



SKAGIT COUNTY FAMILY RECOVERY COURT

POLICIES AND PROCEDURES

Current as of October 28, 2024

TABLE OF CONTENTS

I. Mission Statement	2
II. Program Overview	2
III. Program Admission	3
A. Eligibility for FRC	3
B. New Participant Identification	5
C. Application Procedure	6
IV. Program Participation	7
A. Entry to FRC	7
B. Program Requirements	8
C. Phases	10
D. Phase-up Requests	10
E. Program Rewards	10
F. Program Responses	11
G. Graduation	11
H. Program Termination/Opting Out	12
I. Attendance	13
V. Procedures Concerning Drugs and Alcohol	14
A. Prohibited Substances	14
B. Drug and Alcohol Testing	14
C. Urinalysis (UA) Testing Procedures	14
D. Diluted Tests / Low Creatinine	15
E. Prescription Medication	16
F. Emergency Response Team	19
VI. Courtroom Conduct	20
VII. Communications	21
A. Ex Parte Contact	21
B. Confidentiality	21
C. Process for Handling Requests for Goods/Services	22
Appendices	
A. Confidentiality Agreement and Consent / Release of Information	23
B. Expedited Application and Full Written Application	26
C. FRC Contract & Notice and Order for FRC Participation	30
D. Phases & Community Support Meetings	37
E. Phase-up Requests	45
F. Response Chart	49
G. Skagit County Superior Court MAT Policy	54

The purpose of this manual is to provide guidance to the Skagit County Family Recovery Court team and participants in requirements and procedures related to the program.

I. MISSION STATEMENT

Family Recovery Court works to provide parents with tools and supports to stabilize and maintain a life free from substance use and create healthy family relationships through a multi-disciplinary team with judicial accountability.

II. PROGRAM OVERVIEW

Skagit County Family Recovery Court (FRC) is an intensive therapeutic court program. It is for parents with substance use disorders who are involved in the dependency court process. Entry into the Court is voluntary. **Reunification of FRC parents with their children is the goal of the court, but it is not guaranteed.**

The substance use treatment component of FRC involves random drug testing (UAs or cheek swabs), participation in individual and group counseling sessions, regular attendance at sober support meetings such as AA or NA, and working with a sponsor.

In addition to treatment, FRC parents attend hearings with the court held weekly on Tuesdays at 1:30 p.m. (when court holidays fall on a Tuesday, FRC will be that Wednesday at 1:30 p.m., although process groups will continue to be held on Tuesdays.)

At the hearings, the judge or court commissioner will discuss the participants' progress in treatment as well as issues about their children and other aspects of their lives. Successful completion of all treatment requirements and other assigned tasks may qualify the participant for a reward. Failure to complete required tasks will result in a finding of noncompliance and potential sanctions, called "responses."

Participants work with a team consisting of a judge or court commissioner, an assistant attorney general, parents' attorneys, a social worker, a guardian ad litem (GAL), a court coordinator, a substance use disorder treatment provider, and other providers. This team meets before each court session to discuss the participants' progress and challenges with the program. In this meeting, decisions about responses, rewards and

other matters are typically decided. The ultimate decision rests upon the judge or court commissioner after receiving input from the rest of the team.

The program takes a minimum of nine months to complete, but the amount of time for any participant depends on each participant's progress. The FRC process is divided into **four phases**, which are discussed below. When all goals of all four phases are accomplished, the participant is eligible to graduate from FRC. Prolonged failure to progress in treatment or violation of other rules can result in termination from FRC and return back to the regular dependency process.

III. PROGRAM ADMISSION

Admission to FRC is contingent on meeting specific eligibility criteria, observing at least one FRC court session, signing releases and other documents related to participation, and interviewing with the FRC team.

A. ELIGIBILITY FOR FRC

In reviewing each applicant, the team shall consider the following criteria:

Program Eligibility

A parent must meet the following criteria for **program eligibility**, unless the team chooses to waive one or more of these criteria:

1. Applicant must be 18 years of age or older.
2. Applicant must have an active dependency case in Skagit County, Washington.
3. The dependency must be less than six months old. The dependency finding may be either after contested fact finding or stipulation from the parent-applicant. An application to FRC may be made prior to a dependency finding.
4. The child(ren) must not be placed out of a parent's home for more than ten months.

5. Applicant voluntarily agrees to program participation.
6. Applicant signs the Confidentiality Agreement and Consent and Release of Information forms (Appendix A)
7. Applicant must not be currently charged with or convicted of offenses enumerated in RCW 2.30.030(3).
8. Applicant is not currently charged with or convicted of a felony involving child abuse or kidnapping.
9. Applicants with convictions or current charges for felony offenses involving weapons or assault, significant felony history, or criminal history showing a pattern of domestic violence will be evaluated for eligibility by the team on a case-by-case basis. A determination that the applicant's participation in FRC poses a risk to children, other participants, team members, and/or the court will render that person ineligible for FRC.
10. If there has been a termination filed in the dependency case, the applicant is no longer eligible.

Clinical Eligibility

A parent must meet the following criteria for **treatment eligibility**, unless the team decides to waive one or more of these criteria:

1. Applicant must have a substance use disorder diagnosis.
2. Applicant must be able to engage in treatment, i.e., no debilitating mental health disorders.
3. Applicant does not have any circumstances that impair their ability to meet treatment or court requirements.
4. Applicant demonstrates a willingness to engage in treatment and accept the decisions of the team.

Exceptional Circumstances

In certain situations, eligibility requirements may be relaxed when exceptional circumstances exist for special consideration, including but not limited to:

1. The age of a disqualifying conviction exceeds five (5) years from the date of application.
2. Applicant's spouse/partner entered FRC while the dependency was less than six months old.
3. Active or expected participation in another therapeutic court.
4. Applicant is eligible to enter FRC for one child but exceeds the timeframes for the child's sibling(s).

B. NEW PARTICIPANT IDENTIFICATION

At shelter care, fact finding, or other hearings early in the dependency process, parents with identified or suspected substance use disorders shall be given a brochure about FRC. The FRC court coordinator will make this brochure available for distribution by the attorneys, GAL, social worker, FJCIP Coordinator, and/or Parent for Parent peer at those hearings. Once the brochure has been provided, the parties will check a box on that and subsequent shelter care and fact finding orders to indicate that the parent received the brochure. The department will also make the brochures available at case conferences.

If FRC alumni express interest, they may be present at shelter care and/or FRC hearings to answer questions parents might have about FRC.

Parents who express interest in the program to their attorneys, the GAL, social worker, AG, or the court shall be given the **FRC application packet**. This packet includes but is not limited to:

- Skagit County Family Recovery Court Application Process (Appendix B)
- Flyer for Skagit County Family Recovery Court
- Phases (Appendix D)
- two months of calendars

Parents may but are not required to attend a FRC session before applying to determine their level of interest in the program.

C. APPLICATION PROCEDURE

There are three methods for parents to engage in FRC:

Applicants Who Fall Within the FRC Eligibility Requirements

For applicants who fall squarely within the program's eligibility requirements (as stated above), their attorney submits a form to the team indicating that their client meets those eligibility requirements and would like to participate in FRC.

Clients whose forms were submitted by the end of the business day on Monday may enter into Pre-Phase at that Tuesday's 1:30 p.m. Family Recovery Court session.

By the end of Pre-Phase (typically 1-2 weeks), the attorney and participant must have submitted the written interview questions to the team. Submission of the completed written interview questions is a requirement to fully entering FTC's main phases. The written interview questions may be submitted along with the expedited application.

