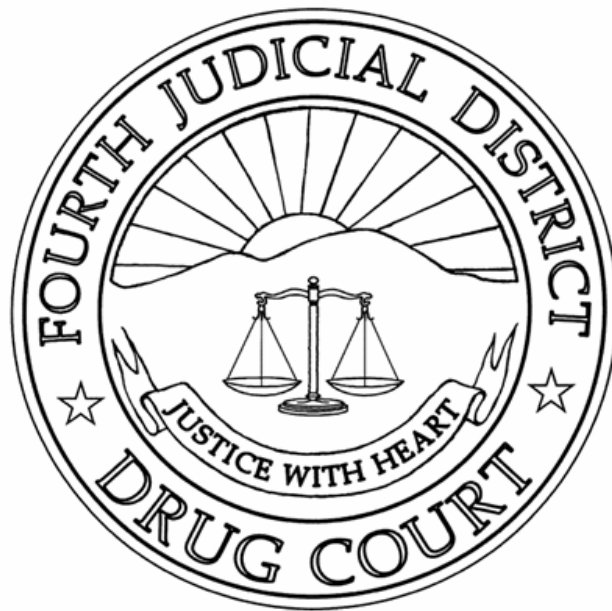


Name:

Case Number(s):

Fourth Judicial District Recovery Court



Participant Handbook

Revised: April 2024

Welcome!

Welcome to the Fourth Judicial District Recovery Court program. The Fourth Judicial District which includes El Paso and Teller counties. This program is located at the El Paso County Courthouse located at 270 S. Tejon, Colorado Springs, CO 80903 in Division L (Room S270).

This packet is meant to answer questions, concerns, and provide as much information as possible about Recovery Court. As a participant, this document will help you know what to expect from the program and what the program expects from you.

Below are a few tips for success in the program:

1. Be honest. Be honest with yourself, the Court, the team, and others.
2. Be respectful. Respect yourself, the Court, the team, and others.
3. Be involved. Work toward your goals to live a healthy life in the community.
4. Keep showing up. Go to treatment, come to court, follow your probation officer's directions.

Program Mission

Using treatment and accountability, it is the mission of this program to:

- ***Serve our community and promote public safety by supporting participants in the betterment of their lives, and that of their families, and how they engage in the community for individuals who enter the judicial system because of needs related to substance misuse concerns.***

Our focus is to increase stability factors within a participant's life that will help them succeed in their daily life and with their families and benefit the community with their talents.

Eligibility

Recovery Court serves people who are struggling with the disease of addiction and whose drug use is a primary cause of their criminal behavior. Recovery Court uses supervision, regular court appearances, and treatment to help participants get into recovery and work to address other needs specific to you.

People are referred to Recovery Court by their assigned division judge to see if they meet eligibility after entering into a plea and prior to sentencing, or upon facing revocation of probation. Talk to your attorney or probation officer if you are interested in this program. Recovery Court is a sentencing option for the District Court.

Minimum Qualifications:

- Defendant is assessed as having high risk and needs.
- Defendant has substance use concerns.
- Defendant must reside in the 4th Judicial District for the duration of the program.
- Eligible for probation or facing probation revocation.

Legal Ineligibility:

- Have a DF1, DF2, Crime of Violence (COV), or convicted of a sex offense.
- Have a DF3 with a drug net weight quantity of more than 14 grams of a Schedule I or Schedule II Controlled Substance (e.g., methamphetamine, heroin, synthetic opiates, fentanyl, cocaine, or ketamine) on the case(s) being screened.
- Defendant has already had the opportunity to complete a criminal problem-solving court (whether successful or unsuccessful) within the last five (5) years.
- Defendant states no substance use issues and or not open to treatment.
- Has been convicted of a felony crime involving death.
- Charges being screened for does not include a felony conviction.



Why Recovery Court?

Treatment courts, like the Recovery Court Program, are one of the most helpful interventions for people with substance use who are involved in the justice system. Recovery is a process of change where people work to better their health and wellness, live the life they want, and move toward reaching their full potential.

Below are areas identified to help people get into and stay in recovery long term. Recovery Court helps participants with these areas.



