

PARTICIPANT HAND BOOK

FAYETTE COUNTY MENTAL HEALTH TREATMENT COURT

2024

Mission Statement

The mission of the Fayette Mental Health Court (FMHC) is to protect public safety, reduce recidivism, and increase the wellness and recovery of people with serious mental illness who are involved in the criminal justice system.

Using an integrated approach involving court-involved oversight, mental health treatment services, case management, peer support, education, employment, and personal accountability, the FMHC seeks positive and long-lasting life changes.

Program Description

Provide a voluntary problem-solving court to meet the treatment needs of individuals whose mental illness pose legal and public safety consequences and frequent incarceration. This is a voluntary program that can be terminated at any time by either the participant or by the recommendation of the FMHC team.

Participants are required to commit to the following:

1. I agree to take medication as prescribed, and refrain from taking medications or narcotics that are not prescribed to me.
2. I agree to refrain from self-harm or from harming others, to include not engaging in romantic/sexual relationships with other participants.
3. I agree to work with FMHC staff or their designees in order to aid in my recovery.
4. I agree to allow FMHC staff to track and document my progress data and share (without identifiers) with other agencies as needed for program development/funding.
5. I will not engage in new criminal or unauthorized activity, nor solicit or engage other participants to do so.

Cost Related to the Program

There is no cost related to the program. Participants will remain responsible for court costs from previous court involvement/probation, to include but not limited to jail fees, child support, medical costs, restitution, etc.

Participant Rules

The rules are designed to help ensure that participants are involved in behaviors and structures that are safe and self-enhancing. All infractions of the rules will be entered onto a “statement of violations” form that is reviewed by the judge and staffing team.

1. Participants are expected to attend all groups recommended by court staff. If for some reason you cannot attend, the FMHC team must be notified. You are expected to arrive on time and be prepared to start the group. Participants who are late and have not called in ahead of time will be considered non-compliant and will receive a consequence at the next court session.
2. The following behavior will not be tolerated:
 - A. Violence or threats of any kind.
 - B. Coming to the MHC office, groups, or court under the influence of drugs or alcohol.
 - C. Bringing drugs or alcohol into court or groups.
 - D. Weapons of any kind.
 - E. Disrespectful behavior or language to any court staff or personnel, other participants, or staff at other authorized programs.
3. Appropriate clothing is required at all times. Shirts and shoes are required, and shorts/skirts must be of reasonable length. Sunglasses and hats are not to be worn in the court. No clothing bearing emblems of drugs, alcohol, and/or violence is allowed. No gang colors or clothing is to be worn in the court.

4. You are on bond or probation while you are a participant of the Mental Health Court program. You must obtain prior approval from the court before leaving the area, taking vacations, or spending the night somewhere other than your home.
5. The following relationships between participants are forbidden: financial, legal, romantic, and sexual relationships as evidenced by but not limited to: posting bail/bond for participants in custody, loaning money, unauthorized visits to participants in custody, any sexual relations.

Violation of these rules could result in the imposition of consequences and possibly being terminated from the program.

Participant Rights

1. You have the right to be treated with dignity and respect.
2. You shall not be unlawfully discriminated against in determining eligibility for services.
3. You have the right to confidentiality. Releases of information must be signed prior to our disclosing your involvement in mental health court.
4. You have the right to participate in the development of your treatment plan.
5. You have the right to be informed prior to all referrals made on your behalf.
6. You have the right to individualized treatment.
7. You have the right to submit grievances, recommendations, and opinions regarding your treatment.
8. You have the right to humane care and protection from harm, abuse, and neglect.
9. You have the right to practice a religion of your choosing.

Confidentiality of Records and Limits of Confidentiality

The confidentiality of participant records maintained by this program is protected by federal law and regulations. The program may not say to a person outside of the program that a participant attends the program, or disclose any information identifying a participant unless:

1. The participant consents in writing to specific and time limited release of information; or
2. The disclosure is allowed by the court; or
3. The disclosure is made to medical personnel in a medical emergency or to qualified personnel research, audit, or program evaluation; or
4. The participant commits or threatens to commit a crime either at the program or against any person who works for the program.
5. Disclosure of or suspected harm or threat of harm to self or others.

Violation of Federal law and regulations by a program is a crime. Suspected violations may be reported to the United States Attorney in the district where the violation occurs. Federal law and regulations do not protect any information about suspected child, or elder, dependency, neglect, or abuse from being reported under State law to appropriate State or Local authorities (see USC 290dd-3 and 42 USC 290ee-3 for Federal laws and 42 CFR part 2 for Federal regulations and KRS. 645.270).

Group Sessions

The goals of group involvement are to enhance problem solving skills, wellness recovery, and positive social and moral interactions. The participants will be attending a recovery group session once a week for the first two phases of the program and will also attend on weeks that they have court during later phases. Participants will also attend a Dialectical Behavior Therapy (DBT) skills group once a week for their entire time in the program. These groups will be facilitated by clinical staff, community partners, and peers in recovery. Group leaders will be expected to report attendance and compliance.

