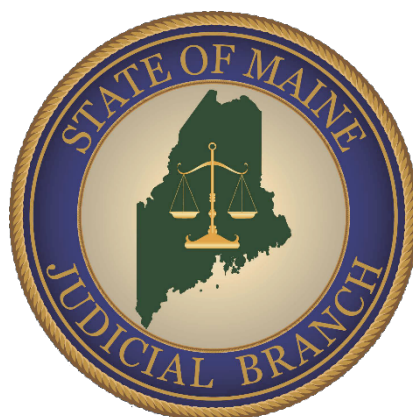


MAINE TREATMENT COURTS



PARTICIPANT HANDBOOK

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1.1 Introduction

You have been arrested for a crime or crimes and have been identified as a person who may have a substance use disorder and possibly a co-occurring mental health disorder. You are offered the opportunity to participate in a Maine Treatment Court (MTC). The MTC is a problem-solving court designed to help a person like you abstain from the use of alcohol and drugs and no longer be involved with the criminal justice system.

This handbook is designed to answer your questions, address your concerns, provide information about the MTC, and detail the requirements for an MTC participant. As a participant, you will be expected to follow the instructions given by the judge, comply with your treatment plan developed by you and your treatment provider, and cooperate with case management. You are required to read and abide by all rules and procedures outlined in this handbook and are encouraged to share this handbook with family and friends.

1.2 Program Description

The MTC is a court-supervised comprehensive treatment program for justice-involved individuals presenting with a substance use disorder and/or a co-occurring mental health disorder. This is a voluntary program and it is a courageous act on your part to enter this program.

The program includes regular court appearances before a designated and specially trained judge, intensive individual or group treatment, possible residential treatment, random and observed testing for alcohol and/or drugs, and participation in treatment recommended recovery support groups such as twelve-step meeting and pro-social events. The MTC is a combined effort of the Judicial Branch, the Office of the Attorney General, the District Attorney's Office, the defense bar, the Administrative Office of the Courts, the Department of Corrections, local law enforcement, and community treatment providers. You will be assisted in obtaining educational and job skills assessments and will be provided with referrals for vocational training, educational programs, and/or job placement services as well as transitional/halfway housing. The program length, determined by individual progress, will be at least fourteen months.

Following arrest, if you are determined to be eligible, you may be offered the option of participating in the MTC as part of your sentence. Eligibility for participation in the MTC is determined by completing a screening process that verifies you meet the clinical, legal, and suitability requirements of the MTC. The MTC team consists of the presiding judge, an assistant attorney general and/or an assistant district attorney, a local defense attorney, a clinical case manager, a probation officer and/or a local law enforcement officer, a treatment court coordinator, and a local treatment provider. Upon approval for program entry, you will be instructed to report to your first MTC status hearing.

Electing to enter the MTC is your choice and is voluntary. Once you have entered the MTC, you may request to be allowed to withdraw from the MTC; the judge will determine whether

you may withdraw. Your defense attorney will review the requirements of the MTC and your options prior to the signing of the MTC contract.

On your first MTC court date, you will sign your entry contract and you will be given an appointment for orientation with your case manager. At your orientation you will be given a participant manual, which includes this handbook, petitions to advance in phase, sober-support meeting information, travel forms, and a calendar. Your case manager will review all materials in detail with you. You must fill out certain forms, including a release of information form that permits the treatment team to talk with your doctors, a prohibited substances agreement, and a participant testing policy agreement.

While in the MTC, you will be supervised by a case manager. If on probation, you will also be supervised by a probation officer and must comply with the conditions of your probation. Supervision will include unannounced home visits during which your person and residence may be subject to search. A defense attorney is part of the MTC team and may represent you during your participation in the MTC. If you wish, you may hire your own attorney to appear with you at the status hearings.

If you entered the MTC as part of a plea agreement, when you successfully complete the program, the agreed upon best outcome sentence shall be imposed by the Judge. If you fail to successfully complete the program, or are expelled from the program, your sentence shall be determined by the MTC judge unless you request a different judge. If you entered the MTC as a condition of probation, when you successfully complete the MTC, your remaining time on probation will be determined by the MTC judge.

1.3 Program Progress, Commencement, Expulsion

1.3.1 Progress

Once you have successfully completed the criteria for each phase, as described in the Phases Section, you may apply to enter the next phase. Eventually you will be a candidate to successfully complete the MTC. A commencement ceremony to mark your successful completion of the MTC will not take place in fewer than fourteen months. Each time you submit your petition to advance in phase or commence, the team will discuss your progress toward your goals and the judge will make the final decision as to whether you have met the conditions required to advance in phase or commence.

1.3.2 Commencement

Approval for commencement from the program shall be determined by the MTC judge with input from the MTC team. Simply completing each phase of the MTC program does not guarantee commencement. You must demonstrate that you have learned from the structure and support you have received before the MTC team will recommend your commencement to the judge. Your family will be invited to join you in court for your commencement as the judge congratulates you on successfully completing the MTC and achieving your goal of establishing an alcohol, drug, and crime-free life. Before commencing from the MTC, you must complete a program exit survey.

1.3.3 Expulsion

Expulsion from MTC is evaluated on an individual basis and depends on your circumstances and history. A decision to end your participation will be made by the MTC judge after input from the MTC team.

