

# Forsyth County DUI Court



# Participant Handbook

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## I. Introduction

The Forsyth County DUI Court was created in February 2006 under the direction of State Court Chief Judge T. Russell McClelland. The DUI Court Team is a partnership among the Judge, Solicitor's Office, DUI Court Defense Attorney, Probation, Law Enforcement, Accountability Courts Office, and the Treatment Team. It is a minimum of eighteen (18) months in duration and consists of five (5) phases.

This program provides treatment intervention and serves as a meaningful alternative to jail for the participant to continue in the community with support. It is our goal to improve the quality of life and reduce recidivism for participants. Those who graduate will have improved decision making and a solid foundation of sobriety on which to build.

## II. Important Numbers

Accountability Courts Office 678-455-4780

Emergency Phone (afterhours and weekends) 678-215-7672

Defense Attorney, Kelsey Wiley 770-277-5300  
Kelsey@WileyDefense.com

Drug Screen Line 800-494-1250 or online check-in at drugtestcheck.com

## III. Court

### **A. Courthouse Behavior**

Your attendance in court is a critical condition of your participation in the Forsyth County DUI Court. Your behavior from the time you leave your vehicle until you arrive in the courtroom should reflect positively on the Accountability Courts. This means **NO** standing on the front steps of the courthouse before or after your court sessions. Your attire **CANNOT** include sleeveless shirts/dresses, tank tops, see-through clothing, halter-tops, revealing clothing, hats, tight clothing, sunglasses, excessively baggy clothing, flip-flops, clothing with holes, open-toed shoes, sandals, or clothing with offensive language, alcohol, or drugs or references to such. Loud and boisterous behavior is unacceptable. This behavior and attire is required **ANYTIME** you are in the courthouse, the Accountability Courts Office, or any other location that would be an extension of DUI Court.

**You must be punctual. Court is called to order at 3:00 p.m. for all women who must arrive by 2:45 p.m. Men must arrive by 3:15 p.m. for court at 3:30 p.m.** Once in the courtroom, conversations should be minimal. When the Judge is in the courtroom, you are to have no side conversations with your fellow participants. You are not allowed to read or sleep in the courtroom. You are not to have food, drink, or chewing gum in the courtroom. You may not use your cellphone or any other electronic device in the courtroom. If your cellphone goes off, in

any way, while in the courtroom, it will be confiscated. You are responsible for the behavior of your guests and/or children.

When you are addressed by the Judge, you should stand and respond respectfully. This means your answers should be “**Yes, sir**” and “**No, sir**,” spoken clearly, and made to the Judge. Do not interrupt the Judge when he is speaking to you or to your fellow participants. Do not use vulgar language. **Violations of Courthouse and Courtroom behavior will result in sanctions.**

## **B. Judge’s Role**

The Judge has knowledge of the impact of substance abuse on the court system, the lives of the participants, and the entire community and is, therefore, committed to the program mission and goals. In the courtroom, the Judge develops a personal working relationship with the participants while monitoring their progress.

**Direct contact with the Judge and his office should be avoided beyond the courtroom setting. The Judge is not your case manager, personal attorney, and/or legal advisor. Information from you and your family must go through the Accountability Courts Office or your attorney.** The Judge attends non-court meetings, including Planning Groups and staffing, reviewing candidates for participation; determining appropriate and effective sanctions for program violations; and providing incentives for continued success. These decisions are made using knowledge of addiction, relapse, and other factors (i.e., criminal history, gender, age, culture) that may impact a participant’s success. Further, the DUI Court Judge advocates for the program by creating community interest and support for the program and developing community resources to assist participants in their treatment.

## **C. Director and Assistant Director’s Roles**

The Director and Assistant Director review and update the program policies and procedures manual and participant handbook to ensure operations and administration comply with applicable local, state, and federal requirements. The Director and Assistant Director also apply for and manage grant funds for the DUI Court; provide staff oversight; provide community outreach and resources for the program; and oversee treatment to ensure fidelity to the curriculum.

## **D. Programs Coordinator’s Role**

The Programs Coordinator manages the daily operation and administration of the DUI Court Program. This includes immediate oversight of staff interaction with participants, assistance with case management development and implementation, training and administration of the case management and drug screening/laboratory system, review of court documents, etc. The Programs Coordinator attend staffings and court sessions. The Programs Coordinator assists the Director and Assistant Director in developing, implementing, and supervising the office’s policies and procedures.

## **E. DUI Court Case Manager's Role**

The DUI Court Case Managers are responsible for ensuring each participant is fully informed of the rules, regulations, and policies of the Program, as well as monitoring each participant's progress throughout the program. The Case Managers are the "central clearinghouse" for all information and communication for the staff, team, and participants. The Case Managers maintain participant records, including, but not limited to, residence, employment, and payments. They manage and update all participant files, can administer drug and alcohol screens, and create and distribute the DUI Court calendar to the DUI Court Team. They attend staffings and court sessions.

## **F. Solicitor General's Role**

The Solicitor General has many responsibilities to the DUI Court Program. The Solicitor General presents each case to the Judge and makes eligibility and referral decisions for entry into the DUI Court Program. The Solicitor General attends Planning Groups, staffing, and court, assisting in the determination of appropriate sanctions and incentives for current participants. Such decisions are made using knowledge of addiction, relapse, and other factors (i.e., criminal history, gender, age, culture) that may impact a participant's success. The Solicitor General participates in policy development which includes designing policy and procedures for screening, eligibility, and case-processing. The Solicitor General also contributes to community education and acquisition of community resources to aid the program; educates peers, colleagues, and judiciary on the effectiveness of DUI Courts; and makes recommendations of termination and probation revocations, should they become necessary.

