

***TARRANT COUNTY FAMILY DRUG COURT
PARTICIPANT HANDBOOK***

**Family Drug Court
323rd District Court
2701 Kimbo Road
Fort Worth, Texas 76111**

**The Honorable Ellen Smith
Presiding Judge**

Revised August 2009

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INTRODUCTION

Welcome to the Tarrant County Family Drug Court!

The Tarrant County Family Drug Court (referred to as FDC or Drug Court) is a special program designed for parents, like you, who are involved with CPS and the court system. The FDC is designed to help participants regain custody of their children and keep family members together, creating a better life for you and your children. The way that the Drug Court team supports you in achieving this goal is by helping you in your recovery from substance abuse or dependency.

The Drug Court will provide referral to substance abuse treatment and other services. The Drug Court will monitor your treatment progress, and assist you in reaching other goals to achieve safety and security for yourself and your children. These may include goals for improved housing, education, employment, or other issues that directly improve the safety of you and your children.

The Drug Court requires participants to successfully complete substance abuse treatment and continue to maintain sobriety for a given period of time before participants become eligible for graduation. You will be asked to submit to random drug screens to ensure your sobriety.

KEY ELEMENTS

- 1) Support for you as you work towards having your children returned to you.
- 2) Assistance in fighting the cycle of addiction and the problems associated with the abuse of alcohol and other substances.
- 3) Assistance with gaining access to services designed to help you obtain and maintain sobriety and achieve success for you and your children. Services are subject to availability and depend on the service plan developed for each individual.
- 4) Support from a collaborative team of professionals, including the Judge, FDC Supervisor, CPS Caseworker, FDC Case Manager, your treatment counselor, a Court Appointed Special Advocate (CASA), and an attorney to represent you in court.
- 5) Requirement that you remain sober, attend Drug Court hearings as required, and follow all tasks on your service plan.
- 6) With success, you will progress through a program of four different phases with rewards and celebrations along the way.
- 7) The ultimate goal for your success will be a safe, stable, sober lifestyle that will allow you to live together with your children.
- 8) Drug Court can provide a helping hand to you, but in the end you are the one that will fight for your recovery and take responsibility for your success.

ADMISSION CRITERIA

The following criteria have been established by the FDC Team to determine if you are eligible for participation in the program:

- 1) You must have a history of alcohol or other substance abuse or dependency that directly led to your involvement with Child Protective Services.
- 2) You must be willing to participate in treatment, both inpatient and outpatient, for at least 90 days or more. You must be willing to follow all treatment recommendations and admit that you have a problem with alcohol or other drugs.
- 3) You cannot have a diagnosis of a serious mental illness that would prevent you from successfully engaging in treatment.
- 4) You must be willing to participate in Drug Court.
- 5) You must not have a criminal record that includes a felonious assault.

Remember the Judge ultimately decides if you are a good candidate for participation in Family Drug Court.

THE STRUCTURE OF **FAMILY DRUG COURT**

The Tarrant County Family Drug Court is held every other Friday at the 323rd District Court at 2701 Kimbo Road. Drug Court is held in the courtroom of Judge Ellen Smith.

Prior to each Drug Court hearing, the FDC Team holds a meeting to discuss the weekly progress of each participant. This team includes the Judge, the FDC Supervisor, CPS Caseworker, FDC Case Manager, your treatment counselor, and any representatives or other agencies that may be providing services to you (such as housing services, individual counseling, or employment assistance). The purpose of the meeting is to discuss your progress in an informal setting where all the parties can develop solutions to problems, needs, or concerns in a supportive court environment.

The FDC Team will discuss your progress in substance abuse treatment, the results of your drug screens, your progress in other community-based services, and how you and your children are doing during your visits. The bond between you and your children will be discussed as well as any needs that your children may have that you can address through improving your parenting skills.

During the courtroom hearing, the Judge and the FDC Team will provide you with feedback from the team meeting. Their feedback may include congratulations and applause for your efforts in treatment and your successes. It may also include advice from the Judge and your required follow-up actions. Finally, it may include responses for failure to complete your service plan or follow FDC rules.