Applicants Who Require Exceptions to the FRC Eligibility Requirements

The FRC Team will consider applicants who fall outside the standard eligibility requirements, such as due to age of the dependency case or disqualifying criminal history. For applicants requesting an exception be made, their attorney must:

- 1) Submit the written interview questions to the team for review. The attorney and client should work on this together and be sure to address the last question about why they believe an exception should be made.
- 2) The parent's attorney is encouraged to join the team staffing where their client's application is discussed. The team will determine whether to:
 - Make an exception and welcome the applicant into Pre-Phase with FRC;
 - Decline the application; or

- Request a team interview with the applicant before making the eligibility determination.
- 3) If the team requests an interview, the attorney's presence at the staffing will help inform the applicant as to the team's concerns in preparation for the interview. The team will make the initial determination as outlined above within two weeks of submission of an application.

Applicants will receive a response to their application by the following week's FRC session.

While each team member is given an opportunity to present their opinion, the judge or court commissioner handling FRC makes the final decision about whether a parent is eligible for the program.

Program Referrals: In addition to accepting formal applications from parents' attorneys, the team now accepts referrals directly from the participants and any other interested dependency professionals or persons. Referrals are sent to the coordinator, AAG, and the parent's attorney and staffed with the full team and the parent's attorney before entry.

IV. PROGRAM PARTICIPATION

A. ENTRY TO FRC

Once admitted to FRC, the participant is required to sign the FRC contract and any additional required releases of information. A sample contract is provided in Appendix C.

Most participants will begin in Pre-Phase. In FRC or immediately after court, the participant shall make contact with the treatment provider to schedule an appointment for an updated substance use disorder assessment. Participants in Pre-Phase are expected to keep all appointments with the provider and engage with all services as recommended by the treatment provider.

Participants who have successfully completed Pre-Phase or who applied to the program with a current assessment for substance use disorder shall enter the program in Phase I. Phase I participants will be immediately put on a UA schedule and expected to meet that phase's requirements. If not already provided in Pre-Phase, they will be given a binder including these policies and procedures, the appendices, a gratitude journal, and calendars, along with other information about the providers and services available through the program. Participants are expected to bring this binder to each court appearance, along with proof of meeting attendance on the weekly colored slip provided at the last FRC session.

B. PROGRAM REQUIREMENTS

FRC is an intensive program that should become a major priority in participants' lives. The requirements of the program, especially in the first two phases, occupy substantial time and commitment and require reliable transportation. To be successful, participants must make any necessary adjustments to their schedules in order to consistently attend and participate in all scheduled treatment sessions, UAs or cheek swabs, sober support meetings, FRC hearings, as well as the other requirements of the dependency court including visits with their children and other required services.

The program rules include:

Do not use or possess drugs, alcohol, or other inappropriate substances. Sobriety is the primary focus of this program. Refer below to section V. for additional information about substance use.

Attend and participate in all court-ordered services. This includes substance use treatment, sober support meetings, counseling, and educational programs.

Attend all scheduled court dates. Participants are required to arrive on time, participate, act appropriately, and remain until the end of the session. Additional information on court appearances is below in section VI.

Participate in timely drug and alcohol testing. Participants must provide samples of urine, breath, blood, or hair for drug and/or alcohol testing when directed by treatment providers, social worker, or the court. Diluted or tampered UAs will be counted as positive results for substances. Refer below to section V. for additional information about testing.

Report to social worker as directed. Contact with the FRC social worker provides an important link between the participant, FRC, and the dependency process.

Comply with all FRC and dependency court orders. The requirements of dependency court will often overlap with FRC. If the dependency court orders additional services or imposes requirements beyond what was ordered by FRC, participants are also required to comply with those dependency orders to maintain compliance with FRC.

Attend visits with the child(ren). FRC recognizes the importance of the parent-child relationship and the overall goal of reunification with the dependency process. Participants' time with their child(ren) and familiarization with their medical or other needs are crucial to meeting this goal.

Be honest. Honesty with the court, providers, the social worker, and other members of the team is core to each participant's success.

Maintain confidences. For treatment to be effective, it is critical that absolute confidentiality be maintained about other participants and their families. This includes information learned in treatment groups, FRC hearings, sober support meetings, and similar settings. Additional information about confidentiality is provided below in section VII.

C. PHASES

In order to graduate from FRC, participants must work their way through the phases, beginning with Pre-Phase or Phase I. The requirements of each phase are set forth in Appendix D. The time to move through each phase depends on compliance with those requirements. A finding of non-compliance can delay a participant's progression through the phases, as noted in each phase.

Participants who have engaged in substantial periods of inpatient treatment may request that they advance more quickly through the phases. The procedure and eligibility for phase acceleration is included in Appendix D. The purpose of Phase Acceleration is to recognize significant progress made by participants in their recovery through extended stays in inpatient treatment programs that justify a more rapid advancement through some phases of the program.

D. PHASE-UP REQUESTS

When a participant has met all requirements of their current phase, the participant must submit a written request to advance to the next phase in the program. Those requests will follow a format as provided in the participant's FRC binder. (Appendix E) Requests must be provided to the court at least one day prior to the next FRC session in order to be considered that week. If the participant has met all requirements, they will be approved to move up to the next phase and will receive a certificate of phase completion.

E. PROGRAM REWARDS

Compliance with phase requirements will be met with incentives to encourage participants' success. Rewards may include verbal recognition from the court, applause, moving upward in phases, certificates of accomplishment, and entry in prize drawings.

F. PROGRAM RESPONSES

During each FRC staffing session, the FRC team will review whether participants are in compliance with the program's requirements. Noncompliance with phase requirements will be met with responses to address the non-compliant behavior.

In ordering a response, the court considers the participant's current phase level, their attitude, previous history of responses within the program, and other circumstances related to the noncompliance. Responses that are therapeutic in nature are preferred, when available. Additionally, the team will consider that a finding of non-compliance delays the participant's progression through the phases and is also a therapeutic response.

The response chart is provided in Appendix F.

The Court may exercise its discretion to order lower or higher responses than included in this chart given extenuating circumstances in individual cases.

A participant may also be found in contempt of court for serious violations of court orders. This is to be used sparingly and only in exceptional situations.

G. GRADUATION

Participants who believe they have met all requirements of Phase IV must request an interview with the team to graduate from the program. Prior to graduation, the participant shall meet with the coordinator to discuss the challenges and successes the participant had as they moved through the program's phases, the participant's plans for the future, ways FRC benefited the participant, and suggestions for changes to the program

The graduation will be celebrated in open court. Graduates are encouraged to invite friends, family, and other support people to attend and celebrate their accomplishment.

H. PROGRAM TERMINATION / OPTING OUT

A participant's termination from the program is at the recommendation of the treatment court team, subject to the discretion of the court. It includes, but is not limited to the following:

Dismissal of Dependency/Termination of Parental Rights

A parent's participation in FRC terminates upon dismissal of the underlying dependency action for which the participant is involved in FRC, or upon termination of the parent's parental rights regardless of the parent's status with the drug/alcohol treatment program or FRC.

Lack of Progress or Non-Compliance

A participant's continual lack of progress in treatment and/or compliance with FRC is grounds for termination from the FRC program. See Responses, above in section IV and Appendix F.

Opting Out

FRC is a voluntary program, allowing a participant to opt out at any time. A participant is required to give two weeks' notice prior to opting out. During that time, the participant is still a part of FRC and subject to the court's orders.

At the next FRC hearing following notice of the participant's intent to opt out, the court will engage in a colloquy with the person to ensure they had an opportunity to consult with counsel and understand the consequences of leaving FRC. If the participant is unsure

about the decision, they will be given additional time to consult with their attorney and consider their options.

I. ATTENDANCE

Attendance is mandatory for all court, treatment, UAs, appointments, and other court-ordered services and appearances. Unless advance permission is given, court attendance shall be in person.

Excused Absence

Advance permission is required to miss any requirements of FRC. Participants must notify their attorney, social worker, or treatment provider to both request excusal from a program requirement *and* receive approval *before* missing the requirement.