**It is not appropriate to seek legal counsel from the Solicitor General or staff of the Solicitor General's office.**

## **G. Defense Attorney's Role**

The DUI Court Defense Attorney represents each referred offender and participant in the DUI Court Program who is not otherwise represented by counsel. Prior to entry into the DUI Court Program, the Defense Attorney's role is to evaluate the offender's legal situation and ensure their legal rights are protected. The Defense Attorney effectively advises offenders of their legal rights, legal options, treatment options, program conditions, and possible sentencing outcomes, while developing a relationship that promotes the offender's long-term best interests. The Defense Attorney attends Planning Groups, staffing, and court, assisting in the determination of appropriate sanctions and incentives for current participants. Such decisions are made using knowledge of addiction, relapse, and other factors (i.e., criminal history, gender, age, culture) that may impact a participant's success. The Defense Attorney participates in policy development which includes designing policy and procedures for screening, eligibility, and case-processing. Like the Solicitor General, the Defense Attorney also contributes to the education of the community and assists in educating peers, colleagues, and judiciary in the effectiveness of DUI Courts.

**It is not appropriate to seek legal counsel from the DUI Court Defense Attorney regarding matters unrelated to DUI Court or your Driver's License.**

## **H. Law Enforcement's Role**

Law Enforcement plays a major role in your opportunity to participate in the DUI Court Program. They have recommended you receive treatment, not jail. They attend all staffings and court as necessary. Law Enforcement provides accountability for your participation in this program through attendance at Planning Groups and staffing, conducting of Fourth Amendment searches and/or drug and alcohol screening, and other enforcement as needed. Your total honesty and cooperation with all law enforcement is essential to compliance with this program.

## **I. Probation Officer's Role**

The Probation Officer may refer some cases to the DUI Court Program. It is the responsibility of the Probation Officer to conduct the initial evaluation of these cases. If the probationer is determined to be a candidate for the DUI Court Program, the Probation Officer refers the case to the Accountability Courts Office and team. The Probation Officer keeps the DUI Court Team informed of all participant progress on probation by attending staffing and Court. The probationer must report all information regarding Ignition Interlock to their Probation Officer and sign releases with both parties. The Probation Officer contributes to community education and cooperation with the program and assistance with community resources to aid the program. In the event you are brought before the Judge for a Revocation of Probation Hearing, the Probation Officer will make recommendations related to your sentencing.

## **J. Treatment Team's Role**

The Accountability Courts Assistant Director and the counseling team facilitate all group counseling sessions, individual counseling sessions, and other recommended counseling. The DUI Court Program participants are provided with specialized curriculum and proven, evidence-based treatment practices. The Treatment Team reports all participant progress, or lack thereof, to the Accountability Courts Office. A representative from the Treatment Team attends all Planning Group, staffing, and Court sessions. The Treatment Team does not discuss sanctions or other requirements with participants, including results of drug and alcohol screens performed.

Individual counseling is available to you, at your request, or may be mandated by the Court. You must contact the Accountability Courts Office to schedule individual sessions. You can discuss the cost, if any, of the sessions with the Accountability Courts Office.

## **K. Sanctions**

The DUI Court Program will meet for staffing and court sessions two times per month; however, for imposition of sanctions, court may convene weekly. **If you have violated any program rule which would result in a sanction, you must be in court regardless of whether your phase is required to attend.** You will be notified by your Case Manager on Monday or Tuesday before court on Wednesday if you are required to attend a sanction session. The judge will impose sanctions if you violate program rules. Sanctions can be jail time, additional community service work, additional recovery meetings, therapeutic responses, or other requirements deemed appropriate by the DUI Court Team. The participant is to treat all sanctions as if they are from the Judge, failure to do so will result in a Court consequence. The Judge will impose sanctions

in Court for program rule violations that result in jail time, community service, or are for drug screen violations. Phases 1 and 2 are in Court for every session. Phases 3, 4, and 5 are required to attend the first court session each month and all graduations. It is your responsibility to turn in properly and completely filled-out documentation to DUI Court, probation, and treatment team.

If you are receiving a jail sanction, the Defense Attorney will attempt to notify you prior to court. You should expect to go into custody from court; therefore, arrangements need to be made prior to court for your job, children, vehicles, etc. Jail sanctions will not be allowed to be served early, split up, served on weekends, or otherwise delayed, unless permitted by the Policies and Procedures of the DUI Court Program or otherwise approved. Bring your current prescription medications when you come to court to receive a jail sanction. Do not bring purses, backpacks, bags, clothing, etc., as these cannot be taken to the jail with you. To move from one phase to the next, there will be a minimum amount of time to be free from jail sanctions. This time begins the day after your sanction is imposed. If you are sanctioned for a drug screen violation or three or more days in jail, you must report to the Accountability Courts Office for a check-in with your case manager immediately upon your release from custody, or, if released on a weekend/holiday, by 9:00 am the next business day.

## **Personal Contact Information**

### **Curfew**

You have a curfew from 11:00pm – 5:00am for Phase 1 & 2 and 12:00 a.m.- 5:00 a.m. for Phase 3, 4, and 5 during your entire time in the DUI Court Program. If you need to adjust the time of the curfew for work or recovery meetings, you must receive prior permission from the Accountability Courts Office. You must be at the residence you provided during your curfew.

### **Housing**

The DUI Court and Probation Officer must have the address of your current residence and your phone number. This address is defined as where you sleep every night, and the phone number is the one where you can be reached most quickly. You may not stay away from the residence provided to the Accountability Courts Office overnight without having a leave request granted.

The “Change of Address” form must be completed and turned into the Accountability Courts Office **BEFORE** the first date you wish to reside at the new address. You will need to have a residence check and get approval from the DUI Court Team prior to moving. Failure to notify the Accountability Courts Office of your new address prior to moving may result in a jail sanction.

### **Vehicles**

You must provide the Accountability Courts Office with information regarding vehicles you use for transportation. If you do not drive, you must provide information about the vehicle you are transported in most often as well as vehicles regularly at your residence. This information must be provided within 2 business days of possession or changing vehicles and must include the make, model, year, color, and tag number for the vehicle.

## **Telephones/Cell Phones**

It is necessary for the Accountability Courts Office to be able to reach you at any time to notify you of program announcements, etc., and for the Defense Attorney to notify you of jail or community service sanctions. You must provide and keep current a phone number where a message can be left on a voicemail, answering machine or with a designated person. It is your responsibility to resolve any conflict that may prevent this situation. It is your responsibility to provide the passcode for your phone upon entry into the program and update as necessary.

