and Recommendations
 - Strength of evidence indicating that there is a causal connection between the combat related mental health diagnosis and the commission of the charged offenses
 - TCVTC program manager's recommendation
 - Evaluator's recommendations

The TCVTC staff will notify the defense attorney and Court of Origin of prosecutor's denials. If the prosecutor determines that the defendant is eligible and approved for admission into the TCVTC, the TCVTC will notify defendant, defense attorney and Court of Origin of admission date.

6th Step: The TCVTC program manager will schedule an appointment with the defendant to assist in creation of the TCVTC and Department of Veterans Affairs Integrated Service Plan. Veteran will be required to review and sign service plan prior to being admitted into the TCVTC. The service plan will include treatment goals as well as other conditions the defendant must complete prior to graduating from the TCVTC.

D. Program entry

The defendant and defense attorney will be required to appear at the TCVTC docket as scheduled by the TCVDCP program manager. At the TCVTC docket, the prosecutor will complete the Plea Agreement which sets forth the parties' legal rights and obligations. The defendant's defense attorney will review Plea Agreement with defendant prior to the defendant entering a plea of guilty and being admitted into the TCVTC.

The participant will pay at least \$200 of a \$500 TCVTC program fee, and execute a promise to pay the balance before, and as a condition of, graduation.

V. PROGRAM COMPONENTS

A. Treatment Phases

The TCVTC will last approximately 8-24 months, depending on the treatment needs and participant progress. It is divided into three phases. A participant must successfully complete each phase before moving into the next phase. Each phase has a key concept or focus.

PHASE ONE

Key Concept: *ASSESSMENT/ CRISIS STABILIZATION/INTERVENTION & EARLY RECOVERY*

Goals to Advance to Next Phase:
Follow all VC Requirements

Psychiatric evaluation
Treatment plan established
Dual Diagnosis Treatment/Therapy
Participant is stabilized on medication
VC Staff formulates participant case management plan
SPN is assigned and appointment is scheduled
No new arrests or probation violations
At least 60 consecutive days clean from alcohol and illegal drugs
Continue identifying strengths and barriers. Coordinate special needs (SSI; Housing; Medical; Clothing etc.)

These clients will demonstrate an ability to remain in treatment and maintain medication compliance within the community. It is anticipated this phase will last 60-90 days.

PHASE TWO

Key Concept: RE-INTEGRATION/ ACTIVE RECOVERY & RELAPSE PREVENTION

Goals to Advance to Next Phase:
Regular attendance at VC Court
Completion of all required program and special conditions as directed by VC staff
Follow all VC requirements
Random drug testing
Excellent attendance at dual/support groups
At least 60 consecutive days clean from alcohol and illegal drugs
At least 16 weeks of medication compliance
Safe and stable housing
No new arrests or probation violations
No new MH hospitalization unless extraordinary circumstances
Improved personal hygiene

These clients will demonstrate an increased ability to remain in treatment and maintain stability within the community. It is anticipated this phase will last 60-90 days, and clients will report weekly/bi-weekly to the VC.

PHASE THREE

Key Concept: CONTINUING CARE

Requirements:
Follow all VC requirements
Continue reporting to VC Case Manager or Treatment Provider
120 consecutive days clean from alcohol and illegal drugs
6 months of medication compliance
Safe & stable housing maintained
No new arrests or probation violations

No new MH hospitalization unless extraordinary circumstances
Client has continuing source of income and medical insurance
Client has engaged in on-going treatment/vocational or volunteer activities
Include Wellness practices into daily life and further define life goals

These clients will be stable and responsible for their own treatment and vocational activities. They will no longer be required to report to the VC Court weekly but will report to a Treatment Provider in the community who will continue to monitor treatment compliance. This phase will last 4-6 months, and successful completion will make the client a good candidate for early release from VC.

Treatment may deviate from outlined schedule based on participant's progress and TCVTC team mandates.

Graduation from the TCVTC will be determined when all treatment plan goals, and legal requirements are met.