Source: [4 dimensions of recovery](#)

Recovery Court Team

Members of the Recovery Court Team meet before Court to talk about how each participant is doing and possible court responses. When you go to court you will also get to speak with the Judge or Magistrate about how things are going. The Judge or Magistrate makes the final decision on responses. Members of the Recovery Court Team include:

Judge/Magistrate
District Attorney
Public Defender or Defense Attorney
Probation Officers
Treatment Providers
Problem Solving Court Coordinators
Court Judicial Assistant
El Paso County Sheriff Deputies

Program Expectations

These program expectations are meant to help you build and grow in areas that may help you get and stay in recovery. Our hope is that by taking these small steps, it will lead to positive things happening in your life that will help you for years to come.

1. Follow terms and conditions of Probation:

- a. If you are in the Recovery Court Program, you will also be on Probation and need to follow the terms and conditions of probation.

2. Show on time for court and other appointments:

- a. Plan for rides and childcare. If you need help, ask a team member for options or help.
- b. Being late or missing Court may result in a warrant for your arrest. Communicate with a team member if you are running late.

3. Take your drug tests:

- a. Call the testing line every day, 7 days a week, to include weekends, and holidays, to see if you have to test that day.
 - i. If the recording says you need to test, you must go to an approved agency on that day during the open business hours to test.
 - ii. If you do not take your test, it will be considered a “missed test” and treated as a sanction in the court’s response.
- b. You may be told to take a test directly from probation, a counseling session, or by the Court. If this happens, you must go to an approved agency on that day during the open business hours to test.
- c. If you test positive for drugs or alcohol and you dispute the finding of a positive drug or alcohol screen, you can ask for a confirmation test.

4. You cannot use alcohol, illegal drugs, or marijuana:

- a. Do not take or allow into your body anything with alcohol, ethyl alcohol, marijuana, medical marijuana or marijuana products of any kind, synthetic marijuana (spice), Kratom, K2, bath salts, or any illegal mood-altering substances.

5. Do not misuse any substances:

- a. Participants should only take medications, as prescribed by their doctor or approved medical professional.
- b. When you enter the program, you will be required to have a **Physician Advisement Form** completed by your primary doctor.
 - i. This is so the doctor is aware of your needs and risks related to the use of drugs and medications, and so that they confirm to the court or team members that they have considered that information when prescribing or administering any medication.
 - ii. It is encouraged to only have one primary prescribing doctor or treatment provider.
- c. Work with your prescribing treatment provider to discontinue use of any addictive or habit-forming medications, as instructed by your doctor or approved medical professional.
- d. In no way does Recovery Court suggest that a participant should not follow the medical advice of their doctor or approved medical professional.

6. Be responsible for what you put in your body, and what you are around physically:

- a. Before using or consuming something, read product labels and ask for the ingredients of homemade items.
- b. Avoid items that may result in positive tests when possible. Examples of these items could be poppy seeds; Kombucha, cold/cough medicines; non-alcoholic beer/wine; cooking with alcohol, mouthwash/breath strips; hand sanitizers; hygiene products/toiletries; solvents; and lacquers.

7. Avoid diluting drug tests, and don't manipulate drug tests:

- a. A valid urine sample is not **and will not be diluted**. Not being diluted means, the urine is within normal temperature limits; has **not** been manipulated; the control test appears normal; and that the collection agency makes sure the person providing the sample is in fact the individual whose information is on the tested sample.
 - i. Dilute drug screens can be caused by consuming excessive quantities of liquid, and results in a creatinine level below 20 mg/dL.
- b. Dilute drug screens are treated as a sanction in the court's response.
- c. Falsifying a screen or tampering with a sample is a serious violation. It will result in a Court sanctioned response. It could also result in the termination from the Recovery Court program.

8. Tell a team member if you want to use or have used:

- a. It is important to know how the disease of addiction is coming up in your life. If you want to use, reach out for help. If you use, tell someone on the team. Knowing your situation lets the team know how to help you.
- b. If you use drugs or alcohol, tell a team member, ideally your probation officer or member of the treatment team, right away. Positive drug screens will result in a court response, a treatment adjustment, or a sanctioned response.
 - i. Telling the team you used, prior to testing, may decrease the severity of the response.
 - ii. Treatment adjustment responses may be most appropriate immediately following use.

