

Mental Health Court (MHC)

EIGHTH JUDICIAL DISTRICT COURT



PARTICIPANT HANDBOOK

Eighth Judicial District Court
Specialty Courts Division
200 Lewis Avenue, 4th Floor
Las Vegas, Nevada 89155

PHONE NUMBERS

Coordinator: Dominique Carter 702/671-0734; carterD@clarkcountycourts.us

Probation Officers:

Treatment (Main office)

Healthy Minds:

Healthy Minds Crisis (after hours):

CORE:

CORE Crisis (after hours):

Defense Attorney: Ron Paulson:

ATI (drug testing/call for “color”): 702-710-1229; 2400 W. Charleston Suite A: M-Sat 7:30a-9p and Sunday 10a-7 or 3320 Sunrise Av Suite 111: M-F 9a-5p. Note that these hours may change and it is your responsibility to note any holiday hours or change in general hours of operation.

RESOURCES

Suicide and crisis line (emotional and substance use support 24/7): 988 (call or text)

NA meetings: find a meeting: <https://www.drugstrategies.org/NA-Meetings/Nevada/Las-Vegas/> or call 702-329-9655

AA meetings: find a meeting: <https://lvcentraloffice.org/meetings/> or call 702-598-1888

MY TEAM

My PO:

My Case Manager:

My attorney: Ron Paulson (702) 455-4865

My therapist:

My housing provider:

My Coordinator: Dominique Carter CarterD@clarkcountycourts.us (702) 671-0734

DO NOT LOSE THIS BOOK

You are responsible for the knowing the information in this handbook. If you have questions, please ask a team member.

COURT:

TUESDAY 1:30p
COURTROOM 14C

Participants who have just started the program or who are having issues in the program will be required to attend court on a weekly or bi-weekly basis. As a participant makes progress in phases, the Court may allow them to come to court less often.

Court rules:

- Be on time
- Dress appropriately (no revealing clothing, pajamas, or clothing with writing or pictures referencing violence, gang, drugs/alcohol, or sexual matter)
- No coming/going out of Court room – you are expected to be in Court when your name is called
- Phones must be turned off/on silent mode; no texting or playing on your phone
- No children allowed unless granted permission prior to Court
- No swearing
- No eating, drinking, gum or tobacco chewing
- No sleeping

WELCOME TO MHC

We have three basic principles in the program:

- 1 – **HONESTY** – be truthful; this includes not withholding information.
- 2 – **SHOW UP** – attend all treatment, Court appearances, meetings, drug testing (UAs), psych/medication provider appointments, and any other appointments required of you. Be on time, be respectful, and participate.
- 3 – **TRY** – a sincere attempt and effort to do something. Put the work into your recovery, program requirements, treatment, and any other programming required of you. Use the skills you have learned.

Mission Statement

The 8th Judicial Mental Health Court (MHC) helps build safer communities by using a team approach to give justice-involved individuals with serious mental illness the tools to stop criminal behavior and increase their overall wellness and stability. Mental Health Court participants are responsible for using their individual treatment plans to work on their wellness and stability. These treatment plans focus on reducing risk factors and participating in therapy for mental health and substance use. These goals are achieved through regular Court hearings and meetings with treatment team members.

Team Members

Judge/Hearing Master – gets information from the treatment team and gives out rewards and sanctions

Defense Attorney – makes sure participants are treated fairly in court

District Attorney – lets the team know of any new legal information, like new arrests or police contact

Coordinator – does assessments on new applicants, makes treatment recommendations and is a main contact person for court questions

Probation Officer – supervises participants in the community at their home, work, or treatment locations. The P.O. may also do random drug tests. All requests for changes in housing, travel outside of the county and employment need to start with your P.O.

Case Manager – makes all treatment referrals and ensures that participant attends to obligations. Case Managers can also drop in for visits at participants' homes. They regularly communicate with all member of the MHC team on how you are doing.

Treatment Providers – provides assessments and treatment and reports about how participants are doing in treatment

All members of the treatment team must be treated with respect.