During this time, you will be able to provide the Judge with a summary of your progress in your own words and if you are doing really well, the Judge may ask you to share your success with other FDC participants.

FAMILY DRUG COURT PHASES

One of the main goals of the FDC is to assist you in obtaining quality treatment for substance abuse and to ensure that you successfully complete that treatment. However, we understand that recovery is a lifelong process, and that it takes more than 90 days to rebuild a stable lifestyle following addiction.

For this reason, there are phases to the Family Drug Court. Each phase involves further progression toward the goal of Drug Court graduation and ultimately achieving safety and stability for you and your children.

The Four Phases of Family Drug Court:

Phase 1	Intensive Inpatient
Phase 2	Stabilization
Phase 3	Family Reunification and Skills Building
Phase 4	Foundation for the Future

Requirement for Phase Advancement:

Each phase has a set of requirements for advancement. In order to advance to the next phase, you have to fulfill the requirements of your current phase. The FDC team will evaluate whether you advance to the next phase with your input. If there is disagreement among the team members, including you, the Judge will make the final decision.

These phases typically take between 16 and 18 months to complete.

Failing to Complete the Work of a Phase:

If you fail to progress during a specific phase, the FDC team may decide to recommend to the Judge that you receive a specific response. Ultimately, the Judge will decide whether you return to a former phase, receive a type of

response, or be dismissed from the Drug Court completely. Depending on the circumstances, the Judge could also decide to allow you more time to complete the phase in which you are struggling.

Since your children are the ones awaiting a permanent and stable lifestyle, there is little time to spare. Sixteen to eighteen months may seem like a long time; however, it passes very quickly. The important decision for you to make is whether you are willing to commit to the program. Even if you make mistakes along the way, you must continue to progress in the program to the best of your ability. Your attitude will greatly affect whether or not you are successful.

PHASE 1: INTENSIVE INPATIENT

The focus of PHASE 1 is to encourage your **choice** to work toward a drug and alcohol free life, establish a foundation of abstinence, and create a healthy and safe home environment for your family. ***This phase may last 30 days or longer.***

Requirements for Advancement:

- 1) Remain drug and alcohol free
- 2) Attend one Drug Court hearing (in addition to required CPS hearings), unless excused by the FDC Team
- 3) Demonstrate progress on your Family Plan of Service
- 4) Successfully complete intensive substance abuse treatment and demonstrate at least four weeks of sobriety following admission to the program
- 5) Obtain a temporary sponsor and cooperate with that sponsor
- 6) Submit to all drug screens as required
- 7) Attend all scheduled meetings and cooperate with CPS Caseworker, FDC Case Manager, and FDC Supervisor
- 8) Consistently attend and engage in appropriate visitation with your children and cooperate with their caregivers
- 9) Attend and provide proof of **daily** attendance to NA/AA meetings
- 10) The FDC Team must recommend advancement to Phase 2

PHASE 2: STABILIZATION

The focus of PHASE 2 is to continue to abstain from drugs and alcohol. This is the second phase toward your recovery. This phase is concerned with: 1) teaching you how to maintain your recovery and sobriety, and 2) helping you work on other issues that support your recovery and prepare you for the return of your children. Services in Phase 2 will include mental health evaluation and treatment, housing, education, and parent training. ***This phase may last from Month 2 to Month 4 of your participation in FDC.***

Requirements for Advancement:

- 1) Remain drug and alcohol free
- 2) Attend FDC hearing every other week, unless excused by FDC team
- 3) Continue participating in treatment until successful discharge
- 4) Demonstrate progress on your Family Plan of Service
- 5) Maintain sobriety for a substantial time while in Phase 2
- 6) Obtain a permanent sponsor and work with that sponsor on steps
- 7) Submit to all drug screens as required
- 8) Attend all scheduled meetings and cooperate with CPS Caseworker, FDC Case Manager, and FDC Supervisor
- 9) Consistently attend and engage in appropriate visitation with your children and cooperate with their caregivers
- 10) Attend and provide proof of ***daily*** attendance to NA/AA meetings
- 11) The FDC Team must recommend advancement to Phase 3

