



***Pierce County District Court
Veterans Treatment Court
Participant Manual***

**Pierce County District Court
Veterans Treatment Court
Participant Handbook**

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Welcome and Introduction

Welcome to the Pierce County District Court's Veteran Treatment Court. This handbook is designed to be an overview of what to expect as a participant in Veterans Treatment Court (VTC). It provides a basic outline of the program and is a resource for the many questions you may have as you move through the program.

As a participant of the VTC you will be expected to follow the instructions given to you by the Judge and the VTC Team. You will also be expected to follow all supervision and program rules and complete the treatment plan developed by you and your treatment agency. To be successful, you must:

1. Show up
2. Try Hard
3. Be Honest

We encourage you to share this handbook with your family, significant other, and clean and sober friends, who are an important part of your recovery. Your friends and family are also welcome to attend your scheduled court sessions with you.

If you have additional questions, please ask your attorney, probation officer, Veterans Justice Outreach Specialist (VJO) or the VTC Coordinator for more details.

History and Purpose

The Pierce County District Court Veterans Treatment Court program began in August 2018 and was developed to help you achieve total abstinence from alcohol and/or drugs, be diverted from jail, mental health stabilization and provide you the tools needed to lead a productive law-abiding lifestyle.

As Americans, we must keep in mind the enduring debt we owe our country's military veterans. According to the Substance Abuse and Mental Health Services Administration (SAMHSA), in 2009, mental health and substance use disorders caused more hospitalizations among service members than any other cause. Approximately half of returning service members who need treatment for mental health conditions seek it but only half of those treated are receiving adequate care. Many returning service members returning face a magnitude of issues not limited to homelessness, trauma, mental health, suicidality, and substance abuse issues. Many of these service members are not receiving services until they have reached the criminal justice system.

The VTC is designed to provide veterans suffering from substance abuse issues, alcoholism, mental health issues, and emotional disabilities with treatment, academic and vocational training, job skills, and placement services. The VTC provides further necessary referrals to services to assist with the needs of each individual participant, such as housing, transportations, medical, dental, and other supportive services.

What is Veterans Treatment Court?

The Pierce County District Court VTC is only for those individuals who have served honorably in the U.S. Military, National Guard, and Reserves. The VTC is a court-supervised program coupled with intensive treatment and supervision. It is designed specifically for persons with misdemeanor offenses relating to the offender's substance use disorder or behavioral health issues.

The Pierce County District Court VTC program is voluntary on your part. You must want to participate in this program. The judge, court staff, probation officers, attorneys, and treatment providers will guide and assist you, but the final responsibility is yours. You must be motivated to make these changes and commit to the program.

This program includes regular court appearances before the designated VTC judge. The VTC is broken into five phases. You must complete all five phases successfully to graduate. The program requires at least 14 months of participation.

It is important that you understand the long-term commitment required by this program. You will become involved with community support group meetings, attend substance abuse treatment and /or mental health treatment (if recommended), be subject to strict community supervision, submit to random drug/alcohol testing, and make regular appearances in court.

Who Can Be a Part of Veterans Treatment Court?

If you are seeking admission into the Pierce County District Court VTC, you must meet the criteria established by the Pierce County VTC Team:

Eligibility Criteria:

1. You are either a current or former member of the Armed Forces, including the National Guard or Reserves.
 - i. If you are a former service member you must be eligible for benefits through the VA. Assistance with determining eligibility will be provided by the VJO.
 - ii. If you are a current service member you must be available* to participate for at least 14 months. (* Being active duty does not exclude you from participation in the VTC; however, your command staff will need to ensure that you will be "reasonably available" to participate in the program.) Current member; You must disclose any Permanent Change of Station or deployment orders.
2. You must be currently residing in the State of Washington and able to comply with the program requirements.
3. You cannot have any other criminal charges or holds that will interfere with treatment.

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4. You must agree to participate in and be subject to the rules, regulations and sanctions of VTC.
5. You must be amenable to treatment and motivated to participate in the program.
6. You must agree to sign a limited release of information to allow communication for purposes of VTC between the VA/medical professional/treatment providers and the Pierce County District Court Probation for the duration of the program.

Screening Process:

1. After arraignment, a VTC referral form needs to be submitted to the VTC coordinator. The VTC referral may be completed by you, defense counsel, or any other member of the public;
2. Once the VTC Referral Form is completed, the VTC coordinator will provide the referral to the Pierce County Prosecutor's Office for a criminal eligibility review, the defense attorney of record and to the VJO;
3. The Prosecutor will make a criminal eligibility determination within seven days of receipt of the Referral Form and notify the defense counsel;
4. The defense counsel will formally meet with the veteran regarding their legal eligibility. The defense counsel will inform the VTC coordinator of the veteran's decision to move forward within 45 days of arraignment;
5. The VTC coordinator will forward the referral to the VJO to perform an assessment;
6. The VJO will complete an assessment within 14 days;
7. After confirmation of completed assessment from the Veterans Justice Outreach specialist-the Veterans Treatment Court team will staff the referral for entry into the VTC.
 - a. If the referral is not approved, the Court Coordinator will notify your attorney and you can request reconsideration pursuant to the reconsideration policy (non-admittance to VTC does not disqualify you from VA services);
8. If your referral is approved, the Court Coordinator will schedule you to attend and observe a VTC session;
9. After the observation, defense counsel will meet with you regarding your decision to be admitted to VTC. After confirmation from defense counsel that you wish to be admitted the Court will schedule a court date for you to appear on VTC docket;
10. The Court Coordinator will make a referral to the Veteran Mentor Coordinator;
11. You and your attorney will appear at VTC for entry of the disposition and formal entry into the program; and
12. Upon entry into VTC all previously scheduled court dates in this case will be canceled and your case will be reassigned to VTC.