Every week you attend Court, your team meets prior to Court to review how you are doing in the program. We work together to determine if you are on the right path and will decide on incentives, sanctions, or other interventions needed to reward progress and help you get back on track if needed.

Length of MHC Program

The Mental Health Court is a 15-24-month program. The length of stay for any particular participant varies depending on how they do in treatment and whether they are following the rules of the program.

Participant Responsibilities

- Participants will keep all appointments.
- Participants will take medication(s) as prescribed by a physician.
- Participants will not have in possession or use any controlled substance except as prescribed for them by a licensed medical practitioner. Participants will not drink anything with alcohol in it nor enter any business where alcohol is the primary item for sale (like a bar, casino, or a liquor store).
- Participants will not smoke, vape, or ingest items that are not theirs.
- Participants will pay all fees ordered by the Court.
- Participants will sign all authorizations for release of information needed by the MHC, case manager, treatment provider(s) and other resource providers. If a participant chooses not to sign these authorizations, they may not be able to take part in the MHC program.
- Participants understand that immediate action may be taken before the weekly staffing if they:
 - Do not keep an appointment ordered by the Court (unexcused absence)
 - Do not follow instructions from treatment provider(s) or MHC team members
 - Test positive for alcohol, marijuana or any illegal or non-prescribed drug

- Violate court orders or breaks the law

Phases

Participants will work through five phases in order to complete MHC. Participants will be required to apply for phase promotion. Case managers will be an active support person in this process helping them complete phase up applications in a timely manner. If an individual requires additional time beyond 24 months, their treatment team will hold monthly status meetings to review requirements and progress to assist client in completing the program. The benchmarks for phase progression are as follows:

Phase 1 (minimum 90 days):

- Enrollment in drug testing, if required
- Enrollment in treatment
- Weekly check in calls with case manager with at least 50% compliance
- Compliance with all medication passes
- Rapport-building and honesty with all treatment team members
- Signature on Phase Advancement Application from therapist and case manager indicating that they support advancement

Phase 2 (minimum 90 days):

- Attendance at minimum of 85% of treatment sessions (including UAs if required)
- If submitting UAs, testing negative for at least 14 consecutive days (LCs, UTPs, and missed tests will be counted as positive results)
- Re-establishment of SSA benefits/application for SSA benefits OR enrollment with FIT/Hope for Prisoners
- Compliance with all medication passes
- Completion of crisis safety plan
- Weekly check-in calls with case manager with at least 75% compliance
- Signature on Phase Advancement Application from therapist and case manager indicating that they support advancement

Phase 3 (minimum 90 days):

- Attendance at minimum of 90% of treatment sessions (including UAs if required)
- If submitting UAs, testing negative for at least 30 consecutive days (LCs, UTPs, and missed tests will be counted as positive results)
- Compliance with all medication passes
- Bi-weekly check-in calls with case manager with at least 75% compliance
- Completion of all treatment requirements
- Completion of Relapse Recovery Plan (if attending substance abuse treatment)

- Honesty with all treatment team members
- Signature on Phase Advancement Application from therapist and case manager indicating that they support advancement

Phase 4 (minimum 90 days):

- Attendance at minimum of 90% of treatment sessions (including UAs if required)
- If submitting UAs, testing negative for at least 45 consecutive days (LCs, UTPs, and missed tests will be counted as positive results)
- Compliance with all medication passes
- Achievement of income source (SSA or employment)
- Bi-weekly check-in calls with case manager with at least 90% compliance
- Independent housing (outside of MHC/SNAMHS-funded options, unless in self-pay status)
- Completion of Aftercare Plan
- Honesty with all treatment team members
- Signature on Phase Advancement Application from therapist and case manager indicating that they support advancement

Phase 5 (minimum 90 days):