1.4 Participant Rights

1.4.1 Confidentiality

Your identity and privacy will be protected consistent with Maine and federal law. In response to these regulations, policies and procedures have been developed to guard your confidentiality. You will be required to sign a release of information authorizing transfer of information among all participating agencies. Additionally, an identification number will be assigned to you that will be used in all research and evaluation activities to safeguard your identity. If you are employed, you are encouraged to let your employer know that you are part of the MTC program as the MTC team will verify your employment.

You are also expected to respect and maintain the confidentiality of others in the MTC. This means you will not reveal any information about participants in the MTC. You will be held accountable and sanctioned for breaching confidentiality. Sanctions are discussed further in section 5.1.2 of this handbook.

1.4.2 Waivers

By entering the MTC, you are waiving your right to standard court proceedings during your participation.

2.1 Court Appearances

As an MTC participant, you are required to appear for MTC status review hearings on a regular basis. At these status review hearings, the judge will receive reports on your progress from the MTC team. The judge will speak with you about your progress and discuss any specific problems you are experiencing. If you are progressing, you will be encouraged to continue with the program and may earn incentives such as applause, recognition, phase advancement, certificates, or gift cards. If you are not progressing, the judge will discuss your lack of progress with you and the treatment team to determine further action. If your failure to progress is determined to be a treatment issue, your treatment plan will be adjusted. If your failure to progress is determined to be a behavioral issue, you will be sanctioned. Sanctions are discussed further in section 5.1.2 of this handbook.

You must attend all scheduled court sessions. Failure to appear in court on the date and time you are scheduled will likely result in the issuance of a warrant for your arrest. If you cannot appear in court as scheduled, you must notify your case manager and your probation officer as soon as possible to explain why you cannot appear. Claiming illness and/or transportation problems will not automatically excuse you from a scheduled court date. You must also provide documentation of your illness or transportation problems. Your legal representation at MTC review hearings will be by the MTC attorney, unless you make arrangements for other representation. Your attorney at time of admission to MTC will remain as the counsel of record during your time in MTC.

Throughout your time in the MTC, communication and honesty are the keys to your progress. The more informed the treatment team is about your circumstances, the better the treatment team can assist you.

You must attend all treatment sessions and required court-related activities. This includes both individual and group sessions, case management appointments, mental health appointments, educational sessions, job placement or training sessions, and pro-social events. If you are unable to attend a scheduled counseling session, you must contact your treatment provider before the session. If you are unable to attend any other scheduled activity, you must notify your case manager before the scheduled activity. Failure to appear at scheduled activity will result in a sanction and you may be required to pay for the cost of the missed session or appointment.

2.2 Bail Contract Conditions

As an MTC participant, you are required to understand and follow the conditions of your bail contract. Failure to follow the conditions listed below will result in sanctions. The bail contract provides:

1. Be honest and answer truthfully all questions posed to me by the justice, judge, or staff of the MTC, including full disclosure of any use of alcohol and drugs.

2. Appear for all MTC status review hearings as directed.
3. Participate in all MTC programs, activities, and assignments as ordered by the court.
4. Comply with all treatment and case management recommendations as identified in the treatment and case plans developed by the providers to address my specific needs, including, but not limited to, attending all substance use counseling sessions, both group and individual, and participating in a meaningful way in all such sessions.
5. Comply with all conditions listed in the Physicians and Pharmacy Conditions policy, including taking all medication as prescribed.
6. Appear for all meetings with my case manager, treatment provider, and/or probation officer as directed by the court.
7. Report as required or requested by any team member for alcohol and/or drug testing, not tamper with any drug test, and comply with the Participant Testing Policy.
8. Not use or have in my possession, in my vehicle, or in my residence the following: alcohol, scheduled drugs (legal or illegal) including marijuana and marijuana concentrate, or prescription medications unless approved by my treatment provider in writing; drug paraphernalia of any kind, including hypodermic apparatus (unless prescribed); mind and/or mood altering substances, including but not limited to: inhalants, synthetic or 'designer drugs'; dangerous weapons, including firearms and knives.
9. Not be on the premises of any establishment that serves alcohol without written permission of my case manager and/or probation officer.
10. Not be on the premises of any establishment that dispenses cannabis, cannabis products, or cannabis derivatives and comply with the Prohibited Substances Agreement.
11. Submit to a random search of my person, possessions (including any and all data and content of a cell phone), vehicle, and residence, including the common areas of my residence, at any time as requested by the judge, staff of the MTC, or member of law enforcement. If the residence is occupied solely by myself, or myself and my family members and/or a significant other, the entire residence shall be subject to search.
12. Obey all rules, conditions, and directives of the MTC. The MTC may impose additional conditions, rules, or directives, or may adjust or eliminate condition(s) or term(s) as required to complement my individualized treatment plan.
13. Commit no unlawful conduct; reliable information of such conduct may result in expulsion from the MTC and imposition of the unsuccessful plea agreement sentence.