PHASE 3: FAMILY REUNIFICATION & SKILLS BUILDING

The focus of PHASE 3 is to reunify you with your children and to continue your progress in recovery. This phase will focus on teaching you: 1) coping skills; 2) relapse prevention techniques; and 3) other daily living skills, such as finding and maintaining employment, financial management, and how to maintain a sober and productive lifestyle. ***This phase may last from Month 5 to Month 12 of your participation in Family Drug Court.***

Requirements for Advancement:

- 1) Remain drug and alcohol free
- 2) Attend FDC hearings every other week until month 7 or 8 of your participation in FDC - at that time, the Judge will determine how often you will be required to attend FDC hearings
- 3) Obtain stable employment or a reliable income source
- 4) Continue participating in treatment, if required
- 5) Demonstrate progress on your Family Plan of Service
- 6) Maintain sobriety for a substantial period while in Phase 3
- 7) Maintain a sponsor and work with that sponsor on steps
- 8) Submit to drug screens as required
- 9) Attend all scheduled meetings and cooperate with CPS Caseworker, FDC Case Manager, and FDC Supervisor
- 10) Attend and provide proof of ***frequent and consistent*** attendance at NA/AA meetings
- 11) The FDC Team must recommend advancement to Phase 4

PHASE 4: FOUNDATION FOR THE **FUTURE**

The focus of PHASE 4 is to empower you to remain drug and alcohol free while raising your children in a safe, secure environment. Phase 4 focuses on your success and celebrates your many accomplishments. During this phase, you will focus on your family's future and how to maintain sobriety for a lifetime. ***This phase may last from Month 12 to Month 18 of your participation in FDC.***

Requirements for Advancement:

- 1) Remain drug and alcohol free
- 2) Attend FDC hearings as ordered
- 3) Successfully complete all requirements of your Family Plan of Service
- 4) Secure and maintain appropriate housing
- 5) Obtain and maintain stable employment or other stable source of income
- 6) Maintain sobriety for a substantial period of time during Phase 4
- 7) Maintain a sponsor and work with that sponsor on steps
- 8) Submit to drug screens as required by CPS Caseworker
- 9) Attend all scheduled meetings and cooperate with CPS Caseworker and FDC Supervisor (the FDC Case Manager will not require meetings with you)
- 10) Maintain custody of your children with no further validated CPS referrals and demonstrate appropriate parenting skills
- 11) The FDC Team must recommend graduation from FDC

REWARDS & RESPONSES

Part of the Family Drug Court process includes a system of ***rewards*** and ***responses*** for your progress or lack thereof. When you attend FDC hearings, the Judge with input from the FDC team will evaluate your progress in treatment, your progress in services, and your ability to maintain sobriety. The Judge will also consider your interactions with your children, your ability to put their needs above your own, and your overall parenting abilities.

The Judge will ***reward*** your progress in various areas, such as completion of treatment, maintaining sobriety, cooperating with FDC Team members, etc.

What are *rewards*?

Rewards are an acknowledgement by the Judge and the FDC Team that you are progressing in your recovery and the FDC program. Rewards can be as simple as applause and praise in the courtroom. Rewards are meant to encourage you to continue doing well in your recovery. The ultimate goal and reward for FDC participation will be reunification with your children.

Possible rewards include, but are not limited to:

- Praise and applause by the Judge
- Calling your court case first
- Informing other participants of your success
- Receiving charms or other tokens to mark completion of phases
- Decreased court appearances
- Certificates of completion and awards
- Increased visitation with children
- Earning tickets that may be used in a courtroom prize drawing

Why are rewards given?

Rewards are given to acknowledge that you have worked hard along with your commitment and personal strength.

Are the rewards the same for everyone?

Yes and No. Some milestones, such as days of sobriety and progression to a higher phase, are very easily measured. Therefore, these rewards may be the same for all participants. However, you are a unique individual, as are your children. The Judge recognizes that your challenges and personal strengths are different than any of the other participants in the FDC program. For this reason, not all rewards will be the same. While the Judge strives to be just and fair to everyone, your rewards will be based on what is most appropriate for you given your unique individual needs and achievements.