B. Required Acts

TCVTC participants must comply with all the following conditions, which are set forth in the **"PARTICIPANT AGREEMENT AND PERFORMANCE CONTRACT"**:

- The participant will appear in court on all scheduled dates, on time and dressed appropriately.
- The participant must attend all required meetings and appointments.
- The participant must tell the truth.
- The participant will agree to complete any diagnostic evaluation required and submit to any rehabilitative, medical, or psychological program required by the TCVTC team.
- The participant will contact his/her case manager as directed.
- The participant will follow the treatment plan as developed by his/her treatment provider.
- The participant will tell the case manager or the Court before he/she changes address, changes, or disconnects his/her telephone number, or changes his/her employment.
- The participant will submit urine samples for testing upon request by the Court, case manager, or drug court coordinator as directed. If the participant misses a test or refuses to submit a urine sample, it will count as a positive test.
- The participant understands that he/she must be employed or in school as required by the TCVTC team.
- The participant will attend self-help meetings such as Narcotics Anonymous (NA) or Alcoholics Anonymous (AA) as directed.
- The participant will pay restitution.
- The participant will agree to sign all releases necessary to monitor his/her progress in the TCVTC.

C. Prohibited Acts

TCVTC participants will refrain from committing any of the following acts, which are set forth in the **"PARTICIPANT AGREEMENT AND PERFORMANCE CONTRACT"**:

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- The participant will not possess, use, distribute, sell, or have under his or her control any drug or drug paraphernalia, except as authorized by a lawful prescription.
 - The participant will not possess or consume alcohol.
 - The participant will not knowingly associate with persons using or possessing controlled substances except in the context of treatment.
 - The participant will not live with a convicted felon, unless approved by the TCVTC program manager.
 - The participant will not violate any law and understands that if he/she engages in any criminal act, he/she may be prosecuted for any new charge and the new charge may be the basis for his/her exclusion or expulsion from the TCVTC.
 - The participant must not, and will not, possess any weapon of any kind, including firearms and knives, while attending any required activity or program.
 - The participant understands, and agree, to notify treatment provider and TCVTC Case Manager **before** taking any medications or drugs, including **over-the-counter** drugs or drugs prescribed by physician or psychiatrist.

D. Sanctions and Incentives

SANCTIONS

Sanctions are both punitive and therapeutic in nature. The TCVTC employs judicial sanctions, sanctions related to supervision, and therapeutic sanctions.

Examples of Judicial Sanctions

1. Increased contact with the Judge
2. Court admonishment
3. Jail Time

Examples of Supervision Sanctions

1. Zero tolerance
2. Reprimand
3. Community service hours
4. Increased contact with Officer
5. Move back in phase

Examples of Therapeutic Sanctions

1. Essay assignment
2. Address Judge/Peers in court
3. Increased 12 step meetings
4. Extension of time in phase
5. Increased individual counseling

INCENTIVES

Incentives are given to participants who are deserving of special recognition for achievements and/or progress while in the TCVTC. Any member of the TCVTC team will make recommendations for incentives.

Examples of Incentives

1. Judicial recognition
2. Reduced court appearances
3. Reduced reporting to VC Case Manager or Treatment Provider
4. Praise/Applause
5. Excused from court early
6. Framed graduation certificates
7. Ease curfew restrictions

E. Drug Screening

TCVTC participants are randomly tested for drugs/alcohol as directed by the TCVTC staff. There are several different drug testing instruments utilized by the TCVTC. Drug testing instruments include, but are not limited to Urinalysis Screenings, Mouth Swabs, Hair Follicles, SCRAM, Blood, Fingernail, Soberlink, Drug Patch and Interlock. The TCVTC staff does not perform any drug testing. Drug testing is performed by multiple individuals and agencies, including the Tarrant County Community Supervision and Corrections Department and the Department of Veterans Affairs. All drug test results are submitted to the TCVTC with proper

1. Notice of Random Collection

Random Urinalysis Drug Testing is required of all participants and facilitated by a toll-free telephone procedure. Participants will be provided their CID number and toll-free phone number. Participants must call in daily to see if their "CID" is selected for drug testing. If their CID is selected, participants must present to specified location for an observed Urinalysis testing between 8 a.m. and 5 p.m. Breathalyzer tests will be administered in conjunction with drug screens. Testing of family members is not allowed per the TCVTC program manager.

The TCVTC program manager will establish a mechanism such that the determination of each CID is selected randomly, and not predictable by the participants. The schedule shall be set up such that each participant is screened for banned substances per program rules.