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Disqualifying Factors:

1. Only those cases which meet the eligibility requirements may be scheduled for VTC admission. If any of the following factors are present (pursuant to RCW 2.30.030) you will not be eligible to participate in VTC, except under special findings by the Court:
 - i. Prior convictions and/or pending charges alleging a sexual offense;
 - ii. Prior convictions and/or pending charges alleging intentional discharge, threat to discharge, or attempt to discharge a firearm in the furtherance of the offense;
 - iii. Prior convictions and/or pending charges alleging substantial or great bodily harm as defined in RCW 9A.04.110 or death;
 - iv. Prior convictions and/or pending charges alleging vehicular homicide; or
 - v. Prior convictions and/or pending charges alleging drug manufacturing or distribution.
2. Other factors that may affect eligibility:
 - i. Prior Felony conviction
 - ii. History of failures to appear, or non-compliance with pre-trial services or previous probation requirements;
 - iii. Severe behavioral health disorder that would impair the ability to participate or comply with VTC terms and conditions; or
 - iv. Prior juvenile adjudications.
 - v. Domestic violence case admissions will be at the discretion of the prosecution and the Court taking into consideration victim input, prior history, nature of the offense and amenability to treatment.

Reconsideration Policy:

1. Reconsideration requests must be made within thirty (30) days of initial denial.
2. You or your attorney feels that someone failed to consider a particularly important factor, you or your attorney may request your case be reconsidered for VTC by providing supporting documentation to justify reconsideration. This may include psychiatric/psychological reports that may not have been available for the initial consideration or a change in VA benefit eligibility.
3. Once your request for reconsideration is finalized, the Court Coordinator will forward the request to the VTC Team for reconsideration.

Court Appearances

If you choose to participate in the VTC program after you are approved for admission, you will be instructed to appear in court for an Entry of Plea. When you arrive at court for your Entry of Plea, your attorney will go over your rights and discuss the VTC program rules and requirements with you.

Veterans Treatment Court is held on Wednesday at 10:00 a.m. in Courtroom 603. In the beginning you will attend court every other week. As you progress in the program your Court attendance may be less frequent.

Supervision

Following your acceptance into the VTC program, you will report to your probation officer for an intake appointment. During this intake appointment, your probation officer will perform a needs assessment, and discuss the rules and conditions of your supervision.

Treatment

Substance abuse and mental health treatment are provided by the federally funded Veterans Health Administration or by a state-certified treatment agency of your choice (some agencies may require a fee which you will be responsible for). You may be referred to additional treatment and/or mental health services if needed. After your initial assessment, you and your counselor will develop a treatment plan that addresses your specific needs.

The schedule will be determined by the treatment agency, but attendance and treatment compliance are required. You are responsible for attending all scheduled appointments. Missed treatment sessions must be excused by your treatment agency. Your attendance and level of participation at counseling sessions will be reported to the VTC Team as part of your progress reports. **You must contact your treatment agency if you are unable to attend or will be late to a scheduled session. Unexcused misses could result in sanctions.**

Veterans Treatment Court Phases

The VTC is a five-phase, highly structured and supervised program. Your progress through the phases will depend upon your completion of treatment goals and compliance with probation and program rules. Each phase consists of specified treatment objectives, therapeutic and rehabilitative activities and specific requirements for “promotion” into the next phase. You must have six months (6) of clean time to be eligible to graduate.¹

¹ Specific requirements of each phase are included in the appendix.

Progress Reports

As a VTC participant, you will be required to appear in court on a regular basis. At each appearance, the Judge will be given a progress report prepared by your probation officer regarding your appointments attended, drug/alcohol use history, assessment/evaluation results, treatment history/status, drug test results, and personal activities (living arrangement, employment status, education status, and family status). The Judge may ask you questions about or discuss your progress. Excellent reports mean that you may progress through the program more quickly. Failure to comply with any of the requirements may delay your promotion or graduation.

The goal of the VTC is to help you achieve recovery, which is the process of change through which participants address their individual treatment needs, whether substance use, mental health or trauma, in order to avoid contact with the criminal justice system to improve their health, wellness and live self-directed lives.

Failure to Appear

Failure to appear in court on the date and time you are scheduled may result in a warrant being issued for your arrest. If you cannot appear in court on your scheduled review date, you must notify your attorney and probation officer prior to the miss. If you have an emergency, you must notify your attorney and probation as soon as possible to avoid a sanction. You can also call the Court Coordinator, Kendall Friend at (253) 798-3456 if you are unable to reach your attorney or probation officer.

Termination from the Program

Warrants, new arrests, or non-compliance with program requirements could result in your termination from VTC. Non-compliance violations which could result in termination include new felony arrests, consistently missing drug tests, missing treatment and/or supervision appointments, repeatedly breaking the program rules, lack of phasing up, and/or violence or threats of violence directed at other participants, treatment staff, or other VTC Team members.

Withdrawal from the Program

If you decide that the VTC is not the right program for you, you can withdraw your application any time prior to entry of the plea and up to your first review hearing after entry of the plea.

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If you choose to opt-out of the program your plea will be withdrawn, and your case will be transferred back to the traditional court docket.

Incentives

VTC provides incentives to encourage your progress. Incentives may be received for excellent participation, new job, educational program attendance, driver license reinstatement, etc. Incentives can include reduced court appearances, or tangible incentives such as certificates, candy bars, or gift cards.

Sanctions

If you fail to comply with the VTC program rules, you may be sanctioned. Sanctions are progressive and become stiffer for repeat violations. In higher phases, the expectation is you will not have any sanctions, therefore, the sanctions imposed may be stiffer than for lower phases. Sanctions are individualized to your situation and should not be compared against sanctions given to someone else. Below are some common sanctions:

- Admonishment by the Veterans Treatment Court Judge;
- Community service at pre-approved sites;
- Increased contact with Probation Officer;
- Increased drug testing;
- Increased court attendance, includes observing felony drug/veterans court;
- Increased supervision, including GPS, alcohol monitoring or curfew;
- Jail sanction; or
- Other sanctions, as determined by the Judge and VTC Team.

Program Rules

Do not violate the law.

Do not have any law violations. No new arrests. No driving without a valid license.

Attend all Veterans Treatment Court required appointments.

You must attend individual and group counseling, educational sessions, and case management appointments at treatment WHEN treatment schedules you. Appointments with supervision will include intake, office visits, home visits, and phone calls. Court attendance is mandatory. If you are unable to attend a scheduled session, you must contact the appropriate person as soon as possible. Documentation is required for you to be excused and rescheduled. Documentation regarding the miss will be requested by treatment, supervision and the court. Unexcused absence(s) may result in a sanction.

Rescheduling

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If you miss any scheduled appointment, you are responsible for rescheduling it! You may not be contacted to reschedule. Failure to do so may result in a sanction.

Do not act violently or make threats towards other participants, staff or court personnel.