Travel Permissions

Travel outside the area that requires a participant to miss any part of the FRC program is not allowed unless there is advance permission. All travel must be approved in advance. The team will carefully consider any request.

If the proposed trip is approved, the participant will be required to submit a safety plan to the court. The safety plan must include the travel itinerary, contact numbers where the participant can be reached, a list of 12-step meetings the participant will attend, and the care plan for the child(ren) while the participant is traveling. The court may specify additional aspects to include in the plan depending on each participant's unique situation.

A serious personal or family emergency is the only exception to this policy. In the event of such an emergency, the participant must contact their social worker or attorney immediately, preferably before leaving, for guidance.

V. PROCEDURES CONCERNING DRUGS AND ALCOHOL

A. PROHIBITED SUBSTANCES

FRC participants are expected to abstain from all mood enhancing substances. This includes alcohol, marijuana, heroin, cocaine, methamphetamine, other illegal drugs, ADHD medications like Adderall or Ritalin, and opiate-based prescription medications. It also includes any other substance, such as spice, bath salts, kratom, or any other mood altering substance or practice (like huffing) that is available or invented now or in the future. Exceptions for prescribed medication are discussed below in Section E.

B. DRUG AND ALCOHOL TESTING

FRC believes that drug and alcohol testing is central to monitoring participants' compliance. Tests are administered randomly or at scheduled intervals in accordance with the participant's phase in the program. Most testing in FRC is performed by urinalysis testing, however other types of testing may be ordered to reflect the concerns of the team with respect to use. Such testing may include hair follicle analysis. **A missed test is considered a positive result.**

C. URINALYSIS (UA) TESTING PROCEDURES

Drug and alcohol testing occurs on a random basis throughout the entire FRC program. Every urine sample is directly observed by a same-gender employee of the treatment agency. Participants must call the treatment provider's color-coded UA number daily, even on weekends. If the participant's assigned color comes up, they will be required to report to the treatment agency to complete a UA that day during the designated time frame.

Test results received from the laboratory are considered by the team to be accurate and final. Only the first test provided to the treatment agency on any given day will be accepted by the court for purposes of determining compliance. Additional tests paid for privately at the treatment agency, a hospital, or other treatment facility will not be considered by the court for any purpose, regardless of the results.

The FRC team is informed of all UA test results. A positive test result includes:

- Positive for prohibited substance(s)
- Refusal or inability to provide a sample
- Failure to provide a UA sample within the provided time frames
- No-shows or missed tests
- Tests that were tampered with
- Diluted test results (see below)
- High creatinine test results

All UA results will be reported to the FRC team. Positive UAs will result in responses appropriate to the phase, attitude, history, and actions of the participant pursuant to the response chart in Appendix F.

Due to decreased availability of UA testing, cheek swabs or other forms of testing for substances will be accepted by the team. Regardless of the type of test offered, all participants are required to participate in the testing as directed by their treatment provider and/or social worker.

D. DILUTED TESTS / LOW CREATININE

If creatinine levels test at 20 mg/dl or below, the sample is too diluted to provide accurate results, regardless of any other aspects of the test (i.e. gravity, etc.). These tests are invalid and are considered positive UAs.

Creatinine is a chemical waste product of muscle metabolism. When kidneys function normally, they filter creatinine and other waste products from the blood. These waste products are removed from the body through urination.

Participants are instructed not to drink more than 20 ounces of any liquid within one (1) hour of providing their urine samples. They are further advised to provide their samples as early in the day as possible and eat regular, nutritionally well-balanced meals. Protein increases creatinine, but caffeine, energy drinks, and water reduce creatinine.

E. PRESCRIPTION MEDICATION

Except as discussed below, FRC has a no tolerance policy for prescriptive pain medication or other addictive medications or drugs of any kind.

Medication Assisted Treatment: Medication Assisted Treatment (MAT) may be used as deemed medically appropriate for participants by a medical professional. The Skagit County Superior Court MAT Policy is attached as Appendix G. This policy, or the most recent version thereof, will be followed by FRC.

Ongoing Prescription Medication: Medication may be used in FRC if a participant has a valid prescription, uses the medication as prescribed, and certain parameters are in place to ensure that there is transparency with the treatment provider and the team. This is to prevent misuse and to support the participant in their recovery.

If a participant is already prescribed a pain, ADHD, or other addictive or potentially mood-altering substance or will be prescribed such a substance, the participant must immediately:

- Inform the prescriber of that medication that they are in active recovery for a substance use disorder.

- Inform the treatment provider of the prescription (or any changes to it) when the participant becomes aware of the prescription or the potential need for the prescription in order to develop a plan and sign releases of information.
- Provide a copy of the prescription and any changes to the prescription to the provider.
- Sign releases of information with the treatment provider and the prescriber allowing them to communicate about the prescription, the participant's risk of misuse of the prescription, the participant's substance use disorder treatment, and any necessary management and oversight of the prescription to promote the participant's recovery.
- Work with the treatment provider and the prescriber as requested to properly manage the prescribed medication within the context of the participant's recovery.
- Provide random drug tests upon request by the treatment provider and/or the prescriber.

Random drug testing will test levels to ensure adherence to the medication plan developed between the participant, the provider, and the prescriber.

Serious Emergencies

If a participant is in a serious accident or has a serious acute medical emergency, they must follow these steps:

1. Notify all medical providers that they are in a drug court and are not allowed to take prescriptive narcotic pain medication.
2. If the medical care provider insists on administering prescribed narcotic pain medication, the participant must follow these steps:
 - Call their substance use disorder treatment provider and/or social worker about the medical situation and all prescribed or administered medication. If possible, this should be done before taking the medication. If not possible, this must take place at the first opportunity to contact the social

worker or substance use disorder treatment provider following administration of the medication.

- Sign all releases between the substance use disorder treatment provider and the medical provider.
- Obtain and immediately provide to the court copies of all prescriptions and medical records related to the emergency.
- Meet with or call the substance use disorder treatment provider at the first opportunity following administration of the medication to discuss the matter and follow the provider's recommendations.

3. If the team permits the participant to continue taking the prescribed medication, the participant must take the medication using the precautions as directed by the team. The participant must also stop taking the prescribed medication as soon as their physician says it is possible.

4. Bring any unused medication to the court for disposal/destruction.

Planned Surgeries or Other Medical Care or Treatment

If a surgery or other medical procedure is scheduled that may require pain medication, participants must:

- Discuss the matter with their treatment provider, social worker, and the team as far in advance of the procedure as possible.
- If taking narcotic pain medication is approved by the treatment provider, the participant must follow the steps in 4. and 5. in the "Serious Emergencies" section, above.

Failure to follow the steps outlined above will be a serious violation of FRC rules and will result in a response.

F. EMERGENCY RESPONSE TEAM

FRC's emergency response team provides supports for participants who are struggling with sober and substance-free living between court appearances.

In the event that a participant misses a UA, has a positive UA, has indications of alcohol use, or admits recent drug/alcohol use, the emergency response team shall confer. One or more members will contact the participant within 24 hours of the event. If the event occurred over a weekend or holiday, the emergency response team will respond by 4:00 p.m. on the next business day.

The team shall provide outreach to the participant to devise a plan for sober and substance-free living to implement between that meeting and the next FRC session. The team will work with the participant and suggest solutions, which could include: increased attendance in sober support meetings; additional sessions with providers, and; addressing barriers in transportation or calendars. The emergency response team does not have the authority to sanction participants or give orders. The purpose of this team is to problem-solve emergent issues with the participant.

The emergency response team shall consist of the GAL, substance use disorder treatment provider, social worker, and the parent's attorney.

The emergency response team need not be notified if the disclosure or missed/positive UA comes through the substance use disorder treatment provider. The provider may exercise their discretion in whether intervention of the emergency response team is needed to keep the participant on track.