## **Behavior/Contact Limitations**

If you purchase, use and/or possess alcohol, energy drinks, e-cigs, vapes, vape juices, synthetic drugs, CBD products, THC products, or designer drugs (regardless of legality) while in this program, you will receive sanctions. All use of illegal drugs will be sanctioned.

While in the DUI Court Program, you must avoid people on probation, parole, convicted felons, drug users, drug dealers, people incarcerated in any institution, people being supervised by any court agency, on misdemeanor or felony release/bond, and people participating in accountability courts in other counties, unless you have prior approval from the Accountability Courts Office. Request for contact with prohibited individuals must be made in writing.

Participants are not allowed to enter into a romantic/physical relationship with another participant in the DUI Court or any other Accountability Courts Program. Participants are not allowed to “hang out” in the residence or on the property of another participant in the program. In Phase 1, participants may not “pair off” with any other participant of the program, including communication and association between or among two or more participants. Any such communication is limited to official DUI Court business, DUI Court requirements, and DUI Court approved events. Beginning in Phase 2, participants may hang out with others in any Forsyth County Accountability Court who are in Phases 2 and above. However, the restrictions against romantic/physical relationships and participant homes and property remain. Additionally, participants may not hang out together where alcohol is served unless it is an event approved in advance by the Accountability Courts Office. At no point in the program should participants donate money to each other. Any donations (including cash, money order, gift cards, etc.) should be approved through the Accountability Court’s Office.

You are not allowed to be in an establishment where the primary purpose is alcohol or drug related or where food is no longer served. This is not intended as punishment but rather to encourage sobriety. If you have questions about where you cannot go, contact the Accountability Courts Office.

**You must report any and all contact with law enforcement to the Accountability Courts Office by the close of business the next business day.** For example, if your law enforcement contact occurs on Tuesday, you must notify the Accountability Courts Office by 5:00 p.m. on Wednesday. If contact occurs on the weekend, you must report it to the Accountability Courts Office by 5:00 p.m. on Monday. Arrests should be reported immediately. This does not apply to contact with the law enforcement officer assigned to Accountability Courts.

### **Jail Sanction Requirements**

If you are sanctioned for a drug screen violation or jailed for three days or more, you are required to report to the Accountability Courts Office immediately upon your release or, if released on a weekend or holiday, by 9am the next business day. If you are released after 5:00 pm on Friday or over the weekend you must report on Monday morning at 9:00 am unless otherwise directed in court. Failure to report to the Accountability Courts Office will result in a sanction.

### **Community Service Work Information**

If you receive a community service work sanction, you must actually work the total number of hours assigned to you. You will not be allowed credit for bringing your own equipment, driving your personal vehicle, time taking a “lunch break”, etc. If the Accountability Courts Office discovers you did not work the total hours ordered, increased sanctions may be ordered. Proof of community service work is due by Tuesday at noon. It is no longer necessary to schedule the community service work prior to completion and/or report to the probation office prior to starting your community service work.

### **L. Incentives**

Program compliance and good behavior will be recognized by the Judge as an incentive to continue your recovery. Your initial jail time was reduced or suspended, your court fines were reduced or suspended, and your community service may be credited as you progress through the program. These are the initial tangible incentives for participation in the Program. Participants who are identified as doing well in the program can be awarded incentives such as an extra leave request or leaving court early.

Participants may be awarded Participant of the Month, will be recognized when they complete each phase of the program, and will have the ability to request leaves from the program as they progress through the phases. Freebies are rewards for those participants who achieve a month without any sanctions each time it is achieved. Freebies will be tracked by the Accountability Courts Office and can be used to avoid the imposition of future sanctions, except those for jail time or fee sanctions. If you are receiving a jail sanction or a community service sanction (unless a freebie is used for the community service sanction), you will not receive an incentive, including leave requests or phasing up. If you accumulate 6 Freebies, 5 Freebies must be traded in for an extra leave request, \$25 fee credit, or a gift card. The participant will retain one Freebie. Participants are not allowed to use more than one freebie in one court session.

### **M. Termination**

The Forsyth County DUI Court Program is committed to giving participants the opportunity to learn to be drug and alcohol free and to be better decision makers. However, your continued participation in the DUI Court Program is contingent on compliance with **ALL** program rules and regulations. Non-compliance can result in termination. If you are noncompliant with treatment and/or program rules despite increased services, you shall be placed on an individualized behavior contract for 30 or 60 days. You must comply with all terms of the behavior contract or you can face termination.

Behaviors that may lead to termination include, but are not limited to, inability to remain clean and sober; obtaining a new DUI charge; forging any documentation turned into the Court; failure to attend and participate in groups; threats or violence against peers, staff, or the team; altering or tampering with drug screens (including adulteration of a screen); some new criminal charges; chronic non-compliance as evidenced by an accumulation of program violations; chronic failure to pay program fees; pairing off or becoming romantically involved with another Accountability Court participant; and, failure to treat staff, the team, or fellow participants with respect.

**Our goal is for every participant to graduate from DUI Court, and we consider termination as the last resort.**

## IV. Program Guidelines

### **A. Treatment Facility**

All DUI Court activities and locations are to be viewed as an extension of the Forsyth County State Court. Your behavior should reflect that understanding at all times. This includes all contracted treatment locations, community service sites, special events, and any other functions associated with DUI Court activities. Violations of program rules can result in sanctions and/or new criminal charges. All staff members of the Forsyth County DUI Court are officers of the Court, and you are expected to follow their instructions and be respectful at all times.