Violent or inappropriate behavior will not be tolerated and will be reported immediately to the Court. Threats or intimidation toward anyone will not be tolerated. Either of these violations may result in your termination from the Veterans Treatment Court Program.

You cannot consume or possess drugs or alcohol

Consumption and possession of alcohol, marijuana or non-prescribed drugs could immediately result in your termination from the program. Marijuana authorizations or prescriptions are not accepted in the VTC program.

You cannot possess any dangerous weapons

Possession of dangerous weapons pursuant to RCW () are prohibited unless otherwise permitted by the Court.

Expect to take random and “on demand” drug tests.

Do not tamper with urine samples or use anyone else’s urine. Any abnormal drug test will be considered a positive and you may be sanctioned. Multiple positive, missed, or abnormal tests could result in your termination from the program. Tampering, substituting urine, water loading, or attempting to chemically alter your drug test is grounds for termination.

Be Respectful of Yourself and Others!

Follow the directions of team members, court personnel and deputies regarding behavior, cell phones and talking while in court. Remember the VTC Team wants you to be successful and is here to help.

Confidentiality

All client records are protected by federal and state laws regarding confidentiality. The VTC cannot release written or verbal information without your written, signed consent. However, you cannot participate in VTC without a “Release of Information” which allows the VTC Team to discuss your case and progress. Persons outside the VTC Team will not be provided information about you or your progress. There may be additional emergency or legal circumstances that may require release of information, such as:

- The disclosure is allowed by a court order or for an audit;
- The disclosure is made to medical personnel due to a medical emergency;
- The client commits or threatens to commit a crime;
- The client is suspected of child abuse or elder abuse; or
- The client is threatening suicide or homicide.

Anything you say concerning your prior or current drug use while in the VTC program cannot be used against you in prosecution of this case. However, your statements and

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information about your treatment will be shared with the Judge, your treatment agency, probation officer, court coordinator, the prosecutor, court staff, your attorney, and anyone else on the VTC Team. This information may be used to evaluate your current compliance with the program and to determine appropriate treatment and other services.

Participant Rights

Participation in the VTC program is voluntary. You will be informed of changes in the program, rules, and policies as early as possible. Your participation and feedback in the program is encouraged. Equal treatment and services will be delivered without regard to race, color, sex, sexual orientation, religion, national origin, ancestry, or physical disability.

Fines/Fees/Program Fees

You are responsible for paying any fines/fees assessed by the court as well as program fees assessed by the treatment provider(s).

The VTC program wants you to focus on your recovery instead of worrying about paying Court fines and fees. You will not be expected to make any payments towards your court ordered fines or fees for the first six months of the program. Once you are ready to begin making payments, the court fines/fees may be paid online, by phone, by mail, or in person. Payment arrangements may be set up by speaking with the judge at the time of sentencing or at any review hearing. If you are in a financial hardship and unable to make payments, you may be eligible to participate in Work Crew or Day Reporting and receive \$150 per day credit towards your court fines and fees (this also applies to any other case you may have with Pierce County District Court).

Drug and Alcohol Testing

You will be tested during all five (5) phases of the VTC program. As you progress through the program, testing could be required on a random, less frequent basis. The VTC Team will have access to all drug test results including any failures to appear or produce. Any failure to appear, failure to produce a sample, or any result that indicates a sample was diluted or not consistent with a human specimen will be subject to the same sanctions as if the result were positive. One goal of the VTC program is to help you achieve total abstinence from illicit or illegal drugs, however, a positive test will not automatically disqualify you from the program. The VTC Team will be reviewing this positive test in the context of your overall performance in the program.

Medications

When going to the doctor or dentist, please make sure to bring the *Medical/Dental Medications Form (see Appendix)* for your physician or dentist to sign. If an urgent care or emergency room visit is necessary, it is important that you identify yourself as a Veterans

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Treatment Court participant (if you are able) and request non-narcotic and non-alcoholic medications.

The only exceptions to this rule are the approved over-the-counter medications, as indicated on the *Approved OTC Medication List (see Appendix)*.

Please carefully review the *EtG (alcohol testing) Contract (see Appendix)*, which clearly discusses the use of alcohol-containing products and their possible effects on testing.

It is your responsibility to know what is contained in the products you consume and/or use. A positive test will be considered for sanction regardless of whether the alcohol was ingested or applied.

Support Group Meetings

Attendance will be required at support group meetings at the Vet Center, VA, Recovery Café, Celebration Recovery, or other location of your choice as approved by the VTC team. The number of times you must attend per week changes by your VTC team or treatment provider.

The purpose of attendance at support group meetings is for you to develop a support network and create social bonds with others in recovery. Your probation officer, treatment provider or court coordinator can assist you with locating meetings close to your work or residence. Your treatment provider may also provide several support groups at their facility each week.

Graduation

Successful completion and “graduation” from the Veterans Treatment Court program may result in a dismissal of a charge, reduction in the type of offense, suspension of jail time, and/or recovery from substance abuse or mental health issues. Failure or dismissal from the program may result in you being sentenced which may include jail.

When you have successfully completed all the phases and requirements, you will be eligible for graduation. Eligibility for graduation is determined by the VTC Team.

Graduation Requirements:

- No missed, abnormal or positive drug/alcohol tests for at least 90 consecutive days before graduation
- No new arrests for at least 90 consecutive days before graduation
- No major sanctions for 90 consecutive days; no minor sanctions for 30 consecutive days before graduation

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- You must be employed or attending school full-time (or received an exemption)
- You must have a high school diploma or receive a GED (or received an exemption)
- Fines and fees have been paid in full or credited for alternative payment
- Fulfill treatment plan goals based on input from your treatment provider
- Complete a project discussing lessons learned, court experience and plans to which will be given during a scheduled VTC hearing

Education, Vocational and Employment Programs

Recovery means developing self-sufficiency and becoming a productive and responsible member of our community. After Phase 3 of the VTC program, you will be expected to be gainfully employed or involved in an educational or vocational training program (if applicable). The VA or WorkSourceWA offers services to help veterans transition from service to civilian jobs and enhance your education, skills, and careers.

Your probation officer will assist you in obtaining an assessment of your vocational and/or educational goals and skills and will refer you to the proper agencies for education, training, and job placement.

Social Services, Medical, and Dental

Upon your entry into VTC, your VJO will assist in assessing your medical, dental, housing, transportation, family, and general living needs and refer you to appropriate agencies for assistance with your identified needs.