VI. COURTROOM CONDUCT

Failure to follow courtroom rules of conduct could result a finding of noncompliance for the week and a response. The following rules apply at all times in the courtroom:

Arrive on time and remain until FRC has adjourned (ended). Participants must care for their personal needs before entering the courtroom for FRC.

Turn off cell phones and other electronic devices before entering the courtroom.

Food, drink, and gum are not allowed unless with advance permission from the commissioner or judge.

Tell the truth to the court at all times. Withholding information is the same as a lie.

No profanity and/or offensive language will be tolerated.

Watch and listen to the proceedings. Everyone must pay attention to what is happening in court and refrain from speaking with other individuals while court is in session.

Proper attire must be worn. Participants in need of courtroom clothing should speak with their attorney or the social worker. The following are not allowed in court:

exposed midriffs; shorts; hats; mini-skirts/dresses; skirts or dresses with slits higher than mid-thigh; tank tops; halter tops; muscle shirts; see-through fabric; clothing with drug/alcohol/violent themes; gang attire; shirts with plunging or revealing necklines; sunglasses, and; pants that sag below the underwear waistline.

When a participant's case is called, they are expected to stand at the microphone and speak clearly. The commissioner or judge will engage in a conversation about the participant's progress in FRC. The commissioner or judge should always be addressed as "Your Honor."

Participants must bring their binders to each court appearance as well as proof of sober support meetings since the last FRC. The binders should include the participants' current **colored** meeting slips, calendars, and court orders.

VII. COMMUNICATIONS

A. EX PARTE CONTACT

Participants and members of the FRC team are not allowed to discuss the substance or merits of the underlying dependency case with the judge without the presence of all attorneys to the case. This includes direct discussions and communications that could lead to an appearance of impropriety.

Positive UA results, routine GAL reports, treatment reports, social worker reports, and legal pleadings from the parents, child, GAL, or state are permitted and should be routed to the commissioner or judge through the court coordinator as long as all parties receive copies of what is submitted to the court.

B. CONFIDENTIALITY

Participants

Participants will be required to sign a consent form or release of information (ROI) so the treatment providers may relay information about participants' progress with the FRC team.

In order for treatment to be effective for each participant and the entire group of participants, it is critical that absolute confidentiality be maintained. This includes information about fellow participants and their families learned in treatment groups, FRC hearings, sober support meetings, and similar settings. Breach of confidentiality is considered a serious violation of FRC.

FRC Team

Additionally, FRC team members agree to maintain confidentiality of information learned during staffing sessions. FRC files are established separately from their underlying dependency cases. The coordinator of Family Recovery Court maintains the program's court files, which are stored in a locked filing cabinet to be accessed only by FRC team members.

C. PROCESS FOR HANDLING REQUESTS FOR GOODS/SERVICES

Unless this is a funding request made directly to DCYF that will be covered by the Department, the team will follow this process for participants' requests for funding.

- 1) Discuss the need/request with the participant.
 - What do they need?
 - Is there a specific timeframe for when they need the good/service?
 - Have they requested assistance with this item elsewhere? If so, where?
- 2) Email the request to the full FRC team along with the additional clarifying information.
- 3) The team member who can take the lead on this will notify the rest of the team.
- 4) That team member will contact the participant and work directly with them on fulfilling the request and any additional information or follow-through they need from the participant.
- 5) If other team members have updates about this request, they can be directed to the team member who is in charge of that funding.

Funding requests are handled by:

- a) *Department Social Worker*: for goods and services that would be covered by the Department
- b) *Treatment Provider*: for anything not covered by the Department or other sources.
- c) *OPD Social Worker or Parent's Attorney*: potentially for emergencies to cover what is not available through DCYF or the additional FRC funding, up to \$1,000

Appendix A

Confidentiality Agreement and Consent

and

Release of Information with Catholic Community Services*

Skagit County Family Recovery Court

Confidentiality Agreement and Consent

I understand that alcohol and/or drug treatment records and mental health records are protected under the Federal regulations governing Confidentiality and Drug Abuse Patient Records, 42 C.F.R. Part 2, and the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 45 C.F.R. Parts 160 & 164, and cannot be disclosed without the Family Recovery Court participant's written consent unless otherwise provided for by the regulations.

I also understand that I may revoke this consent at any time except to the extent that action has been taken in reliance on it, and that this consent is essential to my participation in Skagit County Family Recovery Court and a revocation of consent shall result in my immediate discharge from the program.

I understand that all information heard, discussed, read, and observed during the Skagit County Family Recovery Court Team Staffing sessions will remain confidential except as to the extent necessary to conduct court.

I hereby consent that all of my confidential records regarding substance use treatment and mental health treatment may be disclosed by Catholic Community Services in written and verbal formats within the Skagit County Family Recovery Court Team's staffing sessions and to activate or participate in the Skagit County Family Recovery Court's Emergency Response Team, as detailed in that court's policies and procedures.

I also consent to other members of the Family Recovery Court Team sharing information about my progress and challenges in working through my obligations with the program. This may include, but is not limited to, meetings with social workers and other professionals, visitation with my child(ren), housing and employment information, parenting instruction, and completion of responses.

This consent does *not* waive attorney-client confidentiality. The conversations I have with my attorney will remain confidential unless I give my lawyer permission to share specific information with other members of the FRC Team.

This consent expires upon my graduation or discharge from Skagit County Family Recovery Court or upon my or FRC's decision not to admit me into the program.

Signature _____

Date: _____

Name (Print) _____

DOB: _____

**RELEASE OF INFORMATION FOR CATHOLIC COMMUNITY
SERVICES:**

PENDING INCLUSION

Appendix B

Family Recovery Court Expedited Application
and
Full Written Application

Family Recovery Court Expedited Application

Submitted by:

On behalf of my client:

Client's cause number(s):

My client meets the standard program eligibility requirements for Family Recovery Court in that they:

- ✓ Are 18 years of age or older

- ✓ Have an active dependency case in Skagit County where:
 - the dependency finding was made less than six months ago
 - the child(ren) in the dependency case(s) has/have been out of a parent's home for less than ten months
 - a termination petition has not been filed

- ✓ Agree to participate in the program and sign all required documents for entry (including releases of information and consent forms)

- ✓ Have no pending criminal charges or prior convictions for disqualifying offenses or offenses that would require additional review from the team:
 - are not currently charged with or convicted of offenses enumerated in RCW 2.30.030(3)
 - are not currently charged with or convicted of a felony involving child abuse or kidnapping
 - do not have convictions or current charges for felony offenses involving weapons or assault, significant felony history, or criminal history showing a pattern of domestic violence.

- ✓ Agree for purposes of this process that they have a substance use disorder and are willing to engage in treatment.

We request that my client be signed into pre-phase of Family Recovery Court at the next Family Recovery Court date.

My client and I reviewed the attached interview questions and submit them in lieu of a team interview. If the interview questions are not attached to this application, they will be submitted to the team within two weeks of my client's participation in Family Recovery Court. We acknowledge that receipt of these questions is required for my client to fully sign into the program.

FAMILY RECOVERY COURT FULL WRITTEN APPLICATION

Attorney: Please fill this out with your client and submit to the FRC coordinator and the Assistant Attorney General for processing. This application will not be used in the underlying dependency case. It is only for informational purposes to help the team understand the applicant's background and how to best serve them in the program.

PERSONAL DATA

Date:

Name:

Age:

Marital Status:

Children's Names and Ages (specify if children are not involved in dependency proceedings with this court):

Do you have daily access to a phone?:

Do you have transportation to get to U/As, meetings, court, etc..?:

Where are you living and who is in your household?