1. No alcohol, drugs, vapes, e-cigs, energy drinks, weapons, or pocketknives will be brought to the facility.
2. Groups will begin on time! You must be punctual, as tardiness will result in sanctions. You must attend and participate in the full session to receive credit.
3. Confidentiality is a must. What is said here, stays here! There will be severe consequences for any violation to this rule.
4. Free expression of your thoughts and feelings is encouraged; however, violence, threats or intimidation will not be tolerated. Excessive use of profanity is not acceptable.
5. No sexual harassment will be tolerated!
6. No comments about the physical appearance of other participants.
7. Participants are to treat each other with respect at all times.
8. Leave group only in an emergency after notifying a Treatment Staff member.
9. Dress code: no tank tops, short shorts, or dark glasses. Clothing must cover all undergarments. No clothing advertising alcohol or drugs is permitted.
10. Electronic devices and cell phones should be left outside in a locked vehicle when possible. They will be confiscated if they are a distraction during group.
11. No visitors allowed. You will be notified of scheduled exceptions to this rule. This includes children and pets. Those dropping you off or picking you up from group must remain in the FRONT parking lot throughout the group.
12. Pairing up with another Accountability Court participant for an intimate or close relationship is prohibited and can result in sanctions and/or termination from the program.
13. Smoking is permitted outside in designated areas only. After smoking, ensure all cigarettes are extinguished and placed in the ash can provided. Vaping is not allowed by anyone on the premises.

14. No littering in the parking lot or building. You are responsible for assisting in maintaining the cleanliness of the building.
15. Be respectful of all Accountability Court and treatment staff. If you wouldn't say or do it in front of the Judge, don't say or do it in front of staff.
16. Food and/or beverages are allowed at the discretion of treatment staff.

## **B. Attendance**

### **Treatment**

As a participant of the Forsyth County DUI Court Program, you are required to attend all group counseling sessions as assigned. **You must be on time.** Being late to or missing group will result in sanctions from the Court. Failure to attend group will result in sanctions, and attendance will only be verified by your signature on the sign-in sheet. You must sign in legibly on the correct sign-in sheet for your phase, and circle "yes" or "no" for admitting to any unapproved substance use. Your honesty will result in a reduction of the sanction.

If you enter into residential as a part of your DUI Court treatment requirements, you will be required to attend court quarterly. These dates will be provided to you as well as the residential facility. Upon return from completion (a minimum of 12 months) of a residential, the participant shall return to the phase they were in when they left. During the first 30 days in that phase, the participant shall be evaluated by treatment to formulate treatment plan and case management to determine which phase is appropriate for program progression. This can result in moving to a higher or lower phase. If residential is not successfully completed, upon reentry into the program, the same procedure will apply. However, acceleration will not be considered once a placement decision is made.

### **Community Support/Recovery Meetings/Prosocial**

Attendance at Recovery Meetings will be verified by an attendance log that is given to you by the Accountability Courts Office (you will need to make copies of this log for future use or print copies from the website) and signed off on by the discussion leader, which cannot be a participant in ANY Forsyth County Accountability Courts program. If an Accountability Court participant is leading the group, you must have someone else sign off on your log. This is the only exception allowing someone besides the discussion leader to sign off on your recovery meeting log. You may only attend one meeting or prosocial per day for credit toward your program requirements. A recovery meeting "week" runs from Tuesday at noon to the following Tuesday before noon. It is your responsibility to ensure all information on the log is accurate and legible even if you did not write the information yourself. If incorrect information is written by mistake, you may make changes as long as they are clearly marked. Submit the original meeting log, copies will not be counted. If your recovery meeting log is not turned in before noon on Tuesday, you will be sanctioned.

Prosocial behavior involves actions intended to benefit others, foster social connections, and community well-being. It is important in recovery because it helps build trust and community, and makes people feel like they belong and have made a social commitment. It reduces stress and creates more life satisfaction, well-being, and improves mood.

Prosocial activities include:

- Attending a faith organization
- Taking a class to learn to play an instrument
- Crafting classes
- Physical activity such as hiking, cycling, going to the gym
- Service work
- Attending a family event such as a reunion or birthday party
- Going bowling or to Topgolf with sober friends

To document your prosocials, you must fill it out completely on your community support log. You must also send either proof of attendance with a picture and ticket stub or bulletin. Do not send pictures of inappropriate things or you will lose the privilege of utilizing prosocials. If your prosocial is not listed above, you need to ask your case manager prior to attending if it will count as a prosocial.

### **Individual Counseling**

If you are ordered by the Court to attend individual counseling sessions, you must provide 24-hour advance notice to change/miss a scheduled appointment. Failure to do so will result in sanctions from the Court. Additionally, such mandated counseling sessions are ordered to continue until the Judge tells you otherwise. If you are attending voluntary individual counseling sessions and are more than 15 minutes late, your individual counseling becomes mandated until your counselor tells you otherwise.

### **Leave Requests**

Special requests to be excused from drug screens and group must be approved, in advance, by the DUI Court Judge. Leave requests are available as follows: Phase 1: no leave available; Phase 2: two (2) leave requests available; Phase 3: two (2) leave requests available; Phase 4: one (1) leave request available; and Phase 5: one (1) leave request available. All leaves will be limited to three (3) days and leaves cannot be taken together. You may not use more than 1 extra leave request per phase. Participants may not miss more than one group session per leave. No leave requests will be granted for participants to leave the country. Participants are not excused from Recovery/Community Support Meetings when they take a leave. After any approved leave from DUI Court, you must report to screen the following day, regardless of whether you are called-in for a screen. If there are no screens on your return day but the Accountability Courts Office is open, you must report to your Case Manager for a screen. If there are no screens on your return day and the Accountability Courts Office is not open, you must return each subsequent day to the screening facility until you provide a sample at screening or to the Accountability Courts Office.

Leave Requests must be submitted, in writing on the appropriate form, to the DUI Court Office by 12:00 p.m. Tuesday before the next DUI Court session. The DUI Court Case Managers will determine whether you are eligible for a leave. If you are eligible, the DUI Court Team will consider your leave, if you are not receiving a jail or drug screen violation sanction. Your leave may be granted or denied based on your participation, behavior, and progress in the DUI Court Program. Details of the leave request will be taken into consideration. The Judge will inform you in Court on Wednesday if your leave is granted. If your phase is not required to be in court

for the session before your leave, you need to contact the Accountability Courts Office to find out whether your leave was granted.