The Pierce County District Court Resource Center (CRC) is available to you at any time, even if you are not in the VTC program. The CRC provides on-site “wrap around” social services, such as: employment training, homeless prevention, housing support, and chemical dependency services, to justice involved individuals within Pierce County. The CRC was developed to be a place where those in need can access social services and community support.

Veterans Treatment Court Team Contacts

Honorable Claire Sussman	Judge of the VTC		
Honorable Judy Jasprica	Judge of the VTC		
Kendall Friend	Court Coordinator	kendall.friend@piercecountywa.gov	253.798.3456
Effran Davis	Probation Officer	effran.davis@piercecountywa.gov	253.798.7595
Steve Avila	Public Defender	steven.avila@piercecountywa.gov	253.798.7051
Corddaryl Woodford	Public Defender	corddaryl.woodford@piercecountywa.gov	253.798.3987
Joe Scovel	Prosecutor	joseph.scovel@piercecountywa.gov	253.798.6612
Michael Malone	Program Evaluator	michael.malone@piercecountywa.gov	253.798.6601

Conclusion

We hope this handbook will be helpful for you and answers most of your questions. If you have any additional questions or concerns about the Veterans Treatment Court program, please feel free to contact your attorney or any member of the VTC team.

Good luck to you and thank you for your service to our country!

Receipt of Participant Handbook

Date: _____

Name: _____

I, _____, acknowledge the receipt of the Participant Handbook for Pierce County District Court Veterans Treatment Court. By my signature below, I attest that I have been provided with a copy of the Participant Handbook, which contains the program rules.

Signature: _____

Print Name: _____

Signature Date: _____

Participant Copy

Receipt of Participant Handbook

Date: _____

Name: _____

I, _____, acknowledge the receipt of the Participant Handbook for Pierce County District Court Veterans Treatment Court. By my signature below, I attest that I have been provided with a copy of the Participant Handbook, which contains the program rules.

Signature: _____

Print Name: _____

Signature Date: _____

VTC Team Copy

Appendix

Definitions

Abstinence: To be totally free of drugs and alcohol; abstaining from substance use.

Community Integration/Re-integration: Involvement in your community as a productive and responsible member of society. To become integrated into your community, the VTC program promotes self-sufficiency and helps you reach your educational and employment goals.

Coordinator: The staff member responsible for managing, directing, coordinating, and planning the operation of the VTC, and assists the judge in making certain decisions, except those judicial decisions required by law to be made by a judge.

Participant: A person who has agreed to the conditions of the Pierce County District Court Veterans Treatment Court and has been accepted into the program.

Participant Handbook: A manual that contains basic rules, exceptions, and guidelines for participants of the Pierce County District Court Veterans Treatment Court.

Phases: The Veterans Treatment Court program is based on a phase system, each of which is designed to correspond with specific therapeutic objectives. Each phase has specific treatment and supervision requirements that must be met to attain promotion to the next phase in the program. Phase promotion is based on your individual progress and engagement in all aspects of the Veterans Treatment Court program.

Recovery: A regaining of something lost (a return to health); a process of attempting to change dysfunctional behavior, as by abstaining from an addictive substance or behavior. Recovery involves changes to biological (physical), psychological/emotional, social, and spiritual dimensions of your life.

Supervision: Probation department and probation officers.

Treatment Agency/Treatment Provider: The agency where you will be engaged in substance abuse treatment and education throughout the VTC program.

Treatment Plan: The written plan developed by you and your treatment provider that includes your specific and individualized goals and objectives for treatment. The plan may be revised and updated to include changes or progress you make in each phase of the program.

CONSENT TO RELEASE CONFIDENTIAL INFORMATION

I, _____, (Name of client or Person giving consent & relationship to Client) hereby authorize _____, (Individual and Agency should be noted) to release/exchange information specified below to Pierce County District Court Probation.

TYPE OF INFORMATION TO BE RELEASED

Client must initial all applicable items:

<u>Date</u>	<u>Initials</u>	
_____	_____	Mental Health diagnosis, treatment recommendations and prognosis.
_____	_____	Batterers/Substance abuse evaluation, diagnosis, treatment recommendation and prognosis.
_____	_____	Legal/social treatment history records.
_____	_____	General progress report information.
_____	_____	Medical & medication information related to past & present records; diagnosis and prognosis for client.
_____	_____	Drug and alcohol testing services and treatment records

The above information is released for the following purpose(s):

_____	_____	Assist parole or probation officer, defense attorney and/or courts in both oral and written reports concerning treatment status, plans and/or progress.
_____	_____	Assist other agencies in determination of appropriateness of possible treatment placement.
_____	_____	To monitor compliance with the conditions of the court ordered probation, deferred prosecution, or conditional release.

I understand that my medical records, including alcohol and/or drug treatment records, may be protected under Federal and State Law (42 CFR Part 2 and RCW 70.24) and the Health Insurance Portability and Accountability Act of 1996 (HIPPA"), 45 CFR parts 160 and 164, and cannot be disclosed without my written consent unless otherwise provided for in the regulations. Once disclosed, the recipient may not be required to maintain the confidentiality of the health care information. However, I understand that certain health care information may be protected. I understand that my medical care (treatment, payment, or enrollment) is not conditioned on my signing this authorization, but that my court ordered probation may be revoked.

I UNDERSTAND THAT I MAY REVOKE THIS CONSENT IN WRITING AT ANY TIME EXCEPT TO THE EXTENT THAT MY CONSENT HAS BEEN RELIED UPON. I ALSO UNDERSTAND THAT REVOCATION OF THIS CONSENT MAY PUT ME IN BREACH (VIOLATION) OF MY CONDITIONS OF PROBATION. I UNDERSTAND THAT IF I REVOKE THIS CONSENT IN WRITING AT ANY TIME PRIOR TO THE FINAL DISPOSITION OF MY DEFERRED PROSECUTION, PROBATION, OR CONDITIONAL RELEASE, MY CASE MAY BE RETURNED TO THE COURT FOR FURTHER PROCEEDINGS.