CRIMINAL BACKGROUND

Please list prior criminal convictions, including offense, date of violation, and court of conviction (Attorney may attach a separately prepared statement of criminal history):

Are you currently on probation? If yes, with which agency and under what terms?

Do you have any unresolved criminal cases? If yes, please indicate what charges and in which courts.

Are you subject to any no-contact orders or restraining orders? If yes, please indicate the names of the other parties.

SUBSTANCE USE HISTORY

Are you currently in treatment? If so, with whom and for how long?

Do you have any pending appointments for an assessment or an intake? If so, with which agency?

OTHER INFORMATION

The team will get to know you throughout the process, but please let us know if there is other information you think we should have to help us better help you and your family succeed in Family Recovery Court.

For applicants who request exemptions to Family Recovery Court's eligibility requirements, the team requests the applicant address why an exception should be made here.

Appendix C*

FRC Contract

and

Notice and Order for FRC Participation

**These forms are examples of documents for signing into the program. They are in the process of being updated in 2022.*

**STATE OF WASHINGTON SKAGIT COUNTY
SUPERIOR COURT JUVENILE DIVISION**

IN RE THE WELFARE OF:

,

DOB :

NO.

FAMILY RECOVERY COURT
CONTRACT

I enter into this contract of Family Recovery Court to assist me in attaining sobriety in order to safely and effectively parent my child(ren) and to promote early reunification when possible.

1. I understand that abstinence from all illegal substances, marijuana and alcohol is a requirement.
2. I will agree to attend, participate in and complete treatment, therapy, educational programs, and all other court-ordered services.
3. I will appear in court on all scheduled court dates at the time scheduled.
4. I will meet with my DCYF Social Worker and child's GAL as directed.
5. I will comply will all conditions of my probation if I am on probation.
6. I agree that during Family Recovery Court staffings, all members of the team will discuss my case.
7. I agree to drug and/or alcohol testing, including urine and breath testing, as directed by my treatment provider, DCYF Social Worker, Family Recovery Court Team or by the Court. If I miss a test, or try to dilute, or otherwise try to tamper with the specimen, I understand that it will count as a positive test. I will be responsible for what I put into my body, including all foods, beverages and substances (including poppy seeds and

cold medications) which might test positive on my UA and I will be held accountable for any positive UA.

8. Before taking any over the counter or prescription medications, I will immediately notify the social worker and treatment provider and show verification if I have a prescription. I will disclose any medications I am currently taking, and request a non-narcotic treatment option when medication may be required.
9. In order to complete Family Recovery Court, I will successfully complete treatment programming and all phases plus aftercare as recommended by my treatment provider.
10. I understand Family Recovery Court will use positive rewards for success and sanctions for noncompliance as listed. I agree the sanctions can be applied immediately without further hearing.

Incentives (to include):

Recognition and praise from the court and team.

Sobriety coins

Gift certificates (movies, pictures, food, etc.)

Various prizes/incentives in court

Special events

Certificates of Recognition

Sanctions (to include):

Verbal reprimand from the court

Additional writing and/or journaling

Additional AA/NA (or other approved) meetings

Community Service

Work crew

Delays in completing a phase

Termination from the program

11. I understand that I must give two weeks notice, with an appearance in Court, before terminating this contract, during which period full compliance with all court ordered services must be maintained. Once revoked, I understand that I may be able to petition for re-entry into the program at a later date.

12. I will sign any and all releases of information necessary to further the treatment aim of the Family Recovery Court program. This includes any and all releases necessary to allow the Court, counsel, GAL and DCYF access to my diagnostic and treatment information, and to my medical, mental health and or counseling records.

13. With respect to court proceedings, I waive my rights to confidentiality. I agree to allow other Family Recovery Court participants into the courtroom during my case.

14. With respect to staffings, phone consultations and e-mail conversations between my drug and alcohol treatment provider, DCYF, the GAL, the Court, and counsel, I specifically waive my rights to confidentiality of all information obtained by or through my drug and alcohol treatment provider.

15. I understand that I will hear confidential information during Family Recovery Court sessions about other families in the program and I agree that I will not discuss their case with others outside of the program.

I have read this contract and have reviewed it with my attorney. I understand and agree to abide by all the terms of this contract.

Family Recovery Court Participant

Date

Attorney for Participant

Date

**STATE OF WASHINGTON
SKAGIT COUNTY SUPERIOR COURT**

In Re the Welfare of:

DOB:

NO.

NOTICE AND ORDER FOR
PARTICIPATION IN FAMILY
RECOVERY COURT

, MOTHER/FATHER

NOTICE

The Family Recovery Court Program provides persons who qualify under the criteria established with an opportunity to attend treatment. Upon satisfactory completion of that treatment, the court will weigh that factor heavily in resolving the dependency proceedings. This program is a privilege you may exercise only once. To take part in this program you must do the following:

1. You must participate in a drug/alcohol screening on the date set by DCYF unless otherwise allowed by the Family Recovery Drug Court. You must read, sign and file the petition.
2. You are eligible for this program if you:

A. Meet the eligibility criteria which are attached hereto and incorporated herein by reference.

B. Your Petition for Entry into Family Recovery Court is accepted by the Family Recovery Court Team.

3. If you agree to participate in the Family Recovery Court program and you are eligible, you will waive any right to contest any sanctions for non-compliance.

You agree that during your period of Family Recovery Court participation you will abide by the terms and conditions set forth in the Family Recovery Court Contract and any additional conditions imposed by the Family Recovery Court. A signed copy of your contract is attached hereto and incorporated by reference.

Entry in the Family Recovery Court Program does not automatically entitle you to the return of your children or dismissal of the proceeding. You must satisfactorily complete the program of treatment, including compliance with all treatment requirements and performing other conditions of the dependency proceeding as set by the Juvenile Court Commissioner. Your successful completion of all Family Recovery Court requirements will be a factor that weighs heavily in any decision to be made in your dependency action, including decisions regarding the return of your children to your care.

I agree and promise to appear before this Court or any other place as this Court may order upon notice delivered to me at my address stated above or upon notice to my attorney. I agree to appear for any court date set by my attorney and I give my attorney full authority to set such dates. I understand that my failure to appear for any type of court appearance will be breach of a court order. I further agree and promise to keep my attorney, this court, my DCYF social worker and the guardian ad litem informed of any change in either my address or my telephone number.

I have read the foregoing, understand the same and agree to the terms thereof and

acknowledge receiving a copy of the same. I agree to follow said conditions and understand that a violation may lead to sanctions.

DATE: _____

Parent

ORDER

The Parent having read the forgoing and acknowledging receipt of a copy of the same, now there it is:

1. ORDERED that the Parent shall abide by the terms and conditions set out above; and it is further
2. ORDERED that the Parent is hereby admitted to Family Recovery Court; and it is further
3. ORDERED that the Respondent shall appear in Family Recovery Court on _____ AT 1:30 P.M. AT Skagit County Superior Court; and it is further

ORDERED _____

DATED this _____ day of November, 2024.

COMMISSIONER

Appendix D

Phases & Community Support Meetings

PRE-PHASE: PREPARE

Pre-Phase is for FRC participants who do not have a current assessment for substance use treatment disorder or who have been assessed and are recommended to enter into inpatient treatment.

A participant may not be in pre-phase for longer than two (2) weeks before having their assessment and must go to the first available bed date per the provider's recommendation.

Compliance Requirements:

- Comply with treatment recommendations of the substance use treatment provider.

Pre-Phase Parents are expected to:

- Submit their written questionnaire through their attorney.
- Have an assessment with the Substance Use Treatment Provider
- Comply with treatment as recommended by the treatment provider.
- Participate in UAs or other drug testing as directed by the treatment provider.
- Commit to attend inpatient treatment if recommended by the treatment provider.

Goals for Advancement:

- Meet the above expectations.
- Advance to Phase I once positioned to begin intensive outpatient treatment as the next highest level of care in the treatment plan.