Group rules are:

1. Confidentiality. What you hear in the group stays in the group.
2. Arrive on time and limit breaks to scheduled break time.

3. Try to make "I" statements. "I" statements reflect ownership of your thoughts and feelings. Part of treatment is designed to teach the participant responsibility for thoughts, feelings, and decisions.
4. Speak directly to the person you are addressing.
5. Listen attentively.
6. No side talk.
7. Be respectful and wait your turn to speak.
8. Let each person speak for themselves. Do not speak for another person.
9. Be honest, but not hurtful.
10. Stay on topic.
11. No violence or threats – you are reminded that there are limits to your confidentiality if you are a danger to yourself or others
12. No weapons allowed
13. No phone use during groups
10. And above all, participate. Group is an active experience.

Recovery and Life Skill Education

The education sessions are intended to be a positive experience for the participant. Thus, we try and accommodate the participant needs and desires in matching support groups and treatment to participants. Education is designed to provide skills, support and insight to the participant in order for them to make better choices in their lives. Education sessions will provide skills opportunity for individuals to determine what makes life worth living and create meaning.

Some areas of topics you could cover in educational sessions:

1. Relapse warning signs
2. Relapse prevention
3. Abstinence maintenance
4. The disease model of addiction
5. Family issues
6. Codependency
7. Anger management
8. Criminal thinking
9. Step work
10. Life skill development

Individual Counseling

Individual treatment is expected for all participants. The frequency of treatment is on an as needed basis, per the provider's recommendation. This will occur through a mental health provider in the community of the participant's choosing. As necessary, the Mental Health Court Team will assist you in identifying a provider that best suits your treatment needs and make a referral based on the most appropriate level of care to meet those needs. Individual sessions are a requirement of all the phases. Your level of need will determine how often you meet with your therapist.

AA/NA/DTR

AA/NA/DTR meeting attendance may be required for some individuals. It is designed to provide you with another support in the community to assist you with a drug-free lifestyle. It will provide you an opportunity to meet other sober individuals who are working on their addiction. It will also provide you with some social functions, such as drug-free dances and picnics. The amount of involvement with social functions is strictly up to the individual. We hope you listen and learn.

While you are in this program, you may be required to get a sponsor who will monitor your working on the 12 steps. Sponsors are someone with at least a year's sobriety, who attend meetings on a regular basis, and are not a current participant of the FMHC program. They are volunteers and do not receive pay for this service. Each sponsor works with a sponsee in a different manner. Some require that you phone them daily. Others require that you must be the one to make contact. Each sponsor may have you work the steps differently. The purpose of having a sponsor is to work the steps.

Family or identified support systems are encouraged to be involved by attending court and community support services. FMHC staff can provide you with information on the times and locations of meetings in your home area.

Phases I, II, III, and IV Expectations

The phases are designed to provide support and structure to assist you in developing a positive and productive lifestyle. Therefore, each phase has specific expectations that are designed to increase personal responsibility leading to graduation.

1. You will be required to take urine drug tests in all phases.

These samples will be collected by FMHC staff and submitted to a lab for testing. Your insurance will be billed for the service. Samples will be collected at existing MHC weekly requirements when at all possible. If this is not possible, or you do not show to a requirement, you will be expected to comply with an alternate collection time and location as set forth by FMHC staff.

2. The following requirements are expected at all phases

1. Appear at all court dates as ordered
2. Demonstrates a willingness to comply with all treatment and service goals/plan, including medication recommendations
3. Establish/maintain sobriety, with no drug screens positive for use of any unauthorized substances
4. Show reduction in symptom burden, as evidenced by achieving personal goals
5. Reduce/eliminate psychiatric hospitalizations (appropriate utilization of hospitalization)
6. Reduce/eliminate further criminal charges/arrests
7. Comply with parole/probation, if applicable
8. Increase meaningful daily activities, including employment, to the extent possible for the participant
9. Increase/improve social supports/social relationships
10. Establish/maintain stable housing
11. Have no unexcused absences from scheduled providers or service meetings

Phase I

You will be required to attend a weekly court session. The time and day of your court appearance will always be the same each week and take place in Courtroom 6 of the District Courthouse.

In addition to the above mentioned requirements, Phase I will require you to:

1. Fill out and turn in program productivity sheets weekly
2. Attend FMHC Monday group and Friday DBT Skills group
3. Attend recovery support groups weekly
4. Identify providers and begin attending recommended treatment services

To phase up, you must be positively involved in the phase treatment goals and not have any consequences in the 30 days prior to phasing up. A phase up will be considered outside of these requirements only when the

participant writes a letter of request or advocates for themselves in court, and the FMHC teams believes the participant is prepared to phase up.

Phase II

You will be required to attend a court session every other week. The time and day of your court appearance will always be the same each week and take place in Courtroom 6 of the District Courthouse.

In addition to the above-mentioned requirements, Phase II will require you to:

1. Fill out and turn in program productivity sheets weekly
2. Attend FMHC Monday group and Friday DBT Skills group.
3. Attend recovery support groups weekly
4. Complete a Wellness Recovery Action Plan

To phase up, you must be positively involved in the phase treatment goals and not have any consequences in the 30 days prior to phasing up. A phase up will be considered outside of these requirements only when the participant writes a letter of request or advocates for themselves in court, and the FMHC teams believes the participant is prepared to phase up.