14. Identify myself as being in the MTC whenever I have contact with a law enforcement officer and/or probation officer and notify my case manager and probation officer within 24 hours of the contact, regardless as to whether it led to my arrest.
 15. Not leave the State of Maine or _____ County without the written approval of my case manager and/or probation officer.
 16. Reside at the following address: _____ and shall not change my residence without the permission of the MTC presiding judge.
 17. Obey the following curfew ordered by the court: _____. Absence from my residence during curfew hours is permitted solely for travel to and from court related activities, treatment, medical emergencies, and employment unless otherwise granted by the court.
 18. Have no contact, direct or indirect, with the following: _____

- I will not be at their residence, place of employment, or place of education.
19. Follow all terms and conditions of other release or probation, if any.
 20. Sign all release of information forms as required by the MTC. Revocation of these forms will result in non-compliance with the conditions of the MTC.
 21. Shall not associate with non-law abiding individuals or individuals who are actively using alcohol or drugs, legal or illegal.
 22. Maintain or seek gainful employment, participation in an approved educational program, participation in a vocational rehabilitation program, or performance of community service work.
 23. Dress appropriately for court.
 24. Maintain the confidentiality of all fellow MTC participants.
 25. Make payments on all financial obligations, including, but not limited to, any court ordered restitution, child support payments, and/or fines, including those which may result from other pending charges, subject to ability to pay.
 26. Pay all fines and/or restitution in the amount of \$ _____ at a rate of \$ _____ per month as ordered.
 27. Pay for alcohol and/or drug testing if I am dishonest or if expensive testing is required because of my conduct.

28. Make every effort to obtain a valid driver's license, if applicable.
29. Not operate a motor vehicle unless you have a valid driver's license, registration, and insurance.
30. Contact my case manager as directed.
31. If on probation prior to my admission to MTC, I understand that my probation will be tolled while I participate in the MTC, but I am required to follow all probation conditions, including reporting to my probation officer while participating in the MTC.
32. Representation at MTC court sessions by the lawyer of the day, unless I make arrangements for other representation.
33. Participate in electronic monitoring if ordered by the court.
34. I will waive extradition to the State of Maine from any other state of the United States, from the District of Columbia, from any territory of the United States, and from any other jurisdiction whatsoever, for prosecution on my charge(s).

Conditions may be added or deleted.

2.3 Alcohol and Drug Testing

As part of the MTC program, you will be randomly and frequently tested for the presence of metabolites of alcohol and/or drugs in your urine. Testing will occur at least twice per week, but may be more frequent. Upon entry to the MTC, you will be required to sign the participant testing policy. The policy outlines the policies and rules regarding testing for alcohol and drugs and provides:

1. I am expected to be honest and admit use prior to testing.
2. It is my responsibility to call the testing line daily.
3. Specimen collection will be observed by a collector of my identified gender. If an appropriate collector is not available, I will be subject to a search of my clothes and body prior to testing.
4. A positive test will result in the loss of all my documented negative testing time and may result in additional sanctions.
5. A missed test is considered a positive test and may result in the loss of all my documented negative testing time and may result in additional sanctions.

6. A dilute test is considered a positive test and may result in the loss of all my documented negative testing time and may result in additional sanctions.
7. I am responsible for what I eat and drink and I will not attempt to claim, as a reason for a dilute or positive test, inadvertent exposure by consuming foods or beverages.
8. At the time of testing I will disclose any prescription medication, over-the-counter medication, or supplements I am taking.
9. The inability to produce a urine specimen may be considered a positive test, may result in the loss of all my documented negative testing days, and may result in additional sanctions.
10. If I am unable to provide a sufficient specimen, I will be asked to give another specimen. My inability or unwillingness to provide a sufficient second specimen within one hour of request will be considered a positive test, will result in the loss of all my documented negative testing days, and may result in additional sanctions.
11. I am required to give a urine specimen that is within 90F-100F as determined by the temperature strip on the test. If I submit a specimen that does not fall within the proper temperature range, I will be asked to give a second specimen. My inability or unwillingness to provide a second specimen that is within the proper temperature range will be considered a positive test, will result in the loss of all my documented negative testing time, and may result in additional sanctions.
12. Altering or tampering with a test specimen will be grounds for a sanction, which may result in my expulsion from program.
13. Using someone else's urine will be grounds for a sanction, which may result in my expulsion from the program.

The MTC judge will have access to all alcohol and drug test results, including any failures to test. Additionally, any member of the MTC team may order an alcohol and drug test at any time.

A positive alcohol and/or drug test will not automatically result in your expulsion from the MTC, but sanctions may be imposed. The MTC judge will review with you your overall performance in the program when deciding whether to impose a sanction.

2.4 Prohibited Substances

Maintaining an alcohol and drug free lifestyle is very important in the recovery process. You agree to abide by the Prohibited Substances Agreement. While in MTC, you are prohibited from using or possessing any unapproved legal or illegal alcohol or drugs, in any form.

Unless your treatment provider and/or case manager gives you prior approval, you are prohibited from using or possessing certain prescription drugs or medications, including: amphetamines (e.g. Adderall, pseudoephedrine); barbituates (e.g.: butabital, Fioricet); benzodiazepines (e.g.: Klonopin, Valium, Xanax); opioids/opioid-based substances (e.g.: Demerol, Dilaudid, fentanyl, Lortab, morphine, oxycodone, Tylenol 3, Vicodin); and/or marijuana and marijuana concentrate.

You are prohibited from using or possessing any “synthetic” or “designer” drugs/stimulants that can be purchased legally or illegally. Any “smoking mixtures,” other than products specifically designated to contain only tobacco, are also strictly prohibited. Any products sold or marketed under false pretenses with the warning “not for human consumption” are prohibited. Violation of this rule may result in immediate expulsion from MTC.

2.5 Medication

You are prohibited from purchasing, filling a prescription, possessing, or using any prescribed and over-the-counter drugs or medicines without obtaining approval from the MTC prior to purchasing, filling a prescription, or ingesting. You must be medication compliant.