9. Medication(s):

- a. You will need to tell the treating physician, dentist, emergency care providers, or other health care professional that you are working on recovery, have a substance use disorder and that taking addictive, or habit-forming medications could impact recovery and submit a completed Physician's Advisement Form prior to the submission of a prescription when possible.
 - i. Explore with the prescribing physician those medications that do not have tolerance, withdrawal, mood alterations, or could potentially impair ones affect necessary for effective counseling sessions.
 - ii. If you are prescribed a narcotic, addictive, or habit-forming medication, you must notify your Recovery Court team immediately.
- b. If you are taking any medications (*prescription or over the counter*):
 - i. Inform the Recovery Court team of any prescribed medications prior to filling your prescriptions when possible. Provide proof from your prescribing physician that you are prescribed the medication.
 - ii. Inform the Recovery Court team of any over-the-counter medications you are taking.
 - iii. You must provide complete prescription counts of prescribed medications if requested.
 - iv. You must tell your treatment provider and probation officer about any changes in medications.
- c. Participants who are prescribed medications will be asked to complete a Release of Information (ROI) to coordinate care. If the Recovery Court Team members are not able to communicate with the provider that there is a prescription in place and verify prescription details, it could result in a participant not being able to continue in the program.

10. Medication Assisted Treatment:

- a. Medication Assisted Treatment (M.A.T.) is an approved treatment option for addiction. Some forms of M.A.T. are Antabuse, Methadone, Suboxone, Sublocade, Naltrexone, and Vivitrol. You must have the prescriber complete the M.A.T. Physicians Advisement Form and return it to your therapist prior to starting the M.A.T. regiment.
 - i. Recovery Court accepts, and refers participants who, with professional medical advice, use M.A.T. as part of their treatment protocol. M.A.T. should only be used when and as prescribed by a prescribing treatment provider.

- ii. Participants will not be required to get off of their M.A.T. unless advised to do so by the prescribing treatment provider or a medical professional.
 - iii. Being off of M.A.T. is not a requirement for graduation.
- b. Not all forms of M.A.T. may be supported by community resources, sober homes, or treatment options.
 - c. Be aware, the El Paso County Criminal Justice Center Jail may or may not have M.A.T. medication available, or as prescribed by your provider.

11. Employment and Education:

- a. Participants must be employed at least 29 hours per week. Education may fulfill this requirement with the approval of your Probation Officer or the Court. If a participant cannot work because of a verifiable situation, the Recovery Court team will work with you to identify individualized life skills or pro-social goals to take the place of gainful employment.
- b. Participants entering the Recovery Court Program without a High School diploma or GED are encouraged to pursue this degree before they graduate from the program. Completing this requirement can earn you incentives. Education beyond these degrees is encouraged and can also be incentivized.

12. Permission and Communication to Travel:

- a. A Participant must obtain permission from the Court or Probation to travel out of the County or State in all phases of the program.
- b. Travel permits are **required to leave the State of Colorado**. See your Probation Officer well in advance of your travel plans. Participants are required to inform their Probation Officer of any extended travel out of the Fourth Judicial District in order to adjust urinalysis testing and monitoring during your travel.

13. Community Service/Useful Public Service (UPS) Hours:

- a. You must complete the Court ordered community service from your case(s) and from the Recovery Court.
- b. All community service must be performed and properly verified from an approved worksite through the County Community Service provider.

14. Payment of Services, Living Expenses, Restitution, and Court Costs:

- a. It is an important part of recovery to take accountability for your own treatment plan, including contributing to the cost of treatment and monitoring.
- b. Participants are responsible for the costs or copays for treatment, drug testing, housing, and other living expenses. However, no one will be denied admission to Recovery Court due to an inability to pay.
- c. Participants will be required to regularly meet with probation and determine their financial ability to pay and need(s) for financial, and or social service assistance.
- d. Participants can receive assistance in applying for Medicaid, if they don't already have it active, when they enter Recovery Court. Tell a team member right away if your Medicaid status changes.
- e. Participants will be expected to be in RAE 7 Medicaid, consistent with the district you are receiving services.
- f. Lack of engagement in services, such as treatment, drug screening, or sober living environment(s) for failure to pay, may result in a Court response.
- g. Participants are also responsible for their court costs, restitution, and fees associated with their case(s) and are expected to create a payment plan with the 4th Judicial District's Finance Department to work on paying off those financial obligations.
- h. Participants may be encouraged to apply for outside funding sources.