Phase III

You will be required to attend a court session every third week. The time and day of your court appearance will always be the same each week and take place in Courtroom 6 of the District Courthouse.

In addition to the above-mentioned requirements, Phase III will require you to:

1. Complete Voices in Recovery training
2. Attend FMHC Monday group on weeks you have court and Friday DBT Skills group.

To phase up, you must be positively involved in the phase treatment goals and not have any consequences in the 30 days prior to phasing up. A phase up will be considered outside of these requirements only when the participant writes a letter of request or advocates for themselves in court, and the FMHC teams believes the participant is prepared to phase up.

Phase IV

You will be required to attend a court session every fourth week. The time and day of your court appearance will always be the same each week and take place in Courtroom 6 of the District Courthouse.

In addition to the above-mentioned requirements, Phase IV will require you to:

1. Create an aftercare plan to include but not be limited to:
 - a. Routine treatment regime
 - b. Regular contact with natural supports
 - c. Employment or productivity
 - d. Maintain success of goals accomplished in previous phases
2. Share Voices in Recovery story in court
3. Attend FMHC Monday group on weeks you have court and Friday DBT Skills group.
4. Act as a mentor/role model for other FMHC Participants

To phase up, you must be positively involved in the phase treatment goals and not have any consequences in the 30 days prior to phasing up. A phase up will be considered outside of these requirements only when the participant writes a letter of request or advocates for themselves in court, and the FMHC teams believes the participant is prepared to phase up.

Consequences

When the phase requirements and rules are not adhered to, there are consequences that are individualized and determined by the type of offense and its frequency. The graduated consequences at a minimum involve admonishment by the Judge and staff, written homework, going up to jail time and possible termination from the program.

Consequences are discussed and assigned by the FMHC team for the following violations:

1. Failure to attend all scheduled court dates
2. Coming late to court or other scheduled programs
3. Unexcused absences from treatment team appointments
4. Unexcused absences from assigned groups
5. Unexcused absence from 1on1 meetings with FMHC staff
6. Non-compliance with prescribed medication
7. Testing positive for illegal or unauthorized substances on urine drug screen
8. Failure to comply with or produce urine drug screen (missed screens and diluted or altered drug screens will be considered positive)
9. Violating terms of release from custody
10. Committing or being charged with new offense(s)
11. Displays of violence, threats, or other unacceptable behavior
12. Getting into a relationship with another FMHC participant, to include financial, legal, romantic or sexual relationships
13. Not completing previously assigned consequences

Consequences will be assigned at the discretion of the FMHC staff and Judge. These may include, but are not limited to:

1. Admonishments from the FMHC Judge/staff
2. Residential mental health treatment in compliance with KRS 202A
3. Community service
4. Phase demotion
5. Increased group treatment
6. Additional drug screens
7. Peer support visits/calls
8. Written reflections on recovery topics
9. Short/long term treatment for substance abuse
10. Home incarceration
11. Jail time
12. Termination from FMHC.

Self-report of any violation may result in a lessening of consequences. Graduated consequences will be utilized for continuous noncompliance.

Case Management Services

Each participant in the FMHC program will have access to a community navigator. This is to provide you with assistance in meeting recovery goals in the community. They will assist in finding and linking you to area resources. These resources may include any component of the participant's life.

Some examples are:

1. Vocational rehabilitation/services for education or employment issues
2. Local GED classes/Community Colleges
3. Financial resources for housing

4. Childcare or education services
5. Community health centers
6. Benefits/insurance assistance

Prescription and Over the Counter Medication

Once you enter the mental health court program you become responsible for everything you put into your body. *Should you have to take any prescription medication, you MUST PROVIDE MHC STAFF WITH A COPY OF THOSE PRESCRIPTIONS. IF YOU FAIL TO DO SO YOU WILL BE SANCTIONED FOR ANY POSITIVE URINE DRUG SCREENS.*

All prescription medications must be approved. At times, MHC has the right to contact your doctor and discuss the possibility of changing your medications.

Staff Availability

FMHC staff are generally available by phone 8:30am-4:30pm Monday thru Friday. When unavailable, **they will return calls/texts within 1 business day when a message is left at 859-489-4497.** Staff are not equipped to handle emergency/crisis situations and will direct you to your provider or emergency services, if necessary. The office is closed for most holidays, but drug testing may still take place on a holiday.

Medical or Psychiatric Emergencies

In the event you experience a medical or psychiatric emergency, you may use local emergency rooms, the UKHC EmPath unit at Eastern State Hospital, or the main unit at Eastern State Hospital. **The local crisis line is 1-800-528-8000, operated by New Vista 24 hours a day.**

You may also call 911 or 988 in the event of an emergency. Should you be hospitalized for a medical or psychiatric emergency, you are expected to provide documentation to MHC staff at your earliest opportunity.