### **Medical Leave**

Medical leave must be approved in advance, if possible, and appropriate forms must be completed so you are aware of what is expected of you during such a leave. The participant is responsible for complying with all directions of the Accountability Courts Office while on medical leave, including, but not limited to, pill counts, weekly status reports, and updates from any doctor visits. Medical leave does not count as a leave request; however, your time in the DUI Court Program could be tolled while you are away. You may be required to attend court at the direction of the Accountability Courts staff during your leave. Additionally, your medical leave situation will be reviewed by the DUI Court Team at the six week point to determine if continued leave will be granted. Maternity leave is considered a medical leave, so you must follow the same guidelines. For medical leave questions/approval, contact the Accountability Courts Office.

### **Emergencies**

In the event of a sudden illness and/or death of immediate family after business hours or on weekends, contact the Assistant Director on the emergency phone @ 678-215-7672 if you need to miss program requirements. If the Assistant Director does not respond within 2 hours, proceed as necessary. It is your responsibility to contact the Accountability Courts Office the next working day and provide proof of relationship, medical records, or an obituary upon your return to treatment.

## **C. Finances**

DUI Court fees are \$200.00 per month: \$50 Program Fee and \$150 Treatment fee, which includes counseling and drug and alcohol screening (this does not include your probation supervision fees, which must be paid directly to probation). All fees are to be paid directly to the Accountability Courts Office in the form of a money order made out to the Forsyth County DUI Court. Make sure your name is written legibly on the money order. Your payment may be placed in the box at the Accountability Courts Office or delivered directly to Accountability Courts Staff in the Accountability Courts Office. Each month's payment is due before noon on the first Tuesday of each month. In the event you owe more than \$400.00 in DUI Court fees, you are considered to be behind and will be sanctioned. If you are unable to bring your fees current within a certain amount of time, you may be placed on a budget. If you are placed on a budget, your fees will continue to accrue, and your arrearage will grow. Failure to make a budget payment will result in a sanction. If you are unable to make a budget payment, you must request, in writing, before the payment due date, for consideration of the circumstances. Payments made after the cutoff will not eliminate fee sanctions.

If you choose or are required to attend residential treatment during your time in the DUI Court Program, you will be required to pay the monthly \$50 Program Fee during your time in residential treatment, but you will not be required to pay the monthly \$150 Treatment fee. The Judge may choose to waive these fees if you successfully complete treatment.

## **D. Employment**

You must account for no less than 28 hours of your time each week through employment, volunteer hours, and/or educational hours for the duration of your time in the program. If you are retired, you must complete and document 1 hour of prosocial or productive activities per day. Your Case Manager must approve these hours. Employment verification is required to show the total of all hours worked per month. Check stubs, invoices, etc., are due on the 1st Tuesday of each month, before noon, to show proof of employment of the previous month. You must submit all check stubs/timesheets received to show continued proof of work. If you are unemployed, you must submit copies of applications, as directed by the Accountability Courts Office, to show your effort in obtaining a job. If you lose or change your employment, you must notify the Accountability Courts Office within 72 hours of the employment change.

If you are paid by 1099, we require a letter from your employer stating their intent to file the 1099 on your behalf, as well as documentation of continued work. If you are self-employed, you must provide a copy of your business license/business setup documentation initially and then copies of checks, invoices, receipts, purchase of supplies, documentation of hours worked, etc., monthly to show continued work. This business must have been set up, registered with the State of Georgia, and active at the time of your entry into DUI Court. If you are in school, you must provide proof of continued enrollment through credit hours, class descriptions, schedule, grades, etc. All questions regarding employment verification should be directed to the Accountability Courts Office. Failure to work at least 28 hours per week (112 hours a month) will result in sanctions.

You cannot work in a bar or restaurant where alcohol is served, nor can you work in any establishment where the primary sales are alcohol, such as a package store. Additionally, you may not work where narcotics, dangerous drugs, or other mood-altering substances are available unless otherwise approved by the staff in advance. You are not permitted to start your own business after you have entered the program, and you are not permitted to work for family members.

## **E. Medication**

There are many reasons you may feel the need to use a variety of substances. Pain is the most common. Use of analgesics (pain killers) or other narcotics can contribute to relapse as these substances may lower your inhibitions and your ability to control impulsive action. You must be very cautious when you become physically ill, even with respiratory illnesses (colds, flu, or pneumonia), as many drugs used to treat these conditions can also trigger relapse. There are many compounds that may cause you to crave a drink/drug. It is difficult to remember which drugs to avoid; therefore, **all medications/substances must be provided to the Accountability Courts Office for inspection and approval prior to obtaining, purchasing, or ingesting the substance. No prescriptions written by a physician who does not have a physical office or place of practice will be approved. Internet prescriptions will not be approved.**

You must have the “Notice to Medical Professionals/Physicians Form” signed off on by the medical professional (including, but not limited to, physicians, nurses, physician assistants, and dentists) who treats you and prescribes or administers any medication. If no medications are

prescribed or administered, the form is not required to be submitted to the Accountability Courts Office. If medication is prescribed or administered, you are required to submit the form within 72 hours of the medical appointment. The forms are located on the DUI Court website and in the lobby of the Accountability Courts Office.

After receiving approval, you must bring your medication to the Accountability Courts Office for completion of the medication form which requires your signature. If a regular maintenance medication is changed (dosage, type, etc.) or if you obtain a new medication, this protocol must be followed. Refills on regular, maintenance medications are not required. All medication approvals must be during regular business hours, unless you must visit the emergency room/quick care doctor (for an event that has occurred after 5 p.m. or on the weekend). Under those specific circumstances, you may contact the emergency cell phone to obtain prescription approval.

The only medications you may take without permission are ibuprofen (Advil/Motrin), acetaminophen (Tylenol), Aspirin (Excedrin/Bayer), and Naproxen (Aleve). **ALL OTHER MEDICATIONS REQUIRE APPROVAL FROM THE ACCOUNTABILITY COURTS OFFICE PRIOR TO FILLING AT A PHARMACY OR INGESTION.** If you choose to continue use of any medications without authorization from the Accountability Courts Office, positive drug screens will be considered sanctionable and could result in termination. Be sure to follow the medication approval protocol outlined above. All medicinal needles possessed by you or anyone in your household are required to be documented with the Accountability Courts Office. If they are not documented, it will be sanctioned as contraband.