Recovery Court Responses to Your Behavior:

Achievements & Progress

Responses meant to help the behavior continue in the future:

When achievements and progress are made by participants, the Court may give you a response (sometimes called incentives) to help encourage you, celebrate your progress, and to recognize the achievements. Below are some common behaviors that participants show related to program progress and achievements:

- Showing up on time for Court and appointments.
- Taking all substance tests.
- Being alcohol and drug free (initially, day-by-day, milestones, and long term).
- Getting support from the team, community providers or other support networks.
- Meeting treatment goals.
- Meeting personal goals.
- Meeting education or employment goals.
- Completing program requirements.
- And more!

Therapeutic Adjustments

Responses meant to help get you the right services or treatment:

Depending on the behavior and treatment recommendations, you may not have a sanction or incentive. Instead, you could have an adjustment to your treatment plan which is called a ***therapeutic adjustment***. This option helps the team change your treatment plan to something that may better meet your needs and the situation.

Violations

Responses meant to help stop this behavior from happening again:

If a program violation happens, the Court may give you a response (*sometimes called a sanction*) that is meant to stop the behavior from happening again in the future. Below are common behaviors that are program violations:

- Use of any illegal drugs, alcohol, marijuana, and non-prescribed medications.
- Non-Compliance with drug testing/monitoring protocol.
- Leaves or is banned from staying in an approved sober living environment.
- Late or missed Court unless your appearance has been waived in advance.
- Missed professional appointment.
- Not completing directives, the Court or team tells you to do by the date given.
- Misuse of prescription or over the counter medications.
- Violation of probation's terms and conditions.
- Not following a Court Order.

Overview of behavior responses:

The table below shows common incentives and possible responses.

RESPONSES TO BEHAVIOR	
INCENTIVES	
Recognition and praise by the Judge Courtroom recognition Rocket Docket / Strong Starter Certificates of Achievement Bus Passes/Transportation Assistance Gift Cards Gift Baskets Reduction in Fines and Costs Credits for Useful Public Service Decreased Court Appearances Phase Advancement Voucher Assistance Travel Permit / Increased Travel Privilege Early termination from probation Webex Court Appearance	
THERAPEUTIC ADJUSTMENTS	SANCTIONS
Daily Sober Support Meetings	Reprimand from the Bench (<i>warning</i>)
Relapse Autopsy	Increased Court appearances
Increased drug testing	Day Reporting to Probation, Court or Treatment facility
Individual Treatment Sessions	Curfew Imposed / Decreased
H.E.A.T. / H.E.R.	Additional community service hours
MRT	Accountability log / Essay / Writing Assignment
COG Skills	Presentation to Judge, Orientation, or Recovery Court
EMDR	Attendance at Orientation / Docket
Neurofeedback	Missed program requirement paper / Diluted worksheet
Participation in additional evaluations	Delay in phase change / Compliance contract
Peer Coaching	Additional monitoring (EHM / SCRAM)
Homework / Therapeutic Assignment	Issuance of a warrant / Sentence to jail
Pro-Social Activities	Motion to Revoke Probation
Increase in therapeutic contact	Termination from the Program

Jail as a Court Response:

If the Judge or Magistrate is considering the use of jail as the Court response for an alleged violation:

1. You'll receive a written **Notice of Violation and Request for Imposition of Jail as a Court Response** at Court.
2. You'll get a written advisement of your rights to deny the allegation(s).
3. You can choose to admit to the violation and waive your rights to a hearing. You can also choose to deny the allegations and demand a hearing on the evidence.
4. You can ask to have a hearing where the Court will decide, based on the evidence presented, whether the violation occurred.
5. A defense attorney from the Recovery Court team will be available to talk to about your rights and choices.

Termination from the Program:

If a program participant is not completing program requirements, that could result in a violation of probation and if found to be in violation, they can be removed from the program. Termination from the program **may** include but are not limited to the following:

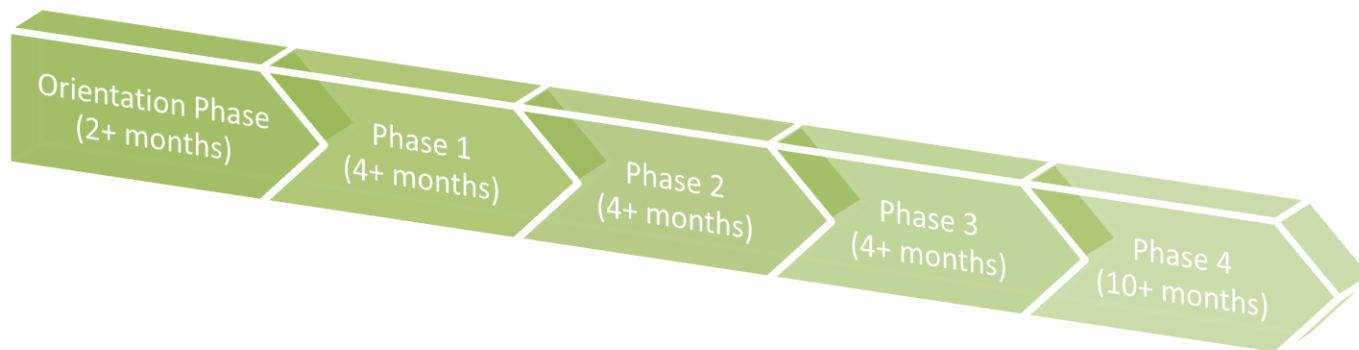
- Exhaustion of all reasonable therapeutic interventions and or supervision options.
- Absconding (*leaving with whereabouts unknown*) from the program.
- Tampering or adulteration of a drug/urine substance test.
- Conviction for a new offense.

Graduation:

- a. A program participant will be eligible to graduate upon approval of the Recovery Court Judge or Magistrate, once they complete program phases and requirements. To graduate, the participant will be required to complete the program's fourth phase and complete the requirements listed in the service delivery plan.
- b. Attendance at graduation ceremonies is mandatory for graduates as well as all current participants in Recovery Court unless excused by the Court.
- c. Graduation from Recovery Court is recognized as a very important event. Your loved ones are invited to join you at your graduation ceremony. An invitation along with a Webex link for family/friends to attend virtually is provided to each graduate.
- d. Upon successful completion of all phases and requirements of Recovery Court, including addressing all restitution and costs, you will be eligible to graduate with a recommendation to reduce your felony (DF4 only) to a misdemeanor *if applicable*.
- e. Allowable outstanding payments may be referred to a collection agency, subject to additional fees, and can result in an extension of your probation term.
- f. The law for sealing your record is dependent on your charges. You should ask an attorney about whether this is an option for you.

Recovery Court Phase Movement

Recovery Court has 5-phases that are usually completed within 24-36 months. Your individualized plan can be revised by the program Judge or Magistrate to meet your needs at any time, if appropriate. Examples of changes can include being required to live in a sober-living home, attend more intensive therapy, or increase individual treatment sessions.



Orientation Phase:

2 months minimum

Expectations of Orientation Phase:

- Sign program contract and have initial appointment with Probation Officer.
- Appear in Court every week or as directed by the Court.
- Meet with Probation Officer weekly or as required by Probation, to include morning and evening curfew calls.
- Check-ins as required by the Probation Officer, to include morning and evening curfew calls.
- Random drug screens.
- Full participation in treatment service plan.

Requirements to move to Phase I:

- Complete supervision and therapeutic intake and an individualized treatment plan is in place.
- Therapeutic readiness (*meets therapeutic competency levels for phase progression*) as determined by your assigned treatment provider.
- 14 days with no violations.
- Enroll with the El Paso County Community Service Provider, including the initial program payment.

Phase I:

4 months minimum

Expectations of Phase I:

- Appear in Court twice per month as directed by the Court.
- Meet with Probation Officer as required by Probation.
- Check-ins as required by the Probation Officer, to include morning and evening curfew calls.
- Random drug screens.
- Full participation in treatment service plan.
- Individual treatment sessions, as determined by treatment plan and assessments.
- Obtain and maintain consistent employment, actively engage in job search, or enroll in a full-time education program. If a participant cannot work because of a verifiable situation, the Recovery Court team will work with you to identify individualized life skills or pro-social goals to take the place of gainful employment.

Requirements to move to Phase II:

- Minimum of 4 months in Phase II
- Therapeutic readiness (*meets therapeutic competency levels for phase progression*).
- 21 days with no violations.

- Recovery Court Team approval.
- Participant obtained or maintained consistent employment or is enrolled in a full-time education program.
- Set up payment plan for court costs/fines.
- Completion of all Court Responses.
- Complete 25% of required community service.

