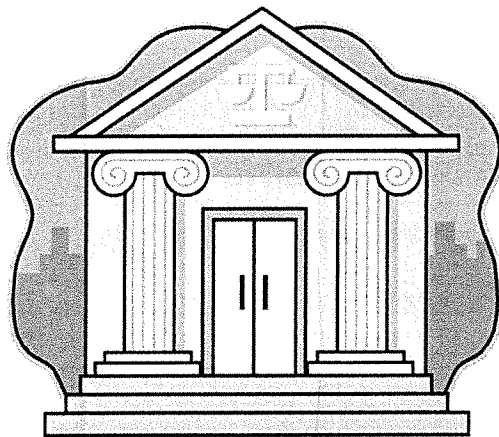


Strafford County Rochester
Mental Health Court

Participant Handbook



Name: _____

My Start Date: _____

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MISSION STATEMENT

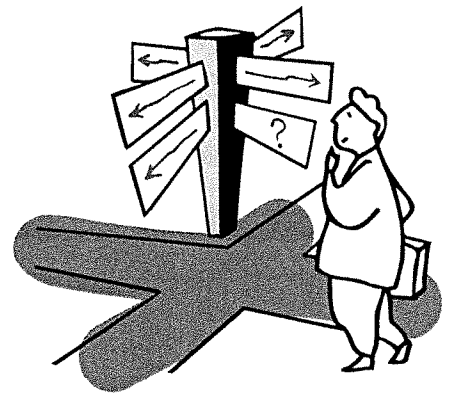
Strafford County Rochester Mental Health Court is a 7th Circuit Rochester Court Special Docket that provides court supervision and treatment services to mentally ill defendants through the cooperation of Strafford County Commissioners, Strafford County Community Corrections, Rochester District and Community Partners, to promote engagement in treatment, improve quality of life, decrease recidivism and increase community safety and awareness.

Welcome

Welcome to the Strafford County Rochester Mental Health Court!

This Handbook is designed to answer your questions and provide overall information about the Mental Health Court. It will detail what is expected of you as a Mental Health Court participant and review general program information.

As a participant, you will be expected to follow the instructions given in Mental Health Court by the Judge and comply with the treatment plan developed for you by the treatment team and Director. The Mental Health Court Treatment Team is confident that this program can help you learn how to more effectively cope with your Mental Illness and live a more healthy and productive life as a law abiding citizen.



Overview

Mental Health Court is a 3-phase intervention program designed for adults who are eligible for approved mental health service with an approved agency. It is a collaborative effort between the Rochester Court, Strafford County Commissioners, Community Partners, Community Corrections, and local community mental health providers. By working together, these agencies seek to provide court supervision, community monitoring, case management, and mental health treatment geared toward supporting and helping you maintain a more healthy lifestyle. Mental Health Court involves frequent court appearances, and random drug testing on a case by case basis, as well as group and individual counseling. Mental Health Court awards incentives for healthy, appropriate behavior and imposes sanctions for negative behavior. Participants who do not comply with the regulations and conditions of MHC (see page 8) may be subject to sanctions (see page 9) up to and including termination from Mental Health Court. All members of the Mental Health Court Treatment Team will assist you to be sure you understand what is expected of you.

The Mental Health Court Treatment Team

The Mental Health Court Judge, Judge Ashley will make all final decisions regarding your participation in the Mental Health Court, with input from the Treatment Team that meets on a weekly basis prior to your court session to discuss your progress and/or any stumbling blocks that you may encounter, so that they may discuss these issues with you during your court session. In addition to the Judge, the Treatment Team includes the following members:

- *Public Defender
- *County Attorney
- *Police Prosecutor
- *Community Partners
- *Community Corrections: Mental Health Court Director
- *Court Information Specialist (Clerk)
- *Criminal Justice Coordinator



Progress Reports

Before your Mental Health Court session, the Judge is given a progress report, known as the "Judge Report" with information provided by the treatment provider and case managers. The progress report will discuss your attendance, participation and cooperation in the Mental Health Court program. The report will also review any other requirements that may have been imposed in previous sessions. If your progress report indicates that you are doing well, you may be rewarded with reduced program requirements or other incentives. If your progress report indicates that you are not doing well, the Judge will discuss it with you and determine future action; which could include a sanction in order to help you remember your goals in the program. Sanctions range from increased program requirements to program Termination (see page 9 for Incentive & Sanction list).