2. Screening Test Results

Urinalysis results and results of other monitoring techniques will be documented and provided to the TCVTC Team. Any positive urine screens, tampered samples, or refusal to provide a sample can be grounds for sanctions.

Participants will be warned that certain substances can give "false positive" tests. A warning substantially in the following form will be given to all participants during orientation.

Participants will be instructed not to ingest the following:

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1. Alcohol (could be in cold medicine like Nyquil, barbecue sauce etc.)
 2. Poppy seeds in **any** form (muffins, bagels, bread, salad dressing etc.)
 3. "Natural" or herbal remedies, or supplements (e-ola, Mah huang)
 4. Over the counter or prescription medicines such as Aleve, Pseudoephedrine (also called ma huang, sida cordifolia and epitonin) without prior approval of your treatment provider.
 5. Medications from Canada not sold over the counter in USA (222's etc)
 6. Alcohol Substitutes (Near Beer etc.), contain some alcohol.

3. Prescription Medications

Participants in the TCVTC are expected to be drug free, including the use of mood-altering, potentially addictive, prescription medications. Participants with chronic pain requiring repeated use of prescription pain medication (opiate, narcotic or benzodiazepine medications) are not good candidates for the program. Participants must discontinue all addictive medications unless determined medically necessary by treating physician.

Participants who have opted into TCVTC and have an acute pain episode must have approval from the TCVTC program manager before they take any pain medication. The program manager will require participant to provide the doctor's name, medication prescribed, amount prescribed (including refills), reason for prescription, duration of treatment, and acknowledgement by the physician that you revealed that you are a substance abuser, and the physician feels this is the best course of treatment. This form, with copies of the prescriptions, must be provided to your treatment counselor immediately.

F. Case Management

The TCVTC case manager/probation officer is responsible for providing primary case management. Case management is a coordinated, collaborative effort to provide linkages between the court system and service providers and/or agencies to assist the participant and/or family with their needs and complete the program.

The TCVTC case manager provides:

- Meet with participants as directed by TCVTC program manager.
- Monitoring and reporting progress of the participant regarding treatment and other program mandates to the court.
- Planning for intervention services and the fulfillment of criminal justice obligations.
- Brokering treatment and other services and assuring continuity as the participant progresses through treatment and program completion.
- Assisting the participant in identifying and working through barriers to successful participation in treatment.
- Supporting the participant by advocating for the participant with court, treatment, social service, medical and mental health systems.

G. Docket and Pre-docket Staffing

1. Docket

Dockets will be held on the 1st and 3rd Wednesday in Tarrant County's 432nd District Court located on the 6th floor and on the 2nd and 4th Thursday in the County Criminal Court 8 of the Tim Curry Justice Center. The docket will begin promptly at 2:00 p.m. Participants who are being admitted into the TCVTC will be called before the TCVTC judge at the very beginning of docket. Participants making phase transitions and/or graduating are called up at the end of the docket. Clients are individually called and are expected to discuss their progress with the judge. The judge administers appropriate sanctions and rewards and provides encouragement and support. Unexcused failure to appear at court hearings may result in the issuance of a bench warrant.

2. Pre-Docket Staffing

The TCVTC team meets prior to each docket to review progress of each participant, outside the presence of the participants. Pre-docket staffing meetings will begin at 1:00 p.m.

The case manager and program manager will provide the team progress reports on each participant who will be present at that week's docket. The progress report informs the team of the participants' overall compliance since the last docket. Based on this report and any additional information brought to the meeting, team members assess a participant's progress and discuss potential treatment or programmatic interventions. It is during these meetings that team members discuss, debate, and potentially disagree with the direction of intervention and team decisions but during the court session the team presents a unified position. Team discussions will be conducted with a goal of reaching consensus on action to be taken for each participant. If consensus of all team members cannot be achieved, the TCVTC judge has discretion to determine what action will be taken.

H. Fees

The Participant will pay a \$500 non-refundable program fee for participation in the TCVTC, \$200 of which should be paid on the day of entry into the program, and the balance of which must be paid before graduation on a schedule set by the TCVTC program manager. Failure to pay may result in termination or other sanctions unless arrangements can be made with the TCVTC judge that may result in a finding of financial hardship. In any case, the finding by the TCVTC judge of financial hardship will not be determined unless the participant or the TCVTC case manager/probation officer brings the matter to the TCVTC program manager.