THIS CONSENT WILL EXPIRE ON _____

Client's signature

Date

Probation Officer/Witness signature

Date

Probation Officer/Witness Name

RESTRICTION ON REDISCLOSURE AND USE: UNDER FEDERAL LAW (42CFR §2.35 and 45CFR Parts 160 and 164), A PERSON WHO RECEIVES PATIENT INFORMATION PURSUANT TO THIS CONSENT MAY REDISCLOSE IT ONLY TO CARRY OUT THAT PERSON'S OFFICIAL DUTIES WITH REGARD TO THE DEFERRED PROSECUTION, PROBATION, OTHER CONDITIONAL RELEASE, OR OTHER ACTION OR PROCEEDING IN CONNECTION WITH WHICH THE CONSENT WAS GIVEN.

EtG Contract

URINE ABSTINENCE TESTING AND INCIDENTAL ALCOHOL EXPOSURE CONTRACT

Recent advances in the science of alcohol detection in urine have greatly increased the ability to detect even trace amounts of alcohol consumption. In addition, these tests can detect alcohol ingestion for significantly longer periods of time after a drinking event. Because these tests are sensitive, in rare circumstances, exposure to non-beverage alcohol sources can result in detectable levels of alcohol (or its breakdown products). To preserve the integrity of the VTC drug testing program, it has become necessary for us to restrict and/or advise VTC participants regarding the use of certain alcohol-containing products.

It is **YOUR** responsibility to limit exposure to the products detailed below that contain ethyl alcohol. Additionally, it is **YOUR** responsibility to read product labels, to know what is contained in the products you use and consume. Inspect these products **BEFORE** you use them. Use of the products detailed below in violation of this contract will NOT be allowed as an excuse for a positive test result. **When in doubt, don't use, consume or apply to your skin, body, or hair.**

Cough Syrups and Liquid Medications: VTC participants are prohibited from using alcohol-containing cough/cold syrups. Many cough syrup brands and numerous other liquid medications rely upon ethyl alcohol as a solvent. VTC participants are required to read product labels carefully to determine if they contain alcohol. All prescription medications should be reviewed with your Probation Officer and Treatment Provider. Information on the composition of prescription medications should be available on request from your pharmacist. Non-alcohol cough and cold medications are readily available at most pharmacies and major retail stores.

Creams and Topical Products: Many topical creams and gels that you apply onto your skin for application contain alcohol. Do not use any topical medications and/or creams (such as body lotion, moisturizer, etc.) that contain any amount of alcohol. Additionally, you are not allowed to use any topical medications that contain alcohol as an ingredient (hormone, anesthetic, or analgesic cream or gel).

Non-Alcoholic Beer and Wine: Although legally considered non-alcoholic, non-alcoholic beers do contain a residual amount of alcohol that may result in a positive test result for alcohol, if consumed. VTC participants are **not** permitted to drink non-alcoholic beer or non-alcoholic wine.

Food and Other Edible Products: There are numerous other edible products that contain ethyl alcohol that could result in a positive test for alcohol. Flavoring extracts, such as vanilla or almond extract, and liquid herbal extracts could result in a positive drug test for alcohol. Foods cooked with wine should be avoided, such as cherries jubilee, baked Alaska, rum cake, burgundy chicken, and flambé dishes. These foods may still contain alcohol even after cooking and must be avoided. When eating food that you did not make, ask if the food was prepared using any ingredient containing alcohol.

Mouthwash and Breath Strips: Most mouthwashes and breath cleansing products contain alcohol. The use of mouthwashes containing alcohol can produce a positive test result. Participants are required to read product labels and determine whether a mouthwash product contains alcohol. Use of alcohol-containing mouthwashes and breath strips by VTC participants is not permitted. Non-

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alcohol mouthwashes are readily available and are okay to use. If you have questions about a product, bring the product to discuss with your probation officer.

Hand Sanitizers: Hand sanitizers and other antiseptic gels used to disinfect hands contain up to 70% alcohol. Excessive or repeated use of these products could result in a positive urine test. Hand washing with soap and water instead is recommended and is just as effective for killing germs.

Hygiene Products: Aftershave and colognes, hair sprays and other hair care products, many astringents, and certain body washes contain alcohol. While it is unlikely that limited use of these products would result in a positive test for alcohol, excessive or repeated use of these products could affect drug test results. Participants must use such products sparingly to avoid reaching detection levels. Just as the court requires VTC participants to regulate their fluid intake to avoid a dilute urine drug test, it is likewise important that each participant limit their use of hygiene products containing alcohol.

Solvents and Lacquers: Many solvents, lacquers and home repair products used in the construction industry and for home repairs contain alcohol. Excessive inhalation of vapors and chronic exposure to such products can potentially cause a positive drug test for alcohol. As with the products listed above, VTC participants must educate themselves as to the ingredients in the products they are using. There are many commercially available alternatives to nearly any item containing ethyl alcohol. Frequency of use and duration of exposure to such products should be kept to a minimum. A positive test result will not be excused because you use these products. If you must work with these products, you need to discuss this with your probation officer. Do not wait for a positive test result before discussing this.

Homeopathic or Herbal Products: Many of the herbal products contain unknown ingredients in undetermined amounts, so it is not recommended you take any of these products without first talking with your doctor. Carefully read the labels on any liquid herbal or homeopathic remedy and do not take without prior approval from your probation officer.

Bug Sprays and Insecticides: Do not use bug sprays or other chemical sprays containing alcohol.

Remember! When in doubt, don't use, consume, or apply.

ASK PERMISSION PRIOR TO USING OR EATING!

I HAVE READ AND UNDERSTAND MY RESPONSIBILITIES AS OUTLINED ABOVE:

PARTICIPANT SIGNATURE

DATE

Drug Testing Contract

I understand I will be tested for the presence of drugs in my system on a random basis or whenever requested according to procedures established by the Veterans Treatment Court (VTC).

I understand I may be assigned a color for testing and will be required to test during the specified lab hours for the day on which my current testing color is called. I understand I may be placed on a more frequently called color at any time.

I understand that I will be given a location and time to report for my drug test.

I understand that it is my responsibility to report to the assigned location on the date during the time given for the required drug test.

I understand I must present at each drug test with my official identification, and, if I do not have my identification I will not be allowed to test (which will count as a positive test).

I understand I must fill out the appropriate drug testing form and indicate all current medications I am taking, including prescription and over-the-counter medications (be prepared to list and correctly spell all medications prior to each drug test).

I understand that all drug tests will be direct observation collections using a same sex collector.

