



representative of the Court at any time.

2. Participants retain the right to request the attendance of defense counsel during the portion of a treatment team meeting in which their participation is discussed.
3. The Renewal Court docket shall not terminate participants unless provided notice of intent to terminate, a hearing and representation by an attorney. The participant shall have a commensurate level of rights as those required for community control revocation hearings. A participant may waive the right to a hearing, so long as the participant has had the right to consult with an attorney, and the waiver is made knowingly, intelligently, and voluntarily.
4. Renewal Court shall not impose a jail sanction for non-compliance without providing notice, a hearing, and representation by an attorney. A participant may waive the right to a hearing, so long as the participant has had the right to consult with an attorney, and the waiver is made knowingly, intelligently, and voluntarily.
5. Participants do not have the right to contest the imposition of sanctions that do not impact liberty interests. Adjustments in treatment activities are not sanctions.
6. The participant agrees to enter and complete inpatient and/or outpatient mental health treatment and substance use treatment when there is a co-occurring disorder, including any aftercare requirements, and to pay the treatment provider for costs when not paid by government resources. The participant agrees to report as scheduled for treatment and to participate in all activities of the treatment program, which may include any or all of the following:

A. **Preliminary Assessment**

Prior to the official Renewal Court entry hearing, the participant agrees to undergo a risk assessment and investigation with the Probation Department, and a mental health and substance use assessment at Community Counseling Center or Signature Health which will determine the level of treatment and recovery supports required. The participant shall complete a release of information for communication about confidential information, participation/progress in treatment, and compliance with the provisions of the "Health Insurance Portability and Accountability Act of 1996", 42 U.S.C.300gg-41, as amended, and Sections 2151.421 and 2152.99 of Ohio Revised Code and 42 CFR.

B. **Mental Health and Substance Use Treatment**

The participant agrees to work with a licensed treatment provider to develop an individual treatment plan that will identify needed treatment and recovery supports. The participant further agrees to comply with the Individual Treatment Plan in accordance with treatment and recovery support frequency and progress measures.

C. **Substance Use Testing**

The participant is required to submit to random, frequent, and observed alcohol and drug screens. Participant are required to contact a drug testing automated system Sunday through Saturday between 5:00 a.m. to 5:00 p.m. to determine if he/she is required to submit a urine screen from 10:00 a.m. to 5:00 p.m. that day. The participant is also

required to submit to testing if requested by the Treatment Provider, the Probation Department, or the Renewal Court Judge. All testing results will be shared with the Judge and the other members of the Treatment Team. Testing positive will result in a sanction and/or therapeutic adjustment and shall be immediately enforced and reinforced by the Renewal Court Judge.

Participants are tested with an instant urinalysis drug screen. The collection of test specimens are witnessed directly by a staff person who has been trained to prevent tampering and substitution of fraudulent specimens. It is the participant's responsibility to travel to the testing location during the hours indicated for the testing. Participants are expected to arrive at the testing location, currently located at Community Counseling Center or Signature Health's Conneaut offices, to produce a sample within a certain period of time.

The following acts are treated as positive tests and subject to sanction:

- If the participant fails to provide a urine sample when requested, it will be the same as a positive test and immediately sanctioned.
- A diluted sample is considered a positive test and will be immediately sanctioned.
- Should the participant tamper with or adulterate the urine sample, including submitting the sample of another individual, it will be considered a positive test and the participant will be immediately sanctioned.

If a participant tests positive, the participant may request that the sample be re-tested for confirmation. If the participant fails to make a timely request so that the sample is not available to re-test, the ability to request confirmation testing is deemed waived. If the confirmation testing returns positive, the participant will be sanctioned and/or given a therapeutic adjustment. In addition to sanctions for positive tests, the Judge and treatment team may require a change in the participant's treatment plan. Participants are also expected to submit to testing of his/her breath, hair follicle or blood as required by the Renewal Court Treatment Team.

7. Participants are required to abstain from mind-altering substances, legal or illegal, including Alcohol, Kratom, Synthetic Drugs, Bath Salts, Pseudoephedrine, Creatine, Inhalants/Whip its, Phenibutal, Alcohol Vapes, etc. It is also required that participants do not consume poppy seeds, because they can cause a false positive and may result in a sanction. In addition, the participant may not take non-FDA Approved foods, medications, supplements, chemicals, herbal remedy, etc. (examples include natural remedies, workout supplements etc.) There are also medications that can cause a false positive or that are not recommended for individuals in recovery. Therefore, prior to taking any over-the-counter medications, the participant must notify and consult with the Treatment Team, Probation Officer and/or Treatment Provider to determine if the medications could cause issues with his/her treatment and/or drug screens.