A participant who is discharged from pre-phase for failure to engage may re-apply to Family Recovery Court. Eligibility requirements apply to parents who re-apply to the program.

PHASE I: CHOICES

Compliance Requirements:

- Attend court every other week.
- Participate in random drug testing as directed by the treatment provider and social worker.
- Attend **daily** community support meetings. Only FRC provided slips accepted.
 - No more than one meeting a day counts toward the meeting requirement.
 - While in IOP, group IOP sessions may count as meetings.
 - No more than three alternative meetings per week may count toward the meeting requirement.
(Alternative meetings may include a recovery group activity, a one-on-one meeting with your sponsor, or other pre-approved activity. See “Community Support Meetings” at the end of the phase documents.)
- Attend treatment as required.
- Comply with all FRC orders.
- Bring FRC notebook to court.

Phase I Parents are expected to:

- Begin addressing medical and mental health issues.
- Start looking for a home group and a sponsor.
- Develop a plan for sober and substance-free housing.
- Understand relapse prevention and safety planning.
- Engage in case planning with social worker, GAL/CASA, and Tribe if applicable, including participation in meetings and Department-arranged meetings.
- Begin addressing outstanding legal problems.
- Comply with all dependency court-ordered services.
- Demonstrate honest, problem-solving relationships with members of the FRC team.
- Attend visitation.

Goals for Advancement:

- Meet the above expectations.
- Minimum: total of **4** weeks of compliance with **2** consecutive weeks in compliance immediately prior to advancement.
- Write an essay requesting advancement to Phase II.

PHASE II: CHALLENGE

Compliance Requirements:

- Attend court every other week.
- Participate in random drug testing as directed by the treatment provider and social worker.
- Attend a minimum of **5** community support meetings **each week**: only FRC provided slips accepted.
 - No more than one meeting a day counts toward the meeting requirement.
 - While in IOP, group IOP sessions may count as meetings.
 - No more than two alternative meetings per week may count toward the meeting requirement. Alternative meetings must be pre-approved. (Discuss this option with your treatment provider.)
- Attend treatment as required.
- Comply with all FRC orders.
- Bring FRC notebook to court.

Phase II Parents are expected to:

- Stabilize medical and mental health.
- Develop sober and substance-free friendships.
- Establish a home group and sponsor.
- Establish relapse prevention skills and safety planning.
- Obtain sober and substance-free housing.
- Continue in case planning with social worker, GAL/CASA, and Tribe if applicable, including participation in Department-arranged meetings.
- Demonstrate honest, problem-solving relationships with members of the FRC team.
- Comply with all dependency court-ordered services.
- Meet with social worker and develop a parenting calendar, as directed.
- Participate in child(ren)'s appointments related to medical, dental, and educational needs.
- Attend visitation.

Goals for Advancement:

- Meet the above expectations.
- Minimum: total of **8** weeks of compliance with **4** consecutive weeks in compliance immediately prior to advancement.
- Write an essay requesting advancement to Phase III.

PHASE III: CHANGE

Compliance Requirements:

- Attend court every other week until the participant has been found in compliance for two consecutive FRC hearings, after which court appearances will decrease to once per month.
- Participate in random drug testing as directed by the treatment provider and social worker.
- Attend a minimum of **3** community support meetings **each week**. Only FRC provided slips are accepted.
 - No more than one meeting a day counts toward the meeting requirement.
 - While in IOP, group IOP sessions may count as meetings.
 - No more than one alternative meeting per week may count toward the meeting requirement. (Talk to your provider about alternative meetings.)
- Attend treatment as required.
- Comply with all FRC orders.
- Bring FRC notebook to court.

Phase III Parents are expected to:

- Begin or continue engagement in education, work, and/or volunteering.
- Maintain sober and substance-free housing.
- Work toward obtaining long-term child-appropriate housing.
- Continue in case planning with social worker, GAL/CASA, and Tribe if applicable, including participation in meetings and Department-arranged meetings.
- Continue working with home group and sponsor.
- Continue working on physical and mental health.
- Continue to develop or refine skills in stress management, relapse prevention, and safety planning.
- Maintain sober and substance-free friendships.
- Comply with all dependency court-ordered services.
- Continue to maintain parenting calendar and bring it to court, as directed.
- Continue attending child(ren)'s medical, dental, and educational appointments.
- Attend visitation.

Goals for Advancement:

- Meet the above expectations.
- Minimum: total of **12** weeks of compliance with **4** consecutive weeks in compliance immediately prior to advancement.
- Write an essay requesting advancement to Phase IV.

PHASE IV: MAINTAIN

Compliance Requirements:

- Attend court once every four weeks.
- Participate in random drug testing as directed by the treatment provider and social worker.
- Attend a minimum of **2** community support meetings **each week**. Only FRC provided slips are accepted.
 - No more than one meeting a day counts toward the meeting requirement.
 - No more than one alternative meeting per week may count toward the meeting requirement. (Talk to your provider about alternative meetings.)
- Attend treatment as required.
- Comply with all FRC orders.
- Bring FRC notebook to court.

Phase IV Parents are expected to:

- Create and implement aftercare/safety plan.
- Maintain long-term child-appropriate sober and substance-free housing.
- Continue in case planning with social worker, GAL/CASA, and Tribe if applicable, including participation in Department-arranged meetings.
- Continue working with home group and sponsor.
- Continue working on physical and mental health.
- Become further involved in education, work, and/or volunteering.
- Maintain sober and substance-free friendships.
- Be a role model for other participants and, if possible, mentor incoming FRC clients.
- Comply with all dependency court-ordered services.
- Continue to maintain parenting calendar and bring it to court, as directed.
- Continue attending child(ren)'s medical, dental, and educational appointments.
- Attend visitation.

Goals for Graduation:

- Meet the above expectations.
- Minimum: total of **12** weeks of compliance with **4** consecutive weeks in compliance immediately prior to graduating.
- Demonstrate an ability to identify and implement relapse prevention strategies.
- Participate in exit interview or write a graduation essay, as directed by the team.

Phase Acceleration

Participants who successfully complete an inpatient treatment program of 90 days or longer while in FRC are eligible to request acceleration of their phases.

Requirements:

- Successful completion of an inpatient treatment program while in FRC of 90 days or longer

Parents requesting Phase Acceleration are expected to:

- Provide their discharge plan
- Follow the discharge plan
- Identify a potential home group
- Identify a plan for obtaining a sponsor
- Show progress in meeting goals of Phase I and potentially also of Phase II
- Describe to the team why they should be accelerated beyond their current phase

Parents who meet these qualifications and satisfy the team that they are ready for Phase Acceleration:

- Must spend one week in compliance with Phase I before moving to Phase II
- May be given up to four weeks of additional credit in Phase II if the team is satisfied that they have already made significant progress toward their Phase II expectations.

For participants who have completed six months of inpatient treatment:

- While the participant is moving from Phase II to Phase III, they may be given up to six weeks of additional credit in Phase III if the team is satisfied that they have already made significant progress toward their Phase III expectations.

Team's Criteria in Making Phase Acceleration Decisions:

- The participant's level of progress in meeting expectations of phases for which the participant seeks phase acceleration.
- Length of participation in successfully completed inpatient treatment.

Community Support Meetings

Community support meetings provide excellent opportunities for support and accountability for participants in their sobriety. They are an important component of a successful recovery and in participation with Family Recovery Court.

Community Support Meetings Include:

- 12-step, Smart Recovery, church-based recovery groups (such as Celebrate Recovery), or other groups approved IN ADVANCE by the treatment provider
- While in intensive outpatient (IOP) treatment, Group IOP meetings may count toward the meeting requirement (*not one-on-one treatment provider meetings*).