I understand that if I am late for a test or miss a test, it will be considered a positive test for drugs/alcohol and that I will be sanctioned. If I refuse to submit a urine sample, it will be reported as a failure to test.

I understand I must provide a urine sample which is negative for all drugs or I may be sanctioned. Urine samples will also be analyzed for temperature, specific gravity, Creatinine or other chemical markers to ensure a valid urine specimen.

I understand that if I fail to produce a urine specimen or if the sample provided is not sufficient quantity, it will be considered a positive test for drugs/alcohol and I may be sanctioned.

I have been informed that drinking excessive amounts of fluids can result in a diluted urine sample and I understand that my urine sample will be tested to ensure the urine is not diluted. I will be allowed to provide only one (1) urine sample for analysis. I understand that if I produce a dilute urine sample it will be considered a positive test for drugs/alcohol and I may be sanctioned.

I understand that substituting or adulterating my specimen for the purposes of changing the drug testing results will be considered a positive test for drugs/alcohol and may result in sanctions and may be grounds for revocation from the VTC.

The lab collector will not discuss the results of the drug test with you at the time of collection. The laboratory will not provide any information to you about your drug test results. Drug test results will be reported directly to the probation officer. If you wish to have a confirmation test by an independent lab, you must pay the cost of the independent test. The confirmation test must be conducted by a

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certified, independent drug testing laboratory. The confirmation test must use gas chromatography/mass spectrometry (GC/MS) and other appropriate chemical testing protocols.

PARTICIPANT NAME (PLEASE PRINT)

PARTICIPANT SIGNATURE

DATE

Medical/Dental Medication Form

MEDICAL FACILITY / CLINIC			

PHYSICIAN'S NAME (PLEASE PRINT)			

STREET ADDRESS	CITY	STATE	ZIP CODE

TELEPHONE NUMBER	FAX NUMBER		

This notification is to inform you that

NAME OF PIERCE COUNTY DISTRICT COURT PARTICIPANT

Is currently a Pierce County District Court Veterans Treatment Court participant and is a recovering addict/alcoholic. As part of a structured, judicially supervised treatment program, the Veterans Treatment Court participants are frequently subjected to random drug testing. ***Therefore, all medications and treatment procedures should be prescribed with this information in mind.***

Diagnosis/Treatment: _____

Prescription: _____
PLEASE SPECIFY MEDICATION TYPE AND DOSAGE

Prescription: _____
PLEASE SPECIFY MEDICATION TYPE AND DOSAGE

Prescription: _____
PLEASE SPECIFY MEDICATION TYPE AND DOSAGE

SIGNATURE OF PHYSICIAN _____ DATE _____

Participant Performance Contract

The Pierce County District Court Veterans Treatment Court (VTC) is a program charged with hearing gross misdemeanor and misdemeanor offenses which involve veterans of the United States Military, particularly those who may have service-related conditions. A defendant seeking admission into the Pierce County VTC must meet the criteria established by the Pierce County VTC Team. The VTC Team includes representatives from Pierce County's District Court, Prosecuting Attorney's Office, Department of Assigned Counsel, Sheriff's Office, Veterans Assistance Services, and the U.S. Department of Veterans Affairs, Veterans Justice Outreach Program.

DEFENDANT'S NAME: _____ **CASE NO.:** _____

Defendant
Initials

In exchange for the opportunity to participate in the Pierce County District Court Veterans Treatment Court (VTC), I, the undersigned defendant, agree and promise to comply with the following program orders:

1. **I WILL BE HONEST**

- 1.1 I will promptly and truthfully answer all questions directed to me by the judge, probation officer and medical/treatment providers. I will not make any misrepresentation nor give any false impression to the VTC Team.
- 1.2 I will not withhold information from the VTC Team that would likely influence my treatment plan.
- 1.3 I understand that dishonesty may result in sanctions up to and including termination from the program.

2. **I WILL OBEY THE LAW**

- 2.1 I will commit no new offense against the laws of this State, any other State, or of the United States. I will conduct myself in all aspects and at all times as a good and law-abiding citizen.
- 2.2 I will advise my probation officer within forty-eight (48) hours if I am arrested or contacted by a representative of any law enforcement agency.
- 2.3 I will comply with all lawful orders and directives issued by the Court, probation officer and treatment agency.
- 2.4 I understand that if I fail to appear for court as ordered by the judge, then a warrant may be issued for my arrest. I also understand that my unauthorized absence from the program for any amount of time may result in my termination from the program.

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2.5 Upon my release from jail I will immediately contact my probation officer (no later than next court business day).

3. I WILL BE RESPECTFUL

3.1 I will attend all court hearings as instructed by any member of the VTC Team.

3.2 I will arrive on time for all court hearings and I will remain in the courtroom until dismissed by the judge.

3.3 I will not attend any court hearings or program requirements while in possession of a weapon of any kind.

3.4 I will turn off all mobile phones and electronic devices before entering the courtroom.

3.5 I will treat other VTC participants with courtesy and respect.

4. I WILL SEEK HELP

4.1 I understand that my VTC treatment plan may require that I participate in a variety of programs, including but not limited to the following:

4.1.1 Drug and alcohol treatment/education including detoxification programs, outpatient treatment, inpatient treatment, residential treatment, sober support groups, halfway house placement, aftercare, group counseling and individual counseling;

4.1.2 Mental health treatment including but not limited to individual counseling, group counseling, outpatient counseling, inpatient counseling, trauma counseling, anger management and residential treatment

4.1.3 GED classes, literacy classes, vocational training, career counseling, cognitive thinking programs, and parenting classes;

4.1.4 Medical and mental health treatment;

4.1.5 Domestic Violence perpetrator treatment programs;

4.1.6 DUI or DV Victims Impact Panel; or

4.1.7 Medication assisted treatment and medication compliance as recommended by my physician or treatment provider.

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- 4.2 I will fully comply with all provisions of my VTC treatment plan, including any modifications to that plan that may be ordered by the judge during my participation in VTC. I understand I may be responsible for having an alcohol detection system and must comply with its requirements. I may also be required to install an interlock device in any vehicle I drive. I understand I will be responsible for paying for each of these devices. I acknowledge I may be sanctioned if I receive negative reports on either of these monitors.
- 4.3 I will attend and be on time to all probation and treatment appointments. I will actively participate in and cooperate with all treatment programs and activities to which I am assigned, and I will promptly complete all homework assignments.
- 4.4 I will complete my phase requirements, comply with this Performance Contract and demonstrate my commitment to the program.
- 4.5 If I am unable to attend any scheduled appointment, I will call my probation officer, treatment provider or other program personnel before the scheduled time for the appointment; or if this is impossible, I will contact them at the first possible opportunity.
- 4.6 I will promptly sign all authorizations and waivers for the release of medical, mental health, alcohol/drug treatment, educational and employment records upon request of any member of the VTC Team, treatment providers.