8. The participant agrees to voluntarily report to the Court, Probation and the treatment staff, any violations of the Renewal Court rules, including the participant's use of illegal drugs or

alcohol.

9. The participant must pay a supervision fee of one hundred fifty dollars (\$150.00) per year for the duration of the term of supervision. None of the \$150.00 supervision fee shall be used as part of the treatment costs. The participant agrees to abide by all the general terms and conditions of the supervision of the probation department. Renewal Court participants will not be denied admission to Renewal Court based on financial ability. Renewal Court will consider a participant's ability to pay fees and other financial obligations and make reasonable accommodations based on financial ability.

10. The participant must obtain and maintain full-time employment unless this requirement is waived by the Court.

11. The participant must comply with any and all requirements the Court may impose upon the participant at the time of entry into Renewal Court or as the result of a sanction.

12. The participant must attend all scheduled court appearances, including status hearings. The participant must further attend all scheduled appointments with treatment providers and the probation department. The failure of a participant to attend a scheduled court appearance or report to treatment or probation may result in the issuance of a warrant for the participant's arrest.

13. The participant must report all prescribed medications to your treatment provider and the Probation Officer. The participant will agree to provide verification of any prescriptions from your doctor including signing a release for the Renewal Court Treatment Team to contact any doctor. In addition, participants will agree to bring all psychiatric medications to every office visit with their probation officer. Medications that participants are generally **NOT** permitted to take include Opiates (example: Lortabs, Vicodin, OxyContin or Oxycodone, Tylenol 3, Percocet, Darvon, Darvocet, etc.), Amphetamines (example: Adderall, Ritalin, Strattera, etc.) and Benzodiazepines (example: Klonopin, Xanax, Diazepam, Valium, etc.). If a doctor believes that it is absolutely necessary to prescribe medications that will yield a positive urine drug screen (UDS), participants must submit a letter to the Court from the doctor stating that he/she is aware of your status as a recovering person, why the need for the medication outweighs the possible risks to your status as a recovering person and that he/she has been made aware of your participation in Renewal Court and that you are subject to UDS. If a participant tests positive and does not have a letter from their doctor, they are subject to sanctions immediately. Participants agree to take all approved medications strictly as prescribed. In addition, participants are required to provide medical paperwork to your probation officer or Renewal Court Team for every doctor visit, which should contain all prescribed medications, prescriptions given at the visit, and be signed by the doctor's office.

14. Releases/and or confidentiality waivers must be executed and delivered to Renewal Court, probation and treatment providers, authorizing the participant's physician or service providers to release confidential or otherwise privileged information regarding the participant to the Court, probation, and treatment.

15. The participant must inform probation and treatment staff of any changes in employment or address within twenty-four (24) hours of the occurrence of the change.

16. The participant shall not associate with anyone known to be actively involved in any criminal acts or behaviors.

17. In order to successfully complete Renewal Court, the participant must be in compliance with all of the phases of Renewal Court.

### **Orientation Phase**

During the Orientation Phase participants gain a thorough understanding of Renewal Court requirements and complete the assessment process. During this phase participants are expected to do the following:

- Meet as instructed with the Renewal Court Administrator and Renewal Court Probation Officer. Participants will be interviewed to determine their eligibility to participate in Renewal Court and to inform the Renewal Court Judge's decision whether to grant their request for Renewal Court.
- Meet as instructed at Community Counseling Center or Signature Health to undergo a complete mental health and substance use assessment.
- Sign a Release of Information form.
- Become familiar with the location of the service providers and address any issues of transportation and/or employment.
- Review the participant handbook and the participation agreement with your defense counsel.
- Remain law abiding

Movement through the Orientation Phase occurs once all assessments and relevant forms are completed.