- Attendance at minimum of 90% of treatment sessions (including UAs if required)
- If submitting UAs, testing negative for at least 60 consecutive days (LCs, UTPs, and missed tests will be counted as positive results)
- Compliance with all medication passes
- Monthly check-in calls with case manager with at least 90% compliance
- Maintenance of income source
- Completion of Graduation Application to be submitted at least 30 days in advance of desired graduation date
- Honesty with all treatment team members

Probation and Home Visits

Participants on probation are required to follow any directions given by their Probation Officer. This includes checking in with the Probation Officer as often as they tell you to do so. If the participant has any law enforcement contact, they must tell their Probation Officer **immediately** (within 24 hours) about the contact. **The participant must first ask permission from their probation officer BEFORE doing any of the following activities:**

1. Traveling outside of Clark County
2. Getting a job or changing jobs
3. Making any changes in address or phone numbers
4. Regularly associating with a certain individual (including family and girlfriends or boyfriends)
5. Curfew is 8p unless you get approval from your PO for a later time

Home visits are a way for your Probation Officer to ensure you are abiding by the conditions of your probation agreement. Home visits can happen at any time of day or night. You are expected to open the door immediately for your Probation Officer. Your Probation Officer will be professional, and will expect you to act appropriately during the home visit. Your person/home/vehicle/cell phone or any area under your control may be searched without a warrant for evidence of a crime or violation of your probation agreement. People living at your home should know that the entire home can be searched. Sometimes the officer that visits may not be your own Probation Officer, but may be another Probation Officer. You are expected to treat them as if they are your assigned officer.

Income: Employment and Disability

In an effort to increase independence over the course of the program, the Mental Health Court team supports participants getting a job. All jobs must be approved through the participant's MHC team before starting work. The MHC team will also support individuals who choose to apply for Supplemental Security Income (SSI) or Social Security Disability Income (SSDI) if they would like to do so. It is important for participants to be aware that if they are living in supportive housing through MHC and have no income, the court will financially support them. Once an individual obtains some form of consistent income, they are expected to begin contributing to their living expenses.

Any participant who gets a job will be expected to turn in their paystubs immediately. During the first month of employment, MHC/SNAMHS will continue to pay housing/food/personal needs costs. From the second month of employment onward, the participant will be expected to pay the proportional amount of their expenses (with 20% of their pay check being set aside as "savings").

House Rules

If you are in residential placement, you must follow the rules of the house. It is your responsibility to notify your Probation Officer if you move – including moving apartments within the same building. Should you leave a residential placement without approval, the housing provider and MHC team are not responsible for your belongings, and the belongings may be thrown out after 30 days.

- Clean up after yourself; complete your assigned chores
- No borrowing, trading, buying, or selling between participants and/or other residents
- Curfew is 8p unless your Probation Officer approves a later time
- You must be home for medication passes- if you will not be home, prior arrangements must be made with your housing provider and approved by your court team in advance
- Sign in and out whenever you leave the home
- No smoking anywhere within the home- you will be shown where it is ok to smoke
- Be fire-smart- for example: do not remove any fire or smoke detectors from the home, do not leave food unattended when cooking
- Participants may be moved to a new housing provider at the MHC team's discretion
- Any house rule that is not otherwise a rule of MHC will be enforced by this court

Drug Testing Protocol

Participants must agree to not use any illegal substances, alcohol, marijuana or mood-altering substances not prescribed by a medical doctor. This includes: Kratom, Spice, bath salts, salvia, any natural or designer drugs, and substances containing ma huang, ephedrine, weight lifting/workout supplements, energy drinks, or foods containing poppy seeds. Participants who have history of drug use may be required to submit regular or random UAs based on the following guidelines:

- **Submission of Urine Samples:** Positive drug test results will not result in a new criminal charge, but a sanction could be imposed to help the participant get back on track. Not providing a urine sample when requested will be considered a positive result.
- **False Urine Samples:** Trying to falsify urine samples will result in termination from the program.
- **Diluted Testing:** If a urine sample cannot be tested for any reason like there is too little or no urine is provided, creatinine levels are too low, or correct UA protocol is not followed, the test will be considered positive for drugs. Participants should discuss low creatinine levels with their counselor, including how this may occur and how to avoid them.
- **Compliance:** Refusal to comply with a drug test may result in termination from the program. Participants must always leave a urine sample when asked. Participants may be asked to submit a UA by their treatment provider, by their P.O. or in court.