Alternatives to Traditional Meetings:

Participants may take part in other recovery-oriented activities to meet their weekly meeting requirements. Any of these activities must be pre-approved by the treatment provider or the court in advance.

- One group activity per week organized through a recovery group may count toward the meeting requirement.
- Once the participant has a sponsor, one meeting a week with the participant's sponsor may count toward the meeting requirement.
- Recovery Circles held at the Recovery Café.
- Other recovery-based activities as recommended by and pre-approved by the treatment provider depending on therapeutic needs of the participant.

Meeting Attendance:

In-person attendance is required for all community support meetings unless the treatment provider has given advance permission to attend one or more community support meeting(s) over Zoom or other remote platforms.

Only one meeting each day may count toward the phase requirements. (Ex: Attending three support meetings in one day counts as one meeting for FRC compliance.)

The majority of a participant's required weekly meetings must not be alternatives to traditional meetings.

- Phase I: No more than three alternative meetings per week may count toward the meeting requirement.
- Phase II: No more than two alternative meetings per week may count toward the meeting requirement.
- Phases III and IV: No more than one alternative meeting per week may count toward the meeting requirement.

Appendix D*

Phase-Up Requests

Skagit County Family Recovery Court

Request for Advancement to Phase II

Use the following outline for your essay.

On a separate sheet of paper, **write several paragraphs that include the following information.** Discuss the success you have had in meeting the goals for Phase One.

What is your sober and substance-free date? How stable do you feel about staying sober and substance-free?

Was it challenging to find a home group in the community (Alcoholics Anonymous or Narcotics Anonymous)? How did you find a home group?

Have you selected a sponsor to help you work through the steps of recovery? How did you choose a sponsor?

Does your current housing arrangement support your recovery? If not, what steps are you taking to secure sober and substance-free housing?

What actions do you plan to take to improve your physical, mental, and emotional health? What legal and financial issues, if any do you need to attend to? What steps do you plan to take?

What are the most important changes you have made in the last few months that will help you stay sober and substance-free?

What are your parenting goals for when you are in Phase II?

What do you need from the FRC team to help you be successful in this program?

What recommendations, if any, would you make to improve Phase I?

Skagit County Family Recovery Court

Request for Advancement to Phase III

Use the following outline for your essay.

Write several paragraphs including the following information and discuss the success you have had in meeting the goals for Phase II.

What is your sober and substance-free date? How stable do you feel about staying sober and substance-free?

What activities do you do in between meetings? What new friends have you made who are sober and substance-free?

How well are you able to work through the steps of recovery with your sponsor?

What changes have you made, if any, in your housing? How does your current housing arrangement support your recovery? Is it a suitable environment for parenting? If not, what plans do you have to obtain housing that is appropriate for parenting?

What actions will you continue or plan to take to improve your physical, mental, and emotional health?

How will you address any vocational and financial issues?

What are the most important changes you have made in the last few months that will help you stay sober and substance-free and improve your abilities as a parent?

How have you met your parenting goals in Phase II?

What are your parenting goals while you are in Phase III?

What do you need from the FRC team to help you be successful in this program?

Skagit County Family Recovery Court

Request for Advancement to Phase IV

Use the following outline for your essay.

Write several paragraphs including the following information and discussing the successes you have had in meeting the goals for Phase Three.

What is your sober and substance-free date? How stable do you feel about staying sober and substance-free?

What social activities do you participate in with other sober and substance-free parents?

How are you advancing in step work with your sponsor?

What steps have you taken to prevent relapse? What would you do if you relapsed?

Have you made any changes in your housing? How does your current housing arrangement support your recovery? Is it a suitable environment for parenting? If not, what steps are you taking to obtain suitable housing?

What actions will you continue to take to improve your physical, mental and emotional health?

Are there personal, social, vocational or financial issues that you need to work on? If so, what is your plan?

What new ways of healthy problem solving have you learned in the last few months? What new skills have you gained for coping? Give examples of new ways you have responded to difficult events in your life in the last few months. Describe how that will help you stay sober and substance-free and improve your ability to become a better parent.

What are your parenting goals while you are in Phase IV?

What sources of support do you have in the community to help you continue to be successful in your ongoing recovery?

Appendix F

Response Chart

Response Chart

When considering ordering a response to a behavior, the Court considers the participant's current phase, current phase level, their attitude, and previous history of responses within the program.

The following charts are guidelines within which the Court will issue responses. The Court may exercise its discretion to order lower or higher responses than included in this chart given extenuating circumstances in individual cases.

Participant Behaviors	Phase I	Phase II	Phase III	Phase IV
UA Violation / Return to Use	Low Response: <ul style="list-style-type: none"> ● 1x1 mtg with SW/provider 	Low Response: <ul style="list-style-type: none"> ● Calendar Assignment ● 1x1 mtg with SW/provider ● Daily Phone Check-in ● Recovery Café Session 	Low Response: <ul style="list-style-type: none"> ● 6-8 hrs. CSW ● Homework ● Daily Phone Check-ins 	Low Response: N/A
	Moderate Response: <ul style="list-style-type: none"> ● 2-4 hrs. CSW ● Food Log ● Calendar Assignment ● Homework ● Recovery Café Session 	Moderate Response: <ul style="list-style-type: none"> ● 4-8 hrs. CSW ● Homework ● Increased C/S Meetings ● Food Log ● Increased UA Testing 	Moderate Response: <ul style="list-style-type: none"> ● 1-2 days Work Crew ● Increased Court Freq. ● Roundtable ● Daily C/S Meetings ● Increased UA Testing 	Moderate Response: <ul style="list-style-type: none"> ● 1-2 days Work Crew ● Increased Court Freq. ● Roundtable ● Daily C/S Meetings ● Increased UA Testing ● Hair Follicle Test ● Compliance Clock
	High Response: <ul style="list-style-type: none"> ● Roundtable ● Compliance Clock 	High Response: <ul style="list-style-type: none"> ● 1-2 days Work Crew ● Hair Follicle Test ● Roundtable ● Compliance Clock 	High Response: <ul style="list-style-type: none"> ● Hair Follicle Test ● Compliance Clock ● Termination 	High Response: <ul style="list-style-type: none"> ● Termination
Missed Community Support Meetings	Phase I	Phase II	Phase III	Phase IV
	Low Response: <ul style="list-style-type: none"> ● Written Plan 	Low Response: <ul style="list-style-type: none"> ● Written Plan ● Calendar Assignment 	Low Response: <ul style="list-style-type: none"> ● Increased C/S Meetings ● Homework 	Low Response: N/A