In the event you seek medical attention, you are required to inform the physician that you are in a court supervised substance use disorder treatment program. Any medications administered by medical professionals in an inpatient or supervised setting, such as an ER visit, hospital stay, or office visit, are at the discretion of the physician. You must submit copies of all medical documentation to your case manager within twenty-four hours of release.

If take home narcotic and/or addictive medications are determined to be medically necessary for your recovery, MTC will monitor your usage of such medications throughout that time and may extend your time as an MTC client accordingly.

It is important that you understand the connection between over-the-counter (OTC) medications and relapse. OTC medication use can become a serious problem for people recovering from substance use disorder. Improper use of OTC medications can lead to relapse, health problems, and death. A wide variety of OTC medications can be misused in an attempt to self-medicate or for recreational purposes.

You must obtain approval from your case manager before you purchase or use any OTC medications. OTC medications that contain alcohol or dextromethorphan are prohibited. OTC

pain relievers that contain acetaminophen and ibuprofen can be toxic if taken too frequently or in larger-than-recommended doses. You must be alert to ingredients in OTC medications to ensure that you are properly taking the medication and not risking a relapse. The first and best rule is to talk to the pharmacist. A pharmacist understands substance use disorder and can direct you to medications that are safe and effective.

Homeopathic preparations, vitamins, and other supplements can sometimes interfere with drug testing and are prohibited without prior case manager approval.

2.6 Travel

You must remain in your county of residence unless you have permission to travel. You may be given permission for day travel outside of your county of residence by your case manager or probation officer. Overnight travel requires permission from the MTC judge

2.7 Inappropriate Places

You may not work or visit places where alcohol is the primary item being dispensed, sold, or marketed, including the bar area of a restaurant.

You may not work or visit places where drugs, legal or illegal, are the primary item being dispensed, sold, or marketed.

2.8 Behavior

For your benefit, as well as the benefit of all participants, appropriate behavior is expected at all MTC locations including the courtroom, treatment centers, case managers' offices, and any court function or event.

While in court, you are expected to wait quietly for your case to be called and listen to the proceedings. You can learn from others' experiences. Remember, you are in a courtroom.

Disruptive behavior will not be tolerated in court, treatment sessions, or case management meetings. You will be removed from these sessions or meetings if you are not behaving in an acceptable manner. Such behavior shall be documented and reported to the MTC team and considered as a missed treatment session.

Do not engage in conduct, unwanted comments, gestures, writing, or physical contact that is sexual in nature toward other participants or staff. Discrimination on the basis of race, sex, religion, national origin, ethnicity, disability, age, sexual orientation, or gender identity will not be tolerated and will be reported to the court.

Do not make threats toward other participants or staff or behave in a violent manner. Violent or inappropriate behavior will not be tolerated and will be reported to the court. In most cases, this will result in expulsion from the MTC.

All cell phones and/or electronic devices must be turned off in the courtroom and at treatment sessions. If found in use, these devices will be removed from your possession.

2.9 Dress Code

You must dress appropriately and conservatively for court and court-related activities. Revealing clothing is not permitted. You are expected to wear a collared shirt or blouse, dress pants, dress, or skirt. Shorts, pajama pants, tank-tops, flip-flops, and hats are not permitted for court or court-related activities.

Clothes bearing alcohol and/or drug related themes or promoting/advertising alcohol and/or drug use are not permitted or allowed. Sunglasses are not to be worn at court or court-related activities unless medically approved. Shoes must be worn at all times.

If you need assistance with appropriate clothing, please speak with your case manager or another member of the MTC team.

2.10 Restitution and Court Fees

If you owe restitution and/or fines, a payment plan will be implemented during your participation in the MTC.

2.11 Follow the Rules

It is very important to follow all of the MTC rules and instructions given to you by the MTC team members. The judge will frequently remind you that “trying” is not “doing” and that just “trying” may result in expulsion from the MTC.

Participation in the MTC is a privilege. The MTC cannot accommodate all defendants who want to participate; those admitted are fortunate. It is not a place to waste time and “fake it until you make it.” Doing so may result in you receiving more jail time on program violations than you would have received on your underlying charge.

The rules of this handbook apply to all MTC locations including the courtroom, treatment centers, case managers’ offices, and any court function or event. The rules of the treatment provider or housing program apply as if they were issued directly by the MTC judge.

Following the rules is in your best interest. As you progress, if you consistently follow the rules and achieve goals, you will receive incentives from MTC. These incentives are described in section 5.1.1 of this handbook. In the same manner that poor behavior and choices are sanctioned, good behavior and choices are rewarded.

3.1 Treatment Providers

Your treatment will be provided by the treatment provider associated with the MTC or the Veterans Administration. You will be required to complete court approved, evidence-based treatment programs addressing substance use and criminal thinking. You may be required to purchase certain treatment manuals. Your treatment provider will assess the level of treatment that will best meet your needs and will recommend to the MTC team that you receive either outpatient or residential treatment. If you are assessed for outpatient services, a multi-component outpatient program will be developed for you. If you are admitted to a residential treatment program, your treatment plan will include the requirements of that program.

3.1.1 Treatment Plans

An initial treatment plan will be developed by you and your treatment team following an overall assessment of your challenges and needs. The plan will be a guide for your initial treatment phase and through it you will set goals, select methods for meeting those goals, and develop target dates for meeting those goals. The plan will be maintained by your treatment provider and will be updated as you progress through the program. You will attend and participate in treatment plan reviews with your primary treatment provider as you progress through your plan.