5. I WILL ABSTAIN FROM ALCOHOL AND DRUGS

- 5.1 I will not, at any time, consume or possess any controlled substance, narcotic, marijuana, or alcohol, unless prescribed in writing by an authorized medical professional. I will provide a written copy of the prescription to my probation officer as directed.
- 5.2 I will not visit any place where illegal drugs are sold, dispensed, manufactured or used.
- 5.3 I will not consume any product containing alcohol, including but not limited to mouthwash, vitamins, or over-the-counter medications.

6. I WILL BE ACCOUNTABLE

- 6.1 I will report to my probation officer as directed by the judge or probation officer.
- 6.2 Upon request of the judge or probation officer, I will promptly submit to drug/alcohol testing, including but not limited to urinalysis or a breathalyzer.

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- 6.3 I understand that refusal to provide a urine sample, failure to provide a urine sample, inability to provide a urine sample within a reasonable time, or the submission of an altered or diluted sample may be considered as a positive test result by the VTC Team.
- 6.4 I will inform any doctor treating me of my participation in VTC and of my chemical addiction, if applicable. I will request that non-narcotic and non-alcoholic medications be substituted for narcotics or medication containing alcohol, if available.

7. I WILL BE RESPONSIBLE

- 7.1 I will cooperate with the VTC Team to secure and maintain alcohol and drug-free housing for myself and/or my family that is conducive to my sobriety.
- 7.2 I will reside in the State of Washington during the term of supervision except by order of the judge or written permission from my probation officer;
- 7.3 I will not leave the State of Washington without prior permission from the judge.
- 7.4 I will inform my probation officer before I change my place of residence.
- 7.5 I will plan to pay or set up alternatives to pay all fines and fees resulting from my participation in VTC.
- 7.6 I will complete petition essays and address the court after I have completed requirements for each phase. My petition essay will present why I should be moved to the next phase by providing a meaningful and detailed analysis of my progress. I understand that for my graduation project I must answer 3 questions; 1. where was I in the past, 2. where I am now and 3. where I am headed in my recovery.
- 7.7 I have reviewed the requests for advancement and understand that to advance in the program, I must complete each requirement that is applicable. I understand that the VTC court, probation officer and treatment provider have the discretion to promote or deny my request based on objective measures and outcomes.

8. I WILL ABIDE BY THE FOLLOWING SPECIAL CONDITIONS:

- 8.1. _____
- 8.2. _____
- 8.3. _____

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9. I WILL ACKNOWLEDGE THE CONSEQUENCES OF MY ACTIONS

-
- 9.1 If I fail to fully follow the terms of this performance contract, the judge may respond by imposing sanctions which may include but are not limited to the following:
- 9.1.1 Ordering participation in extra counseling sessions, group sessions, and/or sober support meetings;
 - 9.1.2 Ordering more frequent drug and alcohol testing;
 - 9.1.3 Ordering the use of electronic monitoring devices;
 - 9.1.4 Ordering additional work crew, day reporting, Courage to Change, or community service hours;
 - 9.1.5 Ordering incarceration; or
 - 9.1.6 Taking such other action as the Court determines appropriate for the violation.
- 9.2 I understand that compliance with the requirements of the VTC program and this Performance Contract may result in the judge allowing me special privileges or other incentives.
- 9.3 At any hearing on sanctions or contempt you waive any right to a full contempt hearing under the RCW 7.21.040 and agree that contempt will be determined by reading the treatment or other report and hearing your explanation. You waive your right to object to any statement presented against you as to your failure to comply with the conditions of the VTC program.
- 9.4 I understand if the judge finds that I have violated the conditions of the plea agreement or the Performance Contract and that disciplinary sanctions have been insufficient to gain my compliance, I will be terminated from the VTC and sentenced in accordance with my plea agreement.

By signing my name below, I certify that I have read the Participant Performance Contract. I acknowledge that any questions concerning this contract have been discussed with my attorney, the judge, or probation officer. My signature also certifies my understanding of, and agreement with, this contract.

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Defendant

Date

Probation Officer

Date

VTC Judge

Date

Phase 1 Request for Advancement

I, the undersigned Veterans Treatment Court participant, acknowledge that *in addition to complying with my Veterans Treatment Court Performance Contract and Supervisions Rules;*

1. _____ I have reread the participant manual. I have no questions and need no further clarification.
2. _____ I have attended my scheduled appearances before the court, treatment and probation.
3. _____ I have completed an assessment with the Veterans Justice Outreach Specialist (VJO).
4. _____ I have completed my probation needs assessment.
5. _____ I am starting to change people, places and things.
6. _____ I have obtained my treatment assessment and enrolled in treatment.
7. _____ I have followed all treatment recommendations.
8. _____ I have complied with all random drug testing requirements.
9. _____ I have communicated my housing needs with probation.
10. _____ I have engaged with my VJO and mentor.
11. _____ I have at least fourteen (14) consecutive days of sobriety.
12. _____ I have been in Phase 1 for at least 60 days.
13. _____ I have completed a petition essay for phase advancement.

I understand that phase promotions will be approved by the VTC Team.

PARTICIPANT NAME

DATE

Approved by:

VTC JUDGE

DATE

Phase 2 Request for Advancement

I, the undersigned Veterans Treatment Court participant, acknowledge that *in addition to complying with my Veterans Treatment Court Performance Contract and Supervisions Rules;*

1. _____ I have reread the participant manual. I have no questions and need no further clarification.
2. _____ I have attended my scheduled appearances before the court, treatment and probation.
3. _____ I have attended peer support groups as required and provided proof to my probation officer. *
4. _____ I have followed all treatment recommendations.
5. _____ I have researched pro-social activities to keep me engaged.
6. _____ I am demonstrating that I am changing people, places and things.
7. _____ I have begun a cognitive-behavioral program (Courage to Change, MRT, etc.) if recommended by my probation officer.
8. _____ I have maintained my housing.
9. _____ I have engaged in treatment for medical conditions if necessary.
10. _____ I have complied with all random drug testing requirements.
11. _____ I am engaged with my VJO and mentor.
12. _____ I have at least thirty (30) consecutive days of sobriety.
13. _____ I have been in Phase 2 for at least 90 days.
14. _____ I have completed a petition essay for phase advancement.