Phase II:

4 months minimum

Expectations of Phase II:

- Appear in Court twice per month.
- Meet with Probation Officer as required by PO.
- Check-ins as required by the Probation Officer, to include morning and evening curfew calls.
- Random UA's.
- Full participation in treatment service plan.
- Individual treatment sessions, as determined by treatment plan and assessments.
- Continue to work on community service hours.
- Continued consistent employment or enrollment in a full-time education program. If a participant cannot work because of a verifiable situation, the Recovery Court team will work with you to identify individualized life skills or pro-social goals to take the place of gainful employment.

Requirements to move to Phase III:

- Minimum of 4 months in Phase II
- Therapeutic readiness (meets therapeutic competency levels for phase progression)
- Complete 75% of required community service
- 6 weeks with no violations
- Participant obtained or maintained consistent employment or is enrolled in a full-time education program
- Recovery Court Team approval
- Completion of all Court Responses
- Compliance with payment plan for court costs/fines

Phase III:

4 months minimum

Expectations of Phase III:

- Appear in Court once per month as directed by the Court.
- Meet with Probation Officer once per month or as required by PO.
- Check-ins as required by the Probation Officer, to include morning and evening curfew calls.
- Random Uas.
- Full participation in treatment service plan.
- Individual treatment sessions, as determined by treatment plan and assessments.
- Continue to work on community service hours.
- Continued consistent employment or enrollment in a full-time education program. If a participant cannot work because of a verifiable situation, the Recovery Court team will work with you to identify individualized life skills or pro-social goals to take the place of gainful employment.
- Working on meeting all your financial needs.

Requirements to move to Phase IV:

- Minimum of 4 months in Phase III.
- 60 days with no violations.
- Therapeutic readiness (meets therapeutic competency levels for phase progression).
- Participant obtained or maintained consistent employment or is enrolled in a full-time education program.
- Full payment of court costs and fees, or compliance with payment plan as set up by a Collections Investigator and

approved by probation and Recovery Court Team.

- Recovery Court Team approval.
- Completion of all Court Responses.
- 100% of required community service completed.

Phase IV:

10 months minimum

Expectations in Phase IV:

- Appear in Court monthly (bi-monthly in person and bi-monthly virtual as ordered by the Court).
- Meet with Probation Officer once per month or as required by PO.
- Random UA's.
- Attends Alumni IMPACT Groups 1 time per month.
- Full participation in treatment service plan.
- Individual treatment sessions, as determined by treatment plan and assessments.
- Participant obtained or maintained consistent employment or is enrolled in a full-time education program. If a participant cannot work because of a verifiable situation, the Recovery Court team will work with you to identify individualized life skills or pro-social goals to take the place of gainful employment.
- Having the ability to meet your financial needs.

Requirements for Graduation

- Therapeutic readiness (*meets therapeutic competency levels for graduation*).
- 90 days with no violations; however, the Court **MAY** choose to graduate a Participant who has reached the maximum clinical stability possible as determined by treatment if they cannot reach the full 90 days of required abstinence.
- Recovery Court Team approval.
- Participant obtained or maintained consistent employment or is enrolled in a full-time education program. If a participant cannot work because of a verifiable situation, the Recovery Court team will work with you to identify individualized life skills or pro-social goals to take the place of gainful employment.
- Demonstrated financial independence.
- All court costs/fees/fines addressed.
- Completion of all court responses.
- In compliance with court orders or have completed the requirements of probation.

I, _____, agree to the following:
(print name)

(initial on lines below)

_____ (initial) I have received a copy of the Recovery Court Participant Handbook.

_____ (initial) I have had the opportunity to speak with my attorney about the Recovery Court Participant Handbook; and my questions have been heard and answered.

_____ (initial) I agree to abide by all the terms contained in the Recovery Court Participant Handbook.

By signing the Participant Handbook, I hereby acknowledge that I do so freely and voluntarily; I have reviewed the entire handbook; had the handbook explained to me and my questions were answered; I understand all the terms and conditions contained herein; I understand all the rights I am waiving by signing this handbook; I understand what is expected of me to comply with Recovery Court; I understand the consequences of violating the terms and conditions I have agreed to follow as set forth in this handbook; I understand I must comply with all terms and conditions of probation; and I am committed to successfully completing this program for my benefit.

Signature of Participant: _____

Date: _____

Signature of Court Coordinator(s): _____

Date: _____