You should request and receive a copy of your treatment plan and refer to it often. If, at any time, you feel that you are not receiving the services outlined in your treatment plan, or are not meeting the goals you have identified, contact your treatment provider and case manager for assistance.

Unexcused absence from treatment is a serious violation and will likely result in a sanction.

3.1.2 Outpatient Treatment

Outpatient substance use counseling is comprised of two separate formats: individual and group. You may be required to participate in both types of counseling at various times. Together they are designed to help you develop self-awareness, realize your self-worth, and develop the strength to practice self-discipline. Individual and group counseling sessions will include problem identification and alternative solutions. Your treatment provider may use multiple treatment modalities or approaches to assist you in reaching your goals. All of these approaches are evidence-based best practices and are chosen specifically because of their relevance to your issues. Your attendance and participation level in counseling sessions will be reported to the MTC team as part of your overall progress.

3.1.3 Residential Treatment

Based on clinical recommendations, you may be required to participate in a residential program. Residential treatment programs provide services in a full (24 hour) residential setting. The program shall provide a scheduled treatment regimen that consists of diagnostic, educational, and counseling services; and shall refer clients to support services as needed. Clients are routinely discharged to various levels of follow-up services.

Residential programs may involve either an unlocked or locked facility. The length of time in a residential program will be determined by your progress and clinical recommendations. Leaving or checking yourself out of a residential program without prior approval of the MTC may result in a sanction, up to and including expulsion from the MTC.

3.1.4 Medication Assisted Treatment

Your treatment provider may recommend that you receive medication assisted treatment (MAT) for either alcohol use disorder or opioid use disorder. MAT will be monitored pursuant to the MTC policy.

3.1.5 Mental Health Treatment

Your treatment provider may recommend that you meet with a mental health professional for assessment, evaluation, and treatment, including medication management. If medication is required to treat your condition appropriately, your physician will consult with the MTC team to ensure that you are provided with approved medication. Any prescribed medicine will be monitored pursuant to the MTC policy.

3.1.6 Ancillary Services

Based on your presenting needs, the MTC team may refer you to a variety of ancillary services to support your recovery, such as sober supportive housing, vocational training, and educational services.

3.2 Recovery Support Groups, Pro-Social Meetings, and Activities

Participation in recovery support groups, pro-social events, or support meetings is required throughout the MTC. Attending these meetings is an important part of your recovery. It will help familiarize you with recovery philosophies, help you develop levels of trust, help you create social bonds with others in recovery, and help you establish a community-based support system for use after you commence.

The most common recovery support groups in the recovery community are Alcoholics Anonymous (AA) and Narcotics Anonymous (NA). These organizations are considered spiritually-based due to their identification of a higher power. Alternatively, you have the option of attending secular meetings that are recognized as recovery support meetings or pro-social meetings. You will discuss your choice of recovery support meetings with your case manager.

At the back of this handbook is a listing of the AA and NA meetings in Maine. For clients of the Washington County MTC, also included are the AA meetings in Saint Stephen, New Brunswick, Canada. Keep in mind that you must have permission to leave your county of residence.

You must provide proof of attendance at the treatment recommended number of recovery support or pro-social meetings. You will be required to submit a form containing information about all meetings attended to your case manager. Do not submit falsified meeting attendance slips, this is dishonest and will result in a sanction.

4.1 Program Phases

The MTC is a five-phase, highly structured, court-supervised treatment program lasting a minimum of fourteen months, regardless of the amount of time you spend in each phase. Completion of all requirements is necessary before you may successfully complete the MTC and this may require significantly more than fourteen months. Each phase consists of specified objectives, therapeutic and rehabilitative activities, and specific requirements for advancement into the next phase. The components and requirements for advancement from each phase are described below.

You are responsible for completing all phase requirements before advancement can occur. You may submit a petition to move to the next phase only after you have completed each task listed on the applicable phase-up petition. It is important to remember that even if you can check off every task on the phase-up petition, you still may not be approved to advance in phase if you are not fully compliant with the program.

1. Phase 1: Orientation, Engagement, and Stabilization
Length: 30 days (minimum)
Court: Weekly or as directed

In Phase 1, you will begin recovery by working with the MTC team to address your immediate needs. In this phase, you will begin working with your primary treatment provider to develop a treatment program to address your substance use issues. In this phase, you will also begin working with your case manager on developing a healthy living plan addressing housing, relationships, physical needs and mental health needs.

Goals

- Honesty with the court and team.
- Identify service needs and work with your treatment provider and case manager to develop a plan to meet those needs.
- Engage in a housing plan working toward safe housing.
- Connect with medical and psychiatric care as needed and follow through with referrals made by the MTC team.
- Abstain from the use of alcohol and drugs. Prescription medication must be disclosed prior to testing and used only as prescribed.
- Work on identifying a family member or friend as community support who will communicate with the MTC team.
- Start changing your people, places and things.
- Sign the following documents: Acknowledgement of the Drug Testing Rules and Procedures, Prohibited Substances Agreement, and a release allowing receipt and

disbursement of medical and treatment records and communication among the MTC team and providers.

- Call the drug testing line on a daily basis.