I. Graduation Requirements

To graduate, the TCVTC Team must authorize the participant's graduation, and the participant must have met each of the following criteria:

1. The participant will have been in the program for a minimum of eight (8) months.
2. The participants must have completed all his or her alcohol and drug treatment and have a current support-group mentor.

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3. The participant will have had no violations for the three (3) months prior to his or her scheduled graduation date.
 4. The participants must be in Phase III and have maintained abstinence from all drugs and alcohol for a minimum of six (6) consecutive months prior to graduation.
 5. The participants must have completed all sanctions involving affirmative conduct from previous violations.
 6. The participant must complete a detailed written plan of his or her strategies to remain clean and sober following the provided outline.
 7. The participants must be employed and have all program fees and any restitution paid in full.

Upon graduation, the prosecutor representing the state will enter an order dismissing the pending charges.

J. Early Termination Procedures

1. Voluntary Termination/ Opt Out

A participant can choose to voluntarily choose to opt out of the TCVTC at any time before or during admission into the program. Below are the procedures for opting out of the TCVTC:

1. If a participant wishes to be discharged from the TCVTC, the treatment team encourages participant to discuss desire with lawyer, family members and/or friends. Participant should carefully weigh all the reasons he/she want to leave the program.
2. If participant wishes to be discharged from the TCVTC, the treatment team encourages participant to discuss decision and any pertinent issues regarding a discharge with primary case manager. Participant may also ask for a referral to speak to a court officer or TCVTC Defense Attorney to discuss any legal concerns he/she may have about a discharge from the program.
3. Once participant has decided to ask for a discharge from the TCVTC, he/she must appear before the court and ask the presiding judge for a formal discharge from the program. To ensure that participant is making his/her request for discharge knowingly and willingly, the presiding judge will review all the reasons he/she is asking to be discharged from the program.
4. If participant is discharged from the TCVTC, he/she understand he/she must pay any outstanding balances that are owed to the TCVTC, treatment provider or other agency that he/she received services.

2. Expulsion

Expulsion results when the program can no longer serve the needs of the client. Due to many factors, there are instances when continuation is unproductive for the client, the program, or both as indicated below:

1. A participant may be involuntarily removed from the drug court program if he/she repeatedly violates the drug court orders, including positive drug tests.
2. A participant may be involuntarily removed from the drug court program if there is probable cause to believe he or she has committed any felony offense.

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3. A participant may be removed from the drug court program if he/she commits a new offense of any kind, and if, under the circumstances, it appears to the drug court team that the participant would not benefit from the services of the drug court program.
 4. Termination decisions are based on many factors including, but not limited to current situation/violation, length of time in program, number and level of treatment episodes, living situations, attitude etc. If terminated, the participant may immediately be tried on stipulated evidence and sentenced. Any program fees paid are forfeited, and not credited towards any legal financial obligations imposed by the conviction.

3. Termination Hearing Procedures

The TCVTC judge shall conduct a termination hearing at the earliest possible TCVTC docket following a decision to terminate a participant. The stipulated trial and sentencing determination shall be conducted at the beginning of the TCVTC docket, in front of all other participants present for that day's hearing.

VI. REPORTING


The TCVTC program manager will be responsible for providing monthly reports to the TCVTC team and Criminal Court Administration Office. The report should include TCVTC statistics, and a report on recidivism of all current and former TCVTC participants.


VII. MODIFICATION OF POLICIES AND PROCEDURES


The TCVTC team shall convene from time to time, and at least annually, to review the operation of the TCVTC, and revise policies and procedures as deemed necessary by the team.

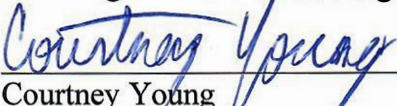
We, the undersigned, hereby adopt and approve of this Tarrant County Veterans Treatment Court Policy and Procedure Manual as the incorporating and controlling document of the Tarrant County Veterans Treatment Court.

Adopted SEPT. 13, 2013


Hon. Charles Vanover
Presiding Veterans Court Judge


Cheryl Bennett-Wright
Assistant Criminal Court Administer


Hon. Ruben Gonzalez
Presiding Veterans Court Judge


Courtney Young
TCVTC Program Manager