Confidentiality

State licensing requires that your identity and privacy be protected. In response to these regulations, The Mental Health Court Team, has developed policies and procedures that guard your privacy. In accordance with the HIPAA (Health Information Portability & Accountability Act), you will be asked to sign two Consents for Disclosure of Confidential Substance Abuse Information, one for the treatment provider and one for the case managers. This disclosure of information is for the sole purpose of hearings and reports concerning your specific court case and is a mandatory requirement of Mental Health Court. Anonymous information regarding your case will also be given to Evaluators to aid in Program Evaluation. The Treatment Team has discussed your case prior to being accepted into the MHC to determine your eligibility and also in meetings prior to your court sessions to discuss your case when you are not present.

Mental Health Court Hearings

As a Mental Health Court participant, you will be required to appear in open-court "Mental Health Court" docketed sessions on a regular basis. The number of times you must appear depends upon the phase of Mental Health Court you are currently in. You will appear weekly in Phase I. Failure to appear can result in a warrant being issued for your arrest and detention in jail until you can appear before the court. If you have questions about your court appearances, you may contact the case managers for reminders. The Phases of Mental Health Court are listed on the following page.

Phases of Mental Health Court

Mental Health Court is a 6-12 month intervention program divided into 3 phases. Listed below are the basic requirements of each phase. Your individualized treatment plan will be tailored more specific to your case. A participant must successfully complete each phase before transitioning to the next phase.

Phase I

Length of Phase: Approximately 2-4 months depending on participant progress.

Requirements: Weekly Mental Health Court Judge sessions, urine testing (case by case basis), attendance to weekly self-help meetings (case by case basis), adhere to a curfew (case by case basis), attend all meetings with your Mental Health Court contact person, attend all meetings with your treatment providers, maintain full-time employment or participate in a Vocational program if deemed appropriate, work towards obtaining your GED if applicable and follow all recommendations of your treatment team.

Phase II

Length of Phase: Approximately 2-4 months

Requirements: Bi-monthly Mental Health Court Judge sessions, urine testing (case by case basis), attendance to weekly self-help meetings (case by case basis), adhere to a curfew (case by case basis), attend all meetings with your Mental Health Court contact person, attend all meetings with your treatment providers, maintain full-time employment or participate in a Vocational program if deemed appropriate, work towards obtaining your GED if applicable and follow all recommendations of your treatment team.

Phase III

Length of Phase: Approximately 2-4 months

Requirements: Mental Health Court Judge sessions at least one time monthly, urine testing (case by case basis), attendance to weekly self-help meetings (case by case basis), adhere to a curfew (case by case basis), attend all meetings with your Mental Health Court contact person, attend all meetings with your Case Manager, maintain full-time employment or participate in a Vocational program if deemed appropriate, work towards obtaining your GED if applicable, fulfill any court-ordered financial obligations, such as restitution or treatment fees.

Mental Health Court Contract

Rochester Court has accepted you into the Mental Health Court, and under the supervision of the Strafford County Community Corrections Program, you are required to comply with the regulations of the program as listed below.

REGULATIONS & CONDITIONS OF MENTAL HEALTH COURT

1. You are required to attend all Court sessions as directed.
2. You are required to obtain permission from the MHC Director prior to changing your residence. You must report any change in your residence or phone number immediately to the MHC Director.
3. You are required to maintain regular employment unless waived by the Court. If unemployed, you are to follow all job search directives given by your Case Manager. If disabled, you are required to obtain and maintain financial entitlements.
4. You are required to attend all treatment appointments with your treatment providers. Additionally, you are required to take all medications as prescribed by the Psychiatrist or Family Doctor.
5. You must abstain from the possession or consumption of illegal drugs and/or alcohol. If so directed by the MHC Director, you are to cooperate with drug testing. Any appointment missed for an illegitimate, non-documented reason at which established testing is scheduled, will result in a positive drug or alcohol test designation. If directed by the Court, you are required to participate in any substance abuse programming.
6. You must comply with the laws of the United States, the State of New Hampshire and the community in which you live. Any violation of the law for which a fine or imprisonment may be imposed constitutes a violation of the Mental Health Court conditions and may result in termination for the Mental Health Court. You must report any new police contact to the MHC Director immediately.
7. You will refrain from any assaultive/threatening behavior that presents a danger to yourself or others.
8. You must follow all the conditions of the Mental Health Court, the directives given by the Judge, and the treatment team. If you fail to do so, the Judge may impose sanctions upon you, which can include, but are not limited to: Attend AA/NA meetings, Additional appointments with your treatment team members, Increased level of treatment, or Termination from Mental Health Court.
9. You are required to report before 11am on Mondays, on the week of your scheduled court session, in person to the SCCCCP office to meet with MHC Director for supportive case management.

I, _____, have read and understand all of the rules and requirements of my supervision while a participant in the Strafford County Mental Health Court (Rochester).