#### **Dental & Surgical Procedures**

If you are required to have dental or surgical procedures while in the program, you must contact the Accountability Courts Office as soon as possible, prior to the surgery or procedure. You must provide information about the type of procedure and when it is tentatively scheduled. Documentation from the doctor or dentist of the necessity of the surgery or procedure is required. All necessary medication must be pre-approved by the Accountability Courts Office; therefore, a list of medications the doctor anticipates prescribing before, during, and after the procedure is required. The Notice to Medical Professionals/Physicians Form must be completed and submitted. Medical leave does not count as a leave; however, your time in the program will be on hold until you return to all program requirements. You may be required to check in with the Accountability Courts Office and/or come in for daily pill counts, if necessary, as directed by the Accountability Courts Office.

**LET YOUR PHYSICIANS, DENTISTS, PHARMICISTS, AND ALL OTHER PERSONS INVOLVED IN YOUR MEDICAL TREATMENT KNOW THAT YOU ARE IN RECOVERY. THIS IS EXTREMELY IMPORTANT IN THE MAINTENANCE OF YOUR RECOVERY!**

#### **F. Drug & Alcohol Testing**

All participants are given instructions about the drug screen phone line upon entry into the program. For the duration of your participation in the Forsyth County DUI Court Program, it is

your responsibility to check daily to see whether you are required to drug test that day. All participants will be screened a minimum of twice weekly throughout the program. Drug testing is performed on a random basis as determined by Abbott's electronic data system; therefore, a breath or urine specimen may be required at any time, regardless of whether screens were called. This includes, but is not limited to, any DUI Court sanctioned event such as court, group counseling, office check-in, home search, etc. You can call the screen line as early as 4:00 a.m. **In the event that, for any reason, you cannot access this information by phone or website, it is your responsibility to report to the screening facility during regular testing hours: 6:00 a.m. – 9:00 a.m., 7 days per week.** If you arrive at 9:01 a.m. or later, you will not be allowed to provide a sample, and it is considered a missed screen for sanctioning purposes. Failure to provide a urine sample within the testing hours will be considered a missed screen. Tampering with, attempting to tamper with, or adulterating a screen is grounds for termination from the Forsyth County DUI Court Program. Be aware of your daily fluid intake. If you drink excessive amounts of fluids over a short period of time, it could cause the screen to be diluted. You will be sanctioned for a diluted screen regardless of intention.

You will not be sanctioned until the lab has confirmed a positive screen by GCMS/LCMS. You may be charged a confirmation fee if the screen is positive. If you are ordered to undergo increased alcohol and drug testing, you may be charged a service fee. Use of illegal drugs, including, but not limited to, 'designer drugs' and items labeled not fit for human consumption (spice, K2, bath salts, etc.), alcohol, kratom, and non-approved prescription drugs **will be sanctioned.**

## **IT IS YOUR RESPONSIBILITY TO PROVIDE A CLEAN, TESTABLE SAMPLE.**

### **Upon reporting for a drug screen:**

1. Sign in FIRST before you produce your specimen; indicate an admission/denial of alcohol/drug use since your last screen. If yes, add each substance and the date you last used each substance. If you are taking a medication approved by the DUI Court Office, you do not need to circle "yes" on the sign-in sheet. This will be your only opportunity to admit/deny use for sanctioning purposes. If you do not sign in for a screen, you will be sanctioned. **Honesty is a crucial component for recovery and participation in the Forsyth County DUI Court Program. Self-disclosure of use will be considered by the Court when sanctions are imposed.**
2. Only one participant is allowed in the testing area at a time. A staff member of the same gender must accompany participants during the drug screening process to observe the collection.
3. You must make sure you hand your specimen vial/bottle to the staff member and watch them put your label on the bottle/screen.
4. You will not be allowed to leave the testing area to smoke, etc., until a specimen is produced. It is suggested you do not drink excessive fluids two hours prior to screening.
5. You may not carry purses, coats, bags, etc. into the testing area.
6. Shirt sleeves should be rolled up to the elbow; pants should be below the knees; you may be asked to stop and start your urine stream; and you may be requested to remove additional clothing to ensure the validity of specimen collection.

7. You must wash your hands BEFORE providing the specimen.
8. The test cup must contain a minimum of 1/3 level to be adequate for testing.
9. Follow the directions given to you by the screener as this list is not all inclusive.
10. Do not text or inform other participants of screening requirements. Sanctions may be imposed.

## **G. Fourth Amendment Waiver Searches**

All participants are subject to a search of their residence, person, place, electronic devices, and belongings at any time of the day or night for any reason, having given such permission in the DUI Court Participation Agreement and the Fourth Amendment Waiver. You must provide any necessary passwords when items requiring passwords are to be searched. Failure to provide passwords will be treated as failure to allow a search and will result in a sanction. Therefore, it is imperative the Accountability Courts Office have your current address and contact information.

While in the DUI Court Program, you cannot possess alcohol, illegal drugs, unapproved medications, firearms, or any part of a firearm, ammunition, weapons, or pepper spray or be in a vehicle or residence where such is located. You cannot possess or use energy drinks, vapes, e-cigarettes, vaping products, or vaping related objects while in the program, or be in a residence or vehicle where such is located. Violations of the prohibitions will result in sanctions from the Court and possible jail time or termination.

All people living in your residence need to be made aware of the possibility of your Fourth Amendment Searches. You and all people living in your home are required to let the deputies perform searches upon their arrival. Sanctions will be imposed if deputies are denied entry. Upon conducting a search, you may be asked to provide a urine and/or breath sample for alcohol and drug testing. The same rules apply to these tests as those performed at the screening facility. If you choose to admit use, make sure to tell the deputy BEFORE the screen is conducted. Admitting use after the specimen is collected will be treated as a denial. DO NOT discuss or text other participants when the deputies are performing searches as such behavior will be sanctioned.