### **Phase I (Compliance)**

The goal of the Compliance Phase is to provide participants with the skills and supports needed to manage behavioral health symptoms while connecting them to others in the recovery community. During Phase I participants are expected to do the following:

- Attend weekly status review hearings;
- Follow your Individual Treatment plan and attend all treatment sessions;
- Call in and submit to random alcohol and drug testing;
- Attend all required meetings and follow all rules of supervision with the Renewal Court Administrator and Probation Department;
- Cooperate with random home visits by the Probation Department;
- Engage in pro-social and sober community support activities; and
- Remain law abiding.

*To advance you must do the following:*

- ✓ Compliance with above; and
- ✓ Minimum 14 consecutive days substance-free and no infractions.

Movement through this Phase is based upon your compliance and progress with program rules and your Individual Treatment Plan.

### **Phase II (Program Engagement)**

During Phase II participants will begin to address the issues that led them to become a

participant in Renewal Court. During this phase, participants will begin to develop skills, improve family relationships, and set employment, vocational and/or educational goals. During Phase II participants are expected to do the following:

- Regularly attend Status Review Hearings before the Judge to review your progress;
- Comply with your Individual Treatment Plan;
- Continue to attend all treatment sessions, including required self-help recovery programs, or other Court approved evidence-based programs;
- Continue to attend all required meetings and follow all rules of supervision with the Renewal Court Administrator and Probation Department;
- Continue to cooperate with random home visits by the Probation Department;
- Continue to call in, submit and provide negative results to all random alcohol and drug testing occurring at a minimum of two times per week or as specified in their Individual Treatment Plan
- Continue to engage in pro-social and sober community support activities;
- Follow through on housing, educational, vocational, and employment referrals; and
- Remain law abiding.

*To advance you must do the following:*

- ✓ Compliance with above; and
- ✓ Minimum 60 consecutive days substance-free and no infractions for 30 days.

### **Phase III (Growth and Development)**

This phase is focused on developing self-sufficiency. Participants will begin to utilize skills learned in treatment and programming, continue to improve family relationships, and begin to make long-term employment, educational, and/or vocational plans, and demonstrate on-going stability. During Phase III you will be expected to do the following:

- Regularly attend status review hearings before the Judge to review your progress;
- Comply with your Individual Treatment plan;
- Continue to attend all treatment sessions, including required self-help recovery programs or other Court approved evidence-based programs;
- Continue to attend all required meetings and follow all rules of supervision with the Renewal Court Administrator and Probation Department;
- Continue to cooperate with random home visits by the Probation Department;
- Continue to call in, submit and provide negative results to all alcohol and drug testing;
- Continue to engage in pro-social and sober community support activities;
- Obtain/maintain stable, clean, sober housing;
- Obtain/maintain employment, schooling, vocational training, or engage in other Court approved activity;
- Have a realistic plan for payment of restitution, fines and supervision fees;
- Begin the Restorative Justice Process;
- Remain law abiding.

*To advance you must do the following:*

- ✓ Compliance with above; and
- ✓ Minimum 90 consecutive days substance-free and 30 days no major infractions.

### **Phase IV (Maintenance)**

During the maintenance phase, participants are required to continue to adhere to all treatment and Renewal Court requirements successfully and faithfully, and to continue to meet the same obligations as set forth above in the other phases.

Graduation from Renewal Court will occur after a participant has successfully completed all of the Phases. In order to graduate, participants must demonstrate the following compliant behavior and accomplishments:

- Demonstrated abstinence from alcohol and drugs as evidenced by submitting negative screens for a minimum of one hundred twenty (120) days prior to graduation;
- Successfully completed or continuing treatment and regularly attended required self-help recovery programs or other Court approved evidence-based programs;
- Demonstrated stability in the community;
- Regularly attended status review hearings before the Judge to review the participant's progress;
- Continued to attend all treatment sessions, including required self-help recovery programs or other Court approved evidence-based programs;
- Continued to attend all required meetings and follow all rules of supervision with the Renewal Court Administrator and Probation Department;
- Continued to cooperate with random home visits by the Probation Department;
- Obtained/maintained stable, clean, sober housing;
- Obtained/maintained employment, schooling, vocational training, or engage in other Court approved activity;
- Complete Restorative Justice process;
- Complete any other outside requirements (parenting classes, family counseling, financial counseling etc.); and
- Paid in full restitution, fines, supervision fees and court costs, unless otherwise determined.