Client Name

Date

MHC Director

Date

INCENTIVES

Upon the recommendation of the Mental Health Court Treatment Team, participants may be given incentives (rewards) for healthy and appropriate behavior. Common incentives are as follows:



- Judicial Praise/Congratulations
- Reduction of meetings with case managers
- Reduction of court appearances
- Certificates of Accomplishment
- Early advancement between Phases
- Fishbowl (i.e. candy, bus passes, etc)

SANCTIONS

Sanctions will be imposed by the Mental Health Court Judge, upon the recommendation of the Mental Health Court Treatment Court Team, when a participant violates any of the program rules. Sanctions are imposed as immediately as possible, are sufficiently intensive to disrupt the negative behavior and are **individualized to the participant and the behavior**. Imposition of sanctions can also result in other "natural" consequences such as **extended time to complete a Phase or the total program; loss of wages due to loss of work etc.**



Mental Health Court participants will be sanctioned for the following (but not limited to) non-compliant behaviors, which constitute a violation of the terms and conditions of Mental Health Court:

- Unexcused (without documentation) absences from Program/Treatment appointments
- Positive Drug/Alcohol Test
- Court No Shows or Tardiness
- Re-arrest
- Medication non-compliance

*****Other negative behavior may be sanctioned at the discretion of the Mental Health Court Judge and/or upon the recommendation of the Mental Health Court Treatment Team.***

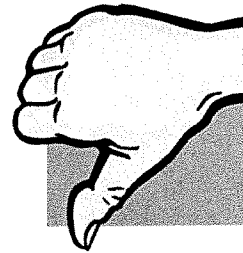
The response to the participant's non-compliant behavior may include any of the following sanctions by the Mental Health Court:

- Increased contact with case managers (#to be determined by Team & Judge).
- Increased court appearances (#to be determined by the Team & Judge).
- Imposition of community service
- Imposition of Strafford County Work Program
- Incarceration at the House of Corrections

TERMINATION FROM MHC

Warrants, new arrests or a violation of any aspect of your treatment plan may result in your being terminated from Mental Health Court. Other violations, which could result in termination, include the following:

- Refusal of treatment services or failure to give consent to release of information.
- Commit a violent crime or any other crime that endangers the public.
- Use of violence or threats of violence directed at treatment staff, other participants of the program or other clients of the treatment providers.

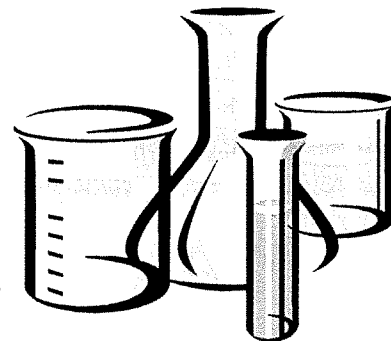


The final decision to terminate someone from Mental Health Court is at the discretion of the Mental Health Court Judge with feedback from the Treatment Team.

CHEMICAL TESTING

How often you drug test is based on your individual treatment plan.

- You will be observed to ensure freedom from errors
- If you miss a test, it will count as a positive test.
- If you have a positive test in any phase of MHC, the Judge can, based on recommendations from the Treatment Team, apply immediate sanctions to help you stop your substance use.
- Diluted urines count as a positive test.
- You should not consume products that contain poppy seeds.
- I understand that a positive drug test cannot be contested.
- I understand that I cannot use Marijuana, even in any state where it may be legalized.



GRADUATION

Upon your successful completion of all your Mental Health Court requirements, you will graduate from Mental Health Court and be promoted to continuing care.

Graduation from Mental Health Court is recognized as a very important event. Your loved ones will be invited to join you at a special ceremony as the Treatment Team congratulates you for successfully completing the Mental Health Court program and achieving your goal to establish a more productive, law abiding life style.

CONCLUSION

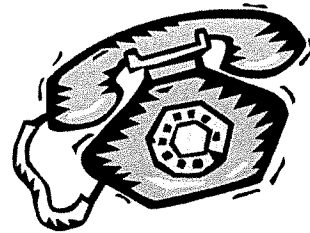
The goal of the Strafford County Rochester District Mental Health Court Pilot is to help you achieve success in your life! The Judge and the Mental Health Court Treatment Team are here to guide and assist you, but the final responsibility is yours. To succeed, you must be motivated to improve the quality of your life and be committed to Mental Health Court.