Phase 1 requirements include:

1. No court imposed sanctions for the last 14 days.
2. Engage appropriately in all court and treatment sessions.
3. Meet with your case manager each week.
4. Test negative for the last 14 days including no missed, dilute, or altered tests.
5. Comply with your curfew.
6. Comply with all bail and/or probation conditions.
7. Report any contact with law enforcement to your case manager within 24 hours of the contact.
8. Work with your case manager to find safe housing and do not change housing without permission from your case manager.
9. Comply with all prescription counts as directed by a member of the MTC team.
10. Attend all treatment recommended recovery support.
11. Follow all recommendations for additional services.

2. Phase 2: Sobriety and Abstinence
Length: 90 days (minimum)
Court: Weekly or as directed

In Phase 2, you will begin to focus more on treatment, as you addressed your immediate needs during Phase 1. You will continue working with your primary treatment provider to develop strategies to remain alcohol and drug free. You will continue working with your case manager in developing a healthy living plan addressing housing, relationships, physical needs and mental health needs.

Goals

- Honesty with the court and team.
- Attend and engage in (group and/or individual) treatment services as outlined in your treatment plan.
- Complete all treatment assignments in a timely manner.
- Follow the directives of the court and MTC team.
- Continued sobriety and abstinence.
- Maintain safe and stable housing.
- Demonstrate changes to your people, places, and things.
- Begin addressing financial issues.

Phase 2 requirements include:

1. No court imposed sanctions for the last 30 days.
2. Engage appropriately in all court and treatment sessions.
3. Meet with your case manager each week.
4. Test negative for the last 30 days including no missed, dilute, or altered tests.
5. Comply with your curfew.
6. Comply with all bail and/or probation conditions.
7. Report any contact with law enforcement to your case manager within 24 hours of the contact.
8. Do not change housing without permission from your case manager.
9. Comply with all requested prescription counts.
10. Attend all treatment recommended recovery support groups.
11. Comply with treatment recommendations regarding a sponsor
12. Follow all recommendations for additional services.

3. Phase 3: Maintenance and Relapse Prevention
Length: 90 days (minimum)
Court: Every other week or as directed

In Phase 3, your treatment plan will be updated by you and your treatment provider to identify and monitor your treatment goals and objectives. Treatment and meetings will begin to focus on relapse prevention issues and help you identify ways of coping with stressful situations.

Goals

- Honesty with the court and team.
- Attend and engage in treatment services.
- Continued sobriety and/or abstinence by using the recovery tools learned in previous phases.
- Develop a relapse prevention plan.
- Develop a community-based support network.
- Develop a pro-social activity plan.
- Maintain safe and stable housing.
- Demonstrate changes to your people, places, and things.

Phase 3 requirements include:

1. No court imposed sanctions for the last 45 days.
2. Engage appropriately in all court and treatment sessions.
3. Meet with your case manager each week.
4. Test negative for the last 45 days including no missed, dilute, or altered tests.
5. Comply with your curfew.

6. Comply with all bail and/or probation conditions.
7. Report any contact with law enforcement to your case manager within 24 hours of the contact.
8. Do not change housing without permission from your case manager.
9. Comply with all requested prescription counts.
10. Attend all treatment recommended recovery support groups.
11. Comply with treatment recommendations regarding a sponsor.
12. Follow all recommendations for additional services.

4. Phase 4: Maintenance and Community Involvement
 Length: 90 days (minimum)
 Court: Monthly or as directed

In Phase 4, you will continue to focus on ways to prevent relapse and identifying ways of coping with stress. An increased focus will be placed on daily living skills and on your adjustment to returning to the community as an unsupervised, productive, successful citizen able to care of yourself and others.

Goals

- Honesty with the court and team.
- Attend and engage in treatment services.
- Continued sobriety and/or abstinence by using the recovery tools learned in previous phases.
- Demonstrate strong engagement in recovery and pro-social activities.
- Maintain engagement in a community support network.
- Maintain safe and stable housing.
- Obtain or maintain employment or attendance at school.
- Demonstrate changing people, places, and things.

Phase 4 requirements include:

1. No court imposed sanctions for the last 60 days.
2. Engage appropriately in all court and treatment sessions.
3. Meet with your case manager each week.
4. Test negative for a minimum of 60 days including no missed, dilute, or altered tests.
5. Comply with your curfew.
6. Comply with all bail and/or probation conditions.
7. Report any contact with law enforcement to your case manager within 24 hours of the contact.
8. Do not change housing without permission from your case manager.
9. Obtain or maintain gainful employment or participation in an educational program.
10. Comply with all requested prescription counts.

11. Attend all treatment recommended recovery support groups.
 12. Comply with treatment recommendations regarding a sponsor.
 13. Follow all recommendations for additional services.
5. Phase 5: Early Recovery and Alumni
Length: 90 days (minimum)
Court: Monthly or as directed

In Phase 5, you will address your ongoing recovery needs to maintain abstinence from alcohol and drugs. You will also focus on developing and implementing a continuing care plan to bolster your success after completing the MTC.

Goals

- Honesty with the court and team.
- Attend and engage in treatment services.
- Complete an aftercare plan.
- Continued sobriety and/or abstinence by using the recovery tools learned in previous phases.
- Remain actively engaged in recovery and pro-social activities.
- Maintain engagement in a community support network.
- Maintain safe and stable housing.
- Maintain employment or attendance at school.
- Demonstrate changing people, places, and things.