Alcohol

Participants in the Mental Health Court Program are not allowed to drink alcohol. A positive UA for alcohol and/or its metabolite or a positive breathalyzer result will be treated the same as a positive for any other drug.

Marijuana

Participants in the Mental Health Court Program are not allowed to use marijuana. A positive urine sample for marijuana and/or its metabolite will be treated the same as a positive for any other drug.

Prescription Medications

All medications must be prescribed by a doctor and shown to case manager. ***It is the participant's responsibility to tell their doctor that they are in Mental Health Court and to ask for a different medication if the doctor tries to prescribe any of the medications listed below.***

PARTICIPANTS IN MENTAL HEALTH COURT ARE PROHIBITED FROM TAKING ANY OF THE FOLLOWING MEDICATIONS FOR ANY REASON (EVEN IF PRESCRIBED BY A DOCTOR):

Benzodiazepines, Barbiturates, Soma, Ultram, Tramadol, Midrin, Hydrocodone, Oxycodone, Oxycontin, Fioricet, Promethazine, Nycynta, Propoxyphenes, Sumatriptan, Hydroxycut. Products containing Phenazopyridine Hydrochloride, Pyridium, Ambien, and Dextromethorphan.

Participant Obligations

Each participant is responsible for attending all treatment appointments. This includes, but is not limited to, psychiatrist appointments and individual and group therapy sessions. Some participants may be placed on random UAs, which must be completed. Every participant also must call their case manager to check-in weekly at a minimum. Case managers may ask you to check in more than once a week. If a participant receives SSI or SSDI, the court may require the case management organization (SNAMHS or Mojave) to become a participant's representative payee while they are in the program. Participants with income (SSI, SSDI, employment, etc.) will be required to pay some of their housing and program expenses. Participants will also be required to pay their probation fees, court fees and restitution while in Mental Health Court.

Participant Responsibilities are:

- Participants will report as directed. Participants will keep all appointments for:
 - Court
 - Treatment
 - Case Management
 - Probation
 - Classes
 - Support Groups
 - All other appointments ordered by the Court
- Participants will take medication(s) and/or injections as prescribed by a physician.
- Participants will not leave Clark County without a travel permit from Probation Officer.
- Participants will allow and cooperate with home visits from Probation Officer, Mental Health Provider and any other designated MHC team member or designated representative.
- Participants will obey all city, state, and federal laws. If a participant is involved in any criminal act, the participant may be terminated from Mental Health Court. The participant will tell their Probation Officer immediately if they have any law enforcement contact.
- Participants will not have in possession or use any controlled substance except as prescribed for them by a licensed medical practitioner. Participants will not drink anything with alcohol in it nor enter any business where alcohol is the primary item for sale (like a bar, casino, or a liquor store).
- Participants will obtain advance permission from their Probation Officer before they associate with any person convicted of a felony or misdemeanor, or with anyone currently under the supervision of the Board of Probation and Parole. It is the participant's responsibility to know with whom they are associating.
- Participants will talk to their Probation Officer and Case Manager before making any changes in address, phone number or employment.
- Participants will not own, possess, purchase, receive, sell or transport any firearms, ammunition, or explosive device, or any dangerous weapons.
- Participants will follow any instructions given by their Probation Officer.
- Participants will pay all fees ordered by the Court.