If you fail to progress in treatment, fail to progress on your service plan, continue to use drugs or alcohol, or fail to cooperate with the FDC Team, the Judge will issue a **response** for your actions.

What are responses?

Responses normally occur after participants make poor decisions. The Judge provides responses to show participants that negative decisions or actions bring negative consequences. Responses are meant to encourage participants to learn better ways of behaving and responding to stress.

When are responses given?

Responses are provided when you fail to comply with Drug Court requirements. Examples can include, but are not limited to:

- Not attending treatment sessions
- Not attending other services that are on your Service Plan or that are court-ordered
- Failing to complete assignments for services or treatment

- Not attending FDC hearings
- Failing to obtain a sponsor
- Submitting positive drug screens for alcohol or drugs
- Arriving late to FDC hearings, treatment, or other services
- Breaking treatment rules
- Receiving an unsuccessful discharge from treatment or leaving treatment prematurely
- Missing drug screens or tampering with specimens for drug screens
- Failure to attend visits with your children
- Providing dishonest statements to the Judge or to the FDC Team

What are examples of responses?

Responses can include, but are not limited to:

- A re-assessment for additional treatment
- Possible referral to inpatient treatment, if recommended
- A verbal reprimand from the Judge or FDC Team
- Assignment of written essays on related topics
- Requiring a written or oral apology to the Judge or others
- Requirement that participant witness other court hearings regarding termination of parental rights
- Assignment of Community Service hours
- Lengthening time in a phase
- Return to a previous phase
- Increased drug screening
- More frequent FDC hearings
- Requiring participant to write a letter to their children explaining their actions
- Increased contacts with members of FDC Team
- Termination from the FDC program

Unfortunately, the ultimate consequence is the termination of your parental rights to your children. If you fail to comply with court orders, fail to maintain

sobriety, or fail to provide a safe home, you will not be an appropriate parent to your children. Although this is not a response that the FDC will utilize, it could be the final consequence of your failure to complete services and change your lifestyle. You must always remember that a petition has been filed to either restrict or terminate your parental rights based on your actions. There is a lawsuit going on, brought by Child Protective Services, that will result in a final court order. ***You will not have unlimited chances to change your behavior. Each day that you continue to use drugs or alcohol and lead an unstable, unsafe lifestyle, your children are waiting for a permanent home.***

RULES OF FAMILY DRUG COURT

- 1) Arrive early for FDC hearings and wait for the Judge to call your case.
- 2) Dress appropriately for Court (no inappropriate clothing with slang, drug or alcohol related messages, or foul language, no caps or hats, and shoes and shirts must be worn at all times)
- 3) Be quiet during the FDC hearings and wait until your case is called.
- 4) Turn off cell phones and pagers
- 5) Sign the sign-in sheet when it is passed to you
- 6) You cannot eat or drink in the courtroom
- 7) Children are not allowed in courtroom unless the FDC Team provides prior approval
- 8) Stay throughout the entire FDC docket. If you need permission to leave early, please speak with the FDC Supervisor before the hearing. Only the Judge can grant your request.
- 9) Follow the Judge's rules – **RESPECT, HONESTY, and NO EXCUSES**

FREQUENTLY ASKED QUESTIONS

When can I be reunified with my children? What is the shortest possible time period? What is the longest?

The decision to reunify parents with their children is unique to each case. Factors that the Judge considers include, but are not limited to: 1) your ability to care for your children and meet their special needs; 2) what people you commonly associate with or live with who will also have contact with your children; 3) whether you are living in a supervised setting, and 4) your progress with your service and treatment plan goals. Of course, whether you are maintaining your sobriety is a critical factor the Judge considers.

The timeline is different for everyone, depends on the circumstances of your case, and the needs of your children. It is possible that the Judge will decide to return your children at the beginning of Phase 3. However, it is also possible that the Judge could decide that you are not able to safely parent your children. In this case, CPS could pursue termination of your parental rights. If you have specific questions about your case, please consult your attorney.