Phase 5 requirements include:

1. No court imposed sanctions for 90 consecutive days.
2. Engage appropriately in all court and treatment sessions.
3. Meet with your case manager each week.
4. Test negative for a minimum of 90 days including no missed, dilute, or altered tests.
5. Comply with your curfew.
6. Comply with all bail and/or probation conditions.
7. Report any contact with law enforcement to your case manager within 24 hours of the contact.
8. Do not change housing without permission from your case manager.
9. Maintain gainful employment or participation in an educational program.
10. Comply with all requested prescription counts.
11. Attend all treatment recommended recovery support groups.
12. Comply with treatment recommendations regarding a sponsor.
13. Follow all recommendations for additional services.

4.2 General Phase Requirements

In addition to the individual phase requirements listed in the previous section, there are overall requirements that apply to each phase of MTC. You may submit your petition to advance

in phase only after you have completed each individual phase requirement and can initial each task on your phase-up petition. It is your responsibility to track your progress and know when you should be eligible to advance in phase. You must not expect to be approved to advance in phase if you:

- Are dishonest.
- Are not compliant with your treatment provider's directions regarding attendance and participation.
- Have not completed a sanction that was ordered during your current phase.
- Have not been communicating or participating in MTC services.
- Are disrespectful.

5.1 Program Responses

An effective system of program responses promotes your ability to account for your actions. Program responses will be applied in a way that is immediate, predictable, and consistent. Program responses must be appropriate for your developmental level, graduated as you progress through the program, and tailored to your individual progress or needs.

Program responses will also be based on your specific capabilities. The MTC team will determine whether you are capable of meeting a goal or adhering to rules as you progress through the MTC. You will not be held accountable for failing to meet a goal or adhere to a rule that you are not capable of meeting at the current time. Your goals will be based on your phase. As you move through the phases, what is expected of you will increase as you become capable of accomplishing greater things.

5.1.1 Incentives

The MTC program recognizes the effort required to improve behaviors, choices, and lifestyles. Incentives help promote compliance and success in case outcomes. Incentives emphasize desired compliance and help build trust between you and the MTC team. With that in mind, the MTC program recognizes all markers of success, even if in a small way. Examples of behaviors and accomplishments that lead to incentives are included below:

Behaviors and Accomplishments

- Honesty
- 1 day of abstinence from alcohol and/or drugs
- Violation free for 60+ days
- Maintaining employment
- Multiple days abstinence from alcohol and/or drugs
- Obtaining driver's license
- Obtaining employment
- Obtaining GED or high school diploma
- Outstanding accomplishment
- Paying restitution
- Perfect attendance
- Phase advancement
- Recognition of investment in MTC program

Possible Incentives and Responses

- Applause
- MTC outings, including game days, disc golf, or softball
- Books
- Candy
- Coffee with the MTC team
- Curfew extension/removal
- Early release from court session
- Fishbowl drawing entry
- Gift certificates
- Lunch with the MTC team
- Praise from judge
- Recognition certificate
- Reduction of supervision

- Standing ovation

- Travel privileges

5.1.2 Sanctions

If you fail to comply with bail contract conditions, the judge may order sanctions. Sanctions are graduated and individualized. Sanctions are not negotiable and are imposed in an effort to modify your behavior. With repeated violations of bail contract conditions, and a failure to progress satisfactorily, the judge may impose the ultimate sanction of expulsion from the program.

Treatment responses and sanctions are very different. A court response that increases the level of treatment is considered a treatment response and is imposed to help and not punish you. If you continue to struggle with substance use issues, the judge will work with you to adjust your treatment plan. Honesty is the fundamental key to your progress with substance use issues. If you are struggling with your sobriety and are honest with the MTC team, the MTC will provide assistance in the form of treatment responses.

A court response that imposes a sanction as a consequence for improper behavior is an attempt to modify your behavior so that you learn to make better choices. While sanctions may be viewed as punishment, the intent is to teach and inspire changes in your behavior. Sanctions are not imposed arbitrarily and are imposed after detailed discussion among the team and discussion between you and the judge.

Sanctions are imposed on an individual basis. Other participants in similar circumstances may receive different sanctions for conduct that may appear to be the same violation. This is usual and appropriate. You are viewed as an individual and your individual progress, attendance, and history are taken into account before any sanction is imposed.

If you commit behavioral program violations, such as dishonesty, positive or missed drug tests, failing to attend individual or group treatment sessions, failing to attend court or pro-social activities, or failing to report to your probation officer, the judge will impose sanctions.

Examples of infractions that lead to sanctions are listed below. This is not a complete list and represents only possible sanctions that may be imposed. As needs arise and different situations occur, new sanctions may be developed and added to this list.