		<ul style="list-style-type: none"> ● Recovery Café Session 	<ul style="list-style-type: none"> ● Writing Assignment 	
	Moderate Response: <ul style="list-style-type: none"> ● Recovery Café Session ● Calendar Assignment ● Homework 	Moderate Response: <ul style="list-style-type: none"> ● Increased C/S Meetings ● Homework ● Recovery Café Session ● Writing Assignment 	Moderate Response: <ul style="list-style-type: none"> ● Increased Court Freq. ● Roundtable 	Moderate Response: <ul style="list-style-type: none"> ● Roundtable ● Compliance Clock
	High Response: <ul style="list-style-type: none"> ● Roundtable ● Compliance Clock 	High Response: <ul style="list-style-type: none"> ● Roundtable ● Compliance Clock 	High Response: <ul style="list-style-type: none"> ● Compliance Clock 	High Response: <ul style="list-style-type: none"> ● Termination
Treatment Noncompliance (missed sessions, failures to comply with treatment plan)	Phase I	Phase II	Phase III	Phase IV
	Low Response: <ul style="list-style-type: none"> ● Calendar Assignment 	Low Response: <ul style="list-style-type: none"> ● Calendar Assignment ● Homework ● Recovery Café Session 	Low Response: N/A	Low Response: N/A
	Moderate Response: <ul style="list-style-type: none"> ● Homework ● Recovery Café Session ● 1-1 mtg w/ provider ● 2-4 hrs. CSW 	Moderate Response: <ul style="list-style-type: none"> ● 4-6 hrs. CSW ● Roundtable 	Moderate Response: <ul style="list-style-type: none"> ● 6-8 hrs. CSW ● Increased Court Freq. ● Roundtable 	Moderate Response: <ul style="list-style-type: none"> ● 8 hrs. CSW ● 1-2 days Work Crew ● Roundtable ● Compliance Clock
	High Response: <ul style="list-style-type: none"> ● Roundtable ● Compliance Clock 	High Response: <ul style="list-style-type: none"> ● Compliance Clock 	High Response: <ul style="list-style-type: none"> ● 1 day Work Crew ● Compliance Clock 	High Response: <ul style="list-style-type: none"> ● Termination
Noncompliance with other Services (mental health, parenting classes, etc...)	Phase I	Phase II	Phase III	Phase IV
	Low Response: <ul style="list-style-type: none"> ● Calendar Assignment 	Low Response: <ul style="list-style-type: none"> ● Calendar Assignment ● Homework ● Essay ● Recovery Café Session 	Low Response: <ul style="list-style-type: none"> ● 2-4 hrs. CSW 	Low Response: N/A
	Moderate Response: <ul style="list-style-type: none"> ● 1-1 mtg w/ SW 	Moderate Response: <ul style="list-style-type: none"> ● 2-4 hrs. CSW 	Moderate Response: <ul style="list-style-type: none"> ● 4-6 hrs. CSW 	Moderate Response: <ul style="list-style-type: none"> ● 6-8 hrs. CSW

	or provider ● Homework ● Recovery Café Session		● Roundtable	● 1 day Work Crew ● Roundtable ● Compliance Clock
	High Response: ● Roundtable ● Compliance Clock	High Response: ● Roundtable ● Compliance Clock	High Response: ● 1 day Work Crew ● Compliance Clock	High Response: ● Termination

The following chart is *not* based upon the participant's phase level:

Disclosures (failure to update contact info or medical forms/releases)	Low Response: ● Complete the Form	Moderate Response: ● Homework/Essay ● Complete the Form	High Response: ● 2-4 hrs. CSW ● Complete the Form
Failure to Complete Prior Response	Low Response: ● Double Response ● Roundtable	Moderate Response: ● Compliance Clock ● Roundtable	High Response: ● Roundtable ● Termination
Dishonesty (forgery, omission, lying, etc...)	Low Response: ● Letter of Apology ● Homework/Essay ● Recovery Café Session	Moderate Response: ● 2-8 hrs. CSW ● Roundtable	High Response: ● 1-2 day(s) Work Crew ● Roundtable ● Compliance Clock ● Termination
Noncompliance in Court (unexcused lateness, missed court, and behavior issues)	Low Response: ● Letter of Apology ● Homework/Essay ● Calendar Assignment ● Recovery Café Session	Moderate Response: ● 4-6 hrs. CSW	High Response: ● 6-8 hrs. CSW ● 1-2 days Work Crew ● Roundtable ● Compliance Clock

Terms:

1x1 mtg: One-on-one meeting with social worker (SW), substance use disorder treatment provider ("provider") or other provider.

Calendar Assignment: The participant is to work with the social worker or treatment provider in developing and maintaining a calendar of appointments.

Compliance Clock: The team establishes a timeframe for actions that must be completed in order to remain in the program.

CSW: Community Service Work through non-profit organizations as assigned by the court

Essays: Writing assignments such as through the Underground Writing program.

Food Log: The participant is to maintain a log of all food and drinks ingested within a specified period of time.

Homework: Treatment-related homework assignments

Recovery Café Session: Session through the Recovery Café or other program as directed by the Court.

Roundtable: Conversation between the team and the participant about the reasons for noncompliance with FRC. The group (team and participant) will establish a plan to remedy the actions and set responses for continued noncompliance.

C/S Meetings: Community Support Meetings (12-step or other recovery-oriented meetings).

Termination: Removal from further participation in Family Recovery Court.

Written Plan: The participant is to develop a written plan for how to maintain compliance with FRC orders.

Work Crew: Day-long work program through the Skagit County Sheriff's Office.

Appendix G

Skagit County Superior Court
MAT (Medication Assisted Treatment) Policy

SKAGIT COUNTY SUPERIOR COURT MAT POLICY

POLICY

Medication Assisted Treatment in Therapeutic Courts

APPLICABILITY

This policy applies to Superior Court staff and community providers assisting to operate Superior Court Therapeutic Court programs.

A 2019 change to RCW 71.24.580 states in part: “If a region or county uses criminal justice treatment account funds to support a therapeutic court, the therapeutic court must allow the use of all medications approved by the federal food and drug administration for the treatment of opioid use disorder as deemed medically appropriate for a participant by a medical professional.”

The purpose of this policy is to establish medication-assisted treatment (MAT) guidelines for all Skagit County Superior Court therapeutic courts if the County continues to use criminal justice treatment account funds to support a therapeutic court.

DEPARTMENT DIRECTIVES

- A. Medication Assisted Treatment (MAT) involves the use of medications (see definitions above), combined with treatment counseling and behavior therapies, to provide a comprehensive approach to the treatment of substance use disorders involving opioid addiction. Individuals are more quickly stabilized, the use of illicit opiates is reduced and they can engage more successfully in treatment services.
- B. MAT may be recommended because of:
 - Severe opioid addiction
 - Failed previous treatment episodes due to severe opioid addiction
 - History of opioid overdose
- C. MAT is considered a part of the overall continuum of care for treating substance use disorders. Similar to detox, inpatient, intensive outpatient, outpatient and aftercare, the determination to recommend MAT to someone with an opiate addiction is based on clinical necessity. It is not the decision of the therapeutic court team whether a

participant may participate in MAT. Candidates for therapeutic courts should not be excluded from participation in a program because they have a legally valid prescribed prescription for an addiction or a psychiatric medication. Drug Court Best Practice Standards further recommend therapeutic courts to allow MAT when prescribed and monitored by a physician trained in addiction psychiatry, addiction medicine, or a related medical field.

- D. MAT shall be considered part of a therapeutic court's treatment continuum of care as is detox, inpatient, intensive outpatient and outpatient, and aftercare treatment. Contracted treatment providers shall use evidence based assessment tools to determine the DSM-5 level of substance use disorder and the recommended treatment modality. MAT shall be documented just as other treatment modalities are documented including the treatment plan, treatment sessions and progress reports.
- E. Participants may receive MAT through any certified agency or certified physician who adheres to the federal and state requirements. Participants must abide to the monitoring requirements of those agencies/physicians. They must also adhere to all therapeutic court requirements including successfully completing treatment with court contracted treatment agencies. Specific program requirements are contained in each individual therapeutic court operating manual. A participant that meets all therapeutic court requirements while still receiving MAT will be eligible for graduation.
- F. Participants receiving MAT from other than a court contracted treatment agency must provide a release of information that allows both treatment agencies to confer on how the participant is progressing. If the certified agency or physician is unwilling to regularly report progress, the participant must find another agency/physician who will provide the progress reporting.
- G. Failure by the participant to adhere to the MAT program shall be reported by the court contracted treatment agency to the therapeutic court team and treated like other treatment failures, with sanctions including termination from the therapeutic court.

PROCEDURES

Operational manuals serve as the procedures for each therapeutic court and shall be maintained, reviewed and updated annually. Revisions shall be reviewed by the therapeutic court team and approved by the assigned judge.

EFFECTIVE DATE: July 28, 2019

Date: _____

Judge Brian L. Stiles

Judge Laura M. Riquelme

Judge David A. Svaren

Judge Dave Needy