I received something called a “Family Plan of Service” from CPS. What is it and can I complete it immediately?

Your CPS Caseworker will meet with you to discuss your individualized Family Plan of Service. Your Family Plan of Service outlines what is expected of you in order to close your CPS case. All parents involved with CPS receive these plans, and they generally require that parents complete treatment, abstain from drugs and alcohol, submit to random drug screens, and provide a stable living environment for their children.

Your Family Plan of Service is **not** a checklist. Rather, it is a guideline for all that you will need to complete before your case is closed. You will need to demonstrate progress on your Family Plan of Service during each phase of Family Drug Court.

How long do I have to complete the phases of Family Drug Court?

Family Drug Court participants normally spend 16 to 18 months in the program before graduation. For this reason, there is no time to waste. Although a year seems like a long time, it passes very quickly. It is also a very long time for a young child who is waiting to come home. Remember that you will not be given unlimited chances to progress in FDC.

I have to work. How do I schedule FDC hearings around my employment schedule?

If you have a conflict with work, please bring this to the attention of the FDC Supervisor. The FDC Team will explore possible options and try to make arrangements to accommodate you if possible. But, regardless of your employment, it is your responsibility to attend FDC hearings throughout this case. Please alert potential employers that you will have these hearings to attend and try to schedule your work hours around them.

Will I be allowed to take pain medication?

Narcotic medication is not allowed in the FDC, unless prescribed by a physician after signing the "Notice of Family Drug Court Involvement." Narcotic medication can negatively influence your sobriety and trigger a relapse. By getting the above-mentioned document signed by your doctor, the FDC Team will be assured that you have informed your doctor that you are in recovery and trying to remain clean.

If you must take other pain medication, you will need to complete a medication log that the FDC Case Manager will monitor.

If you have other questions, do not hesitate to contact the FDC Supervisor, CPS Caseworker, FDC Case Manager, or your attorney.

GRADUATION

What is graduation from Family Drug Court?

Graduation is the final celebration marking your successful completion of Family Drug Court. Graduation will occur when you have completed all phases.

What are the requirements for graduation from Family Drug Court?

The following are requirements for graduation from Family Drug Court:

- Successful completion of your substance abuse treatment program and the recommended aftercare
- A substantial period of sobriety after completing treatment
- Employment or sufficient means of financial support
- Adequate housing or living environment for you and your children
- Appropriate parenting of your children in your home
- Development and maintenance of a support system of family and community members that will remain with you after graduation from the FDC
- Sustained cooperation and/or completion of all court orders and service plan tasks

What happens after graduation?

Depending on the safety factors in your family, you may be referred for on-going services with different community-based agencies.

You are also invited to participate in the Family Drug Court Alumni group. You will learn more about this organization during your participation in FDC.

CONCLUSION

The Family Drug Court offers support to parents who are struggling with drug and alcohol addiction and involved with the Court and CPS. The function of the FDC is to assist you to become a better parent and to lead a sober, safe, and stable lifestyle. The FDC seeks to provide you with every opportunity to break the cycle of addiction and achieve a better life for you and your children. The program is **voluntary**, but it requires your commitment to completing substance abuse treatment and maintaining a lifetime of sobriety. The Judge, your attorney, your CPS Caseworker, FDC Case Manager, FDC Supervisor, and treatment counselors are here to support your goal in having your children returned to you. The final responsibility for your success is your own. You are the one who must do the hard work and you are definitely the one who will receive the credit when graduation occurs.

You are the one we wish to help and your feedback is crucial to this program's success. Please feel free to share your thoughts with any of the FDC Team members. Finally, do not forget your family, friends, and other members of the community who will assist you along the way. Be sure to start developing and expanding your support system with positive influences as soon as possible. Their influences will be crucial to your success.

Good Luck to You!!

CAUSE NO. _____

IN THE INTEREST	§	IN THE DISTRICT COURT
, ET AL	§	TARRANT COUNTY, TEXAS
CHILD(REN)	§	323RD JUDICIAL DISTRICT

FAMILY DRUG COURT PARTICIPATION AGREEMENT AND WAIVER

In support of admission to the TARRANT County 323RD District Court Family Drug Court , the below named Respondent agrees to the terms, conditions, and waivers listed below upon being accepted by the Court for participation in the program.