I understand that phase promotions will be approved by the VTC Team.

PARTICIPANT NAME

DATE

Approved by:

VTC JUDGE

DATE

*If recommended by the VTC court, probation officer or treatment provider.

Phase 3 Request for Advancement

I, the undersigned Veterans Treatment Court participant, acknowledge that *in addition to complying with my Veterans Treatment Court Performance Contract and Supervisions Rules;*

1. _____ I have reread the participant manual. I have no questions and need no further clarification.
2. _____ I have attended my scheduled appearances before the court, treatment and probation.
3. _____ I have attended peer support groups as required and provided proof to my probation officer. *
4. _____ I have followed all treatment recommendations.
5. _____ I have engaged in pro-social activities.
6. _____ I am demonstrating that I am changing people, places and things.
7. _____ I have maintained my housing.
8. _____ I am engaged in my cognitive-behavioral program. *
9. _____ I have engaged in treatment for medical conditions if necessary.
10. _____ I have complied with all random drug testing requirements.
11. _____ I am engaged with my VJO and mentor.
12. _____ I have at least sixty (60) consecutive days of sobriety.
13. _____ I have been in Phase 3 for at least 90 days.
14. _____ I have completed a petition essay for phase advancement.

I understand that phase promotions will be approved by the VTC Team.

PARTICIPANT NAME

DATE

Approved by:

VTC JUDGE

DATE

*If recommended by the VTC court, probation officer or treatment provider.

Phase 4 Request for Advancement

I, the undersigned Veterans Treatment Court participant, acknowledge that *in addition to complying with my Veterans Treatment Court Performance Contract and Supervisions Rules;*

1. _____ I have reread the participant manual. I have no questions and need no further clarification.
2. _____ I have attended my scheduled appearances before the court, treatment and probation.
3. _____ I have attended peer support groups as required and provided proof to my probation officer. *
4. _____ I have followed all treatment recommendations.
5. _____ I have begun to search for employment or vocational/educational programs (if applicable).
6. _____ I have engaged in pro-social activities.
7. _____ I am demonstrating that I am changing people, places and things.
8. _____ I am engaged in my cognitive-behavioral program. *
9. _____ I have begun to pay or address my fines.
10. _____ I have maintained my housing.
11. _____ I have engaged in treatment for medical conditions if necessary.
12. _____ I have complied with all random drug testing requirements.
13. _____ I am engaged with my VJO and mentor.
14. _____ I have at least ninety (90) consecutive days of sobriety.
15. _____ I have had no law-abiding violations in 6 months.
16. _____ I have been in Phase 4 for at least 90 days.
17. _____ I have completed a petition essay for phase advancement.

I understand that phase promotions will be approved by the VTC Team.

PARTICIPANT NAME

DATE

Approved by:

VTC JUDGE

DATE

*If recommended by the VTC court, probation officer or treatment provider

Phase 5 Request for Graduation

I, the undersigned Veterans Treatment Court participant, acknowledge that *in addition to complying with my Veterans Treatment Court Performance Contract and Supervisions Rules;*

1. _____ I have reread the participant manual. I have no questions and need no further clarification.
2. _____ I have attended my scheduled appearances before the court, treatment and probation.
3. _____ I have attended peer support groups as required and provided proof to my probation officer. *
4. _____ I have followed all treatment recommendations.
5. _____ I have obtained employment or attended vocational/educational programs (if applicable).
6. _____ I have engaged in pro-social activities.
7. _____ I am demonstrating that I am changing people, places and things.
8. _____ I am compliant with my cognitive-behavioral program. *
9. _____ I have paid in my fines in full.
10. _____ I have completed my 30 hours of community service.
11. _____ I have maintained my housing.
12. _____ I have engaged in treatment for medical conditions.
13. _____ I have complied with all random drug testing requirements.
14. _____ I am engaged with my VJO and mentor.
15. _____ I have at least ninety (90) consecutive days of sobriety.
16. _____ I have had no law-abiding violations in 9 months.
17. _____ I have been in Phase 5 for at least 90 days.
18. _____ I have completed a petition essay for graduation.

I understand that phase promotions will be approved by the VTC Team.

PARTICIPANT NAME

DATE

Approved by:

VTC JUDGE

DATE

*If recommended by the VTC court, probation officer or treatment provider

Volunteer Experience

Volunteering in the community is a way to “give back” and to be of service to others. Service work is an important part of your recovery journey. Giving of your time and effort shows selflessness instead of selfishness. Volunteering is an act that gives others hope or benefits others without expecting compensation. When we were actively using substances, including alcohol, we put others at risk, disappointed, or emotionally hurt friends or family, and participated in a lifestyle that put our wish to keep using before the needs of others.

As part of your continued progress in the Veterans Treatment Court program, you are required to select a volunteer site and complete 30 hours of volunteer service. You will have 90 days to complete the required 30 hours. You must complete at least 10 hours per month, starting with your Phase 5 promotion date. These hours can be completed at an organization or agency of your choice, outside of your treatment agency. Reflect on your interests, hobbies or something you have always wanted to try. Make a list or have your probation officer help you with a list of things you would like to try. After you have made your list, write down specific places you could go to ask to volunteer. Your probation officer can also help you contact organizations to find out if they are accepting volunteers.

You will be provided with a letter outlining the community service requirement to take to the organization you select. The organization will sign the letter accepting you to volunteer at that site. This letter must be returned to the Court before promotion to Phase 5. Each time you volunteer you will document your hours by having a supervisor at the volunteer site sign your attendance sheet with the hours worked, the date you volunteered, and their contact information. You are required to bring this document to every Review Hearing. Failure to document hours or complete the required hours may delay your graduation.

Please contact your attorney or probation officer if you have any questions or concerns. Please sign below to indicate you understand these requirements.

PARTICIPANT SIGNATURE

DATE

DEFENSE ATTORNEY SIGNATURE

DATE