## **H. Phasing Up**

Participants are required to complete a phase-up evaluation with the treatment provider for their individualized treatment plan, then meet with the DUI Court Office at the end of each phase. The DUI Court Office will schedule these meetings with the participant. Participants will not be allowed to phase up to the next phase with any pending jail and community service sanctions, unless technical violations. All phase up requests are reviewed and granted at the discretion of the DUI Court Team. Participants are required to turn in their phase-up request with all signatures by Tuesday at 12:00 p.m. before the Court date that the participant anticipates moving to the next phase. If the team approves, the participant will be allowed to move up on the next DUI Court Wednesday. The participant may be credited time before the actual date of phase-up, if applicable. All documents must be submitted to the DUI Court Office prior to the actual phase-up date to receive credit. On the next available DUI Court session, the phase-up

participant will receive a certificate and recognition of accomplishment from the presiding Judge. All treatment/program fees must be paid in full by the end of Phase 4 (prior to moving into Phase 5), unless otherwise approved by the Accountability Courts Office.

## **I. Accountability Courts Limited Permit (ACLP)**

The DUI Court Judge may grant limited driving permits to participants of the DUI Court Program. The ACLP can be provided to participants whose license is suspended for any reason. Any such permit will expire or be cancelled when the participant is no longer in DUI Court. Participants who have a suspended license may apply for an ACLP after they have reached 28 days after their initial court session, 28 days of documented sobriety, and 28 days from release after a jail sanction. Participants whose driver's license has been revoked for any reason is not eligible, under the law, for a limited driving permit of any kind. If a participant has a license cancellation or licensing issues in any other state, those must be resolved before a permit can be issued. The ACLP will last for 12 months and will only be renewed at the discretion of the Judge. It is the participant's responsibility to work toward the full reinstatement of their license while in the DUI Court Program. The Judge can revoke the ACLP at any time if the participant's behavior concerns the Judge.

## **V. Treatment**

### **A. Group**

Participation is crucial to recovery. Be aware that you influence other members and can have either a positive or negative impact on their recovery process. Due to the importance of each person's recovery, being consistently disrespectful and distracting from the group leading to dismissal will result in sanctions. Each group facilitator has the authority to remove you from group.

### **B. Services**

Upon entry into DUI Court, a treatment plan will be developed to address your needs utilizing information from your clinical assessment. This plan will be reviewed with you as necessary and at each phase move meeting. The goals/recommendations of the plan will be adjusted as goals are achieved and/or your needs change. Treatment and DUI Court staff will ensure you are provided access to services identified in your treatment plan. Such services could include individual counseling, marital/family counseling, mental health/co-occurring treatment, cognitive skills, anger management, in-patient/residential treatment, etc. Access or referral to ancillary services is also available. Ancillary services include but are not limited to employment counseling/assistance, medical/dental care, educational improvement, financial planning/budgeting, housing, etc. You may request such services at any time through your treatment counselor or Accountability Courts staff.

### **C. Verification of Treatment Enrollment/Completion Certificates**

These certificates can be requested from your Case Manager. You will need to submit the following to the Accountability Courts Office prior to requesting a certificate: DUI School completion certificate; and a copy of the Clinical Evaluation completed with a state approved provider of your choice. If you wish to complete the clinical evaluation with the Accountability Courts Office, you must provide the following: a copy of the NEEDs assessment from your DUI School (this is the initial assessment completed prior to actually taking the DUI School classes) and pay \$150 for the clinical evaluation (the minimum required by the State of Georgia) by money order or cashier's check only. Make it out to Accountability Courts and write on the money order/cashier's check that it is for the "Clinical Evaluation Fee."

### **D. Phase Requirements**

The Forsyth County DUI Court Program is a minimum of 18 months in duration and consists of five phases.

#### **Phase 1**

- Required to complete Intake with DUI Court Office after sentencing where copies of all paperwork and handbook will be given.
- Minimum of fifty-six (56) days in duration.
- Attend DUI Court sessions twice per month on designated Wednesdays (Court dates for the year will be given at Intake).
- Attend check-ins with the DUI Court Office as directed.
- Treatment groups will occur at least 2 times a week.
- Random, monitored drug/alcohol screens, not less than two times each week, as determined by checking the screen line each day.
- A curfew of 11:00 p.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- 28 days without jail time sanctions (28-day window begins the day after the violation) and 28 days of documented sobriety are required to move to phase 2.

#### **Phase 2**

- Minimum of one hundred fifty-four (154) days.
- Continue to attend DUI Court sessions on two designated Wednesdays per month.
- Treatment group attendance will continue at least two (2) times a week.
- Random, monitored drug/alcohol screens, not less than two times each week, as determined by checking the screen line each day.
- Attend 1 approved recovery meeting per week and submit appropriate written documentation to the DUI Court Office by 12pm each Tuesday.
- Obtain a sponsor, mentor, or peer recovery coach
- Participants who do not have high school diploma or GED will need to meet with counselor for GED assessment and plan or other plan for advancement in career, school, or training.

- A curfew from 11:00 p.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- Must complete DUI School/Risk Reduction and provide certificate to Case Manager.
- 28 days without jail time sanctions (28-day window begins the day after the violation) and 28 days of documented sobriety are required in order to move to phase 3.

### **Phase 3**

- Minimum of one hundred fifty-four (154) days.
- Attend Court sessions on 1 designated Wednesday per month (annual dates are provided).
- Attend treatment groups attendance will be at least once per week.
- Random, monitored drug/alcohol screens, not less than two times each week, as determined by checking the screen line each day.
- Attend 2 approved recovery meetings per week and submit appropriate written documentation to the DUI Court Office by Tuesday at 12pm. (Voluntary individual counseling sessions are treated as a recovery meeting. Will count for only one meeting requirement maximum per week.)
- Meet with your sponsor, mentor, or peer recovery coach at least once per month and provide documentation to your treatment provider at phase up
- If applicable, take GED classes or other educational classes for advancement, as directed by Accountability Courts Office staff.
- A curfew from 12:00 a.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- Attend the Victim Impact Panel (VIP) and submit proof of completion to the DUI Court Office.
- Must have 60 days without jail time sanctions (60-day window begins the day after the violation) and 60 days of documented sobriety to move to Phase 4.
- All program fees and probation fees are required to be paid in full prior to moving to phase 4.