Participant:

Address:

City/State/Zip:

Phone:

Date of Birth:

Next Hearing:

A. PETITION – PROCEEDINGS AND WAIVER

1. I understand that my participation in the Family Drug Court is voluntary. I understand that I have the right to disagree with any of the terms and conditions contained in this agreement. However, I understand that my acceptance into the Family Drug Court is dependent upon my acceptance of all terms and conditions of this agreement.
2. If the Family Drug Court determines that I meet eligibility criteria for participation in the Family Drug Court, I hereby agree to give up the right to an adversary hearing under Texas Family Code Sec. 262.201 and sign a temporary order placing my child(ren) into the Managing Conservatorship of Department of Family and Protective Services (DFPS), with the understanding that the Court will enter the appropriate finding that my child(ren) are in need of protection within the definitions contained in the Texas Family Code.
3. I understand that by signing this agreement I am not waiving any rights to any hearing provided in the Texas Family Code except for Sec. 262.201, the adversary hearing.

**B. TREATMENT PROGRAM PARTICIPATION AGREEMENT AND
RELEASE OF INFORMATION**

1. I agree to satisfactorily complete a diagnostic evaluation for my drug treatment program through a provider acceptable to the Court.
2. I specifically agree that I may be drug and alcohol tested at any time by a provider acceptable to the Court or by the Family Drug Court Team.
3. Any tampering or altering of anything in the drug and alcohol testing process or any attempt to misrepresent, deceive, or lie to the Family Drug Court Team may result in the discharge from this program.
4. I understand that the Family Drug Court Program involves the participation of the court, the Family Drug Court Team, DFPS, and me.
5. I understand that during my participation in the Family Drug Court Program I am prohibited from using narcotic medication (including Vicodin, Darvocet, Lortab, etc.) without the express permission of a licensed physician and the approval of the Family Drug Court Team.
6. I hereby authorize the release of any information regarding my treatment, my DFPS case, criminal cases and probation to all Family Drug Court Team members, for Family Drug Court purposes only, and for the term of my Family Drug Court participation only. I authorize the Court and the Family Drug Court Team to staff my case prior to my court appearances. I further waive any claim of confidentiality as to the information discussed and agree to hold harmless any member of the Family Drug Court Team for discussion of such information.
7. I agree to complete the treatment program to the satisfaction of the Court, including faithful attendance at all counseling sessions and other treatment programs as required by the Family Drug Court Team.
8. I understand and agree that the treatment program is projected to be completed within a twelve-month period, however, I further understand and agree that the Court may extend the treatment program for an additional period as the Court determines necessary, including a time for aftercare.
9. I understand and agree that any failure on my part of the treatment program as ordered by the Court, including, but not limited to, missing treatment appointments, failing to appear in Court, or any failure on my part to abide by the terms of this agreement or orders of the Court, may result in a Contempt Hearing before the Court. This could result in a term of incarceration, house arrest, community service, a fine, removal from the program, modification of my treatment program, or any other such

sanction as may be deemed appropriate in the discretion of the Family Drug Court Judge.

10. I agree to keep DFPS, the Family Drug Court Team, the Court, and the treatment providers advised of my current address and phone number at all times during this treatment program.

I read and understand the above statement of the rights that I will waive, and those conditions and rights to which I am entitled if I am accepted into the Family Drug Court Program.

I understand what I read and do hereby knowingly and voluntarily enter into said agreement with the Court, in support of my admission into the Family Drug Court Program.

I have had the opportunity to consult with legal counsel.

Executed in Fort Worth, Texas, this _____ day of _____, 200__

PARTICIPANT

CAUSE NO. _____

IN THE INTEREST OF

IN THE DISTRICT COURT

OF TARRANT COUNTY, TEXAS

323RD DISTRICT COURT

CHILDREN

ORDER OF ACCEPTANCE INTO THE FAMILY DRUG COURT PROGRAM
AND ORDER TO PARTICIPATE

IT IS ORDERED that _____ is accepted as a participant in the Family Drug Court Program

The Court finds that the above-named participant has received, reviewed, and understood all of the terms and conditions of participation in the Family Drug Court Program, in consultation with his/her attorney of record.