Best Wishes,

Mental Health Court Treatment Team

Write-in
IMPORTANT
PHONE NUMBERS



MHC Director: Blair Rowlett (603)516-5182

Community Corrections Emergency: (603)817-8235

THE STATE OF NEW HAMPSHIRE

STRAFFORD COUNTY

7th CIRCUIT ROCHESTER COURT
DOCKET NO. _____

STATE OF NEW HAMPSHIRE

v.

**STRAFFORD COUNTY MENTAL HEALTH COURT (ROCHESTER)
ACKNOWLEDGMENT AND WAIVER OF RIGHTS**

I, _____, my attorney being, _____, do hereby freely and voluntarily make the following statements which I understand shall apply to each and every charge.

I acknowledge that I am agreeing to enter into the Mental Health Court for a period of _____ months. I understand that my participation in Mental Health Court is voluntary and that I may elect to leave the program at anytime. I understand that in Mental Health Court, details of my mental health and other personal matters will be shared and discussed with the Mental Health Court Treatment Team in pre-court staffing and in open-courtroom, docketed sessions. I understand that I am required to attend all appointments as determined by my treatment team. If I do not comply with all conditions and recommendations, including being of good behavior, I will be in violation of Mental Health Court, which may result in court-imposed sanctions including but not limited to incarceration and termination from the Mental Health Court. I understand that I may be required to submit to drug testing at scheduled and/or random intervals. I understand that the Mental Health Court employs highly reliable testing equipment; therefore, I will accept all test results as valid and acknowledge that they are not subject to challenge. I do understand that I am to successfully complete Mental Health Court and this requirement may lead to an extension in my agreed upon sentence due to sanctions or unfulfilled treatment obligations. I understand that I am to comply with all rules and regulations as described in my Participant Handbook that I have clearly reviewed.

I hereby admit to facts sufficient for the court to find that I committed the charge/s beyond a reasonable doubt. I hereby waive my right to a speedy trial for the period of my participation in Mental Health Court. I hereby waive my right to a bench trial in the District Court.

I understand that by waiving my right to a trial I am giving up the following constitutional rights:

- My right to a speedy and public trial.
- My right to see, hear, and question all witnesses. This gives me the opportunity and right to confront my accusers and cross-examine them myself or through my attorney.
- My right to present evidence and call witnesses in my favor and to testify on my own behalf.
- My right to remain silent and not testify at a trial.
- My right to have the judge order into court all evidence and witnesses in my favor.
- My right not to be convicted unless the State proves that I am guilty beyond a reasonable doubt with respect to all elements of the charge/s, which have been explained to me.
- My right to keep out evidence, including confessions, illegally obtained.
- My right to trial before a jury and my right to appeal issues of law to the Supreme Court.

I acknowledge that if I am terminated from Mental Health Court or if I elect to leave the program at any time, the matter will be set down immediately for a plea and sentencing hearing and the following sentence will be imposed:

I understand that if I successfully complete Mental Health Court, I become eligible to motion the court to annul my record or arrest, conviction and sentence for this case(s) pursuant to RSA 490-H:2 III at least 12 months from the date of successful completion.

I understand that my current attorney's involvement will end upon the Court's acceptance of my guilty plea and my entry into Mental Health Court. If termination proceedings are initiated, my initial attorney will be reinstated. I understand that the attorney member of the treatment team will have a markedly different role from that of my current attorney. I understand that I will be asked questions in open court about my progress. I understand that I will speak on my own behalf without the assistance of a lawyer. I understand that any discussions among the team regarding my progress in Mental Health Court will be conducted in a non-adversarial manner. There may be

times when I may talk with the Judge without others present. I understand that, essentially, I will be dealing directly with the Court and not through a lawyer.

I understand the entire contents of this form, and I freely and voluntarily sign below. I also understand that I may have a copy of this form upon request.

Dated

Defendant

As counsel for the defendant, I have thoroughly explained to the defendant all of the above, including the nature of the charge/s, the elements of the offenses/s which the State would be required to prove beyond a reasonable doubt should this matter have proceeded to trial and the minimum and maximum penalties. I believe the defendant fully understands the meaning of the Acknowledgement of Rights, is not under the influence of alcohol or any drugs that may impair his/her ability to knowingly waive all rights as set forth in this form, and in fact knowingly waives said rights.

Dated

Attorney for Defendant

I hereby certify that I have examined the Defendant concerning the agreement entered in this case. Based upon that examination I find that the Defendant understands the nature of the charges, the minimum and maximum penalties which may be imposed there-fore, and the elements of the offenses/s; and I find that the Defendant is not under the influence of alcohol or any drugs that may im-pair his/her ability to knowingly waive all rights as set forth in this form, and that the waiver of each right set forth on this form is made intelligently, knowingly, and voluntarily.