*To advance you must do the following:*

- ✓ Compliance with above; and
- ✓ Minimum 120 consecutive days clean/30 days no infractions

### **Commencement Phase**

Once a participant has successfully completed Phase IV they will enter the Commencement phase, and be required to:

- Complete and submit the written Application for Commencement;
- Complete Commencement interview;
- Remain compliant with all Renewal Court requirements through actual Commencement ceremony; and
- No sanctions/infractions within 30 days of Commencement ceremony.

### **The Renewal Court Judge determines when an individual will graduate.**

18. The goal of Renewal Court is to encourage success and discourage failure. With that objective, Renewal Court uses incentives as an important component in making lasting changes in behavior. Incentives demonstrate acknowledgment of the difficult changes a participant is making in his/her life. Positive changes and compliance with Renewal Court requirements will

be rewarded. Some of the positive changes and behaviors that may be rewarded include, but are not limited to:

- Attending all status hearings;
- Attending all treatment sessions and Court approved self-help recovery meetings;
- Attending all appointments with the Renewal Court Administrator and/or probation department;
- Abstaining from alcohol and drugs, as evidenced by negative test results;
- Engaging in vocational or educational activities;
- Securing stable housing;
- Obtaining employment;
- Advancing in Renewal Court Phases; and
- Accomplishing any other milestone identified by the treatment team.

The Judge uses incentives on a case-by-case basis. The Judge dispenses incentives as the participant's status and conduct indicate. The Judge determines the type of incentives received based on the participant's performance and compliance with program requirements. There are many types of incentives available that may include, but are not limited to:

- Encouragement and praise from the Judge;
- Ceremonies and tokens of progress, including advancement in the Renewal Court Phases;
- Decreasing court appearances and supervision contacts;
- Increasing or expanding privileges;
- Gift cards for restaurants, movie theaters, recreational activities, or personal care services;
- Reducing fines or fees;
- Dean's list;
- Recovery Books, including The Big Book, NA Book and Smart Recovery Workbook
- Weekly fishbowl incentives; and
- Graduation from Renewal Court.

19. Just as it is important to recognize progress, it is also important for the Renewal Court Judge to respond swiftly to problems and noncompliant behavior. Sanctions are issued according to the seriousness of a violation. Serious violations could result in termination from the program. Sanctions are used on a case-by-case basis by the Judge when a participant fails to comply with Renewal Court requirements. These requirements include, but are not limited to:

- Failure to attend status hearings;
- Failure to respond in a timely manner to voice mail messages left from court, probation, or treatment staff;
- Failure to call in for drug screen in the allotted time;
- Failure to attend treatment appointments, including Court approved self-help recovery meetings, or other Court approved evidence-based programs;
- Failure to keep scheduled appointments with the court Administrator or Probation Department;
- Falsifying or attempting to falsify any required documentation, including self-help recovery meeting attendance;



- Noncompliance with random alcohol and drug screens, testing positive for alcohol and or drugs, or adulterating or attempting to adulterate urine screens;
- Noncompliance with any of the requirements of Renewal Court Phases; and
- Failure to improve troublesome behaviors.

Sanctions may include, but are not limited to:

- Warnings and admonishment from the Judge;
- Community service work;
- Individualized sanctions such as writing essays or reading books;
- Demotion to an earlier Renewal Court Phase;
- Electronically Monitored House Arrest (EMHA) or Secured Controlled Remote Alcohol Monitoring (SCRAM) bracelets;
- Increasing frequency of alcohol and drug testing;
- Increasing frequency of court appearances;
- Increasing supervision contacts;
- Refusing specific requests, such as permission to travel;
- Denying additional or expanded privileges, or rescinding privileges previously granted;
- Imposition of jail days;
- Filing of community control violation; and
- Termination from Renewal Court.

20. The participant understands that if he/she is terminated from Renewal Court, for Diversion cases the legal finding of guilty will be entered by the Court and the participant will be sentenced to the usual sanctions allowable under the law for the offense(s); for post-Conviction cases, the participant will be subject to a Probation Violation Hearing.

THE PARTICIPANT ACKNOWLEDGES THAT HE/SHE HAS READ AND UNDERSTANDS THIS AGREEMENT, AND FREELY AND VOLUNTARILY RELINQUISHES THE RIGHTS DISCUSSED HEREIN AND AGREES TO ABIDE BY ALL THE RULES AND CONDITIONS OF RENEWAL COURT.

\_\_\_\_\_  
Signature of Participant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attorney for Participant

\_\_\_\_\_  
Date