The Court finds that the above-named participant knowingly and voluntarily agrees to participate in the Family Drug Court Program and has executed the required documents in order to be accepted into the program.

The Court further finds that the above-named participant has agreed, effective today, not to use, possess, or consume alcohol, any illegal substance, or controlled substance without a valid prescription, in addition to all other orders of the Court.

The Court further finds that the above-named participant understands that his/her successful participation in the Family Drug Court Program will be a significant factor in meeting requirements of the substance abuse aspects of his/her reunification case plan.

IT IS ORDERED that _____ shall appear for review hearings as scheduled by the Court and the Family Drug Court team at the appointed time; to refrain from possessing, using, or consuming illegal substances, alcohol, or prescription drugs without a valid prescription; to submit to random drug testing.

Failure to comply will result in a finding of contempt by this Court wherein jail time, community service, or any other appropriate sanction may be imposed.

DATED this _____ day of _____, 20__.

PRESIDING JUDGE

The undersigned accepts the conditions and acknowledges the consequences of this order.

PARTICIPANT

TARRANT COUNTY FAMILY DRUG COURT

CONSENT FOR DISCLOSURE OF CONFIDENTIAL SUBSTANCE ABUSE AND TREATMENT INFORMATION

I, _____, hereby consent to communication between the Texas Department of Family and Protective Services (DFPS), Tarrant County Challenge, Inc., the Family Drug Court Supervisor, the Family Drug Court Case Manager, CASA of Tarrant County, Foster Parents, Substitute Care Providers for the Child(ren), Tarrant County Mental Health and Mental Retardation, Tarrant County Mental Health and Mental Retardation Research and Treatment Divisions, Tarrant County Mental Health and Mental Retardation Early Childhood Intervention of North Central Texas, Recovery Resource Council, Texas Department of Assistive and Rehabilitative Services, Division for Rehabilitation Services, the Attorney/Guardian Ad Litem, Attorney for Respondent Mother, and treatment providers.

The purpose and need for this disclosure is to inform the Tarrant County Family Drug Court team and the other above-named parties of my eligibility for substance abuse treatment services.

I further consent to the release and disclosure of any and all records documenting my treatment attendance, prognosis, compliance, toxicology results, medical records, psychological evaluations, mental health records, DFPS case plans and records, and my progress in accordance with the Tarrant County Family Drug Court monitoring criteria.

Disclosure of this confidential information may be made only as necessary for and pertinent to hearings and/or reports concerning:

Case No.

Case Name

I understand that any disclosure made is bound by Part 2 of Title 42 of the Code of Federal Regulations, which governs the confidentiality of substance abuse client records, and that recipients of this information may re-disclose it only in connection with their official duties.

I hereby authorize and request that the following information which is limited to: (Specify types of reports, type of communication requested) drug/alcohol assessments, therapy/counseling notes, drug/alcohol testing results, psychological evaluations, and

for the period of:

Start Date (Date of removal) _____

End Date (18 months from date of removal) _____.

Purpose or use of disclosure: To assess parent's compliance with, and progress in, the Tarrant County Family Drug Court Program.

I authorize this information to be released in written and verbal form. I understand my individually identifiable health information may include information concerning communicable diseases such as Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS), mental illness, chemical or alcohol dependency, laboratory test results medical history, treatment, or any such related information. I understand that this authorization is voluntary and I may refuse to sign this authorization.

I understand that I may revoke this consent at any time by notifying Tarrant County Challenge in writing at 226 Bailey Avenue, Suite 105, Fort Worth, Texas 76107. The revocation will not affect any actions taken before the receipt of the written revocation.

This authorization will expire 24 months from the date of this authorization unless I otherwise specify. This authorization expires:
_____ *(not to exceed twenty-four months)*

Note: if the recipient authorized to receive the information is not a covered entity, e.g. insurance company or health care provider, the released information may no longer be protected by federal and state privacy regulations. However, if you are receiving services for chemical dependency (drug or alcohol use), information about those services is protected from re-disclosure by federal and state laws.