Examples of Typical Violations

- Dishonesty or deliberately omitting giving information to the court
- Behavioral issues, including poor attitude and being disruptive
- Providing a dilute or altered alcohol and/or drug test
- Failing to abide by curfew
- Failing to attend scheduled events
- Failing to appear at scheduled court sessions
- Failing to complete community service hours
- Failing to engage in services
- Failing to follow treatment and/or case manager instructions
- Failing to follow court instructions and orders

- Failing to submit pro-social or sober-support meeting slips
- Filling prescription without authorization
- Missing alcohol and/or drug test
- Missing treatment appointment
- Missing probation appointment
- Missing treatment group session
- Not complying with approved medication
- Positive alcohol and/or drug test
- Tardiness to treatment or court
- Using or possessing synthetic and/or designer drugs

**Examples of Serious Violations
May result in expulsion from MTC**

- Dishonesty
- Committing a new criminal offense
- Tampering with or falsifying alcohol and/or drug test results
- Threatening violence or violent behavior
- Submitting falsified documents
- Missed or positive alcohol and/or drug test

Possible Sanctions or Responses

- 5-10 hours of community service
- 10-20 hours of community service
- 20-40 hours of community service
- Admonishment from the judge
- Court observation days
- Educational workbooks
- Essay on topic related to infraction
- Extension of curfew
- Fines
- Incarceration
- Increased court appearances
- Increased drug testing
- Increased supervision
- Keeping a calendar
- Peer review
- Removal of privileges
- Conference with MTC team
- Sit in jury box
- Verbal or written apology
- Expulsion from MTC

These are examples only. The judge makes the final determination for all sanctions.

5.1.3 Treatment Responses

If you are not responding to treatment interventions, but are otherwise compliant with treatment and supervision requirements, punitive sanctions will not be imposed. Treatment responses that increase your level of treatment are not sanctions. They are imposed to help you learn from your choices and to not repeat them and are designed to improve the overall effectiveness and response to the treatment episode.

Treatment-oriented responses for substance use while in the MTC are based on the recommendation of treatment providers with input from other team members. Examples of behaviors that lead to treatment responses are listed below. This is not a complete list and represents only possible treatment responses that may be recommended.

Examples of Typical Behaviors that Lead to Treatment Responses

- Honesty about use of alcohol and/or drugs
- Honesty about struggling with recovery related issues
- Failing to meet treatment plan goals
- Positive alcohol and/or drug test

Examples of Treatment Responses

- Educational workbooks
- Increased level of treatment
- Increased alcohol and/or drug testing
- Phase extension
- Essay on topic related to infraction
- Increased attendance at sober-support meetings
- Increased contact with treatment provider

5.1.4 Monitoring Devices

As a result of noncompliance with the rules, or as a method of additional monitoring for specific circumstances, you may be required by court order to wear a monitoring device. Such a device may be a GPS ankle monitor, a SCRAM alcohol monitoring device, or a drug testing patch. MTC has established policies and procedures pertaining to the application and removal of such devices.

If you are required to wear a monitoring device, you should expect to do so at your own expense and maintain current payments with the device provider. If you are unable to maintain payments and this inability is due to a legitimate and verifiable difficulty, you should speak with your case manager as soon as possible.

5.1.5 Sanction Hearing Procedure

If your behavior is not in compliance with the MTC rules, the MTC team will discuss this with the MTC judge and make a recommendation on a sanction. If the sanction is fewer than five days incarceration, the issue will be addressed during your regularly scheduled status review.

If a sanction of more than five days incarceration or expulsion is being considered, further discussion of the matter will be continued until the next MTC session and your counsel will be notified. The MTC judge will determine whether you are to be incarcerated pending the outcome of the sanction hearing. At any sanction hearing, the District Attorney shall have the burden of proof and must convince the MTC judge of the violation of MTC rules by a preponderance of the evidence. You will be represented by your attorney or the assigned MTC attorney.

5.1.6 Motion to Revoke Bail

When there is an alleged violation of the MTC rules, which is also a violation of your conditions of release, the District Attorney may file a motion to revoke bail. If a motion to revoke

bail is filed and approved by a judge, a warrant will be issued for your arrest, and you will be arrested and held until the next regularly scheduled MTC court session. If a motion to revoke bail is not filed, the alleged violation will be considered at your next regularly scheduled MTC meeting.

6.1 Conclusion

The MTC was developed to help you abstain from use of alcohol, drugs, and criminal activity. The program is designed to promote self-sufficiency and to return you to the community as a productive and responsible member. The judge, court staff, and treatment team are present to guide and assist you, but the final responsibility is yours. You must be motivated to change and be committed to a substance-free, crime-free life.

If you are unable or unwilling to complete the program, you will not remain in the program long. You may request to withdraw from the MTC, and the judge will determine whether you may withdraw. If expelled from the program as a result of noncompliance, you will likely be taken into custody to await final disposition of your case.

Honesty is always the best policy, especially when it comes to the MTC’s response to your actions and behaviors. When you are honest, you build credibility and trust and the team knows how to design a program to help you address your issues. When you are dishonest, you lose credibility and trust. Credibility and trust have a direct impact on how the MTC responds when you have an issue. The MTC is a strict program and is not for those who do not want to change and improve their lives. If you want help and are willing to let us help, we will help you to recover. If, after learning about this program and completing an orientation meeting with your case manager, you decide that you do not want help, please speak with your attorney about your options.

The rules outlined in this handbook apply to you at all times and wherever you are.

Upon completion of the MTC, you will be contacted by an MTC team member for an exit interview. The purpose of this exit interview is to obtain feedback about the MTC, to learn how participants perform after they successfully complete the MTC, and to measure how well the MTC is doing. We ask that you provide your contact information upon program completion and that you update the MTC program if that information changes. You will not be identified individually or sanctioned in any way for your answers.

We hope this handbook has been helpful and answered your questions. If you have additional questions, speak to your attorney or a member of the MTC team.

Welcome to the Adult Drug Treatment Court, the Co-Occurring Disorders Court, or the Veterans Treatment Court.

MTC Client Signature

Date

Attorney Signature

Date

6.2 Contacts

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