Note: If you are scheduled to move to phase 4 on a Court date that is not your regularly scheduled Court date, you will not be required to report to Court. Your phase up request will be reviewed by the DUI Court Team. You need to contact the DUI Court Office on Thursday after Court to determine if the phase up was granted. Your phase up will be recognized at the next Court date by the Judge and the team.

### **Phase 4**

- Minimum of ninety (90) days.
- Treatment group attendance will be at least 2 group sessions per month.
- Random, monitored drug/alcohol screens, not less than two times each week, as determined by checking the screen line each day.
- Attend 3 approved recovery meetings per week and submit appropriate written documentation to the DUI Court Office of meetings by Tuesday at 12pm. (Voluntary individual counseling sessions are treated as a recovery meeting. Will count for only one meeting requirement maximum per week.)

- You need to meet with your sponsor, mentor, or peer recovery coach at least once per month and provide documentation to your treatment provider at phase up
- If applicable, take GED classes or other educational classes for advancement, as directed by Accountability Courts Office staff.
- A curfew from 12:00 a.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- Attend Court sessions on one designated Wednesday of each month (annual dates will be provided).
- Attend probation meetings monthly as scheduled by the Probation Officer.
- All probation and DUI Court fees must be paid in full.
- Must have 60 days without jail time sanctions (60-day window begins the day after the violation) and 60 days of documented sobriety to move to phase 5.

Note: If you are scheduled to move to Phase 5 on a Court date that is not your regularly scheduled Court date, you will not be required to report to Court. Your phase up request will be reviewed by the DUI Court Team. You need to contact the DUI Court Office on Thursday after Court to determine if the phase up was granted. Your phase up will be recognized at the next Court date by the Judge and the team.

### **Phase 5**

- Minimum of ninety (90) days.
- Treatment groups will occur at least 1 time per month.
- Random, monitored drug/alcohol screens, not less than two times each week, as determined by checking the screen line each day.
- Attend 3 approved recovery meetings per week and submit appropriate written documentation to the DUI Court Office of meetings by Tuesday at 12pm. (Voluntary individual counseling sessions are treated as a recovery meeting. Will count for only one meeting requirement maximum per week.)
- Meet with your sponsor, mentor, or peer recovery coach at least once per month and provide documentation to your treatment provider at phase up
- If applicable, take GED classes or other educational classes for advancement, as directed by Accountability Courts Office staff.
- A curfew from 12:00 a.m. to 5:00 a.m. will be imposed unless otherwise directed by the DUI Court Office.
- Attend Court sessions on one designated Wednesday of each month (annual dates will be provided).
- Attend probation meetings monthly as scheduled by the Probation Officer.
- Must have 90 days of documented sobriety and 90 days without a jail sanction of more than 24 hours.
- Attend a Phase 1 group counseling session and tell your story.
- All graduation/maximum benefit requirements must be submitted together in 1 packet to the DUI Court Office 15 days prior to the graduation date.
- Graduations are held quarterly. If your phase-out date is after a graduation date, but within 7 days, you will be allowed to graduate. If your completion date is outside the 7-day window, you will be listed under Complete Status. As such, you are still required to

call the screen line daily and screen as required, however, that is your only DUI Court Program requirement. Your program fees are reduced to \$75.00 per month.

**Note for all Phases:**

- If you are contacted by the DUI Court Office to report to court, you must appear.
- Each phase-up request will be reviewed by the DUI Court Team before allowing the phase-up. Phase ups are considered based on progress in the program, positive attitude, sobriety, and commitment to work a program of sobriety.
- Fourth Amendment Waiver home searches may occur during each phase.
- The number of meetings, etc., listed above are minimum requirements. It may be necessary for participants to submit to additional groups, court sessions, probation appointments, and/or screens based on their needs, level of commitment, progress, etc.
- Participants may be referred (as identified by the Court, treatment team, or the individual participant) to individual counseling, anger management, cognitive skills classes, gender group, healthy relationships group, grief group, trauma group mental health assessments/treatment, etc., as appropriate for the individual.

**E. Graduation/Maximum Benefits Requirements**

Upon completion of Phase 5, you will be eligible for graduation or a maximum benefit certificate (if your probation term is set to expire before you can graduate). Graduation requirements must be met and turned in at least 15 days prior to your anticipated graduation date or expiration of your probation. Do not wait until the last minute to complete the requirements. The Graduation packet is located on the website or at the Accountability Courts Office.

1. Complete Giving Back Project

- Project Requests to be submitted to and approved by the DUI Court Case Managers.
- Minimum of 24 volunteer hours. We want you to develop a unique project to give back, not just community service work.
- Documentation must be verified by DUI Court Case Managers.
- Submit a written summary of how/why project was chosen, feelings while completing project, personal reactions after project completion.

2. Write your Life Story in letter form to the Judge regarding your progress in the DUI Court Program. The life story must be submitted to and approved by the DUI Court Case Managers and MUST include the following:

- Background: Life before DUI Court
- Arrest situation
- Reflections on DUI Court successes
- Reflections on DUI Court struggles
- Plans/Goals for the future: personal and recovery

3. During Phase 5, you will be required to attend a phase 1 counseling session and tell your story.

4. Complete and submit the Graduation Request to DUI Court Office.

5. You must have a minimum of 90 days of documented sobriety and 90 days with no jail sanctions of more than 24 hours to be considered for Graduation.
6. All DUI Court fees, Probation fees, and Court fines must be paid in full unless otherwise approved by the DUI Court Team.
7. Complete an exit interview with the DUI Court Judge (approximately 1-2 weeks before your graduation date) as scheduled with you by your DUI Court Case Manager.
8. Graduations will be conducted quarterly on the second Court date of the month.

Please note, you will be allowed to graduate if your completion date falls within 7 days of the scheduled graduation, you have completed at least 18 months in the DUI Court Program, and you have 90 days of documented sobriety and no jail sanctions of more than 24 hours. If you complete all program requirements prior to the next scheduled graduation date, you will go to Complete Status. During that time, you are only required to call the screen line, screen, and pay \$75.00 per month. ***\*\*\*Please note that if your probation sentence is set to expire prior to a graduation date, you are still required to complete all of the above requirements. All will be due 15 days prior to your sentence expiration.***