Participant's Signature: _____ Date: _____

Participant's Attorney's Signature: _____ Date: _____

A photocopy or facsimile of this authorization is as valid as the original.

Defining Drug Courts: The Ten Key Components

K e y C o m p o n e n t # 1

Drug courts integrate alcohol and other drug treatment services with justice system case processing.

K e y C o m p o n e n t # 2

Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.

K e y C o m p o n e n t # 3

Eligible participants are identified early and promptly placed in the drug court program.

K e y C o m p o n e n t # 4

Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.

K e y C o m p o n e n t # 5

Abstinence is monitored by frequent alcohol and other drug testing.

K e y C o m p o n e n t # 6

A coordinated strategy governs drug court responses to participants' compliance.

K e y C o m p o n e n t # 7

Ongoing judicial interaction with each drug court participant is essential.

K e y C o m p o n e n t # 8

Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.

K e y C o m p o n e n t # 9

Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.

K e y C o m p o n e n t # 1 0

Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

The Complete Defining Drug Courts: Ten Key Components document can be obtained at www.NADCP.org



TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

COMMISSIONER
Anne Heiligenstein

ACKNOWLEDGEMENT OF SUBSTANCE USE FORM

DATE: _____

Parent's Name: _____

CHILD(REN)'S NAMES/DOB:

I acknowledge that I have tested positive for or admitted to the use of the following drug(s) to the Department of Family and Protective Services.

Drugs tested positive for on _____ (date and year) (Please initial):

- | | |
|-------------------------|-------------------------|
| • Marijuana (THC) _____ | • Alcohol _____ |
| • Cocaine _____ | • Opiates _____ |
| • Methamphetamine _____ | • Amphetamine _____ |
| • Ecstasy _____ | • Benzodiazepines _____ |
| • Heroin _____ | • Barbiturates _____ |
| • other _____ | • other _____ |

Drugs used, which resulted in the above positive test result (Please initial and put date of last use):

- | | |
|-------------------------|-------------------------|
| • Marijuana (THC) _____ | • Alcohol _____ |
| • Cocaine _____ | • Opiates _____ |
| • Methamphetamine _____ | • Amphetamine _____ |
| • Ecstasy _____ | • Benzodiazepines _____ |
| • Heroin _____ | • Barbiturates _____ |
| • other _____ | • other _____ |

I am taking the following prescriptions: _____

I knowingly and voluntarily admit to the use of the above indicated drugs.

I knowingly and voluntarily waive my right to contest the above positive toxicology test results.

I knowingly and voluntarily sign this document after fully discussing all of my rights with my attorney.

Mother's Name

Date

Witnessed by: (name)

Date

CAUSE NO. _____

IN THE INTEREST OF

IN THE DISTRICT COURT

OF TARRANT COUNTY, TEXAS

323RD DISTRICT COURT

CHILDREN

NOTICE OF RECOMMITMENT TO THE FAMILY DRUG COURT PROGRAM

Respondent Mother, hereinafter referred to as Participant, files this, her notice of Recommitment to the Family Drug Court Program.

Participant acknowledges that she understands all of the terms and conditions of participation in the Family Drug Court Program, in consultation with her attorney of record, and from actual participation in the program.

Participant knowingly and voluntarily recommits to participate in the Family Drug Court Program.

Participant recommits to not to use, possess, or consume alcohol, any illegal substance, or controlled substance without a valid prescription.

Participant recommits to an understanding that her successful participation in the Family Drug Court Program will be a significant factor in meeting requirements of the substance abuse aspects of her reunification case plan.

Participant recommits to all of the requirements of the Family Drug Court, and agrees to appear for review hearings as scheduled by the Court and the Family Drug Court team at the appointed time; to submit to random drug testing; to attending all Family Drug Court team meetings; and to comply with all requirements of the Family Drug Court.

DATED this _____ day of _____, 20__.

PARTICIPANT

ATTORNEY FOR PARTICIPANT