- Participants will follow any rehabilitation, educational, vocational, medical, psychiatric, or substance abuse treatment program assigned by the Court.
- Participants will sign all authorizations for release of information needed by the MHC, case manager, treatment provider(s) and other resource providers. If a participant chooses not to sign these authorizations, they may not be able to take part in the MHC program.
- Participants understand that immediate action may be taken before the weekly staffing if they:
 - Do not keep an appointment ordered by the Court (unexcused absence)
 - Do not follow instructions from treatment provider(s) or MHC team members
 - Test positive for alcohol, marijuana or any illegal or non-prescribed drug
 - Violate court orders or break the law
- When participants are in the court room they will:
 - Dress appropriately
 - Not talk during Court proceedings
 - Not bring food or drink into the Courtroom
 - Stay until the Judge excuses them
 - Not use profanity
 - Be on time and stay in the courtroom until their case is called

Program Responses

Incentives:

- The MHC program recognizes the hard work that it takes in trying to improve behaviors, choices, and ultimately lifestyles. Incentives encourage compliance and success in case outcomes.
- Some participants may start the program on restriction- which means that they cannot leave the house without a staff member with them. These people can then earn passes as an incentive- these passes can be used for leisure activities of your choice, as long as you follow the general rules of Mental Health Court. Participants do not have to use their passes to attend treatment.
- Incentives spotlight desired compliance and help to build trust between you and the MHC team. With that in mind, the MHC program recognizes all markers of success even if in a small way. Examples of behaviors/accomplishments that lead to incentives are included below.

Behaviors/Accomplishments		Possible Incentives/Responses
<ul style="list-style-type: none"> • Multi-day sober • Kindness to others • Assisting others • Increased contact with child and/or family • Good progress in the program • Maintaining employment • Attendance of community events • Completion of MRT • Treatment adherence 	<ul style="list-style-type: none"> • Obtaining employment • Obtaining GED/degree • Outstanding accomplishment • Perfect attendance • Phase completion/advancement • Obtaining driver's license • Court attendance • Attending NAMI groups • No UA issues • Birthdays 	<ul style="list-style-type: none"> • Applause • Curfew extension • Decreased court appearances • Pass to be called early in Court • Gift Card • Virtual Court attendance • Praise from judge • Recognition certificate • Increased pass hours • Taken off restriction • Be called first in Court • Bus pass • Small gifts (e.g. keychain, candy bars) • Travel privileges

Treatment Responses:

- If you are dishonest about any use or fail to follow rules and/or expectations which you may not be fully capable of following, you will be responded to with therapeutic adjustments referred to as “treatment responses”. If you are not responding to treatment interventions, but are otherwise compliant with treatment and supervision requirements, punitive sanctions will not be imposed. Treatment responses that increase your level of treatment are not sanctions. They are imposed to help you learn from your choices and to not repeat them and are designed to improve the overall effectiveness and response to the treatment episode.
- Treatment-oriented responses for substance use while in MHC are based on the recommendation of treatment providers. Input from other team members will be permitted for thorough discussion with the ultimate recommendation being made by the treating providers. Examples of behaviors that lead to treatment responses are

listed below. This is not a complete list and only represents possible treatment responses that may be recommended.

Examples of Typical Behaviors That Lead to Treatment Responses	
Examples of Behaviors	Examples of Treatment Responses
<ul style="list-style-type: none"> • Admitted use of drugs and/or alcohol • Admitted struggling/dealing with issues • Failing to meet treatment plan goals • Known use of drugs and/or alcohol • Positive drug test 	<ul style="list-style-type: none"> • Educational homework assignments • Essay on topic related to infraction • Increased sober-support meetings • Increased contact with treatment • Increased level of treatment • Increased drug testing • Phase extension • Residential treatment

Sanctions:

- If you fail to comply with the MHC program, the MHC Judge may order one or more of the following sanctions. Sanctions are graduated and individualized. Sanctions are not negotiable and are imposed in an effort to modify your behavior. Sanctions are not intended to be fun and most times will consist of hard work.
- Punitive sanctions and treatment responses are very different. “Sanctions” that increase the level of treatment are considered treatment responses and are imposed to help and not punish you. Other sanctions are imposed in an effort to modify behavior so that you learn to make better choices. While sanctions may be viewed as punishment, the intention is to teach or inspire changes in your behavior. Sanctions are not imposed arbitrarily and are ordered after detailed discussion among the team and between you and the judge occurs.
- Sanctions are ordered on an individual basis. Other participants in similar circumstances may receive different sanctions to what appear to you to be the same behavior or broken rule. This is not unusual nor is it inappropriate. You are viewed as an individual and thus, your individual progress, attendance, and history is taken into account at each occurrence.
- If you are given a sanction that requires any work outside of court, you are expected to complete the requirements of that sanction prior to you next scheduled court date. Failure to have any sanction completed by your next scheduled court date could result in additional sanctions.

Examples of Typical Infractions/Violations		
<ul style="list-style-type: none"> • Behavioral issues (poor attitude and/or being disruptive) • Providing a diluted or tampered drug test • Failing to attend scheduled events • Failing to complete community service hours • Failing to engage in services • Failing to follow coordinator/case manager instruction • Gambling 	<ul style="list-style-type: none"> • Failing to follow court instructions and/or orders • Failing to submit proof of support group meeting • Filling prescribed medication without authorization • Lying or deliberately omitting information to/from the court • Missing drug test • Missing treatment appointments 	<ul style="list-style-type: none"> • Missing mental health appointments • Missing probation or case manager check-ins • Missing treatment sessions • Non-compliance with approved medications • Positive drug test • Tardiness to and/or absence from court • Tardiness and/or absence from treatment group sessions • Use of drugs and/or alcohol • Use and/or Possession of synthetic and/or designer drugs
Examples of Serious Infractions/Violations (may result in immediate termination from MHC)		
<ul style="list-style-type: none"> • Engaging in romantic/sexual relationship with any Clark County Treatment Court participant • New criminal arrest/offense • Tampering/removal of GPS device 	<ul style="list-style-type: none"> • Possession and/or Use of synthetic and/or replacement drugs • Tampering/Falsifying drug test • Possession of weapon • Refusal to do UAs 	<ul style="list-style-type: none"> • Threats of violence or violent/aggressive behavior • Submitting falsified documents • Eviction from housing provider • Noncompliance with medications

Examples of Possible Sanctions/Responses		
<u>1st Occurrence:</u>	<u>2nd Occurrence</u>	<u>3rd and/or Multiple Occurrences:</u>
<ul style="list-style-type: none"> • Community Service • Admonishment from judge • Curfew • Essay on topic related to infraction • Increased community support group meetings • Increased drug testing • Increased Court appearances • Keeping a calendar • Phase extension • Stay to the end of court 	<ul style="list-style-type: none"> • Community Service • Admonishment from judge • Court observation days • Curfew/restriction • Educational workbooks • Essay on topic related to infractions • Suspended jail sentence • Incarceration • Increased Court appearances • Increased drug testing • Increased supervision 	<ul style="list-style-type: none"> • Community Service • Admonishment from judge • Incarceration • Increased court appearances • Increased drug testing • Increased supervision • Phase extension • Program removal • Extension in current MHC phase • Placed on restriction

<ul style="list-style-type: none"> • Verbal and/or written apology • Reduction in passes • Suspended jail sentence 	<ul style="list-style-type: none"> • Phase extension • Removal of privileges • Remand to jail 	
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Termination from Mental Health Court:

In ordering a participant’s termination from the program, the Court will consider factors such as the nature of the violation, duration in the program, previous violations, criminal history, participants’ desire to achieve stability and sobriety, the availability of higher levels of care, and others. The following actions may result in immediate termination: distribution of drugs, leaving placement, violent crime, or assaultive, threatening, or abusive behavior toward any member of the MHC staff, other participants of the program, or other clients of the treatment providers, new charges obtained, tampering/falsifying with UAs, refusal to do UAs, eviction from housing provider, tampering/removal of GPS device, possession of weapon, non-compliance with medications. Termination from the program will result in your case being referred back to your original sentencing judge to make a decision about your violation of probation and imposing the original jail or prison sentence.